

MAYOR & COMMISSIONERS
August 10, 2020
Via Teleconference

Mayor Wells called, via teleconference, the scheduled meeting of the Mayor & Commissioners of Delmar, Maryland to order at 7:00 P.M. on Monday, August 10, 2020. In attendance were: Mayor Wells, Deputy Mayor Unsell, Commissioners Tucker, Scholl and Lenox. Town Manager Bynum-King, Police Chief Barkley, Town Attorney Benson. Guest: AJ Tucker, Bobby and Julie Ringgold.

Mayor Wells performed the Pledge of Allegiance.

The Mayor Wells conducted a roll call to confirm there was a quorum. A quorum was established.

Mayors Comments

Mayor Wells informed the Commissioners that Senator Carozza's office is keeping in touch with the Town. She wasn't sure if anyone would be joining the meeting this evening, however they did want the Town to know they are available to assist with any of our needs. If we have constituents that have needs or concerns we could also pass those along as well. Mayor Wells acknowledged the outstanding job that our Public Works and Police Department did during the storm. She appreciated all they do. She also mentioned that Public Works is picking up the limbs from the storm, and she is sure the task is quote overwhelming. This service is above and beyond what we would normally do, because they are not asking the residents to cut and bundle the limbs.

Approval of Minutes

The minutes were incomplete, a motion was made and seconded (Unsell/Lennox) and carried to table the approval of the July 13, 2020 minutes until next month by roll vote of 4 Ayes and 1 abstain (Scholl)

Unfinished Business

Town Manager Bynum-King gave an update on the caboos restoration. She advised that all the donated pine wood to be used for the siding was no good and could not be used. She is working with the Historical Society and the Contractor to get pricing for the siding. Contractor is securing quotes for both pine and cedar.

New Business

Pastor Alvin Harmon Jr., with Refreshing Well Disciple Center seeking approval for an outdoor event to be held on September 17, 18 & 19, 2020 at 7:00 p.m. nightly revival. The purpose of the event is to make an introduction to the ministry and the outreach services they provide to the community. The event will be located in the open field at the intersection of US 13 N and Rt. 54E across the street from Wawa. Pastor Harmon said that he received permission from the property owner to use the parcel of land for his revival, but the property owner required written permission from the Town. Pastor Harmon said he also have event insurance to cover for any liabilities.

Mayor Wells asked if there was a social distancing plan in place and Pastor Harmon said it is one in place. He said

that the event would be under a tent that could seat 100 people, but he was going to only allow up to 50 people so they would have social distance. As far as traffic control, they will be direct to Foskey Lane to Stage Rd and then to the event site. Mayor Wells also asked if there was going to be an amplifier used and Pastor Harmon said yes. Mayor Wells said as long as they are ending by 9:30 p.m. they would not violate the Town's noise ordinance. Deputy Mayor Unsell asked if the vinyl pole tent would have sides on it and Pastor Harmon replied it would not, the tent is open.

Mayor Wells called for a motion to grant permission for the Refreshing Well Disciple Center to host a revival on September 17, 18, and 19, 2020, 7:00 p.m. nightly until 9:30 p.m. location at the intersection of US13N and 54E, Delmar, MD. The motion was made and seconded (Tucker/Scholl) and carried by roll call vote with 5 Ayes.

Student Advisory Report - No Report

Police Chief's Report – No Written Report Submitted

Chief Barkley, thanked Public Works and the Fire Department for all the assistance during the storm last week. He said it came down on us pretty fast with trees and large limbs down, transformers blew, no traffic lights, even with the problems they faced, he felt that we are pretty blessed.

Chief reported the following: **1)** His department is gearing up for school returns. He has been working with the school systems to see what that is going to look like, there are a lot of decisions to be made. He is also trying to determine when Officer Novak will need to be returning back to the school schedule, and he is not sure how that is going to work out. **2)** It is grants time of the year, which is a task in itself in getting the applications submitted and reports completed. He received a call from the COPs grant office and was advised he can put in for an extension due to the COVID and the closing of schools. The extension will only be allowing him more time to use the unused SRO funds prior to closing out the grant. In the coming months the COPs grant will run out and will need to devise a plan on how we will handle the difference. **3)** The department has been dealing with traffic issues and parking complaints. **4)** On the 27th of July we had a report of shots fired that started in Salisbury and ended in Salisbury, however Delmar ended up with the case. The case is still under investigation. No one was injured, however there was some damage to a vehicle.

Mayor Wells inquired about fireworks that has been occurring across from the Elementary School. She thought it may be coming from the field across from the elementary school, however she went to check and never found any evidence to indicate the fireworks happened in the area she and her husband went out to search.

