

MAYOR & COMMISSIONERS
August 14, 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, and Shaffer. Town Manager Fleetwood, Chief Barkley, Clerk of Council Vondell Spencer, Planning and Zoning Director Twain Evanson, and Robert Benson Town Attorney were in attendance. Guest: Ed Ferro, III, Carol Wenkel, Sara Hughey, Alan Whitley, Maril Riley, Jerry Yates, and Dennis E. Bowden. Absent: Commissioner Unsell.

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 said he appreciated the attendance.

Mayor Jordan thanked all attendees, volunteers, Delmar V.F.W., and sponsors that attended the Blue Light Night. He said Movie Night followed Blue Light Night. The weather probably was not the best but it was awesome to have an event like that in the Town of Delmar.

Mayor Jordan reminded everyone that August 27th is the Heacock Fest which will help raise money for different nonprofits.

Approval of Minutes –

A motion was made, seconded (Lenox/Boothe) and carried to approve the November 29, 2021 minutes as circulated by a roll call vote of 4 Ayes 1 Absent (Unsell). Mayor Jordan explained the minutes were never approved

A motion was made, seconded, (Shaffer/Boothe) and carried to approve the Joint Council July 10, 2023 minutes as circulated by a roll call vote of 3 Ayes 1 Abstain (Jordan) 1 Absent (Unsell).

Unfinished Business –

None.

New Business –

MD Board of Election Supervisors Oath -

Mayor Jordan read the Delmar, MD Board of Election Supervisors Oath of Office and swore in

Sara Hughey, Carol Wenkel, and Eleanor Kaul.

Historical and Art Society -

President of the Historical and Art Society Alan Whitley, showed appreciation and thanked the Mayor and Commissioners for the allotted money in the FY'24 Budget for the Historical and Art Society. Mayor Jorden responded they appreciate all that the Historical and Art Society does and their hard work.

First Reading/Introduction Phase One Sewer Bond -

Town Attorney Benson read, explained and described the 1st Reading of the Phase One 2023 A and 2023 B Bond Issuance, Ordinance #755. Town Mgr. Fleetwood gave further explanation of the money breakdown. Mr. Benson added that on the second loan if ever it has to be repaid due to default, the interest is somewhere between 3.5% and 3.52%

Mayor Jorden called for a motion to adopt the 1st Reading of the Phase One 2023 A and 2023 B Bond Issuance, Ordinance #755. A motion was made/seconded (Lenox/Boothe) and carried by a roll call vote of 4 Ayes 1 Absent (Unsell).

Delmar Farmers Market -

Town Mgr. Fleetwood presented information for the upcoming Delmar Farmers Market. A conversation ensued. Commissioner Shaffer asked Town Mgr. Fleetwood to explain compensation for Mrs. Lambrose. Town Mgr. Fleetwood explained compensation for Mrs. Lambrose. Commissioner Boothe added this Elected Body is very passionate about the Delmar Farmers Market. He thanked Town Mgr. Fleetwood for getting it done. Town Mgr. Fleetwood publicly thanked and acknowledged Administrative Assistant Starr Conaway for her efforts on the project.

Mayor Jorden called for a motion to accept the Delmar Farmers Market. A motion was made/seconded (Shaffer/Boothe) and carried by a roll call vote of 4 Ayes 1 Absent (Unsell).

Delmar Police Lot Line Adjustment -

P&Z Director Evanson updated the Mayor and Commissioners on the lot line adjustment at the police department. Commissioner Boothe questioned if the gate will be manual. Chief Barkley responded the gate will be automated. This new building will assist/help the police department as far as security of files, storing seized vehicles as far as impounds to be maintained by sight and sound, and sally port. Currently the sally port at the PD is basically used for storage for lack of storage space which is the same sally port used to bring prisoners into when they are arrested which is not safe for the officers. Chief Barkley said the storage building is how PD can change all the issues.

Policy to Amend Approval Authority for Sign Permits

P&Z Director Evanson explained why approving sign permits by the appropriate staff would be beneficial to the applicant. He described that the applicant is now waiting 90 days to receive a sign permit and with the approval inhouse at staff level, the permit can be issued in 30 days. Deputy Mayor Lenox added the Planning and Zoning Commission did review this topic last month and made a favorable recommendation. He said if the signs meet the requirements they should be approved.

Mayor Jorden called for a motion to approve the policy to amend approval authority for sign permits. A motion was made/seconded (Lenox/Boothe) and carried by a roll call vote of 4 Ayes 1 Absent (Unsell).

Proclamations for Dr. William Powell

Town Attorney Benson spoke on Dr. Powell's behalf due to Dr. Powell's health. Town Attorney Benson thanked Town Mgr. Fleetwood for bringing this proclamation to the Elected Body for consideration. He discussed Dr. Powell's background in Delmar, college background, employment background, patent history, and the work Dr. Powell did with blight causing the American Chestnut Tree to be extinct.

He explained Dr. Powell with his team in Environmental Science was able to combine a single strand of wheat DNA with the DNA of the American Chestnut Tree making it resistant to the blight. In combining the two DNA strands he created the first transgenic tree. This is currently in the process of getting approved. Mr. Benson expressed his appreciation to the Mayor and Commissioners for the proclamation.

