

**MAYOR & COMMISSIONERS**  
**May 8, 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, Fire Department Liaison Shawn Johnson, Clerk of Council Vondell Spencer and Robert Benson Town Attorney were in attendance. Guest: Dennis Murray, Ronald Newbharg, Vince Luca, Dipal Patel, Farrah Morelli, Andy O’Neal, Doug Marshall and Beth and Darrin Wyatt; via teleconference Magee White and Chris Brown.

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.

Mayor Jordan mentioned there was a good attendance at the rededication ceremony of State St. Park this past Sunday, May 7<sup>th</sup> and thanked everyone that attended.

He further mentioned Day in the Park is scheduled for June 10<sup>th</sup> and Movie Night is scheduled for June 16<sup>th</sup>.

**Approval of Minutes** –

A motion was made, seconded, (Boothe/Unsell) and carried to approve the April 10, 2023 minutes as circulated by a roll call vote of 5 Ayes.

**Unfinished Business** –

None.

**New Business** –

Mayor Jordan read and signed the Municipal Clerk Proclamation declaring April 30, 2023 through May 6, 2023 the 54<sup>th</sup> Annual Professional Municipal Clerk’s Week.

Mayor Jordan thanked Clerk of Council Vondell Spencer for all she does for the Mayor and Commissioners and for the Town of Delmar.

Mayor Jordan read and signed the Public Works Proclamation declaring the week of May 22, 2023

through May 26, 2023 National Public Works Week.

Town Attorney Robert Benson read Ordinance #754; Amend the Delmar Zoning Code, also known as Ordinance #560, by adding a new use permitted by special exception in Section 10, Community Business District to allow, "Contractor's Yard". Mr. Benson explained the existing permitted uses and processes.

Deputy Mayor Lenox noted the advantage of the special exception process is that each proposal can get the attention it deserves relative to its particular property and explained Ordinance #754 will allow a site for specific review for contractors.

Mayor Jordan asked for a motion to accept the first reading of Ordinance #754. The motion was made/seconded (Lenox/Boothe) and carried by a roll call vote of 5 Ayes.

Town Attorney Robert Benson read Ordinance #753; Require residents, property owners and developers to be current in the payment of taxes and other Town obligations as a condition precedent to making application for and receiving Town approvals, services and/or permits. Mr. Benson explained Section, 2, the denial process in the ordinance and modifications that can be made to the ordinance. A discussion ensued and the discussion focused on the verbiage in the ordinance.

Mayor Jordan asked for a motion to table Ordinance #753. A motion was made/seconded (Shaffer/Boothe) and carried by a roll call vote of 5 Ayes.

Mayor Jordan mentioned Mr. Chris Atkins was on the agenda tonight but he called and he is not able to attend the meeting tonight. Mr. Adkins said he would be attending the Mayor and Commissioners meeting June 12<sup>th</sup>.

### **Student Advisory –**

Ms. Frazier informed the Mayor and Commissioners this is her last report.

Lillian Frazer reported: 1.) Baseball's current record is 8-6. Their next game is tomorrow vs. Sussex Tech and starts at 4:15 p.m. at Delmar High School. The first round of the state tournament starts May 25<sup>th</sup>. 2.) The golf record is 5-5. The next official game is Thursday, May 11<sup>th</sup> at 3:30 p.m. vs. Sussex Tech at Heritage Shores Golf Course. The first round of state championships is set for May 30<sup>th</sup>. 3.) The boys' lacrosse record is 3-9. They play Indian River High School this Thursday at 5:30 p.m. at Delmar High School. The first round of the state tournament is May 23<sup>rd</sup> and 24<sup>th</sup>. 4.) The Girls' soccer team has 8 wins, 3 losses, and 1 tie. They play tomorrow at 4:00 p.m. vs. Seaford High School in Seaford, DE. It is Seaford's senior night. 5.) D-2s first round of playoffs is May 20<sup>th</sup>. 6.) The softball record is 5-11. Ms. Frazier said show some support tomorrow at 4:15 p.m. at Delmar High School. 7.) May 23<sup>rd</sup> is the first round of playoffs. 6.) Wednesday is the high school chorus concert at 7:00 p.m. 8.) The prom is Friday, May 19<sup>th</sup> at the Civic Center. 8.) There are approximately 19 school days for the lower grades. 9.) Graduation is June 8<sup>th</sup> at the Civic Center. Ms. Frazier said it is 9 days left for her.

Ms. Frazier thanked the Mayor and Commissioners for allowing her to be the student advisory and

she has knowledge of Town Hall meetings now. Mayor Jorden commented it has been a pleasure to have Ms. Frazier as the student advisor and she was appreciated.

### **Committee Reports:**

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

Mr. Johnson reported as follows: 1.) The Sportsmen’s Giveaway Tickets are on sale; \$30.00 for one ticket and four tickets for \$100.00. The Sportsmen’s Giveaway will be November 4<sup>th</sup>. Mr. Johnson announced Commissioner Boothe is now a fire cop for Delmar, MD.

