

MAYOR & COMMISSIONERS
April 10, 2023
MEETING HELD IN-PERSON AND VIA TELECONFERENCE

Mayor Jordan called the regular scheduled meeting of the Mayor and Commissioners of Delmar, Maryland to order at 7:00 P.M. This meeting is available to the public, in person with limited seating and via teleconference. In attendance were Deputy Mayor Lenox, Commissioners Boothe, Shaffer and Unsell. Town Manager Fleetwood, Police Chief Ivan Barkley, Shawn Johnson, Robert Benson Town Attorney and Clerk of Council Vondell Spencer were in attendance. Guests: Dennis Murray, Penny Glasgow, Shawn Johnson, Darrin and Beth Wyatt and Wicomico County Council President John Cannon.

Mayor Jordan performed the Pledge of Allegiance followed by a roll call to confirm there was a quorum. A quorum was established.

Mayor's Comments-

Mayor Jordan thanked everyone for attending the meeting. He commented there is great attendance every month to the Mayor and Commissioners meetings month after month.

Mayor Jordan acknowledged Wicomico County Council President, John Cannon. Mr. Cannon commented he tries to get to the Mayor and Commissioners meetings as much as possible and it was a pleasure to be in attendance.

Approval of Minutes

A motion was made, seconded, (Unsell/Boothe) and carried to approve the March 13, 2023 minutes as circulated by roll call vote of 5 Ayes.

Unfinished Business-

None.

New Business –

Mayor Jordan read and signed the Fair Housing Proclamation declaring April 2023 as Fair Housing Month. A motion was made/seconded (Boothe/Lenox) and carried by a roll call vote of 5 Ayes.

Mayor Jordan read the Parks and Recreation Oath and swore in Penny Glasgow to the Parks and Recreation Commission. A motion was made/seconded (Boothe/Lenox) and carried by a roll call vote of 5 Ayes.

Committee Reports:

Police Chief's Report

Chief Barkley welcomed Ms. Glasgow to Parks and Recreation.

Chief Barkley reported as follows: 1.) The two recruits that were field training have completed all field training, certifications MD and DE, and as of April 5th they started working independently. There is always someone working with them. 2.) After two years of not being 24-hour service the department is now back to 24-hour service. 3.) The two recruits in the academy are doing well. This week they are having firearms and emergency vehicle operations course training (EVOC). They are getting close to the end of that juncture and they are doing well. PD is looking forward to seeing them moving forward and starting their field training. 4.) Chief Barkley has been working on the numbers the PD needs for the budget. 5.) The Little League parade is this weekend. 6.) The park events are starting to rise. 7.) May 7th will be the State St. Park rededication. Chief Barkley said the park is beautiful and with all of the work that has gone in to the park it deserves rededication and recognition. The monument for Cpl. Keith Heacock will be unveiled as well as the bench that was dedicated in his honor.

Commissioner Boothe asked Chief Barkley when the projected new vehicles will be in service. Chief Barkley answered they are not ready yet. One more vehicle is in and has not been delivered to PD. PD did not get a forecast of when the fourth vehicle will be coming off of the production line. PD is usually informed every phase the vehicles are in.

Commissioner Boothe said he was approached by a resident that informed him she was in an accident in February on Jewell St. and Officer Cockey and Coco assisted her. The resident said the officers helped her above and beyond. Commissioner Boothe further said this resident had nothing but great things to say about the officers.

Commissioner Shaffer asked Chief Barkley if the Town needed to post the road closure for the Little League parade. Shawn Johnson answered yes.

Mayor Jorden asked Chief Barkley if the Town had enough officers for the Heacock Fest. Chief Barkley answered some of the officers will be attending the event and four officers will be working the event so PD should be well represented. Town Mgr. Fleetwood added on April 30th at 12:30 p.m. the service road that runs between the Wawa and McDonald's will be unveiled and named Cpl. Heacock Way.

Town Attorney Benson mentioned Chief Barkley did a nice job on WBOC tonight representing the Town of Delmar during the interview. A conversation ensued.

Code Enforcement Officer Report - The report is included in the mail packets.

Public Works – The report is included in the mail packets.

Utility Commission

Commissioner Unsell reported: 1.) This is the first time in about six years the Utility Commission will have five members next month with the addition of Phillip Moore that was sworn in last month and Todd Lanier that was sworn in this month as a new Council Member and a Utility Commission Member. 2.) Public Works requested a transfer of \$10,175.00 from contingency funds to “supplies and materials” for the purchase of new water meters which was approved. It was imperative that the meters get purchased now because it takes eight months to receive them.

Mayor Jordan called for a motion to approve the Public Works request to transfer \$10,175.00 from contingency fund to the “supplies and materials”. A motion was made/seconded (Shaffer/Unsell) and carried by a roll call vote of 5 Ayes.

Parks & Recreations – The report is included in the mail packets.

Commissioner Boothe welcomed Ms. Glasgow to the Council.

