

MAYOR & COUNCIL
August 5, 2024
MEETING HELD IN-PERSON AND VIA TELECONFERENCE

Mayor Thomas A. Bauer called the regular scheduled meeting of the Mayor and Council of Delmar, Delaware to order at 7:07 P.M. This meeting is available to the public, in person with limited seating and via teleconference. In attendance were Vice Mayor Odell Jones, Jr., Council Members Mike McClure, Todd Lanier and Matthew Waldman. Key Personnel: Town Manager Fleetwood, Police Chief Ivan Barkley, and Clerk of Council Vondell Spencer. Guests: Rodney Brown, Vince Luca, and Tiffanie Cannon.

Mayor Bauer called the meeting to order and Chief Ivan Barkley led the Pledge of Allegiance. A roll call was performed to confirm there was a quorum. A quorum was established.

Mayor's Comments

Mayor Bauer thanked County Council President, Mike Vincent for the appropriation of \$6,000 and the pipe to help with the Delaware Ave. repairs.

Mayor Bauer further thanked Senator, Bryant Richardson and Representative, Tim Dukes for always coming through for town projects.

This past week the town celebrated Blue Light Night with a respectable turnout considering it was 95 degrees that day.

The dedication of bricks and flagpole at the Historical Society building was well attended by the community. It's always nice to see the community come together like it did this past Friday and Saturday.

This Thursday at 6:00 p.m. at the Delmar Fire House a swearing in for Patrolman Trevor Karpavage and Patrolman Chad Porter will take place. The food is being provided by Delmar Pizza and all are welcome to attend.

Approval of Minutes

Mayor Bauer called for a motion to approve the July 8, 2024 Joint Council meeting minutes as prepared. A motion seconded (McClure/Jones) and carried by a vote of 5 Ayes.

Unfinished Business

2nd Reading/Public Hearing Adequate Public Facilities Ordinance #183

Town Mgr. Fleetwood explained the APFO (Adequate Public Facilities Ordinance), Standards, and Capacity Management Form.

Mayor Bauer read the Adequate Public Facilities Ordinance #183.

Mayor Bauer called for a motion to close the regular session for the public hearing. A motion was made/seconded (Lanier/Jones) and carried by a vote of 5 Ayes.

There were no public comments.

Mayor Bauer called for a motion to close the public hearing. A motion was made/seconded (Lanier/Waldman) and carried by a vote of 5 Ayes.

Mayor Bauer called for a motion to open the regular session. A motion was made/seconded (Lanier/McClure) and carried by a vote of 5 Ayes.

Mayor Bauer called for a motion to adopt the Adequate Public Facilities Ordinance #183. A motion was made/seconded (Jones/Waldman) and carried by a vote of 5 Ayes.

Old Business –

Hometown Hero Banner Extension

Mayor Bauer explained reasons for extending the date for residents to purchase Hometown Hero Banners. A discussion occurred.

Mayor Bauer called for a motion to extend the deadline for the Hometown Hero Banners from September 1, 2024 to March 30, 2025. A motion was made/seconded (Lanier/McClure) and carried by a vote of 5 Ayes.

New Business –

Stage Village and Holly Oak Mobile Home Parks Water Service

Davis, Bowen, and Friedel Engineer, Jason Loar discussed and explained the request for services for water connection to the town's water system for Stage Village and Holly Oak Mobile Home Parks. Mr. Loar stated both mobile home parks have old water systems. Stage Village Mobile Home Park has leaks in the infrastructure and Holly Oak Mobile Home Park has two ground water wells and one of them has high levels of PFAS.

There was further discussion from the Council about funding from the State of Delaware through a bond bill, expenses for the town, fire hydrants, waterlines, valves, individual water meters for each mobile home, and a blanket easement provided for each mobile home park.

Mayor Bauer called for a motion to allow Stage Village and Holly Oak Mobile Home Parks to tie-in to the town's water system. A motion was made/seconded (Jones/Lanier) and carried by a vote of 5 Ayes.

General/Utility Fund Reserve Policy Resolution #2024-08-05

Town Mgr. Fleetwood explained and discussed the General/Utility Fund Reserve Policy Resolution #2024-08-05.

Mayor Bauer read the General/Utility Fund Reserve Policy Resolution #2024-08-05.

Mayor Bauer called for a motion to adopt the General/Utility Fund Reserve Policy Resolution #2024-08-05. A motion was made/seconded (Waldman/Lanier) and carried by a vote of 5 Ayes.

Committee Reports:

Police Chief's Report

Chief Barkley reported: 1.) The two newest officers are in field training and are doing well. Later this week they will be traveling to Dover, DE to complete their fire school training which is a mandate in the State of Delaware. 2.) Thursday, August 8th at 6:00 p.m. a swearing-in ceremony will take place at the Delmar Fire Department and all are welcome to attend. 3.) Blue Light Night had good attendance. Chief Barkley thanked the elected officials and other Delmar employees who helped make it successful. 4.) PD will be representing the Town of Delmar at Salisbury's National Night Out at their city park tomorrow evening at 5:00 p.m. 5.) Chief Barkley gave his perspective on the traffic in the Stage Rd. and Rt.54 area. He said some citations and some warnings have been written. He said now there are going to be citations written only. PD has also been assisting both State Police and county officers when they are writing citations in that area. He further said he has not seen a significant change in driver behavior as of yet. A conversation occurred.

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

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

Mayor Bauer asked Town Mgr. Fleetwood the status of the fire hydrants. Town Mgr. Fleetwood answered there is one hydrant on Thornton Blvd. and Gerald Court that someone took out of an island and they also took the hydrant.

