

**MAYOR & COMMISSIONERS**  
**January 11, 2021**  
**Via Teleconference**

Mayor Wells called the regular scheduled meeting of the Mayor and Commissioners of Delmar, Maryland to order at 7:00 P.M. Due to COVID-19, the meeting is being held via teleconference. In attendance were Deputy Mayor Unsell, Commissioners Scholl, Tucker and Lenox. Town Manager Sara Bynum-King, Police Chief Ivan Barkley, Clerk of Council Vondell Spencer and Robert Benson Town Attorney. Guest: Christine Park and Pamela Upshur.

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

**Mayor's Comments –**

Mayor Wells asked that everyone in attendance please mute your phones until you talk. This helps with the feedback. If anyone would like to speak for Public Comments at the end of this meeting, we need you to state your name and address for the record.

**Approval of Minutes**

A motion was made, seconded, (Lenox/Unsell) and carried to approve the December 14, 2020 minutes as circulated by roll call vote of 5 Ayes.

**Unfinished Business –**

Town Mgr. Bynum-King noted that in the mail packets as a follow-up from last month's meetings for the Audit presentation there is an email from, Supervisor of Finance, Heather Chandler offering some explanations to the questions that were asked pertaining to the Audit.

In regards to the Marshall Annexation, Town Attorney has sent a letter to the County for consideration for a zoning waiver. The County staff will notify the Town when this matter has been added to the County Council meeting agenda.

**New Business –**

None.

**Committee Reports:**

Student Advisory-

Ms. Park reported: 1.) Hybrid learning has started this week. Grades 5-12 are going back into the

school building depending on which cohort the student is in. The orange cohort goes Monday and Tuesday and the blue cohort goes Thursday and Friday. The groups are separated to help reduce the spread of COVID-19. Parents were advised to screen their children every morning before attending school. Students were advised to stay home if they have any symptoms of COVID-19. 2.) Parents were recently surveyed as to if they wanted their children returning to school hybrid or virtual. During the second semester based on what the parents said during the first semester will determine whether the student will go hybrid or virtual during the couple of weeks before the second semester begins. 3.) Midterms begin next week. From her understanding it is only Wilmington classes who are having midterms. Students from regular honors classes informed her they do not have midterms for their classes. So, when midterms are in session students will go to the auditorium in the school building to create a safe testing environment.

Mayor Wells questioned if the survey that was due last week was for the second semester or was the survey for just the return for Monday. Ms. Parks replied the survey taken in November is for the hybrid learning that is starting this week. The survey taken last week is for the second semester which starts early February or later this month.

Mayor Wells inquired if winter sports such as basketball were still going to take place. Ms. Park responded she thinks so. Students from different clubs she is in talk about their practices that are being held.

#### Police Chief's Report

Chief Barkley reported as follows: 1.) Christmas and New Year's had very few issues. The day after Christmas a person passed away from what is being determined as hyperthermia at the bus stop near Rite Aid. We are still awaiting an autopsy. The deceased still had all their valuables in place and did not appear suspicious. It just appeared the deceased stayed out in the weather too long. 2.) One employee tested positive for COVID-19. The employee has quarantined, tested negative and is now back to work. 3.) We began getting vaccinated last week and he received his on Friday. Mayor Wells asked if Chief had any symptoms or side effects from the COVID-19 vaccine. Chief answered none of us that have taken the vaccine have had any symptoms or side effects. 4.) Officer Esham has advised he will be retiring as of February 8<sup>th</sup>. That coupled with our current vacancies and Corporal McCahill will be out for some time for surgery is going to leave us in a peculiar spot. However, we are looking at scheduling and some other alternatives to try to fill the gaps. Mayor Wells asked how many vacancies he has right now. Chief answered technically one but there is one person in the academy. So, essentially its two vacancies because the person in the academy cannot be used for anything. Mayor Wells said Officer Esham will make two. Chief said yes. Mayor Wells questioned if Officer Esham is one of the K-9 handlers. Chief replied yes. Mayor Wells further questioned if the dog will retire with Officer Esham. Chief further replied yes.

Commission Member Lenox inquired if the academy is still in operation as they were before. Chief responded the academy is not in full operation. The academy is hybrid learning. Part of the learning process is in-person because the instructors have to visually see the student and part is virtual learning. Commission Member Lenox asked would the new officer be joining us before the retirement in February. Chief answered no we will not see the new officer until July.

