

## TOWN OF FENWICK ISLAND, DELAWARE

### Minutes of the June 26, 2015 Regular Council Meeting

Call to Order and Flag Salute at 3:30 p.m. by Mayor Serio

*Council in Attendance: Gene Langan, Diane Tingle, Bill Weistling, Audrey Serio, Gardner Bunting, Roy Williams, Richard Mais*

*Staff in Attendance: Town Clerk Poole, Building Official Schuchman, Public Works Supervisor Reed, Police Chief Boyden*

*Absent: Town Manager Burke*

### **PRESIDENT'S REPORT**

- **Mayor Serio** announced changes to the Agenda due to the absence of Town Manager Burke due to the passing of a family member. Postponed will be the FY 2016 Fee Schedule, FY 2016 Financial Plan and Kevin Thomas from Lyons Insurance Company. Chief Boyden will be presenting the Bike Safety Checkpoint, Council Member Langan will cover the Technology Committee Funding Request and Town Clerk Poole will cover the Municipal Election.
- **Mayor Serio** wanted to wish everyone a happy 4<sup>th</sup> of July. Have a safe 4th and enjoy your family and friends.

### **TOPICS FOR DISCUSSION AND POSSIBLE ACTION**

- **2015 Municipal Election** – Town Clerk Poole stated the Town's Election will be August 1, 2015. Four Council seats are up for election, Audrey Serio, Gene Langan, Roy Williams and Richard Mais. Six candidates qualified and eligible to serve; Ann Louise Christ, Lisa Marie Benn, Roy R. Williams, Richard L. Mais, Eugene N. Langan and Julie Lee. Town Clerk Poole will post the Notice of Election on Friday, July 10 (more than 20 days before the election date). Final day to register in person at the Town Hall is June 30, 2015 at 4:30 p.m. Absentee ballots will be available at Town Hall with completed affidavit. Absentee balloting information is also available on the Town's website. The election date is August 1, 2015 from 1:00 p.m. to 5:00 p.m. at Town Hall.
- **2015 Bike Safety Checkpoint** – Chief Boyden stated that there will be a bike safety checkpoint in Fenwick Island on July 15 from 8:00 a.m. – 11:00 a.m. Chief Boyden noted the accident by the Candy Kitchen where a nine year old boy was struck by a car crossing Coastal Highway. He was not in the crosswalk and ran front the car from the center island. Council Member Tingle stated that all cars don't yield at the crosswalk. Chief Boyden stated that vehicles in the State of Delaware have to yield to pedestrian in the crosswalk not on the sidewalk.
- **Technology Committee Funding Request** – Council Member Langan – This was a suggestion made at the Technology Committee meeting from Public Works Supervisor Reed that the Town and lifeguards purchase an 800 watt radio (direct connect). This will allow Captain Ferry to

*Approved*  
*7.24.2015*

contact directly to the dispatch center for Sussex County emergency responses. We have State and County approval along with Chief Boyden. The committee requested Town Council to approve an expenditure up to \$4,000 to purchase the direct connect radio.

**Motion** – Motion made requesting Council approval to purchase a direct connect radio for the Town not to exceed \$4,000 – Council Member Langan

**Second** – Council Member Mais

**Discussion** – none

**Vote** – (7-0)

### **APPROVAL OF MINUTES**

**Motion** – Motion made to approve the Minutes of June 26, 2015 - Council Member Weistling

**Second** – Council Member Langan

**Discussion** – none

**Vote** – (7 -0)

### **TREASURER’S REPORT**

Council Member Bunting reported: The monthly report is a summary of all account balances through May 31, 2015 and other pertinent financial information since the prior month’s Town Council meeting.

#### **Reserve Balance**

- \$2,312,004.29

#### **FY 2015 Operating Budget**

- 100.63% of Budgeted Income
- 83.17% of Budgeted Expenses

#### **Realty Transfer Tax (1.5% local tax)**

- \$40,800.00

#### **Outstanding Taxes and Late Fees (FY14 and FY15)**

- \$ 4,841.25

#### **Revenue Highlights**

- \$16k over real estate property tax budget
- \$11.7k over rental receipt tax budget
- \$3.4k over parking violations