Commissioner Boothe reported: 1.) May 20th from 10:00 a.m. to 2:00 p.m. there will be a park clean-up starting at State St. Park, Gordy Park and the Tot Lot. The Council will try to have some students that need community service hours help with the clean-up. He said if it rained the date will be that Sunday from 12:00 p.m. to 4:00 p.m. It would be good to have this clean-up between Day in the Park and the rededication of the park. 2.) The chili cook-off with the trade show in the park will happen; more to come. 3.) At the budget meeting there was discussion about buying some equipment for the movie in the park night. He said 3C Church will be helping out with the equipment portion and helping with the entire process as far as turning on equipment etc. If the process works then the Town will consider buying equipment.

Planning & Zoning

Deputy Mayor Lenox reported:

1. **Robert Micheliche– Deck and Patio – Lot 386, 9340 Mulligan Way, Delmar, MD** – Mr. Micheliche presented a new site plan that was received 3/30/2023 for the presented new deck and patio with the final measurements.

Deputy Mayor Lenox called for a motion to accept the Planning and Zoning Commission’s favorable recommendation to approve – Robert Micheliche – Deck and Patio – Lot 386, 9340 Mulligan Way, Delmar, MD. There was discussion about one corner being outside of the building restriction line. The motion was made/seconded (Shaffer/Boothe) and carried by roll call vote of 5 Ayes.

2. **Chris Brown/Ryan Homes – Deck – Wood Creek – Lot 86, 9419 Rolling Green Drive, Delmar, MD** – Ms. Brown presented a new deck per the attached drawings. Deputy Mayor Lenox explained this deck is attached to a previously approved building permit.

Deputy Mayor Lenox called for a motion to accept the Planning and Zoning Commission's favorable recommendation to approve – Chris Brown/Ryan Homes – Deck Porch– Wood Creek – Lot 86, 9419 Rolling Green Drive, Delmar, MD, per the attached drawings. A motion was made/seconded (Boothe/Unsell) and carried by roll call vote of 5 Ayes.

3. **Darrin Wyatt (Seal Tech) – Building – Lot 117a, Stage Road, Delmar, MD** – Mr. Wyatt presented a building as referenced per the attached drawings. Mr. Wyatt stated he turned in the plans for the building that will be fenced in on Old Stage Rd. There is no infrastructure from the Town of Delmar or tie-ins.

Mr. Wyatt said his location on Stage Rd. has been annexed into the Town of Delmar with the closest water tie-in 2,640 feet from his property. There is a high-pressure sewer line across the street on another property owner's property. He said they have been working with some engineers; nothing has been turned into the Utility Commission for approval.

He further said the engineers are saying they can take a grinder station and tie-in to the high-pressure sewer line with the grinder station for each property. He mentioned he is meeting with a gentleman tomorrow for boring under Rt.13 from another property owner's property across Rt.13 to a water main.

Mr. Wyatt stated the other property owner has spoken with the State of MD to determine the approximate footage that would have to be bored through. The State of MD informed them that all they needed was an eight-inch water main line. This is all in the early stages with the other property owners engineering firm.

He further stated today they are here to try to change the verbiage that reads under zoning for community business that equipment cannot be stored because he needs to make sure he is able to do what he would like to do on his property. A conversation ensued.

Town Attorney Benson explained to Deputy Mayor Lenox the next steps that where needed to present the Mayor and Commissioners with an ordinance in May for the first reading which would then be advertised in June if adopted in May to change the language of the code under community business. May and June will both be public hearings. A conversation ensued.

A motion was made to move forward asking Town Attorney Benson to prepare language for an introduction in an ordinance, and change the language of the code under community business to be adopted. A motion was made/seconded (Boothe/Shaffer) and carried by a roll call vote of 5 Ayes.

Fire Department – The report is included in the mail packets.

Mr. Johnson said the rescue truck is coming home after two years; hopefully by Sunday or maybe early next week. He reviewed his report for the Mayor and Commissioners.

Mayor Jorden asked Mr. Johnson if the FD has researched outside funding with the county and state as well. Mr. Johnson answered he is aware the County Administrator, Chief's Association and County Association have been in discussions. Mr. Cannon added they will be getting funding next month.

Mr. Johnson said the FD command vehicle will be back in commission soon.

He further said the fire police will be conducting traffic for the Little League parade. The Little League chicken BBQ is Saturday, April 15, at Gordy Park ball field. The platters will be \$10.00. Also, Sunday, April 23rd the Little League will have a beef and dumpling dinner at the V.F.W. from 12:30 p.m. to 4:00 p.m. The dinners will be \$18.00. The Mayor and Commissioners thanked Mr. Johnson and all of the Delmar Fire Department for their dedication.

Town Manager's Report

Town Manager Fleetwood reported: 1.) The Clean Hands Ordinance will be on the May agenda. He said he would like the Mayor and Commissioners input on the ordinance. 2.) Paving is now in progress. Tomorrow there will be no paving done. Wednesday of this week there will be paving in front of the Delmar High School and paving will be finished on Grove St. The next focus will be on Connelly Mill Rd. 3.) The Delmar High School JV and Varsity baseball team will be in State St. Park this week to paint the pavilion, undercarriage and the 6 by 6 posts. 4.) The water tower on York St. is scheduled on April 17th to be power-washed. After the exterior is finished the inside cleaning will be completed. 5.) Wednesday of this week there will be a full-time Public Works employee. Tomorrow interviews for two seasonal PW employees will take place.

