

# MAYOR & COUNCIL

## March 2, 2020

Mayor Houlihan called the regular scheduled meeting of the Mayor and Council of Delmar, Delaware to order at 7:00 P.M. In attendance were Vice Mayor Pase, Council Members Smith, and Boyan, Town Manager Bynum-King, Police Chief Barkley and Clerk of Council Fisher. Guests: Delmar, MD Mayor Karen Wells, Ptl. Richard Cockey, Blair Carey and Danielle Morelli.

The Mayor and Council performed the Pledge of Allegiance.

### **Mayor's Comments**

Mayor Houlihan addressed the Public by saying that anyone who will be addressing the Council this evening, to sign in at the podium for the written record.

### **Oath of Office**

Both Delmar, Delaware Mayor Houlihan and Delmar, Maryland Mayor Wells administered the Oath of Office to Patrolman Richard Cockey, Jr. of the Delmar Police Department.

### **Approval of Minutes**

Council Member Boyan made a motion to approve the February, 2020 minutes as circulated. Vice Mayor Pase seconded the motion which passed with 4 ayes and 0 absent.

### **Unfinished Business**

Town Manager Bynum-King informed the Council Members that the intersection of Routes 13 and 54 were discussed at her quarterly MPO meeting. Both Maryland and Delaware Highway Administrations are working together to assess the conditions at the intersection. Maryland State Highway Administration representative mentioned that funds were in place to redesign the intersection, however construction funds would be determined at a later time. The redesign for that intersection will be providing safety zones for pedestrians to cross the highway through the reworking of the signal lights.

Council Member Boyan asked about all the access points going into the shopping center. He asked if any of them would be eliminated when they re-worked the intersection. The Town Manager was not sure since the discussion at the meeting only covered the signals and pedestrian crossings.

Police Chief Barkley stated that he has been in conversations with Highway Safety from both Maryland and Delaware asking about the constant speed of 55MPH through Town. We have access to the businesses off the highway which could make the Town eligible for speed reduction.

### **New Business**

#### Municipal Street Aid Grant

Mayor Houlihan stated that the Supervisor of Finances asked him to put this on the record this evening for a vote. He read the paperwork that was provided to him in reference to the Municipal Street Aid Grant from the State of Delaware. The Town received a total of \$41,600.00 from the State of Delaware for Municipal Street Aid for FY'19.

\$41,537.65 was expended accordingly leaving a balance of \$62.35 to be carried forward for use in FY'20. We will be transferring \$41,537.65 from the Municipal Street Aid account into the Delaware General fund.

Council Member Smith made a motion to transfer the monies from the Municipal Street Aid Grant account into the Delmar, Delaware general fund account for reimbursement of allowable expenditures in the amount of \$41,537.65. Vice Mayor Pase seconded the motion which passed with 4 ayes and 0 absent.

### **Committee Reports:**

#### Student Advisory

Student Advisor Danielle reported on all the activities happening at the high school.

#### Police Chief's Report

Chief Barkley reported that an assault that happened in Delmar, Maryland a few years ago, resulted in the assailant receiving a conviction of assault and robbery with a sentence of 50 years in prison.

Chief informed the Council that Officer Kinlaw will be moving to Washington State. He has been offered a conditional hire based on his drug screening coming back clean, which will not be a problem. He is looking for him to be gone by the end of the month.

He advised that last week there was a domestic disturbance on Carriage Walk Lane. Even though there was no criminal activity, as of today, one of the individuals has received a protective order and the other party was issued an emergency petition. The Department will be keeping an eye on that location.

#### Parks and Recreation

No report since there was not a quorum.

#### Code Enforcement Officer Report

Mayor Houlihan informed everyone that the reports are included in the mail packets.

#### Utility Commission

Vice Mayor Pase reported that a progress meeting was held for the Stage Road Water and Sewer Main Project. The project has a 90-day contract and due to days with rain and delays due to DelDot, they have asked for an extension.

The Delmar Library will be out of Commission for a while. When the property they had purchased had a house on it, due to their expansion, it was demolished, it looks like the laterals were not capped off properly. The laterals are allowing the debris and stones to get into the main. When the lines were videoed, it showed that water could get through but not any solids. The Library is working with their insurance company. The Town may ultimately do the job, to ensure it is done correctly, and then bill the library. The library will work with their insurance company to go after the original contractor.

#### Public Works

Council Member Smith reviewed the report that was included in the mail packets. Town Manager Bynum-King informed the Council of the efforts of the Public Works to spruce up the parks. There is mulch around the trees all throughout the park. They are working to beautify all of the parks including the downtown area.

## Planning & Zoning

Council Member Boyan reported on the following:

### Jamie Covington- sign request for State Line Barber Shop at 38650 Sussex Highway Unit 12, Delmar, DE.

The petitioner was not present this evening. Both Mayor Houlihan and Council Member Boyan agreed that this was a straightforward request. The business will be in the old sporting goods store by the Food Lion. Council Member Boyan said that the Planning and Zoning Commission gave a favorable recommendation. After reviewing the documents provided in the packet, Council Member Smith made a motion to approve the recommendation from the Planning and Zoning Commission for the sign request for State Line Barber Shop located at 38650 Sussex Highway, Unit 12, Delmar, DE, per the attached documents. Council Member Boyan seconded the motion which passed with 4 ayes and 0 absent.