Mayor Jorden read the proclamation which was signed by Maryland State Senator Marybeth Carozza and Maryland State Delegate Carl Anderton. He added that Dr. Powell's story and the fact that it all started in the Town of Delmar is extraordinary. Mayor Jorden thanked Dr. Powell for his hard work and dedication.

Committee Reports:

Police Chief's Report –

Chief Barkley thanked everyone that attended, participated, and helped out with Blue Light Night. He said it was very successful.

Chief Barkley reported as follows: 1.) Vehicle break-ins took place in Yorkshire Estates and the Heron Ponds area last month. All of those vehicles were left unlocked. One subject said that his vehicle was broken into twice. The subject did not contact police. Chief Barkley reminded everyone to lock their vehicles. 2.) Chief Barkley thanked the Mayor and Commissioners for the police officer swear-in, and awards. Mayor Jorden mentioned Chief Barkley was honored with two stars. 3.) Recruit Kevin Doman is doing well in the academy and will graduate in December. 4.) The site prep work has started and hopefully they will get started on the new storage building in the beginning of September. 5.) There are three applicants for the part-time PCO positions and PD is working on moving through the process and filling those positions. Commissioner Boothe asked Chief Barkley if any of the applicants were already trained. Chief Barkley answered at least one has been a dispatcher previously. 6.) August 27th is the Heacock Fest and on the same date the street rededication will take place next to Wawa and McDonalds at 3:00 p.m. 7.) Chief Barkley announced next month's Mayor and Commissioners meeting he will be away in training and one of the PD's lieutenant's will attend the meeting in his absence.

Mayor Jordan commented when looking at the numbers for traffic on the report they are a lot higher than what they have been and it is refreshing that the Town of Delmar has enough officers to patrol the streets properly.

Commissioner Boothe commented even with the rain the turnout for Blue Light Night was phenomenal. PD did a great job and hats-off to Sergeant McCahill, he did a fantastic job. Commissioner Shaffer added the food was good at Blue Light Night. Commissioner Boothe further commented there was a K-9 officer present at Blue Light Night that complimented PD. The K-9 officer said it was one of the best ones she has attended as far as organization, etc.

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

Town Mgr. Fleetwood mentioned there is a change in the reporting structure so the Code Enforcement Officer Liz Peek now reports directly to P&Z Director Evanson.

Community Development Report – The report is included in the mail packets.

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

Commissioner Boothe said the report showed this department being short staffed with vacation, sick time, etc. They really pulled together to get the job done and the seasonal help has done a phenomenal job. Town Mgr. Fleetwood added the seasonal employee's last day is Thursday.

Mayor Jordan publicly thanked the PW department for the Blue Light Night. He said they did a phenomenal job making sure the trash was picked up, etc.

Utility Commission –

Commissioner Shaffer reported as follows: 1.) Cost of repairs were reviewed from the caustic spill on the building at the WWTP. Bids came in from the Whayland Co. at \$137,000 and the Delmarva Veteran Builders bid was \$250,000. Labor was the big difference in the bids. A garage door will be installed at the WWTP to allow access for the installation and removal of different products. 2.) One block on Chestnut St. is left for the sewer main project. 3.) Teal Construction found some problems with a four-inch water main towards the eastern side of Chestnut St. 4.) At the WTP a water heater was installed that was approved some time ago. 5.) P&Z Director reviewed the policy to amend approval authority for sign permits.

Fire Department – Report is included in the mail packets.

Mayor Jordan reviewed the report. He highlighted EMS calls for MD/MD out of town and DE/DE out of town. He said the FD has a lot going on and the gun-bash is coming up.

Parks & Recreation – Report is included in the mail packets

Commissioner Boothe reported: 1.) The committee has been trying to do a chili cookoff in the fall in the park through the American Welding Society and Parks and Recreation were going to have a

trade show with them as well. Unfortunately, the gentleman that runs that organization has had health issues. So that event is on hold right now. 2.) The Basketball Summer League Program started this Sunday and all requirements were met. Commissioner Boothe said from what he has seen it has been successful. 3.) There was a gentleman that came from the Samuel Grand Lodge from the Masonic Masons and they would like to start a foodbank. So, they are in talks about having it in the Little Library if it could be possibly be redone by Gordy Park to get that started. 4.) Parks and Recreation has re-enrolled in the Maryland Municipality League Parks and Recreation to give more avenues and connections to be able to do more. 5.) Commissioner Boothe thanked the Commission, Town of Delmar, and 3C Church for all the help with Movie Night. 3C Church had a trailer full of things that made Movie Night happen.

Planning & Zoning –

Deputy Mayor Lenox reported the Commission did meet on July 27th. A good part of the agenda had a lot to do with some issues on the DE side. The only matter that he would have reported has been withdrawn and at this point no action has been taken.

Town Manager's Report –

Town Mgr. Fleetwood publicly acknowledged Senator Richardson and Representative Dukes on the Sussex County DE side. They procured \$74,000 in grant money so the Delmar Fire Department could purchase a new command vehicle.