### **Police Chief’s Report** –

Chief Barkley thanked everyone for the park rededication and with that PD took a moment to honor and dedicate the bench and monument for Cpl. Heacock; it was a beautiful day.

Chief Barkley reported as follows: 1.) The shooting that occurred outside of Town, however the subsequent location of the suspects and the chase ended here at Chestnut Manor. There were quite a few agencies involved, no injuries reported and the suspects are in custody. 2.) Officer Zachary Walters and Officer Darrell Powell have completed all of their field training and certifications. They are serving our community independently but are not alone. 3.) Recruits Blaine Erdie and John Paul McGrath are doing well in the academy. The graduation day should be around June 16<sup>th</sup>. Chief Barkley said he will advise the Mayor and Commissioners as soon as he has more details. 4.) PD is working to secure the additional candidates allotted to PD for the FY’23 & 24 budget and getting the recruits into the upcoming classes/academy. 5.) PD has started the process for the two part-time PCO positions allotted also in the FY’23 & 24 budget. 6.) PCO Rojas is almost ready to start working independently but PD is waiting on her certification class for Maryland NCIC (National Crime Information Center). 7.) Two of the four vehicles requested in the FY’23 budget is still at the outfitters and are expected back to PD very shortly. The other two have arrived at the dealership and PD will get them to the outfitters once they are received. Chief Barkley said he received notification today on May 27<sup>th</sup> Delmar High School will do a scholarship part of which will be scholarships coming from the Heacock scholarship.

Mayor Jorden thanked PD for there presence at Gordy Park. Chief Barkley responded as the weather gets warmer PD will probably have bicycle patrol and try to concentrate effort at Gordy Park before dark. Mayor Jorden suggested planning an outreach day with PD and himself grilling hotdogs and hamburgers for the kids present at Gordy Park.

Mayor Jorden asked Chief Barkley if there have been any drug issues trickling from other counties. Chief Barkley answered no trickling has been identified but there are a couple of locations in Town that PD has been working; nothing massive that PD can see.

Commissioner Boothe asked Chief Barkley if the Blue Night Out will happen this year. Chief Barkley responded PD is looking at having it but he needs to evaluate what steps have to be made to make it happen this year. Commissioner Boothe offered to partner with PD or maybe developing a partnership with the Delmar Fire Department to have an outreach or an event in one of the parks in

Delmar even if it is not the Blue Night Out. Chief Barkley agreed.

Commissioner Shaffer asked Chief Barkley the status of the cameras at Gordy Park. Chief Barkley answered that is still in the process. Town Mgr. Fleetwood added a \$70,000 grant has been awarded. A conversation ensued.

Town Mgr. Fleetwood informed the Mayor and Commissioners the FY`24 budget approved PD vehicles have been given the green light to commitment so maybe we can speed up the process.

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

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

Town Mgr. Fleetwood publicly acknowledged Mr. William Hardin will be retiring effective June 30, 2023 and he will be sorely missed. Tomorrow the Town will have a second round of interviews and by the end of the week we should have a finalist. The finalist should be onboard by some part of May or the beginning of June to have an overlap with the incumbent.

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

### **Utility Commission**

Commissioner Unsell reported as follows: 1.) There was 1.4 million gallons of water that went through the WWTP on April 29<sup>th</sup> and 1.1 million gallons the next day April 30<sup>th</sup>. The Town is permitted at 850,000 gallons a day and it over ran substantially. WWTP Superintendent Frank Daniels, did an outstanding job handling that situation.

**Parks & Recreation** – Report is included in the mail packets

Commissioner Boothe reported: 1.) Saturday, May 20<sup>th</sup> the park cleanup will take place for all the parks in Delmar, MD and Delmar, DE. The cleanup will start at 10:00 a.m. and roughly end around 12:00 p.m. The rainout date is scheduled for Sunday, May 21<sup>st</sup> at 12:00 p.m. 2.) June 16<sup>th</sup> at 8:30 p.m. at State St. Park “Movie Night” will take place. Commissioner Boothe said in his opinion it will be a great opportunity to bring the communities together. The movie selected is “Sandlot”. The Parks and Recreation Committee did partner with 3C Church and they are providing the equipment and technical portion for “Movie Night”. 2.) There is interest in having the chili cookoff and trade fair in the fall. Commissioner Boothe informed and invited everyone in attendance to the Parks and Reaction Committee meetings on the fourth Tuesday of each month.

### **Planning & Zoning** –

Deputy Mayor Lenox reported:

1. **Magee White – New Deck – 9549 King Rail Drive, Delmar, MD** – Ms. White presented a new deck per the modified site plan received 5/1/23. Deputy Mayor Lenox clarified the rear deck and gazebo dimensions.

Deputy Mayor Lenox called for a motion to accept the Planning and Zoning Commission's favorable recommendation for – Magee White – New Deck – 9549 King Rail Drive, Delmar, MD. A motion was made/seconded (Shaffer/Unsell) and carried by a roll call vote of 5 Ayes.