**Motion** – Motion made to accept the Treasurer’s Report as read – Council Member Tingle

**Second** – Council Member Langan

**Discussion** – none

**Report accepted**

**TOWN MANAGER'S REPORT**

**None** – Absent due to death in family.

**DEPARTMENT REPORTS**

- **Building Official** – The May Building Report was included in the Council meeting packet. At the end of May the Town had received 9 rental renewals, 19 outside contractor license renewals and 4 resident merchant renewals. Building Official Schuchman noted that anyone needing information on how to reduce their flood insurance rates should contact her.
- **Public Works** – The monthly report was included in the Council meeting packet. Public Works Supervisor Reed noted that the F.I. Community Park would be closed for several days for landscaping work prior to the 4<sup>th</sup> July weekend. He stated that traffic on Dagsboro Street would be directed through the church parking lot for repair of collapsed pipe.
- **Beach Patrol** – The monthly report was included in the Council meeting packet. Town Bonfire July 5<sup>th</sup> on Bayard Street.
- **Police Department** – The monthly report was included in the Council meeting packet.

**TOWN COMMITTEE REPORTS**

**Charter & Ordinance** – Council Member Weistling proposed a motion for council to approve the following changes to Chapter 135 – Signs: Second Reading read into the record.

Approved First Reading – May 29, 2015  
Approved Second Reading – June 26, 2015  
Amendment Passed – June 26, 2015

**CHAPTER 135 – SIGNS**

**§ 135-2. Definitions.**

***Existing:***

**BLADE BANNER** - A flag, pennant or similar instrument intended to be hung on a pole no higher than 17 feet not wider than three feet, possessing characters, letters, illustrations or ornamentations applied to paper, plastic or fabric of any kind.

***Proposed:***

**FEATHER FLAG** - A flag, pennant or similar instrument intended to be hung on a pole no higher than 17 feet nor wider than three feet, possessing characters, letters, illustrations or ornamentations applied to paper, plastic or fabric of any kind.

§ 135-3. General provisions, restrictions and prohibitions.

**Existing:**

C. Portable and movable signs; A-shape signs.

(2) **After September 15 and before June 1, in lieu of (and not in addition to)** the flags permitted in § **135-5A(3)** and **C(4)(b)**, A-shape signs with maximum dimensions of three feet high and two feet wide or a flag indicating either "open" or a product or nationality having dimensions of not greater than four feet by six feet shall be permitted, **to be located not closer than 10 feet to either the front or side property line**, one per business establishment, to be removed at sundown and not replaced until 7:00 a.m. A-shape signs shall be removed in high winds where they could create a hazard.

**Proposed:**

(2) **In addition to** the flags permitted in § **135-5A(3)** and **C(4)(b)**, A-shape signs with maximum dimensions of three feet high and two feet wide or a flag indicating either "open" or a product or nationality having dimensions of not greater than four feet by six feet shall be permitted, to be located **not beyond** either the front or side property line, one per business establishment, to be removed at sundown and not replaced until 7:00 a.m. A-shape signs shall be removed in high winds where they could create a hazard.

§ 135-5. Commercial and industrial signs.

**Existing:**

A For a single commercial business, which is not a part of a subdivided building, the following shall apply (All signs described herein shall be subject to the restrictions provided in § **135-4**):

**(1)** With property less than 100 feet of frontage on Route 1, two signs or two **blade banners, or one of each**, are permitted. One sign, attached to the building and not exceeding one square foot for each front foot of building, is permitted. A freestanding sign or **blade banner** is also permitted, but shall not exceed 30 square feet and shall not reduce the number of required parking spaces.

**(2)** With property of 100 feet of frontage or more on Route 1, there shall be allowed **one blade banner** or one freestanding sign no larger than 120 square feet and one sign attached to the building not to exceed one square foot in area for each front foot of building.

**(3) One United States flag and one State of Delaware flag, and one flag indicating either "open," a product or a nationality, with each flag having dimensions not in excess of four feet by six feet, are permitted if on a pole(s) attached to the front of the building or on a flag pole set back at least 25 feet from the front property line and 10 feet from any side property line;** anything contained in this chapter notwithstanding, a flag may protrude no more than six feet from the wall to which it is attached and, if attached to a building, may not be higher than the roof of the building.

