

**MAYOR & COUNCIL**  
**June 3, 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 7:00 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 Lanier, McClure, and Waldman. Town Manager Fleetwood, Chief Barkley, Clerk of Council Vondell Spencer, and Clerk II Valerie Seefried. Guests: J. Wesley Allen, Vince Luca, Ira Nelson, Rodney Brown, James Lavudnuk; via teleconference Chris Brown.

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

**Mayor's Comments**

Congratulations to Pastor Marilyn Searcey of Renovate Church for being named Delmar's Citizen of the Year by the Delmar Chamber of Commerce.

The State St. Park parking lot has been paved and looks great. A fence will be going up around the parking lot as well.

The Farmers Market and Delmarva Day in the Park went great. A lot of neighbors came out to enjoy the beautiful weather.

Town Mgr. Fleetwood, Delmar High School Superintendent, Andy O'Neal and himself met with DNREC, and the Sussex Conservation District to find a way to improve drainage on Lincoln Avenue.

Congratulations to our WTP Superintendent, Sophia Oberton for receiving her Ph.D.

Our Hometown Heroes Banner requests have reached 61.

Congratulations to the Council Student Advisor, Julianna Morelli for being named Delmar High School class of 2024 valedictorian.

**Approval of Minutes**

Mayor Bauer called for a motion to approve the May 6, 2024 meeting minutes. A motion was made/seconded (Lanier/Waldman) and carried by a vote of 5 Ayes.

## **Unfinished Business**

None.

## **New Business –**

### Delaware Avenue I&I Project

Town Engineer, Josh Taylor from Davis, Bowen, and Friedel discussed funding, replacing the older and deeper mains, WWTP capacity, allocated monies from MD and DE. A conversation occurred.

### Sixth St. Stormwater

Town Engineer, Josh Taylor from Davis, Bowen, and Friedel discussed flooding issues, pipeline investigations, means of repair, causes for the collapse, estimated costs for repair, funding from State Representative Tim Dukes and Senator Bryant Richardson, Sussex County request for FY'25 CRF money from State Representative Tim Dukes and Senator Bryant Richardson, and what residents can expect. A conversation occurred.

Mayor Bauer called for a motion to restrict \$50,000 for ARPA and \$150,000 from the cash reserve to do the Sixth St. Stormwater Project and if any state money is received from the state, it will go back into the kitty to backfill what was spent. The motion was made/seconded (Lanier/Jones) and carried by a vote of 5 Ayes.

### Discussion Regarding Stage Village and Holly Oak Mobile Home Parks

Mayor Bauer stated the Stage Village and Holly Oak Mobile Home Parks are requesting town water. Stage Village Mobile Home Park's well is going dry and Holly Oak Mobile Home Park's well has PFAS. Town Mgr. Fleetwood added this request is fully funded by the State of DE. A conversation occurred.

### Tax Ditch Sussex Conservation

Sussex Conservation District Tax Ditch Project Manager, Mr. Wes Allen discussed prong number four at Lincoln Ave. which is a part of Meadow Branch Tax Ditch, the function of the Meadow Branch Tax Ditch, flooding on Lincoln Ave., clogs and siltation in the upper part of prong number four, the work that needs to be done for the Meadow Branch Tax Ditch, requesting emergency funding from the tax ditch program to pay for 60% of the cleaning, cost for the town, CTF money, Sussex County Drainage funds, the time limit for completion for this project, and providing technical assistance and funding. A conversation ensued.

## **Department/Committee Reports:**

### Police Chief's Report –

Chief Barkley reported: 1.) No new crime trends or ongoing issues for PD. 2.) Last Wednesday PD ran 60-65 calls for service in the morning which does not include the evening. 3.) PD did go to Laurel and assist with the shooting incident lastnight. 4.) Last Thursday PD issued a search and seizure warrant on Pine St. That warrant resulted in the seizure of three handguns, associated ammunition with magazines for those weapons, body armor, a police ID reported stolen from Anne Arundel

County, marijuana paraphernalia, and a few other things. There was also a runaway that had been missing for three weeks at the home as well. The runaway was returned to Seaford, DE where she resides. The subject in question was held at Wicomico County Detention Center. A conversation occurred in reference to speeding tickets. 5.) The academy graduation will be Friday, June 14<sup>th</sup> at the Ocean City Convention Center.

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 –

Council Member Lanier reported: 1.) There was request for 3 EDUs for lots 7 and 8 on Maple St./Highland Ave. outside of town limits. 2.) Discussions were held in reference to the DE I&I Project, Sixth St. Stormwater repair, and request for town water by Stage Village and Holly Oak Mobile Home Parks.

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

Council Member McClure reported: 1.) The committee is contemplating “Movie Night” Friday, July 12<sup>th</sup>. He said he is working with the company to get the license and rights to show a movie. There will also be a second “Movie Night” but a date has not been selected. 2.) A Kiddie Parade will be held Thursday, July 4<sup>th</sup> at 10:00 a.m.