2. **Chris Brown/Ryan Homes – New Home Build – Wood Creek/Hudson/Elevation A – Lot 336, 9377 Mulligan Way, Delmar, MD** – Ms. Brown presented a new home build per the attached drawings. Deputy Mayor Lenox asked Ms. Brown if this was the last new home build for Wood Creek. Ms. Brown answered yes.

Deputy Mayor Lenox called for a motion to accept the Planning and Zoning Commission's favorable recommendation for – Chris Brown/Ryan Homes – New Home Build – Wood Creek/Hudson/Elevation A – Lot 336, 9377 Mulligan Way, Delmar, MD, per the attached drawings. The motion was made/seconded (Boothe/Shaffer) and carried by a roll call vote of 5 Ayes.

3. **Dipal Patel – New Home Build – Bridgewood Estates – Lot 34, 9125 Drawbridge Drive, Delmar, MD** – Mr. Patel presented a new home build per the modified new site plan received 4/25/23. Deputy Mayor Lenox stated all the dimensions and details have been included in the modified new site plan which were the conditions of the Planning and Zoning Commission.

Deputy Mayor Lenox called for a motion to accept the Planning and Zoning Commission's favorable recommendation for – Dipal Patel – New Home Build – Bridgewood Estates – Lot 34, 9125 Drawbridge Drive, Delmar, MD as modified. A motion was made/seconded (Shaffer/Unsell) and carried by a roll call vote of 5 Ayes.

### **Town Manager's Report –**

Town Manager Fleetwood reported: 1.) Town Mgr. Fleetwood reiterated the amounts of water that went through the WWTP on April 29<sup>th</sup> and April 30<sup>th</sup> after the rain storm, the gallons the Town is permitted per day, the average flow of water through the WWTP and how bad the INI issue really is. Town Mgr. Fleetwood commended WWTP Superintendent Frank Daniels and the WWTP staff for the excellent job done when this storm occurred. 2.) Town Mgr. Fleetwood reminded the Mayor and Commissioners next Monday, May 15<sup>th</sup> at 6:30 p.m. a Joint Council meeting is scheduled for the adoption of the FY'24 budget. 3.) Prior to the Joint Council meeting Monday, May 15<sup>th</sup> at 6:00 p.m. the Mayor and Council have a meeting scheduled. 4.) Today there was paving on Connelly Mill Rd. and will continue tomorrow. If it rains the paving will resume on Wednesday to finish. Then the paving will begin on Second St. behind Pizza Pi. Next will be S. Pennsylvania Ave. Concrete work will then take place for sinkhole repairs around Town. 4.) In the FY'23 budget this body approved a paving project for the alleyway behind Brick Row. Town Mgr. Fleetwood said the project was appropriated at \$33,000. The money was used on the current project at hand because he was unaware of that approval. He stated he received a fixed price to proceed with the paving of the alleyway for \$15,000. The alleyway can be completed in the next few weeks. A conversation ensued.

Mayor Jorden asked for a motion to approve the paving project on the alleyway located at Pennsylvania Avenue and East East Street. A motion was made/seconded (Boothe/Unsell) and carried by a roll call vote of 5 Ayes.

Town Mgr. Fleetwood shared in addition to the paving project happening in Town Maryland State Highway has done a significant amount of concrete work on Rt. 675 in Delmar, MD. There is still more concrete work to be done. A conversation ensued.

### **Council Comments** –

Deputy Mayor Lenox had no comment.

Commissioner Shaffer commented he is excited Delmar Middle School soccer team beat Laurel Middle School soccer team today. He said his daughter plays for the Delmar Middle School soccer team. The Delmar soccer team is going to be a force to be reckoned with come Senior year.

Commissioner Boothe commented Town Mgr. Fleetwood has done a fantastic job with State St. Park and publicly thanked him.

Commissioner Unsell agreed with Commissioner Boothe. He said there is so much happening here in the Town of Delmar and it is because of Town Mgr. Fleetwood's actions. He commented it is a pleasure to live in this small Town. Town Mgr. Fleetwood responded he has been given a fantastic group of employees and everything that is happening in the Town of Delmar is done by everyone's effort.

### **Public Comments** –

- 1.) Mr. Johnson informed Town Mgr. Fleetwood there was 9,500 gallons of water used last month by the Fire Department.
- 2.) Mr. Johnson said the picnic tables at the Gordy Park gazebo have been jumped on so much that the legs are starting to flatten out and the light keeps getting busted out under the gazebo. He asked the Mayor and Commissioners if there was anything that could be done differently so this does not keep happening. Commissioner Shaffer suggested a different lens cover for the light. Mr. Johnson reminded the Mayor and Commissioners the Town has LED lights that are paid for sitting on a pole with no electric that can be used at different places. A conversation ensued.
- 3.) Mayor Jorden thanked Mr. Doug Marshall for cooking just under two tons of chicken and donating it to the State's Attorney's Office/Wicomico County. He further thanked Mr. O'Neal for the school volunteers helping Mr. Marshall cook the chicken. A conversation ensued.

### **Adjournment** –

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

Submitted by:

Clerk of Council  
Vondell Spencer