

MAYOR & COUNCIL
August 3, 2020
Via Teleconference

Mayor Houlihan called the regular scheduled meeting of the Mayor and Council of Delmar, Delaware to order at 7:00 P.M. Due to COVID-19, the meeting is being held via teleconference. Mayor Houlihan conducted an attendance roll call to establish a quorum for this evening's meeting. A quorum was established, all Council Members were present. In addition to Mayor Houlihan were Vice Mayor Pase, Council Members Smith and Boyan. Key Personnel was also identified: Police Chief Ivan Barkley and Town Manager Bynum-King. Guests: Charles Towers, Gary Kleiman, Gary Spence and Walter Smelter.

Mayor's Comments

Mayor Houlihan thanked Vice Mayor Pase for running the July meeting in his absence. He also mentioned that the Fire Department flags are at half-staff, they lost one of their longstanding members Robert F. Jones – "Bob" Jones. The Department lost a brother, keep them and the Jones family in your prayers and thoughts.

Approval of Minutes

Mayor Houlihan called for a motion to approve the July 6, 2020 meeting minutes as prepared. A motion was made and seconded (Smith/Pase) and carried with a roll call vote of 3 ayes and 1 abstain (Houlihan).

Unfinished Business – None Reported

New Business –

Mayor Houlihan read a letter he received from State of Delaware Department of Transportation letter dated, July 20, 2020 in its entirety. A copy of the letter will be attached with the minutes for the formal record. The letter identified the Town's FY21 payment in the amount of \$41,356.73. The allocation is calculated based on 6.48 miles of municipally maintained streets and a population figure of 1693. The funds are for FY21, which begins July 1, 2020 and ends on June 30, 2021.

Committee Reports:

Student Advisory -

Mayor Houlihan said would reach out to Mrs. Richie, she was the one who found the students for Delaware and for Maryland last year to serve as the Student Advisor. Mayor Houlihan also added that last week he set in on a virtual conference with the school on their pre-opening. They have a huge challenge ahead of them on how to sanitize the classroom with a 4 minute window of time between classes and only 9 custodial staff. There has been some discussion about having some virtual classrooms and some in-person classes. He mentioned that Governor Carney would be making a statement as far as the school openings are concerned next week. He also mentioned there is a shortage of bus drivers, due to covid. The schools have major challenges ahead of them. Mayor Houlihan concluded that he is on the pre-opening sub-committee for the school and will share information as he is informed.

Police Chief's Report – No Written Report submitted for the Mail Packets

Chief Barkley's department is gearing up for school return and are working with the administrator for a smooth transition. His department has also been dealing with traffic and parking issues around town. He further reported that there was a major incident on July 27, 2020 report of shots fired. He said the first call about the incident went to MSP and they responded at approximately 8:15, however his department was not notified until about 9:13, which caused a delay in them dealing with the issues. He said the parties involved, both the victim and suspect, were family members out of Virginia. The incident is still under investigation.

Code Enforcement Officer Report – Written Report in the Mail Packet.

Town Mgr. added that the Town is getting ready to clean up the business property on Pennsylvania Avenue and York Street, a major cleanup will take place in the next few weeks. There will be removal of the old abandoned vehicles, machine parts and other debris will be removed. The Town has been more than fair in working with the property owner to get the property cleaned up with no success.

Parks and Recreation – No Report

Public Works – No Written Report submitted for the Mail Packet

Utility Commission – Vice Mayor Pase said it was a very short meeting, the WWTP is running well. The vacant Wastewater Treatment Operator vacant position has been filled. The new hire will start in the next few weeks. The Town did send the response letter, prior to the deadline, back to the State of Maryland with regards to the pending consent order.

Planning & Zoning

- **Charlie Towers – 2 Phase Signage - Illuminated Cloud Design / Letter Design – Tax Free Liquors 38627 Benro Dr. #7, Delmar, DE** –

Mr. Towers was present on behalf of his client, Tax Free Liquors, located in Delmar Commons. He is looking to replace some old dilapidated signs in 2 phases. He will be removing the old wine banner. The center section is phase 1, the first sign with Tax Free Liquor, and to the right side of that sign will be the wine sign, the third section will be for the beer sign. The business owner is working on the lease for the third section, once that is secured the second and third sign will be installed as phase two of the project. Mr. Towers is seeking approval for all the signage so that he will not have to make several trips back and forth to the Planning Commission for separate approvals. He said it may take up to 6 or 7 months for the completion of Phase 3 of the project.

Council Member Boyan reported that the Planning Commission gave a favorable recommendation to the Mayor and Council for the 2 Phase Signage - Illuminated Cloud Design / Letter Design – Tax Free Liquors 38627 Benro Dr. #7, Delmar, DE per the attached drawings.

Mayor Houlihan called for a motion to accept the Planning Commission's favorable recommendation. The motion was made/seconded (Smith/Boyan) and carried by roll call vote with 4 Ayes.

- **Gary Kleiman – New Sign Design / Verizon – 31010 Thornton Blvd, Delmar, DE** –
No representative for Verizon was present, however Council Member Boyan said it was a fairly simple proposal. Mayor Houlihan said we could proceed forward with the review and approval.

Council Member Boyan reported that the Planning Commission gave a favorable recommendation to the Mayor and Council for the new sign design for Verizon at 31010 Thornton Blvd., Delmar, DE per the attached drawings.