Vice Mayor Jones commended Water Treatment Plant Superintendent, Dr. Sophia Oberton for her work with the Lead and Copper Rule. He said her crew is doing a great job.

Utility Commission Report –

Council Member Lanier reported: 1.) Two contractors met with town staff ready to move forward pertaining to the Sixth St. flooding issue. 2.) Phase I of the sewer project on the MD side is almost finished. The town is a little over budget because prior to the sewer project the work was not done correctly in that area so that area was pulled up and the reason the town is over budget. 3.) The General/Utility Reserve Fund Policy and the request to tie-in to the town's water system by Stage Village and Holly Oak Mobile Home Parks were discussed.

Parks and Recreation Report –

Council Member McClure reported: 1.) The committee is considering a Movie Night in the fall as well as a Chili Cook-Off. 2.) The committee is also considering a New Year's Eve celebration but nothing is set in stone. Council Member Waldman asked Council Member McClure about trying to start a Summer in the Park Program that was held in Wicomico County

previously. Council Member McClure answered he would mention the program at the next meeting. A conversation occurred.

Fire Department – No report.

Planning & Zoning –

Vice Mayor Jones reported:

1. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Spruce/Elevation L – Lot 83, 11865 Yellowwood 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 L – Lot 83, 11865 Yellowwood 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 L – Lot 83, 11865 Yellowwood Dr., Delmar, DE., per the attached drawings. A motion was made/seconded (Bauer/Waldman) and carried by a vote of 5 Ayes.

2. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Spruce/Elevation L – Lot 85, 11871 Yellowwood Dr., Delmar, DE** – Mr. Brown presented a new home build as referenced per the attached drawings.

Deputy Mayor Lenox called for a motion to accept – Chris Brown/Ryan Homes – New Home Build – Stillwater/Spruce/Elevation L – Lot 85, 11871 Yellowwood Dr., Delmar, DE, per the attached drawings.

Vice Mayor Jones called for a favorable recommendation to the Mayor and Council for – Chris Brown/Ryan Homes – New Home Build – Stillwater/Spruce/Elevation L – Lot 85, 11871 Yellowwood Dr., Delmar, DE., per the attached drawings. A motion was made/seconded (McClure/Bauer) and carried by a vote of 5 Ayes.

3. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Cedar/Elevation K – Lot 17, 11735 Silverbell Dr., Delmar, DE** – Mr. Brown presented a new home build as referenced per the attached drawings. A revised site plan was received 7/29/2024.

Deputy Mayor Lenox called for a motion to accept – Chris Brown/Ryan Homes – New Home Build – Stillwater/Cedar/Elevation K – Lot 17, 11735 Silverbell Dr., Delmar, DE, with a condition that the side and rear setbacks be labeled consistently.

Vice Mayor Jones called for a motion to accept – Chris Brown/Ryan Homes – New Home Build – Stillwater/Cedar/Elevation K – Lot 17, 11735 Silverbell Dr., Delmar, DE., per the

attached drawings. A motion was made/seconded (Waldman/McClure) and carried by a vote of 5 Ayes.

4. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Aspen/Elevation K – Lot 19, 11743 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/Aspen/Elevation K – Lot 19, 11743 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/Aspen/Elevation K – Lot 19, 11743 Silverbell Dr., Delmar, DE., per the attached drawing. A motion was made/seconded (Bauer/Waldman) and carried by a vote of 5 Ayes.

5. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Spruce/Elevation K – Lot 23, 11759 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 23, 11759 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 23, 11759 Silverbell Dr., Delmar, DE., per the attached drawings. A motion was made/seconded (McClure/Bauer) and carried by a vote of 5 Ayes.

6. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Spruce/Elevation K – Lot 149, 11746 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 149, 11746 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 149, 11746 Silverbell Dr., Delmar, DE., per the attached drawings. A motion was made/seconded (Bauer/McClure) and carried by a vote of 5 Ayes.

7. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Cedar/Elevation K – Lot 151, 11734 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/Cedar/Elevation K – Lot 151, 11734 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/Cedar/Elevation K – Lot 151, 11734 Silverbell Dr., Delmar, DE., per the attached drawings. A motion was made/seconded (Waldman/McClure) and carried by a vote of 5 Ayes.

8. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Dogwood/Elevation K – Lot 153, 11724 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/Dogwood/Elevation K – Lot 153, 11724 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/Dogwood/Elevation K – Lot 153, 11724 Silverbell Dr., Delmar, DE., per the attached drawings. A motion was made/seconded (Bauer/McClure) and carried by a vote of 5 Ayes.

Town Manager’s Report

Town Mgr. Fleetwood reported: 1.) Town Mgr. Fleetwood received a letter from a 5-year-old stating that State St. Park does not have a recycle bin and made a request for one. He said a recycle bin was ordered and now State St. Park has a recycle bin. 2.) PW has a new sided by side tractor.

Council Comments

- 1.) Council Member Waldman said he drove by the brick structure that was unveiled Saturday and it was really nice and it was very nice to see all the different engravings, and all the supporters.
- 2.) Council Member McClure commented it was a great job with Blue Light Night and he enjoyed his time out there. He said there is no Chamber of Commerce meeting this month. The next meeting will be in September.
- 3.) Vice Mayor Jones commented he enjoyed Blue Light Night. He further commented he watched the live feed for the dedication for the Historical Society and that was awesome.
- 4.) Council Member Lanier commented he arrived to Blue Light Night towards the end but it was well represented. He said he was glad the event took place.

Public Comments

None.

Adjournment

Mayor Bauer asked for a motion to move to executive session to discuss personnel. A motion was made/seconded (Jones/Lanier) and carried by a roll call vote of 5 Ayes.

Submitted by:

Clerk of Council