

MAYOR & COMMISSIONERS

October 14, 2019

Mayor Wells called the scheduled meeting of the Mayor & Commissioners of Delmar, Maryland to order at 7:00 P.M. In attendance were Mayor Wells, Commissioners Scholl, Tucker and Lenox, Town Manager Bynum-King, Police Chief Barkley and Town Attorney Benson. Absent: Deputy Mayor Unsell. Guests: Chris Brown, Pam Schell, Carrie Williams, Sydney Scharf, Doug Marshall, Stacy Hart, Brenda Ruark and Donald Garraway.

Call to Order

The Maryland Mayor and Commissioners performed the Pledge of Allegiance.

Mayors Comments

Mayor Wells read Resolution 2019-10-14 that designated Trick-or-Treat night for Halloween as being on Thursday, October 31, 2019 from 6:00 p.m. to 8:00 p.m. for children 12 years of age and younger. There will be no mischief night anywhere in Delmar.

Approval of Minutes

Commissioner Scholl made a motion to approve the September, 2019 minutes as circulated. Commissioner Lenox seconded the motion which passed with 3 ayes, 1 absent and Commissioner Tucker abstaining due to his absence last month.

Unfinished Business

Town Manager Bynum-King informed the Commission that she is still working with the Historical Society in securing an amended quote for the work on the caboose. She is looking to get the lowest bidder to provide a pricing list per item.

New Business

Pam Schell- Speeding traffic on E. East Street

Ms. Schell reported to the Mayor and Commissioners that traffic comes up Bi-State Blvd. and speeds down her street of E. East Street and the drivers step on the gas to go straight down to the Stop sign. She has called the police who did sit across the street from her house for about a half an hour. She indicated to the Commission this evening that the speeding traffic mainly occurs in the evening after people get off work and as well as on weekends.

Ms. Schell stated that the cars go down E. East St and 6th Street to avoid the light on State Street. She has actually seen cats killed on the street by cars flying down the road. There are 9 children that live in her section of East Street and 2 of them have special needs. She feels something needs to be done to make the cars slow down before one of the children gets hit.

Mayor Wells asked Chief Barkley about what could be done with the speeding traffic on E. East Street. Chief said that they could set up speed enforcement but it would be hard to clock their speed because they make that quick turn and the Police Dept. can't mark the speed on the turn. He is looking into everything they can do. The residents of E. East Street who attended the meeting volunteered their driveways so that the Police Department could set up radar.

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Resident Carrie Williams said that since these minutes are part of the public record, and since this has been brought up and if the Town does nothing and a child is hit playing in the street, then the Town could be accountable. Mayor Wells asked if there is some way we could lower the speed limit.

Town Manager Bynum-King said that there is an ordinance against children playing in the streets, so parents are responsible to ensure that their kids are not playing in the street. There is actually a fine for playing in the street. She suggested that on 5th Street maybe installing a stop sign would assist with slowing traffic down because there is no stop sign on E. East St. between Bi-State Blvd and 6th Street.

Ms. Schell restated that the speeding doesn't really happen until around 4:30 p.m. and continues until at least 10:00 p.m.

Student Advisory Report

Mayor Wells introduces Sydney Scharf as our newest Student Advisor from the high school. Sydney is on the National Honor Society, the Key Club and on the Student Government body. She is also a Girl Scout, volunteers for the March of Dimes and is a senior this year with a 4.4 G.P.A.

Sydney said that the Key Club at the high school will be doing their Halloween activities on Wednesday, October 30th. The Student Government voted on the uniform policy and they no longer have to tuck in their shirts. Homecoming was this past weekend and it went very well.

Sydney informed the Commission that there are some new Clubs at the High School such as STEM and the Mindfulness Club. There are a lot of students who are stressed and they offer volleyball and yoga. The school also offers EXCEL which is a 40 minute break during the day in which they work on their life skills such as balancing a check book as well as working on dealing with toxic relationships.

Police Chief's Report

Chief Barkley apologized for arriving late. His tardiness was due to a vehicular accident on RT. 13 and Truitt Street that he helped assist with on his way here this evening.

He informed the Commission that last Friday, they conducted a Search and Seizure warrant on the motel on Rt. 13. Three individuals were arrested for trafficking heroin. None of the individuals were from Delmar, they were from Laurel and Seaford.

He stated that his department has spent and continues to spend time on a recorded sexual assault from 15 years ago. No one involved in the case lives in Delmar anymore. The main victim lives in Rhode Island. The assault was reported to be from a family member and the long distance makes it difficult to work the case.

The golf tournament went well, homecoming was great along with Heritage Day. Now he is hoping that everyone has a safe Halloween.

Chief Barkley did report that this past Saturday evening a man from Laurel with a pirate manikin was parked in a vehicle near Little Red Hen. He was motioning to people to bring their children to his car. It seems like the man just wanted to scare the children.

Parks and Recreation Report

Mayor Wells reported that there was no meeting in September but they did have a table at Heritage Day that drew a lot of interest.

Code Enforcement Officers Report

Mayor Wells reviewed the report that was included within the mail packets.

Fire Department Report

There was no one present to give a report.

Utility Commission Report

Town Manager Bynum-King gave an update on the Grove Street Water Main Project. The contractors have cleaned up their stock-piles and reset the pavers on N. Pennsylvania Avenue. They also did the stamped cross walks between Pennsylvania Avenue and State Street and between Grove Street and State Street.

John McGee from DB&F has submitted a letter of recommendation to accept the Pine Street Pump Station Upgrade project. The contractor has completed the job and the Utility Commission did accept the upgrades per the recommendation from DB&F.