Town Manager Fleetwood reported: 1.) Gordy Park basketball courts are in dire need of a facelift. He said he is confident a grant will be procured to do so. 2.) August 27th before the Heacock Fest the sign dedication with Heacock Way signs will take place at 3:00 p.m. at the east and west end of the street that runs between Wawa and McDonalds. 3.) The notice to proceed was issued today to the Whayland Co. for the WWTP so the Town is awaiting their response. 4.) At the WTP a centrifugal pump was replaced with a submersible pump which is more efficient and there have been a significant increase in the flows. 5.) Heritage Day is September 23rd from 10:00 a.m. to 2:00 p.m. on Pennsylvania Ave. Double Nichols Band, Randy Davis with a horse and buggy for free rides, and 45+ vendors will be in attendance. Also, touch-a-truck, fire trucks, dump trucks, street sweepers, trash trucks, pick-ups, police cars, golf carts, and airhorns will be on the MD side out by the railroad tracks. Everything on the North side of State St. will be all vendors. 6.) Speed limits signs were replaced in Wood Creek. 7.) On Eight St. concrete work is being done today. Town Mgr. Fleetwood thanked Senator Richardson and Representative Dukes for procuring the funding for that concrete work to be done. 8.) On the south end of Maryland Ave. two new homes were built six weeks ago. There is a work order placed at Delmarva Power and Light for a streetlight in that location. 9.) There will be an election taking place November 21st.and the deadline to file is September 11th. Should we need a Primary Election it will take place on September 26th. 10.) The Phase 1 sewer project on Chestnut St. should be finished by next week. Then they will come in and do a basecoat, asphalt in the middle of the road, tear the other side of the street. up and put the new water main in. By the end of this week then the water main then concrete repairs by the end of the year there will be a brand-new road. 11.) State St. Park restrooms need to be renovated to make them ADA accessible. 12.) Town Mgr. Fleetwood said on Sixth St. that runs north south, when it rains it ponds. This is a priority and he is waiting on five potential contractors. This is a DE issue and it will be resolved very quickly.

Council Comments –

Commissioner Boothe had no comment.

Commissioner Shaffer commented he wanted to shoutout PW for Blue Light Night and Movie Night. He said those guys showed up after 10:00 p.m. to help out and move trash, etc. Also, to see the guys at 3C Church move the audiovisual equipment that they not only loaned the Town of Delmar but set it up, disassembled, and took it back. They were out until midnight and everything went really smooth. It was really nice to see the community come together for positive interaction.

Commissioner Shaffer further commented he is excited about the farmer's market. He said he found the story of Dr. Powell very amazing. It was very significant to have done what Dr. Powell has done for the American Chestnut Tree. He said he is really excited that somebody from Delmar has done that and thanked Mr. Benson for putting it together.

Commissioner Shaffer said when he was at the Mayor and Council meeting this month Representative Time Dukes did an amazing job with the breakdown of the budget for DE this year and his district. It was nice to see somebody come and be involved like that.

Deputy Mayor Lenox commented this meeting was unusual that tonight we have heard from community groups that come together to perform an essential function. Certainly, we need to partner with these groups. He mentioned one that hasn't been spoken about is the Town of Delmar's library. The library has done good work and continues to do so. Deputy Mayor Lenox shouted out the libraries end of the summer bash. He said it is scheduled in State St. Park Thursday, August 24th from 5:30 p.m. to 7:30 p.m. They are not only looking for folks to come out and enjoy themselves, but there will be vendors and this event is a fundraiser. They are looking for sponsors on different levels. He encouraged everyone else to do what they can to help. Deputy Mayor Lenox further commented it really is an important part of our community.

Mr. Benson commented he received a text message from Dr. Powell that thanked everyone and he said he will get Delmar two American Chestnut Trees.

Public Comments –

- 1.) Ed Ferro, III commented at Blue Light Night he had a chance to speak with Senator Marybeth Carozza and she reiterated how she makes more effort to be here in Delmar as much as possible because of the spirit of the community.
- 2.) Mark Riley commented he is a resident of Heron Ponds and the developer has not put in the second layer of asphalt for the street on Song Sparrow Circle. He said he has resided in Heron Ponds almost two years and you would think you would get a street. Each house pays \$400 to the City of Delmar in taxes. Mr. Riley requested that the city put pressure to this developer to see if he can hurry the process up. He said when he spoke to the developer, he said he was waiting for three houses that were being completed off of Rt.54 on the DE side and two of those houses are up. The further said this is such a nice town to

reside in but anything the city can do to expedite the second layer asphalt would be greatly appreciated by the constituents on his street. Mayor Jorden responded they are aware of the situation and it is definitely something that needs to be taken care of and it is a very high priority to make sure it gets done.

Adjournment –

Mayor Jorden called for a motion moved and seconded (Boothe/Shaffer) and carried to adjourn with a roll call vote of 4 Ayes 1 Absent.

Submitted by:

Clerk of Council
Vondell Spencer