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

Parks and Recreation – No Report.

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

Utility Commission –

Deputy Mayor Unsell reported as follows: 1.) December 24, 2020, Christmas Eve there was a water main leak on W. Jewel Street, Delmar, DE. Public Works responded and discovered there was a break in a four-inch water main line. Public Works was able to repair the water main without outside skilled services. Repairing the water main took a few hours but water service was restored to the residents. 2.) The Towns engineers are working on the design for the sewer main replacement project and some other requirements by MDE that need to be met before the Town can start seeking reimbursement for costs occurred. The project bidding process is scheduled to begin late summer or early fall.

Mayor Wells asked Deputy Mayor Unsell when water was restored to the residents. He answered he is unsure. Deputy Mayor Unsell suggested directing the question to Town Mgr. Bynum-King. Town Mgr. Bynum-King answered the services were restored in about four hours.

Planning & Zoning

Commissioner Scholl reported as follows:

1. **Pamela Upshur – Permanent Signage – 409 E. East Street, Delmar, MD** – Ms. Upshur presented with permanent signage as referenced per the attached drawings.

A motion for favorable recommendation to the Delmar Mayor and Commissioners for the approval of – Pamela Upshur – Permanent Signage – 409 E. East Street, Delmar, MD, per the attached drawings.

Commissioner Scholl asked for a motion to accept the Planning Commission’s favorable recommendation to the Mayor and Commissioners for – Pamela Upshur – Permanent Signage – 409 E. East Street, Delmar, MD, per the attached drawings. The motion was made/seconded (Unsell/Tucker) and carried with a roll call vote 5 Ayes.

**Town Manager’s Report** –

Town Manager Bynum reported as follows: 1.) An email communication from General Codes Representative was sent to me informing me due to the holidays they experienced some delays getting the Town the first phase of the document review. The manuscript, editorials and legal analyst for our codes will be submitted to us by the end of this month at which time we will have the opportunity to review with whoever the review committee is going to be. Myself and CDC, Hardin will be on the review committee but we are looking for representatives to participate in the review from both the

Delaware Council and Maryland Mayor and Commissioners. The intent is once our code becomes codified, we will at least have all of our documents in one place and make it easier and user friendly and eliminate some of those ordinances that contradict or need additional clarification. They will provide deadlines for us so we will need to know who will be participating. 2.) The budget workshop calendars will be coming out by Friday. Town Mgr. Bynum-King mentioned she is working on a couple of options for setup during the workshop. There are some other factors that we will have to take into consideration as we go through this upcoming budget workshop cycle because some of the dynamics are going change in terms of the allocation of funds for one department. 3.) The Curative COVID-19 Testing Trailer will be on site in our Delmar Town Hall parking lot, Friday, January 15, 2021, between 10:00 a.m. and 6:00 p.m. Anyone that is interested in being tested please go online to [curative.com](http://curative.com) and register to be tested. It's a very simple easy process and the results are back in 24 hours. We are going to put this on our Facebook page, Website and share this information within the department so the employees can be tested if desired.

### **Council Comments** –

Deputy Mayor Unsell and Commissioner Tucker had no comment.

Commissioner Scholl – Hope everyone had a great holiday season and looking forward to the new year.

Commissioner Lenox – Mentioned if Town Mgr. Bynum-King is looking for volunteers on the general code review, he has some extra time and he would be pleased to sit in with Sara's group. I've had experience reading those kinds of documents.

Mayor Wells – Stated she received an email or text message that the Legislative Session will be starting again and Delegate Carl Anderton has provided his email address if anyone is asking for it or this body needs to run something by him his email address is [delegatecarlanderton@gmail.com](mailto:delegatecarlanderton@gmail.com).

Mayor Wells mentioned this country is in a lot of hurt right now. So, let's keep our Senators and Congressmen in our thoughts and hope that everyone can come together and get things done because nothing is really getting done. She further mentioned she is so thankful for this Commission because she thinks they work really well together and she wishes everybody could do that.

**Public Comments: – None.**

### **Adjournment**

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

Submitted by:

Clerk of Council  
Vondell Spencer