## **Town Manager's Report**

Town Manager Bynum-King stated that the Town received a Thank You from the Delmar Wrestling coaches regarding the donation made in remembrance of Noah Vincent. They will be using the funds to purchase more uniforms for the middle school.

The major fund raiser for Delmar Heritage Day is the Quarter Auction. April 3<sup>rd</sup> is the date for the auction at the V.F.W. Doors will open at 5:00 p.m. and the first item will go up for bid at 6:30 p.m. Donations of gift cards are needed along with volunteers.

The Spring Clean-Up dates for the Delaware side are Wednesday and Thursday April 15<sup>th</sup> and 16<sup>th</sup>. Anyone wishing to participate will need to select one of those days. We are encouraging everyone to read the newsletter or contact Town Hall. There are some things that are not eligible to be picked up.

Little League Opening Day is April 18<sup>th</sup> with the parade starting at 9:00 a.m.

The next budget workshop is March 11<sup>th</sup> at 6:00 p.m. CDC William Hardin is working with the Census 2020. One event that is planned is a Party Census Kickoff on Saturday, March 28<sup>th</sup> from 12 noon to 2:00 p.m. at the Holy Redeemer Church Community Hall. There will be free food and drink. Please spread the word to come out and get information about the impact of the Census in terms of grants that we are losing if we all don't get counted.

## **Council Comments**

Council Member Smith asked who is distributing the free Wicomico Weekly newspapers and creating trash in the residents' yards. The newspapers are everywhere. Mayor Houlihan said that it is a county wide problem. Town Manager Bynum-King said that the Town addresses this every time it happens. Then it stops for a while and then it starts back up. The Town Manager said that she will address it again.

Mayor Houlihan apologized that he was not able to attend the last budget workshop. It fell on Ash Wednesday and he had responsibilities at the Church.

## **Public Comments**

Mr. Blair Carey introduced himself and stated that he was here this evening to get some informal feedback on a concept plan he is working on. This parcel is under contract and before he purchases the property, he wanted the feedback from the Council on whether they would be in favor of his project.

It's everything that is on Second Street and Old Racetrack Road behind Bryan and Brittingham's. It is all zoned Industrial. His intention is to create building Lots on Second Street. There is a piece of this property not considered in Town. He would try to get the zoning changed to Residential and annexing this small portion into Town. Water is present in the area and he would be asking for sewer. He would also create some sort of buffer between these houses and the railroad tracks. He did not want to cut the large piece of property into a lot of smaller parcels. He wants everyone to have a nice sized yard. He will provide 2 spots for off street parking with every house and provide sidewalks. He is even considering a cul-de-sac with the houses facing the houses on Second Street.

He did say with Crystal Steel being in the back, he probably won't have houses in the back. He would want to get Second Street done first before moving on to the other street. This property is at the tip of the Town so maybe he might put up a sign that indicates that the drivers are entering Delmar.

Town Manager Bynum-King said when Crystal Steel was expanding their business, there is a plan that shows where the sewer stops. She said that she would investigate that and find those numbers and give them to Blair. She also said that because the property is currently zoned Light Industrial, it has to go through the Plus Review with the State since what you are planning is not consistent with our future plans for the area, the State will have to review it.

Council Member Boyan said that he would be in favor of the concept plan. Council Member Smith said that he would be in favor as well. Vice Mayor Pase and Mayor Houlihan stated that they would be in favor of it also. Mr. Carey said that he will get up with Brock from Parker and Assoc. to get this concept plan on paper. The Town Manager said that the State probably won't deny the rezoning but there is a process we must go through when we want to change the zoning from what it is on our Comprehensive Plan. We could rezone it as we want to in our Comprehensive Plan update. The Comprehensive Plan needs to be certified by October, 2020.

The Town Manager said that we would not need an amendment for rezoning because we would be amending the Plan when we are ready to update it. In the summer the plan can go through the Plus Review and the zoning change with the Town.

Mr. Carey said that he would come next month with a formal concept plan for the Council's review.

Town Manager Bynum-King thanked Mr. Carey for the donation to the Town of the wooden sign out front. We have been getting a lot of compliments from the residents.

Mayor Houlihan informed everyone that the Perdue property is now in the hands of our lawyers. He did mention that our Delaware solicitor will be retiring at the end of March. The Mayor said that there is a possibility of a new business that may be relocating. They would only want 3-4 acres and not the whole thing. We have to figure out what we are going to do with that property. He thought maybe cutting it up in 3 or 4 parcels, which would make them more marketable.

Delmar is not in the business of developing properties. Town Manager Bynum-King said that when she attended her MPO meeting, John Riley was there and talked about that parcel. He said that Sussex County really needs a business park. He suggested that the property would be a great location.

**Adjournment**

Upon hearing no more public comments, Vice Mayor Pase made a motion for adjournment which was seconded by Council Member Boyan and passed with 4 ayes.

Submitted by:  
Cindy Fisher  
Clerk of Council