

**MAYOR & COUNCIL**  
**April 1, 2024**  
**MEETING HELD IN-PERSON AND VIA TELECONFERENCE**

Mayor Bauer called the regular scheduled meeting of the Mayor and Council of Delmar, Delaware to order at 7:01 P.M. This meeting is available to the public, in person with limited seating and via teleconference. In attendance were Vice Mayor Jones, Council Members McClure, and Waldman. Town Manager Fleetwood, Chief Barkley, and Clerk II Valerie Seefried. Guests: Rodney Brown, Mika Gainer, Vince Luca; via teleconference Chris Brown. Absent: Council Member Lanier.

Mayor Bauer called the meeting to order and led the Pledge of Allegiance. A quorum was established with four members.

**Mayor's Comments**

Mayor Bauer commented for those who celebrate the holiday he hoped everyone had a pleasant Easter.

This past month the town swore-in Police Officer Kevin Doman, and celebrated promotions and anniversaries of other police officers, and town employees at a swearing-in ceremony.

There was a workshop to prepare the FY'25 Budget and it is moving along.

The Hometown Hero Banners are moving along nicely. Carolynn Foxwell has informed him that there are about 30 people interested and actually about 20 that are definite.

Mayor Bauer congratulated Delmar, DE High School Student Advisor, Ms. Julianna Morelli, on her acceptances for colleges.

The State St. dip is scheduled for repair this Thursday.

Council Member Lanier is unavailable to attend the meeting tonight.

**Approval of Minutes**

Mayor Bauer called for a motion to approve the March 4, 2024 meeting minutes. A motion was made/seconded (McClure/Waldman) and carried by a vote of 4 Ayes 1 Absent (Lanier).

**Unfinished Business**

None.

## **New Business –**

### Swearing-In Planning and Zoning Member

Mayor Bauer explained the swearing-in will take place at another time as the candidate is unavailable this evening.

### Impact Fees (Discussion Only)

Mayor Bauer expressed he has spoken with Town Mgr. Fleetwood about the impact fees and himself and the Council have had discussions about the impact fees in the past. Mayor Bauer said going forward he would like a fee of \$3,000 on any home built within the town. Right now, there are zero impact fees and there are people moving into Delmar, DE. The money can be used for PW, Parks and Recreation, PD, and other facilities.

Council Member McClure asked if the impact fees were strictly residential and not commercial. Town Mgr. Fleetwood responded the draft explained what the impact fees can be used for. He said the draft itself has language for both residential, commercial, and the draft explained the intent of the impact fee, and residential impact fees with an impact fee ordinance. He further explained commercial impact fees, and impact fees based off of a square foot. A discussion occurred.

## **Student Advisory Report –**

Student Advisory Julianna Morelli is not in attendance.

## **Department/Committee Reports:**

### Police Chief's Report –

Chief Barkley reported: 1.) No new crime trends or patterns have developed. 2.) PD is still managing the scam issues as they continue. PD still has some citizens that have still fallen victim and fortunately the amounts have not been as great as some of them have been in the past. 3.) At this point PD has two additional officers trained as SRO (School Resource Officers) to help fill-in at the school. Officer Coco that was the first of those trained was not available recently for one of the days that PD's SRO was off. Coco's wife delivered a baby and he was home with her. Officer Coco is now back to work today. 4.) Saturday PD did assist the sheriff's office with a wanted subject. The subject had several outstanding warrants, fled from the sheriff's office, ended up in the Pond's Edge Community, and decided to set-off some fire alarms to try to divert the first responders. However, that did not work so the subject is in custody. 5.) Chief Barkley said he will be out of the office April 14<sup>th</sup> through April 19<sup>th</sup> for the Maryland Municipal League Police Executive Association Conference in Ocean City, MD.

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

Water Treatment Plant – The report is included in the mail packet.

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

Utility Commission Report –

Town Mgr. Fleetwood reported: 1.) The Utility Commission was presented with budgetary numbers for FY'25 and there is a gap in the operating revenue verses operating expenses. The line-item for chemicals at the WWTP in 2020 was costing the town about \$70,000. In 2025 that projected cost for that one-line item is roughly \$240,000. Also, the last water/sewer rate adjustment was done in 2014 so the Utility Commission was presented with a multitude of numbers and the Utility Commission decided that they are going to be favorably recommending to both the MD and DE elected bodies for FY'25 that water and sewer increase to \$1.25 which equals \$10.00 per month per resident, and Utility Commission Member Dewald calculated the cost for the resident would be about \$0.33 per day.