- B In the case of a subdivided building, the total number of signs shall not exceed three signs for each single commercial occupant, **the total square footage of all such signs shall not exceed one square foot** in area for each lineal front foot of building used for a single commercial purpose. Each allowed sign must be on or attached to the building.
- C In addition to the sign allowed in Subsection [B](#) above, the following signs shall be permitted:
- 1 One multiple-use identification sign, stating the name of the subdivided building and some or all of its tenants. The area of such sign shall be determined independently from the sign area allowed under Subsection [A](#) of this section and shall not exceed 30 square feet per tenant or exceed 250 square feet per subdivided building.
  - 2 One additional sign shall be permitted below a canopy or overhang, not to exceed two square feet in size.
  - 3 In the case of gasoline service provided by a retail store, one additional conventional freestanding gasoline sign.
  - 4 Subdivided buildings; protrusion.
    - a For an entire subdivided building, one United States flag and one State of Delaware flag are permitted on a pole(s) attached to the front of a building or on a flagpole set back at least 25 feet from the front property line and 10 feet from any side property line.
    - b For a subdivided building, each **holder of a business license** is permitted to have one flag indicating either "open," a product or a nationality, with dimensions not in excess of four feet by six feet, if on a pole attached to the front of the business (building). **Blade banners are prohibited.**
    - c Anything contained in this chapter notwithstanding, if attached to a building, a flag(s) may protrude no more than six feet from the wall to which it is attached and may not be higher than the roof of the building.

**Proposed:**

- A For a single commercial business, which is not a part of a subdivided building, the following shall apply (All signs described herein shall be subject to the restrictions provided in § [135-4](#)):
- [\(1\)](#) With property less than 100 feet of frontage on Route 1, two signs are permitted. One sign, attached to the building and not exceeding one square foot for each front foot of building, is permitted. A freestanding sign is also permitted, but shall not exceed 30 square feet and shall not reduce the number of required parking spaces.
- [\(2\)](#) With property of 100 feet of frontage or more on Route 1, there shall be allowed one freestanding sign no larger than 120 square feet and one sign attached to the building not to exceed one square foot in area for each front foot of building.

**(3) Three flags not in excess of four feet by six feet are permitted if attached to front of a building, on a pole, or attached to a sign;** anything contained in this chapter notwithstanding, a flag may protrude no more than six feet from the wall to which it is attached and, if attached to a building, may not be higher than the roof of the building. **One flag may be substituted with a feather flag.**

- B In the case of a subdivided building, the total number of signs shall not exceed three signs for each single commercial occupant, **the total square footage of all such signs shall not exceed one and one-half square foot** in area for each lineal front foot of building used for a single commercial purpose. Each allowed sign must be on or attached to the building.
- C In addition to the sign allowed in Subsection **B** above, the following signs shall be permitted:
- 1 One multiple-use identification sign, stating the name of the subdivided building and some or all of its tenants. The area of such sign shall be determined independently from the sign area allowed under Subsection **A** of this section and shall not exceed 30 square feet per tenant or exceed 250 square feet per subdivided building.
  - 2 One additional sign shall be permitted below a canopy or overhang, not to exceed two square feet in size.
  - 3 In the case of gasoline service provided by a retail store, one additional conventional freestanding gasoline sign.
  - 4 Subdivided buildings; protrusion.
    - a For an entire subdivided building, one United States flag and one State of Delaware flag are permitted on a pole(s) attached to the front of a building or on a flagpole set back at least 25 feet from the front property line and 10 feet from any side property line.
    - b For a subdivided building, **each unit comprising a business** is permitted to have **one flag for each unit of the business**, with dimensions not in excess of four feet by six feet, if on a pole attached to the front of the business (building). **Only one feather flag shall be permitted for multiple units.**
    - c Anything contained in this chapter notwithstanding, if attached to a building, a flag(s) may protrude no more than six feet from the wall to which it is attached and may not be higher than the roof of the building.

**Motion** – Motion made to accept the changes §135- Signs - Council Member Weistling

**Second** – Council Member Tingle

**Discussion** – none

**Vote: Council Members Polled 2<sup>nd</sup> Reading** – 7 Ayes – Second Reading Passed

Approved  
7.24.2015

**Charter & Ordinance** – Council Member Weistling proposed a motion for council to approve the following changes to Chapter 61 – Building and Utility Construction: First Reading read into the record.