Planning & Zoning –

Vice Mayor Jones reported:

1. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Birch/Elevation K – Lot 164, 11710 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/Birch/Elevation K – 164, 11710 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/Birch/Elevation K – Lot 164, 11710 Silverbell Dr., Delmar, DE, per the attached drawings. A motion was made/seconded (Waldman/McClure) and carried by a vote of 5 Ayes.

2. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Cedar/Elevation K – Lot 86, 11875 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/Cedar/Elevation K – Lot 86, 11875 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/Cedar/Elevation K – Lot 86, 11875 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/Hazel/Elevation K – Lot 87, 11879 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/Hazel/Elevation K – Lot 87, 11879 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/Hazel/Elevation K – Lot 87, 11879 Yellowwood Dr., Delmar, DE, per the attached drawings. A motion was made/seconded (Waldman/Lanier) and carried by a vote of 5 Ayes.

- 4. Chris Brown/Ryan Homes – New Home Build – Stillwater/Cedar/Elevation K – Lot 88, 11883 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/Cedar/Elevation K – Lot 88, 11883 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/Cedar/Elevation K – Lot 88, 11883 Yellowwood Dr., Delmar, DE, per the attached drawings. The motion was made/seconded (Waldman/McClure) and carried by a vote of 5 Ayes.

- 5. Chris Brown/Ryan Homes – New Home Build – Stillwater/Cedar/Elevation L – Lot 107, 11876 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/Cedar/Elevation L – Lot 107, 11876 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/Cedar/Elevation L – Lot 107, 11876 Yellowwood Dr., Delmar,

DE, per the attached drawings. A motion was made/seconded (Lanier/Waldman) and carried by a vote of 5 Ayes.

6. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Birch/Elevation K – Lot 94, 38320 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/Birch/Elevation K – Lot 94, 38320 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/Birch/Elevation K – Lot 94, 38320 Stillwater Parkway, Delmar, DE, per the attached drawings. A motion was made/seconded (McClure/Lanier) and carried by a vote of 5 Ayes.

7. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Spruce/Elevation K – Lot 171, 38343 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/Spruce/Elevation K – Lot 171, 38343 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/Spruce/Elevation K – Lot 171, 38343 Stillwater Parkway, Delmar, DE, per the attached drawings. A motion was made/seconded (Bauer/Lanier) and carried by a vote of 5 Ayes.

#### Town Manager's Report -

Town Mgr. Fleetwood reported: 1.) The State St. Park parking area has been paved and should be open by the end of this week. The fence should be installed on the east and west sides of the parking area. The swale has gone in on the west side to allow drainage. The parking lot itself should be lined sometime next week. The bathrooms are complete, and the new locks are installed. The locks are timed, they open in the morning and lock in the evening. He said he has asked PD to go by the park after the evening hour to make sure the bathrooms are locked. 2.) Gordy Park restrooms are 95% complete. They are lacking the steel exterior doors which should be onsite by the end of the week. The inside, outside, roof, fascia, lights, electricity, and fixturing in the restrooms have been revamped. He further said he asked Delmar High School Superintendent, Andy O'Neal if the school would be open to a mural project on the west walls of the restrooms. Mr. Bill Hearn from Shoreman Construction was the low bid. 3.) Chief Finance Officer, Heather Chandler has worked significantly over the last two weeks issuing commitment letters to department heads to inform the vendors their monies pending July 1<sup>st</sup> so department heads are not waiting. 4.) July 1<sup>st</sup> PW will be down three full-time people. A summer seasonal employee will start this week and two full-time people will start in the next two to three weeks.

5.) One application has been received for the crossing guard position. That applicant will interview this week. The principal at the elementary school, the superintendent at the high school and himself met and Town Mgr. Fleetwood asked them if the custodial staff would be interested in the crossing guard position. That conversation is now taking place at the school.

6.) Town Mgr. Fleetwood and Town Engineer, Josh Taylor have a conference call with MDE regarding the Adequate Public Facilities Ordinance. The ordinance will be presented before this body. This ordinance will state the Town of Delmar will establish a set of standards in the guiding directions of a Capacity Management Plan which will be codified. A conversation ensued.

7.) A blighted home that is boarded up on 420 State St. across from the park is going up for tax sale in Wicomico County June 12<sup>th</sup>. Town Mgr. Fleetwood and P&Z Director, Twain Evanson are going to the courthouse to try to purchase the home for less than \$1,000. The purpose for this purchase is to demo the home because the home is uninhabitable.

8.) July 8<sup>th</sup> a Joint Council meeting will be held. There is no meeting July 1<sup>st</sup>. The town's auditing firm will be presenting results from FY'23.

### **Council Comments**

Council Member McClure had no comment.

Council Member Lanier commented the school year is ending, he is happy to see the summer come, and hopefully he will see more people come out to the comedy club this weekend.

Council Member Waldman commented Saturday was Day in the Park and it is always good to see something going on in the town. A lot of people came out, the weather was good, and he used the restrooms himself at the park and it looks really nice.

Vice Mayor Jones commented it seemed like it was one of the town's biggest Day in the Park's. It was a lot of people attending.

### **Public Comments**

None.

### **Adjournment**

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

Submitted by:

Clerk of Council  
Vondell Spencer