Mayor Houlihan called for a motion to accept the Planning Commission's favorable recommendation. The motion was made/seconded (Pase/Smith) and carried by roll call vote 4 Ayes.

- **Gary Spence – Building Signage: 1-Front and 1-South Side – 1 N. Bi-State Blvd. Delmar, DE –**

Mr. Spence, representative for the property owner of 1 N. Bi-State Blvd. Delmar, DE the old Car City location. The property owner is redoing the entire building with stone siding, doors and windows. He is looking to install two identical signs, same size with LED internal lights. Mayor Houlihan mentioned the owner is doing a lot of work to the building and it looks very nice.

Council Member Boyan reported that the Planning Commission gave a favorable recommendation to the Mayor and Council for 2 new signs design for State Line Auto Care – 1 to be placed on the front of the building facing Bi-State Blvd and 1 facing the south side of the building located at 1 N. Bi-State Blvd, Delmar, DE per the attached drawings.

Mayor Houlihan called for a motion to accept the Planning Commission's favorable recommendation. The motion was made/seconded (Smith/Boyan) and carried by roll call vote with 4 Ayes.

- **Walter/Charlene Smelter – Sunroom Addition to new home – Lot 142, 38477 Charles Ct., Delmar, DE –**

Mr. Smelter said that he is proposing to add a 12 x16 sunroom to the rear of the house. The siding, roof and all the amenities will match the existing house. He mentioned that he was also adding a small 8x12 patio to the side of the house. The proposed addition will meet all setback requirements.

Council Member Boyan reported that the Commission gave a favorable recommendation to the Mayor and Council for the new sunroom addition to new home located in the Yorkshire Estate Subdivision on Lot 142 at 38477 Charles Ct., Delmar, DE per the attached drawings.

Mayor Houlihan called for a motion to accept the Planning Commission's favorable recommendation. The motion was made/seconded (Smith/Pase) and carried by roll call vote 4 Ayes.

- **AJ Tucker – New Home build on Lot 8 at 11760 Buckingham Dr. Delmar, DE –**

No representative for this project was present, however Mayor Houlihan decided to proceed with the proposed project review. Mayor Houlihan identified that the new home would be located in the Yorkshire Subdivision and is not part of the Ryan Homes construction project.

Town Mgr. Bynum-King did advise the Council that the Planning Commission gave a recommendation with a contingency. The builder did meet all of the requirement set forth by the Planning Commission, therefore the motion is to be made without the contingency.

Council Member Boyan reported that the Commission gave a favorable recommendation to the Mayor and Council for the new home build in the Yorkshire Estate Subdivision on Lot 8 at 11760 Buckingham Dr., Delmar, DE per the attached drawings.

Mayor Houlihan called for a motion to accept the Planning Commission's favorable recommendation. The motion was made/seconded (Pase/Boyan) and carried by roll call vote with 4 Ayes.

Town Manager's Report

Town Mgr. Bynum-King reported she received an email from a Yorkshire Estate subdivision resident seeking assistance in placing a street sign to bring awareness to vehicular traffic there is a child with autism in the area. The resident resides at 11605 Buckingham Drive, and has a 3-year-old son that is nonverbal, he does not speak and doesn't respond to his name. The property owner also reached out to DelDOT for assistance, and they directed the resident back to the Town. However, DelDOT did suggest that once the sign is approved, they would recommend placing it on the speed limit sign at the entrance of the subdivision. Town Mgr. wanted a consensus from the Mayor and Council on how they would like to proceed with the signage once the streets are dedicated to the Town. She mentioned that by getting the guidance now would help expedite the process once we take over the streets. The Town could work with the HOA for sign placement. Mayor Houlihan suggests working with the HOA and the Chief to work through how we can assist with the situation.

Preliminary audit was underway the 2nd week of July. A few of the elected official was selected to participate in the fraud audit assessment. The Auditors will be back in September to finish the audit.

Appreciate the patience with Public Works through this season with the lack of staff in that department. All of the vacant positions have been filled. .

Administrative Office is still closed to the general public however staff is still providing full service to our residents through our drive thru window. In conclusion the real estate property tax bills have been sent out, payments are being received and processed.

Council Comments

Council Member Boyan, mentioned that mosquitos are extremely bad, and he called the state for mosquito control. He said that other residents have complaints about the mosquitos. Town Manager Bynum-King said that the Town normally calls when we receive complaints from the residents. Council Member Boyan encouraged everyone to be safe during the storm.

Council Member Smith, acknowledged Mayor Houlihan and St. Stephens for the very nice tree ceremony held at State Street Park. The ceremony was to dedicate a permanent Christmas tree in honor of Greg and Joy Smith for the "Love Life Tree" fundraiser and annual Tree Lighting Ceremony. Council Member Smith said he believe that over all the years of fundraising, they raised approximately \$50,000.00. He said they would continue to do the annual fundraisers. Mayor Houlihan added, it was a very nice ceremony and he thanked Greg and Joy for their service to our community.

Vice Mayor Pase encouraged everyone to stay safe in the mist of COVID and the upcoming storm. She also encouraged everyone to do their part to keep our community safe.

Adjournment

A motion to adjourn was made/seconded (Smith/Boyan) and carried by roll call vote with 4 ayes.

Submitted by:

Sara Bynum-King, Town Mgr.
Interim Clerk of Council