

**MAYOR & COUNCIL**  
**May 4, 2020**  
Via Teleconference

Mayor Houlihan called the regular scheduled meeting of the Mayor and Council of Delmar, Delaware to order via teleconference at 7:00 P.M. In attendance were Vice Mayor Pase, Council Members Smith and Boyan, Town Manager Bynum-King, Police Chief Barkley and Clerk of Council Fisher. Guests: Steve Marsh and J. Silvia from GMB and Vishal Patel.

Mayor Houlihan took role call and everyone was present. Everyone performed the Pledge of Allegiance.

**Mayor's Comments**

Mayor Houlihan informed everyone that there is a Public Hearing scheduled for 7:10 p.m. He said that with this Stay-In-Place order, April seemed to be a very long month.

**Approval of Minutes**

Mayor Houlihan asked for a motion to approve the April 6, 2020 minutes as circulated. Council Member Boyan made that motion which was seconded by Council Member Smith. Upon a role call vote taken by Mayor Houlihan, the motion passed with 4 ayes and 0 absent.

**New Business**

Attorney Retainer Agreement

Town Manager Bynum-King informed the Council that our former Town Solicitor, James Waehler gave notice in January that he would be resigning his position after 25 years. He did recommend some legal counsels that could possibly be a good fit for the Town. One firm, The Smith Firm, LLC, seemed to be the best fit for our needs as well as being consistent with the same type of service that Mr. Waehler provided the Town.

The Town Manager said that she had spoken to Mayor Houlihan about the Attorney Retainer Agreement. The Agreement was signed by both parties at the end of April to be effective as of May 1, 2020. Mr. Waehler retired as of March, but he extended limited services to the Town until we secured an Attorney.

Mayor Houlihan asked for a motion to have The Smith Firm, LLC as the legal counsel for Delmar, Delaware as of May 1, 2020. Vice Mayor Pase made that motion which was seconded by Council Member Boyan. Upon a role call vote taken by Mayor Houlihan, the motion passed with 4 ayes and 0 absent. Town Manager Bynum-King said that Michael R. Smith will be our lead counsel out of that firm.

**Public Hearing- Blair Carey- rezoning of property on Second Street and Old Racetrack Road, Delmar, DE**  
Mayor Houlihan read the legal advertising for this Public Hearing. He stated that Mr. Carey had approached the Council a few months ago with his plans for this parcel and the request for a zoning change from Industrial to R-2 Residential. It is scheduled for 7:10 this evening as a Public Hearing.

Mayor Houlihan asked for a motion to open the Hearing up for Public Comments. Council Member Smith made