Mayor Bauer asked Town Mgr. Fleetwood for an update on the Pine St. lift station. Town Mgr. Fleetwood answered the two pumps are still at the vendor being rebuilt. So, there are still two by-pass pumps onsite at the lift station now. The parts are already in for the rebuilding.

Vice Mayor Jones asked Town Mgr. Fleetwood about the backwash evacuators that were not working at the WTP. Town Mgr. Fleetwood answered they are getting serviced today and have still not been repaired totally.

Parks and Recreation Report – The report is included in the mail packet.

Council Member McClure reported: 1.) The park clean-up is scheduled for April 27<sup>th</sup> from 9:00 a.m. to 12:00 p.m. starting at State St. Park with a rain date of April 28<sup>th</sup> from 1:00 p.m. to 3:00 p.m. 2.) Movie Night will be May 4<sup>th</sup>.

Fire Department – No Report.

Planning & Zoning –

Vice Mayor Jones reported:

1. **Chris Brown/Ryan Homes – New Home Model (Elder) – Stillwater/Elder/Elevations K, L, F** – Mr. Brown presented new home models per the attached drawings.

Deputy Mayor Lenox called for a favorable recommendation to the Mayor and Council for – Chris Brown/Ryan Homes – New Home Models – Stillwater/Elder/Elevations K, L, and F, per the attached drawings.

Vice Mayor Jones called for a motion to accept – Chris Brown/Ryan Homes – New Home Model (Elder) – Stillwater/Elder/Elevations K, L, & F, per the attached drawings. A motion was made/seconded (Bauer/McClure) and carried by a vote of 4 Ayes 1 Absent (Lanier).

2. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Spruce/Elevation K – Lot 5, 11701 Silverbell Dr., Delmar, DE** – Mr. Brown presented a new home build as referenced per the attached drawings.

Deputy Mayor Lenox called for a favorable recommendation to the Mayor and Council for – Chris Brown/Ryan Homes – New Home Build – Stillwater/Spruce/Elevation K – Lot 5, 11701 Silverbell Dr., Delmar, DE, per the attached drawings.

Vice Mayor Jones called for a motion to accept – Chris Brown/Ryan Homes – New Home Build – Stillwater/Spruce/Elevation K – Lot 5, 11701 Silverbell Dr., Delmar, DE, per the attached drawings. A motion was made/seconded (Waldman/Bauer) and carried by a vote of 4 Ayes 1 Absent (Lanier).

3. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Elder/Elevation K – Lot 15, 11727 Silverbell Dr., Delmar, DE** – Mr. Brown presented a new home build as referenced per the attached drawings.

Deputy Mayor Lenox called for a favorable recommendation to the Mayor and Council for – Chris Brown/Ryan Homes – New Home Build – Stillwater/Elder/Elevation K – Lot 15, 11727 Silverbell Dr., Delmar, DE, per the attached drawings.

Vice Mayor Jones called for a motion to accept – Chris Brown/Ryan Homes – New Home Build – Stillwater/Elder/Elevation K – Lot 15, 11727 Silverbell Dr., Delmar, DE., per the attached drawings. A motion was made/seconded (McClure/Waldman) and carried by a vote of 4 Ayes 1 Absent (Lanier).

4. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Spruce/Elevation K – Lot 166, 11706 Silverbell Dr., Delmar, DE** – Mr. Brown presented a new home build as referenced per the attached drawings.

Deputy Mayor Lenox called for a favorable recommendation to the Mayor and Council for – Chris Brown/Ryan Homes – New Home Build – Stillwater/Spruce/Elevation K – Lot 166, 11706 Silverbell Dr., Delmar, DE, per the attached drawings.

Vice Mayor Jones called for a motion to accept – Chris Brown/Ryan Homes – New Home Build – Stillwater/Spruce/Elevation K – Lot 166, 11706 Silverbell Dr., Delmar, DE., per the attached drawings. A motion was made/seconded (McClure/Waldman) and carried by a vote of 4 Ayes 1 Absent (Lanier).

5. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Hazel/Elevation K – Lot 99, 38346 Stillwater Parkway, Delmar, DE** – Mr. Brown presented a new home build as referenced per the attached drawings.

Deputy Mayor Lenox called for a favorable recommendation to the Mayor and Council for – Chris Brown/Ryan Homes – New Home Build – Stillwater/Hazel/Elevation K – Lot 99, 38346 Stillwater Parkway, Delmar, DE, per the attached drawings.

Vice Mayor Jones called for a motion to accept – Chris Brown/Ryan Homes – New Home Build – Stillwater/Hazel/Elevation K – Lot 99, 38346 Stillwater Parkway, Delmar, DE., per the attached drawings. A motion was made/seconded (Waldman/Bauer) and carried by 4 Ayes 1 Absent (Lanier).

6. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Cedar/Elevation K – Lot 100, 38342 Stillwater Parkway, Delmar, DE** – Mr. Brown presented a new home build as referenced per the attached drawings.

Deputy Mayor Lenox called for a favorable recommendation to the Mayor and Council for – Chris Brown/Ryan Homes – New Home Build – Stillwater/Cedar/Elevation K – Lot 100, 38342 Stillwater Parkway, Delmar, DE, per the attached drawings.

Vice Mayor Jones called for a motion to accept – Chris Brown/Ryan Homes – New Home Build – Stillwater/Cedar/Elevation K – Lot 100, 38342 Stillwater Parkway, Delmar, DE., per the attached drawings. A motion was made/seconded (Bauer/McClure) and carried by a vote of 4 Ayes 1 Absent (Lanier).

7. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Cedar/Elevation K – Lot 172, 38347 Stillwater Parkway, Delmar, DE** – Mr. Brown presented a new home build as referenced per the attached drawings.

Deputy Mayor Lenox called for a favorable recommendation to the Mayor and Council for- Chris Brown/Ryan Homes – New Home Build – Stillwater/Cedar/Elevation K – Lot 172, 38347 Stillwater Parkway, Delmar, DE, per the attached drawings.

Vice Mayor Jones called for a motion to accept – Chris Brown/Ryan Homes – New Home Build – Stillwater/Cedar/Elevation K – Lot, 172 38347 Stillwater Parkway, Delmar, DE., per the attached drawings. A motion was made/seconded (McClure/Waldman) and carried by a vote of 4 Ayes 1 Absent (Lanier).

8. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Tupelo/Elevation K – Lot 92, 11893 Yellow Wood Dr., Delmar, DE** – Mr. Brown presented a new home build as referenced per the attached drawings.

Deputy Mayor Lenox called for a favorable recommendation to the Mayor and Council for – Chris Brown/Ryan Homes – New Home Build – Stillwater/Tupelo/Elevation K – Lot 92, 11893 Yellow Wood Dr., Delmar, DE, per the attached drawings.

Vice Mayor Jones called for a motion to accept – Chris Brown/Ryan Homes – New Home Build – Stillwater/Tupelo/Elevation K – Lot 92, 11893 Yellow Wood Dr., Delmar, DE., per the attached drawings. A motion was made/seconded (Bauer/Waldman) and carried by a vote of 4 Ayes 1 Absent (Lanier).

## Town Manager's Report -

Town Mgr. Fleetwood reported: 1.) Weather dependent Thursday or Friday the contractor will be onsite at the intersection of Nineth St. and State St. for the dip on that road. Town Mgr. Fleetwood made everyone aware the road is a MD road, both sides, however, the manhole is a town utility. The repair has to meet MD State Highway standards. 2.) Delmar, DE has received their funding for the sewer wastewater INI project. The amount received is \$1,823,050 that will be repaid over a 20-year period at a 2% interest. The project itself is to rehab 5,835 linear feet of 6, 8, and 10 sewer pipes to replace 640 linear feet of the same pipe. The work will begin before the fall of 2024. On the Delmar, MD side they are very close to finishing Pine St. and Chestnut St. The same contractor will be moving to Delaware Ave. to repair the sewer main that runs from Fourth St. to Eighth St., it is collapsed. The bid will be advertised in the next 30 days.

## **Council Comments**

None.

## **Public Comments**

1. Mika Gainer commented her ex-husband received a phone call from the sheriff's department this week stating that she had something outstanding and they wanted more information about her. When they called the sheriff's department, they were unaware of needing additional information about her. She said it was a scam and when the number was on the caller ID it came up as Delmar Sheriff's Department. Chief Barkley mentioned Delmar does not have a sheriff's department. and explained the scam. A conversation occurred.
2. Ms. Gainer commented she is in favor of getting bocce ball court in the Town of Delmar. She asked the Council where the court would be located. Mayor Bauer answered over by the restrooms by the white fence by the kiddie area was his thought. She said her reasoning is for people that have joint issues, and for people that do not want to play basketball or football but they do want to play games with their kids. She further said it would be a very pleasant quite activity, etc. A conversation ensued.
3. Mr. Vince Luca commended and thanked PD for being so productive at Holy Redeemer Church, Old Stage Rd., and other locations in the Town of Delmar. He said it is great to see, and he discussed bocce ball.

## **Adjournment**

Mayor Bauer asked for a motion to adjourn. A motion was made/seconded (Jones/McClure) and carried by a roll call vote of 4 Ayes 1 Absent (Lanier).

Submitted by:

Clerk of Council  
Vondell Spencer