Code Enforcement Officers Report

Mayor Wells informed everyone that the report is in the mail packets.

Parks and Recreation Report – No Report

Public Works Report – No Written Report Submitted

Town Mgr Bynum-King reported that they are very short handed and doing all they can to keep up with the property maintenance and the force accounts. Things are moving in the right direction, now that as of a few weeks

ago we are full staffed. Not to mention the storm last week that created some further delays, hopefully after the cleanup, they will be back on track.

Utility Commission Report

Deputy Mayor Unsell reported that the communication that needed to send back to the MDE regarding the status on the items listed in the pending consent order was sent on time, prior to the requested deadline. New hire for the WWTP will start next week. The operator will be getting a temporary license from the state. Public Works is now fully staff and repaired two sections of water main.

Planning & Zoning Report

1. AJ Tucker – Variance to request to Maryland Board of Zoning Appeals for a reduction in minimum lot size for an R-2 zoning district from 9,000 sq. ft. to 8,100 sq. ft. at 500 S. Maryland Avenue, Delmar, MD

Mr. Tucker said Lot was developed many years ago, and at some point the town had a change in square footage lot size requirement. The property is currently being taxed as a buildable lot in addition to paying the water/sewer fees.

Commissioners Scholl stated that this matter will go to the board of zoning appeals they will need to resolve the lot size matter first, then the builder will need to resolve the setback requirements.

Commissioner Lenox, said it appears this lot was legal when it was created and it is only the subsequence zoning code that causes this problem. As long as there wasn't anything created by this request or the previously property owner he would have no problem recommending support this request.

Commissioner Scholl asked for a motion to accept the Planning Commission's favorable recommendation to the Mayor and Commissioners for a Variance to request to the Maryland Board of Zoning Appeals for a reduction in minimum lot size for an R-2 zoning district from 9,000 sq. ft. to 8,100 sq. ft. at property located at 500 S. Maryland Avenue, Delmar, MD. The motion was made and seconded (Lenox/Unsell) and carried by roll call vote with 5 ayes.

2. Julie/Bobby Ringgold – (2) New home build on (Lot 3) at 103 W. Elizabeth Street and (Lot 2) 105 W. Elizabeth Street, Delmar, MD

Mr. Ringgold addressed the Commissioners Scholl mentioned that he had built one home already so we are familiar with the home styles.. Mayor Wells referenced the drawings were attached. There was some discussion during the Planning meeting, that there is a need to add a porch to one of the houses to make them different. Mr. Ringgold said the colors of the house would be different.

Commissioner Scholl asked for a motion to accept the Planning Commission's favorable recommendation to the Mayor and Commissioners for two new home builds one on Lot (3) at 103 W. Elizabeth Street, Delmar, MD and one on (Lot 2) at 105 W. Elizabeth Street, Delmar, MD, per the attached drawings. The motion was made and seconded (Lenox/Tucker) and carried by roll call vote with 5 ayes.

Town Manager Report

Development projects in Town are at a standstill with the uncertainty of the economy and figuring out how to move forward. Working with Station crossing commons on the PWA to get that resolved. Some items are being work through with the sidewalk from the development to the elementary school. Also working on how the project will be phased in as it pertains to the wastewater impact. Covering ourselves to make sure that when the developments do start to more forward it will be without issues and delays.

As for storm, I will just add that we did not have any damage to our municipal properties, however we did lose power, but the generator kick on. Plenty of trees and limbs are down, not only on the residential property, but on the roadways as well.

Maryland Real Estate Property Tax has gone out and payments have been steady through the drive thru. The first window drawer has malfunctioned, so we are looking to get it repaired or replaced. The system is old, so it may be more cost effective to just replace it. Staff is securing quote for the repair and replacement.

Preliminary Audit went smoothly, some of the elected officials was selected to come in and be interviewed about any concerns they may have with potential fraud. The auditors will be back in September to perform and complete the audit.

Commission Comments

Deputy Mayor Unsell – Carl Anderton, our illustrious Delegate is tossing his name in the ring for the County Executive seat. Unsell said he was definitely behind him and he gave him authorization to use his name as a reference. He said he would be a tremendous County Executive for us, he is an asset and he is a first class leader.

Wells- Mr. Culver’s service is scheduled for tomorrow. Commissioner Lenox said he would be in attendance to the service.

Public Comments - None

Adjournment

Having heard no other comments, a motion to adjourn was made and seconded (Unsell /Scholl) and carried by a roll call vote with 5 ayes.

Submitted by:

Sara Bynum-King, Town Mgr.