*Proposed First Reading – June 26, 2015*

**Chapter 61 – Building and Utility Construction:**

**Chapter 61-10D.**

**Insert:**

3. *In order to maintain effective surface water drainage systems in the Commercial Zone, pervious hard paving such as permeable concrete or asphalt shall be permitted along the Town's rights-of-way adjacent to commercial properties with the approval of the Department of Public Works and paid by the commercial property owner. This paving or pervious paving will be allowed to continue until such time that the Department of Public Works determines that the paving or pervious paving needs to be removed or altered for the purpose of repairs or modifications to the road, drainage system or public utilities. At such time, the paving or pervious paving may be removed or altered by the Department of Public Works and, if necessary, the area restored with gray-colored crushed stone at the Town's expense. Use of any type of pervious hard paving such as permeable concrete or asphalt for restoration shall be permitted with the approval of the Department of Public Works and paid by the commercial property owner.*

**Re-number remaining section.**

**Motion** – Motion made to accept the proposed first reading Chapter 61 – Building and Utility Construction: Council Member Weistling

**Second** – Council Member Tingle

**Discussion** – none

**Vote:** (7-0)

**Charter & Ordinance** – Council Member Weistling proposed a motion for council to approve the following changes to Chapter 160 – Zoning: First Reading read into the record.

*Proposed First Reading – June 26, 2015*

**Chapter 160 – Zoning:**

**Chapter 160-2B (Definitions and word use):**

Insert new definition:

*“VEGETATIVE STORMWATER BUFFER – an area of land maintained in a permanent vegetative state that functions to intercept stormwater runoff. Such buffers must be designed by an engineer who is duly registered and licensed in the State of Delaware.”*

**Motion** – Motion made to accept the proposed first reading Chapter 160–2B – Definitions and word use: Council Member Weistling

**Second** – Council Member Tingle

**Discussion** – none

**Vote:** (7-0)

**Chapter 160-5C (1):**

***Existing:***

Front building limit line. The building limit line shall be set back from the front lot line not less than 25 feet.

***Proposed:***

Front building limit line. The building limit line shall be set back from the front lot line not less than fifteen feet (15').

**Motion** – Motion made to accept the proposed first reading Chapter 160–5C (1) - Council Member Weistling

**Second** – Council Member Langan

**Discussion** – none

**Vote:** (7-0)

**Chapter 160-5C:**

***Existing:***

3. Rear yard. There shall be a rear yard having a minimum depth of 10 feet.

***Proposed:***

3. ***Rear yard setback requirements:***

- a) ***The rear yard building limit line shall be set back from the rear lot line not less than ten feet (10'). In addition:***
1. ***All rear yard setbacks for lots located east of Route 1 shall include a five foot (5') landscaped buffer when abutting lots used for residential purposes.***
  2. ***All rear yard setbacks for lots located west of Route 1 shall include a professionally engineered five foot (5') vegetative stormwater buffer when abutting lots used for residential purposes.***

**Motion** – Motion made to accept the proposed first reading Chapter 160–5C – Council Member Weistling

**Second** – Council Member Langan

**Discussion** – none

**Vote:** (7-0)

**Chapter 160-5C:**

***Existing:***

4. ***The area between the front lot line and the front building limit line may be used for driveways only.*** The side yard and rear yard areas may be used for driveways and parking areas, provided, further, that only limited-access entrances and exits to such driveways and parking areas are permitted from the bordering streets. The limited-access entrances and exits shall be controlled by drop curbs ***or, where no curbs exist, by a fence, wall or other such structure or planting*** between such entrances and exits, and the parking areas shall comply with the parking regulations of this chapter. ***No part of any required building setback area in***

the front, rear, or side of any lot in the Commercial Zone may be covered or paved with impervious or semi-impervious materials such as concrete, asphalt, brick, flagstone, etc. Such coverings or paving existing at the time of enactment of this subsection may continue to be used and repaired as a nonconforming use, but may not be expanded in any horizontal dimension nor rebuilt or replaced with such materials.

**Proposed:**

4. The area between the front lot line and the front building limit line may be used for driveways and/or parking spaces provided it complies with § 160-10B(2), (size of parking spaces in the Commercial Zone). The side yard and rear yard areas may also be used for driveways and parking areas, provided, further, that only limited-access entrances and exits to such driveways and parking areas are permitted from the bordering streets. The limited-access entrances and exits shall be controlled by drop between such entrances and exits, and the parking areas shall comply with the parking regulations of this chapter.