There was a proposal to repair the east tertiary clarifier arm drive at the WWTP. It has been repaired before and that lasted for 16 years. The quote comes in that the arm needs to be replaced and not repaired. The Town has budgeted \$40,000 for the repair but the replacement is \$40,000 more. She did say that there is some money in the contingency fund.

Public Works Report

Commissioner Tucker reviewed the report that was included in the mail packets.

Planning & Zoning Report

Commissioner Scholl reported on the following:

Doug Marshall- Review of engineering drawings and final approval for Lee Sar for Bronza Historical Memorial

Mr. Marshall stated that he is asking for final approval for the placement of the Lee Sar in Heron Ponds. He is still waiting on a letter from the Fire Marshall. The boat will be resting at the original location presented to the Commission.

Mr. Marshall did say that there were some items that the Health Department had concerns with because it would be used for overnight stays. The Fire Marshall had concerns with being ADA compliant. Mr. Marshall said that he would challenge the ADA compliance issue since it is an historic structure.

Right now, he is asking approval to bring the boat to Heron Ponds.

Commissioner Lenox made a motion for final approval to bring the Lee Sar to Heron Ponds per the attached documentation. Commissioner Tucker seconded the motion which passed with 4 yeas and 1 absent.

Donald Garraway- construction of a 24' by 40' garage at 203 Spruce St., Delmar, MD

Commissioner Scholl stated that Mr. Garraway was asked to provide a corrected site plan. The one that he had submitted at P&Z had the incorrect percentages of space notated.

The corrected site plan was provided. Commissioner Lenox made a motion to approve the favorable recommendation from the Planning and Zoning Commission for the construction of a 24' by 40' garage at 203 Spruce Street, Delmar, MD, per the attached drawings. Commissioner Tucker seconded the motion which passed with 4 ayes and 1 absent.

Stacy Hart Construction- Building 3 for Delmar Assisted Living Facility located at 31091 E. Line Road, Delmar, MD

Upon reviewing the documentation and hearing no comments, Commissioner Tucker made a motion to approve the favorable recommendation from the Planning and Zoning Commission for the construction of Building 3 at the Delmar Assisted Living Facility located at 31091 Line Road, Delmar, MD, per the attached documentation. Commissioner Lenox seconded the motion which passed with 3 ayes and 1 absent.

Kenneth Ruark- placement of a 12' by 18' gazebo at 504 S. Second Street, Delmar, MD

Commissioner Scholl informed the Commission that the same architect that did the Spruce Street garage site plan did this one. Mr. Ruark was asked to obtain a corrected version with the correct percentages showing. The new site plan was presented this evening. The gazebo has already been placed in their yard.

Commissioner Tucker made a motion to approve the favorable recommendation from the Planning and Zoning Commission for the placement of a 12' by 18' gazebo at 504 S. Second Street, Delmar, MD per the attached drawings. Commissioner Lenox seconded the motion which passed with 4 ayes and 1 absent.

Chris Brown- Ryan Homes- new home build "Pisa Torre" on Lot 134, located at 30722 Spoonbill Court, Heron Ponds, Delmar, MD

Upon reviewing the documentation and hearing no comments, Commissioner Lenox made a motion to approve the favorable recommendation from the Planning and Zoning Commission for the new home build of "Pisa Torre" on Lot 134 located at 30722 Spoonbill Court, Heron Ponds, Delmar, MD per the attached drawings. Commissioner Tucker seconded the motion which passed with 4 ayes and 1 absent.

Chris Brown- Ryan Homes- new home build "Roanoke" on Lot 159, located at 9508 Mourning Dove Way, Heron Ponds, Delmar, MD

Upon reviewing the documentation and hearing no comments, Commissioner Lenox made a motion to approve the favorable recommendation from the Planning and Zoning Commission for the new home build of "Roanoke" on Lot 159 located at 9508 Mourning Dove Way, Heron Ponds, Delmar, MD per the attached drawings. Commissioner Tucker seconded the motion which passed with 4 ayes and 1 absent.

Town Manager Report

Town Manager Bynum-King said last month there was discussion in reference to Veteran's banners being hung along State Street. She did reach out to former Mayor Doug Niblett and asked if this was something the V.F.W. was planning on doing. He responded that they were not but there is a meeting later this month and he would bring it up as a topic for discussion. Maybe there can be a partnership between the Town and the V.F.W. in purchasing the banners.

She said that by now everyone should know that Perdue is no longer coming to Delmar.

Heritage Day was a wonderful day with lots of people showing up. The vendors stated that they did very well. The fireworks were great.

The Town Manager said that the field audit was completed at the end of September and any loose ends are being tied up electronically.

Susan Uphole of the Delmar Library did send the Town a thank you card for their contributions to the Library.

Town Manager Bynum-King said that there was a volunteer application for the Maryland Board of Zoning Appeals. Mayor Wells said that she would contact the applicant.

Commission Comments

Mayor Wells stated that she did send out text messages to the Superintendent of the High School in reference to the death of her son. In lieu of flowers they were asking for donations to be made to the Delmar Wrestling Club. She and Mayor Houlihan discussed it and decided that they would donate \$125.00 for each side of Town.

Commissioner Lenox said that next month their meeting date falls on Veteran's Day, so the meeting would be on Tuesday, the day after. The Town Manager said that was correct.

The Town Manager reminded everyone that Maryland Elections are being held on Tuesday, November 19th.

Adjournment

Hearing no more comments, Commissioner Scholl made a motion for adjournment which was seconded by Commissioner Tucker. The motion passed with 4 ayes and 1 absent.

Submitted by;

Cindy Fisher

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Clerk of Council