

MAYOR & COUNCIL
May 6, 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, and Clerk of Council Vondell Spencer. Guests: Vince Luca, Rodney Brown, Senator Bryant Richardson; 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

The State St. Park pavilion has a new roof. The restrooms have been rebuilt from the ground up and are more family friendly. Also, the scout section has a new roof along with the restrooms.

Due to inflation and the cost of materials more than doubling since COVID, the base cost of utility bills will be increasing to \$10.00 a month. This is the first rate increase in over ten years.

The first reading of the FY'2025 Budget ordinance was approved on April 22nd. The next reading for approval is next Monday, May 13th, at 6:30 p.m. at Town Hall in the chambers.

The police contract has been voted on and approved by the town and the police department which is great news.

There is not a tax increase for fiscal year 2025.

Approval of Minutes

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

Unfinished Business

None.

New Business –

Senator Bryant Richardson

Senator Richardson discussed last year's funding for the Town of Delmar's community re-development funds totals and what it was used for, community re-development funds for 2025,

funding two years ago for the Historical Society train caboose shelter appropriations, Alderman's Court (Delmar Arts and Historical Society) appropriations, paving project funding in July 2025, Town of Delmar researching a location for a school, a state service center for the Town of Delmar, current legislative sessions, importance of citizens voting, importance of keeping a list of bills that are liked and disliked, and DE General Assembly hearings. Conversations occurred.

Municipal Clerks Proclamation

Mayor Bauer read the Municipal Clerks Proclamation and Recognized May 5th through May 11th Municipal Clerks Week.

Public Works Proclamation

Mayor Bauer read the Public Works Proclamation and recognized May 20th through May 24th Public Works Week.

Student Advisory Report –

Student Advisory Julianna Morelli is not in attendance.

Department/Committee Reports:

Police Chief's Report –

Chief Barkley reported: 1.) There has been a noticeable increase in motor vehicle accidents. One day there were four and three were PI's, another day there was a five-car collision on Rt.13 southbound coming onto State St. Chief Barkley said some folks are just not paying attention, some may have been under the influence, and some failed to use the brake pedal. 2.) The electric is completed on the PD gates. He said he needed the gate people to return to make final connections on both gates. 3.) PD has secured pricing and buying options for the FY'25 vehicles; they are just waiting on final budget results to move forward. 4.) Academy recruits are still doing well awaiting a June 14th graduation. Lt. Bond will be on stage to pin the graduates. Chief Barkley announced he will not be in town for the graduation this year as he will be out of state. 5.) Officer Kevin Doman is progressing well. He has completed his field training and is currently waiting on DE Fire School to get his DE post certification. 6.) Week before last PFC Jacob Boothe was dispatched to the Woodcreek area for an unresponsive subject. PFC Boothe noted the subject was not breathing nor did the subject have a pulse. He then performed CPR and managed to revive the subject and EMS arrived shortly after. So, he did an excellent job. 7.) Lt., Bond, PFC. Richard Cockey, and PTLM Zach Walters received the MSP Superintendent Salute Award for their actions October 2023 following up when MSP Sargeant Brooks Phillips was shot in Vienna, MD. Chief Barkley said they went to Timonium, MD last week and they received their awards, certificates, and metals directly from the MSP Superintendent. 8.) Before next spring PD will have to find a new crossing guard. Mr. Edward Burns notified PD today he is expanding his mission work and will not be available on a regular basis. He will finish out the year with PD but he will not be available for the next school season. 9.) The new pole building had an ominous stench. A rodent climbed up into one of the new vehicle's engine compartments that could not be reached by hand and expired inside of the car.

Mayor Bauer asked Chief Barkley if he has heard anything about the overdoses mostly on the eastside of the county. Chief Barkley answered yes, PD has been advised to expect it. The drugs that are

being used are animal tranquilizers and NARCAN has to be administered over and over again if there is an overdose but in a lot of cases it may not work. A conversation occurred.

Town Mgr. Fleetwood added he and Chief Barkley started last Wednesday with the goal over the next few weeks to hit every business in town. They started as far south as possible on the MD side visiting businesses. Town Mgr. Fleetwood said the overwhelming majority comments were accolades towards PD and it speaks volumes. He thanked Chief Barkley for his leadership, tutelage and insight on that. He further said they adopted a new bargaining agreement with PD and Chief Barkley. Chief Barkley's contract has been extended from July 1, 2024 to July 1, 2026.

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.) Colonial Mill Estates asked to tie-in to the town's water supply as they are having PFAS in their water. He said the Utility Commission is waiting for a report from the findings so they can start the process because there is really no issue with Colonial Mill Estates tying in. 2.) There was a sewer line damaged by a company installing a guardrail on Foskey Ln. and Bi-State Blvd. Ultimately the town is not at fault and it is a \$10,000 repair. 3.) The sewer main project on Pine St. and Chestnut St. appears to be finished. The road is smoothed over.