**Re-number and Insert:**

5. No part of any required building setback area in the front, rear, or side of any lot in the Commercial Zone may be covered or paved with impervious or semi-impervious materials such as concrete, asphalt, brick, flagstone, etc. Such coverings or paving existing at the time of enactment of this subsection may continue to be used and repaired as a nonconforming use, but may not be expanded in any horizontal dimension nor rebuilt or replaced with such materials.

**Re-number remaining section.**

**Motion** – Motion made to accept the proposed first reading Chapter 160 – 5C - Council Member Weistling

**Second** – Council Member Tingle

**Discussion** – none

**Vote:** (7-0)

**Chapter 160-5F (Sidewalks):**

**Add:**

*Sidewalks approved by DELDOT, in compliance with ADA regulations and no less than five feet (5') in width or a DELDOT and ADA approved alternative are required for all new construction and substantial improvements in the Commercial Zone (see § 140-2 – Article II – Sidewalks).*

**Motion** – Motion made to accept the proposed first reading Chapter 160–5F-Sidewalks - Council Member Weistling

**Second** – Council Member Langan

**Discussion** – none

**Vote:** (7-0)

**Chapter 160-8A**

**Existing:**

(5) Open deck, not enclosed with any material of any kind, and open stairways, not enclosed with any material of any kind, may be permitted to encroach on the front building limit line not to exceed nine feet. Any open deck or open stairway which is constructed within the above-mentioned permitted nine-foot encroachment area, which is over the top of or in any way covers another deck or stairway shall not be

Approved  
7.24.2015

constructed so as to provide a weatherproof or waterproof covering which would provide for a roof over the open deck or stairway below it. All decks must meet the minimum criteria for a deck as to ingress and egress and be structurally sound to support the use as a deck. The above-mentioned nine-foot encroachment shall not apply to any building which has a front building limit line of less than 25 feet.

**Proposed:**

(5) Open deck, not enclosed with any material of any kind, and open stairways, not enclosed with any material of any kind, may be permitted to encroach on the front building limit line not to exceed nine feet **in the Residential Zone only**. Any open deck or open stairway which is constructed within the above-mentioned permitted nine-foot encroachment area, which is over the top of or in any way covers another deck or stairway shall not be constructed so as to provide a weatherproof or waterproof covering which would provide for a roof over the open deck or stairway below it. All decks must meet the minimum criteria for a deck as to ingress and egress and be structurally sound to support the use as a deck. The above-mentioned nine-foot encroachment shall not apply to any building which has a front building limit line of less than 25 feet.

**Motion** – Motion made to accept the proposed first reading Chapter 160-8A(5)- Council Member Weistling

**Second** – Council Member Tingle

**Discussion** – none

**Vote:** (7-0)

**Existing:**

**(9)(b)** An exception to Subsection A(9)(a) above is that a **fence, wall, hedge, partition or other such structure along the rear lot line within the limits of any lot zoned commercial which fronts on Route 1, and/or along the corresponding property line in the Residential Zone comprising such property line, shall be permitted**, not to exceed seven feet in height above the curb or crown level of the adjoining street of such structure, except that, in the case of corner lots fronting on Route 1, the structure from the side street property line to a point 15 feet in from said property line shall not exceed four feet in height above the curb or crown level of the adjoining street of such structure. A solid foundation or retaining wall for such structure shall be permitted, not to exceed two feet in height above the crown of the side streets adjacent to the commercial property. The remainder of the fence, **wall or partition or other such structure** shall not be solid but shall have openings approximately 20% to 30% of the total surface area to provide for the flow-through of air. A detailed design drawing of the structure shall be submitted with the application for a building permit.

**Proposed:**

The following are exceptions to Subsection A(9)(a) above:

**[1] Fences:**

**[a] A fence is required for new construction along the rear property line on any lot in the Commercial Zone, used for commercial purposes, where designated parking spaces and/or an open area used for parking abuts adjacent property used for residential purposes. Said fence shall be no less than six feet (6'), nor more than seven feet (7'), in height above the curb or crown level of the adjoining street.**

**[b] Fences are prohibited in the front setback area of all lots in the Commercial Zone.**

Approved  
7.24.2015

[c] Fences along the side property line of all lots in the Commercial Zone shall not exceed four feet (4') in height above the curb or crown level of the adjoining street and shall not encroach into the front setback area.