Town Mgr. Fleetwood sought approval for additional funds to finish paving on Stage Rd. The estimate for repairs, striping and stop bars will be \$250,000.00. He said the amount should not exceed \$200,000.00 because there is other money left from the HUR money. Town Mgr. Fleetwood recommended to the Mayor and Commissioners to use ARPA money for the additional funds. A conversation ensued.

Town Mgr. Fleetwood mentioned the Town contractors with Allan Myers, Delmar Asphalt Plant, to allow the Town of Delmar to be direct billed for asphalt. The plant allowed the Town of Delmar the same price per ton and the Town does not pay the tax as the contractor did. This is a savings to the Town. A conversation ensued.

Town Mgr. Fleetwood publicly thanked Lee Outten, Wicomico County Roads Division, for being cooperative in grading the shoulders of the road from the railroad coming back towards Rt. 675 on Connelly Mill Rd. Town Mgr. Fleetwood mentioned if we delay Stage Rd. we will incur additional mobilization fees. The current contractor is coming from Jessup, MD and their mobilization fee was less than everyone on the Eastern Shore.

Mayor Jorden called for a motion to approve the request for additional funds to finish the paving project on Stage Rd. with a cap at \$200,000.00 with the ARPA funds being the primary source. A motion was made/seconded (Boothe/Unsell) and carried by a roll call vote of 5 Ayes.

Council Comments

Commissioner Unsell had no comment.

Commissioner Boothe commented it is really nice to see the plan that had been developed by the Mayor and Commissioners in place for so long finally being carried out.

Commissioner Boothe further commented Carload Express/Delmarva Central Railroad will be doing a pretty big tie project. They will be removing the ties from Old Crow Road all the way to Elizabeth St. in Salisbury, MD. This is a two-phase project this year. Next year they will continue to go all the way down to Pocomoke City, MD. It will be loud and a lot of equipment. This project will change jobs up; the early morning job is 6:00 a.m. and it will be happening at 4:00 a.m. So, everybody will be hearing the train at 6:00 a.m. The night job will be pushed back later so it will be coming through later.

Commissioner Boothe said one of the railroad track inspectors informed him about people parking on the railroad tracks. The track inspectors are getting very impatient. They are going to start getting vehicles towed. People need to stop on the railroad tracks. He further said he informed Town Mgr. Fleetwood.

Deputy Mayor Lenox commented that decks and incidental additions have traditionally come through the Planning and Zoning Commission. It has become a situation with a lot of our property owners; it has come quite burdensome for what he would call simple additions to have to wait a couple of months which involves timing to have to go before the Planning and Zoning Commission and then have to come before the Mayor and Commissioners.

He further commented personally he would like Town Mgr. Fleetwood to take a look at how they can streamline this and deal with what he would term administrative decisions administratively. Things that involve discretion, things to be on the agenda that they actually have a say in and if they meet a checklist basically, they should be approved. Town Mgr. Fleetwood added he still believes the request should still be presented to the Planning and Zoning Commission. Deputy Mayor Lenox responded sure for now. Essentially for porches, decks, minor additions are something that he would trust staff to do administratively.

Commissioner Shaffer commented he agreed with Deputy Mayor Lenox 100%. If we can remove some red tape, speed things up and make things easier for our tax payers so they don't have to meeting hop would make it easier; if it meets the requirements that is already established. A conversation ensued.

Commissioner Shaffer further commented he is happy the police are back 24/7.

Public Comments: -

1. John Cannon commented it is a pleasure to watch good government in action when you are actually using the common-sense approach to address your constituents. Mr. Cannon said to Town Mgr. Fleetwood that it is a pleasure when someone has a complement about some of our Wicomico County employees and Mr. Outten is a great guy. Mr. Cannon further said he will share Town Mgr. Fleetwood's comments with him. Town Mgr. Fleetwood said this goes for the Landfill guys as well.
2. John Cannon further commented they are doing what they can on the county level. They will be getting their budget in their next meeting. The state has already warned them about write-downs. Also, they are looking at \$15.00 minimum wage. Wicomico County is facing the same issues as Chief Barkley as far as recruitment and retention with their police department and to a greater extent the fire departments. He said he had a couple of meetings with the Fire Chief to try to figure out which way to go but no solid resolutions as of yet and he will be anxious to see what the budget shows them when that time comes.
3. John Cannon mentioned Delmar has great ball fields and Delmar is always known for its sports. A conversation ensued in reference to the Mason Dixon Complex.
4. Penny Glasgow thanked Town Mgr. Fleetwood for the street repairs in front of the auction building on Railroad Ave.

Adjournment

Mayor Jorden called for a motion moved and seconded (Unsell/Boothe) and carried to adjourn with a roll call vote of 5 Ayes.

Submitted by:

Clerk of Council
Vondell Spencer