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

Council Member McClure reported: 1.) The park clean-up in the three parks took place last month. There were seven people cleaning-up. He said it was a good time to have the clean-up because it was the weekend after Earth Day but it was also the Saturday after the Little League opening ceremonies and there was still a good bit of candy on the sidewalks and the streets to be picked up. 2.) "Movie Night" in the park has been postponed and hopefully will be eventually rescheduled.

Fire Department – The report is included in the mail packet.

Planning & Zoning –

Vice Mayor Jones reported:

1. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Dogwood/Elevation K – Lot 14, 11719 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 14, 11719 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 14, 11719 Silverbell Dr., Delmar, DE., per the attached drawings. A motion was made/seconded (McClure/Waldman) and carried by a vote of 5 Ayes.

2. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Cedar/Elevation K – Lot 102, 38334 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 102, 38334 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 102, 38334 Stillwater Parkway, Delmar, DE., per the attached drawings. A motion was made/seconded (Waldman/Bauer) and carried by a vote of 5 Ayes.

3. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Hazel/Elevation K – Lot 89, 11885 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/Hazel/Elevation K – Lot 89, 11885 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/Hazel/Elevation K – Lot 89, 11885 Yellow Wood Dr., Delmar, DE., per the attached drawings. A motion was made/seconded (McClure/Waldman) and carried by a vote of 5 Ayes.

4. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Hazel/Elevation K – Lot 91, 11891 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/Hazel/Elevation K – Lot 91, 11891 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/Hazel/Elevation K – Lot 91, 11891 Yellow Wood Dr., Delmar, DE., per the attached drawings. A motion was made/seconded (Bauer/McClure) and carried by a vote of 5 Ayes.

5. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Cedar/Elevation K – Lot 104, 11888 Yellow Wood Dr., Delmar, DE** – Mr. Brown presented a new home build as referenced per the attached drawings. Vice Mayor Jones said there was a question about front setbacks but there were sufficient answers in an attached email from Ryan Homes regarding the questions.

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 104, 11888 Yellow Wood Dr., Delmar, DE., subject to confirmation that the front setback is in full compliance.

Vice Mayor Jones called for a motion to accept – Chris Brown/Ryan Homes – New Home Build – Stillwater/Cedar/Elevation K – Lot 104, 11888 Yellow Wood Dr., Delmar, DE., per the attached drawings. A motion was made/seconded (Waldman/McClure) and carried by a vote of 5 Ayes.

6. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Hazel/Elevation K – Lot 106, 11880 Yellow Wood Dr., Delmar, DE** – Mr. Brown presented a new home build as referenced per the attached drawings. Vice Mayor Jones said there was a question about front setbacks but there were sufficient answers in an attached email from Ryan Homes regarding the questions.

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 106, 11880 Yellow Wood Dr., Delmar, DE., subject to confirmation of compliance with front setback requirements.

Vice Mayor Jones called for a motion to accept – Chris Brown/Ryan Homes – New Home Build – Stillwater/Hazel/Elevation K – Lot 106, 11880 Yellow Wood Dr., 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.) P&Z Director, Twain Evanson is recovering at home, doing well, and in good spirits. He said Mr. Evanson will be back when the time is right. 2.) May 22nd at 12:00 p.m. the town will have milkshakes, hotdogs, and hamburgers at the PD. Everyone is invited. 3.) HydroCorp is the vendor that was approved for the Cross Connection Control investigations for the commercial businesses. The town has also entered into an agreement with HydroCorp for the investigations for the lead and copper rule as needed at individual properties. The price point negotiated is \$41.00 per home. This will be funded by the monies received by DE and MD. 4.) Tomorrow at 10:00 a.m. Town Engineer, Josh Taylor and Town Mgr. Fleetwood have a video call with MDE (Maryland Department of the Environment) regarding the Adequate Public Facilities Ordinance which will be presented to the Mayor and Council for consideration. 5.) The Phase 1 INI project, Teal Construction has now moved over to Third St. between East East St. and Elizabeth St. When that is finished, they will be done on the MD side

and then they will move over to the DE side, Delaware Ave. 6.) The residents at Brick Rowhomes, park in the back off the railroad track and now the town is asking them to park at the railroad track because the new owner of Brick Rowhomes will be installing a new roof and improve the parking area in the rear.

Council Comments

Vice Mayor Jones and Council Member Waldman had no comment.

Mayor Bauer asked Town Mgr. Fleetwood if the five hydrants that were purchased were all installed. Town Mgr. Fleetwood answered yes, and there is one more to install and MD and DE will be finished. After installation then fire hydrant exercising will start. A conversation ensued.

Council Member McClure announced the Delmar Citizen of the Year Banquet will be held Tuesday, May 21st and the Day in the Park is the first Saturday in June.

Council Member Lanier reminded everyone there is a school board election coming up on May 14th. Russell Smart and Dawn Turner are the candidates. He said he tries to tell everyone to go out and do their due diligence.

Council Member Lanier shared his friend informed him the State St. Park is nice. He said his friend noticed the town had the mulching down and the stones were put back in place. He further said it looked very nice. He thanked PD for their rapid response helping him track down his dog.

Public Comments

None.

Adjournment

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

Submitted by:

Clerk of Council
Vondell Spencer