[d] A solid foundation or retaining wall for such fence structure along the side property line shall be permitted, not to exceed two feet in height above the crown of the side streets adjacent to the commercial property. The remainder of the fence shall not be solid but shall have openings approximately 20% to 30% of the total surface area to provide for the flow-through of air. A detailed design drawing of the structure must be submitted with the application for a building permit.

**Motion** – Motion made to accept the proposed first reading Chapter 160–8A-(9)(b) – Fences - Council Member Weistling

**Second** – Council Member Tingle

**Discussion** – none

**Vote:** (7-0)

[2] Sidewalks and structures in an area 10' from the curb along Route 1:

[a] New construction and substantial improvements in the Commercial Zone:

[a.1] A five foot (5') wide sidewalk constructed in compliance with all ADA and DELDOT approved standards is required for new construction. Such sidewalk must be five feet (5') wide, measured from the back of the existing curb along Route 1. Where no curb exists, the five feet (5') shall be measured from the plane of the back of the curb from adjacent properties in the same block along Route 1. All existing entrances are subject to DELDOT approval and may or may not be allowed to remain.

[a.2] A five foot (5') wide sidewalk constructed in compliance with all ADA and DELDOT approved standards or a DELDOT approved alternative is required for substantial improvement construction.

[a.3] All landscaping, permanent structures, and/or temporary or portable structures located in the area five feet (5') in width, measured from the edge of the sidewalk required by subparagraph [a.1] above and projecting into the commercial property, shall not exceed three feet (3') in height from ground elevation.

[b] Existing commercial properties in the Commercial Zone:

[b.1] No new landscaping, vegetation, permanent structures, and/or temporary or portable structures on a parcel along Route 1 in the Commercial Zone, located ten feet (10') or less from the edge of the curb, shall exceed three feet (3') in height from ground elevation.

[b.2] Existing designated parking spaces located in the ten foot (10') area described in subparagraph [b.1] above may continue until such time as a total destruction and removal of the existing commercial building occurs and new construction commences.

**Motion** – Motion made to accept the changes Chapter 160-8A-9(b)(2)-Sidewalks - Council Member Weistling

**Second** – Council Member Langan

**Discussion** – none

**Vote:** (7-0)

- **Beach Committee** – Town Bonfire will be July 5<sup>th</sup> on Bayard Street.
- **Environmental Committee** – The Environmental Committee met twice this month, on the 4<sup>th</sup> and the 25<sup>th</sup>. The committee received a second grant of \$2,000 from the American Lung Association. The Committee members will be handing out information at all the town's summer events. Chair Mary Ellen Langan asked Council for approval of a new project, Adopt a Street Project. We would like to solicit volunteers to sign up to keep their street clean on an ongoing basis. We would like to advertise through the website, Facebook and flyers. If anyone would like to sign up, please call Town Hall and give them your contact information to forward on to the committee and someone will get back to you with detailed information. The next meeting will be scheduled in early August.

- **Technology Committee** – Council Member Langan said the last meeting was May 21. The next meeting will be in September. The Committee will look at a demo to duplicate our agendas and minutes as an alternative to the website.
- **Business Development Committee** – No scheduled meeting from now until the third Thursday in September at 2:00 p.m.
- **Ad hoc Parks Committee** – New landscaping and improvements to the F. I. Community Park to be completed by the July 4<sup>th</sup> holiday.
- **Planning Commission** – none
- **Old Business** – none
- **New Business** – none

## **PUBLIC PARTICIPATION**

- David Tucker – 13 Farmington St. – Wanted to know if the Town could send a letter to DNREC requesting navigation beacons in the Bay. There are no markers in the main channel into Fenwick on the east side.
- Vicky Carmean – 33 Ebb Tide Cove – Wanted to thank Council Member Weistling and the C & O Committee for all their hard work but thought there should be handouts or visuals. Difficult to understand or follow without them.
- Pete Frederick – 1605 Bunting Ave. – Wanted to know about the voter registration, not sure who is registered. Mayor Serio asked Lynn Andrews to respond. Lynn Andrews stated there was a change from the State about registration. She spoke to Town Manager Burke about this and stated that only people that were deceased and people who sold their properties were removed. Pete Fredericks asked if there is a voter list in the Town Hall and available to anyone. Mayor Serio said yes, to see Town Manager, Town Clerk or the Board of Elections, Lynn Andrews.
- Dottie Lopez - 1007 Bunting Ave. – Owned our property for over 20 years. Why were we removed from the voters list? Mayor Serio stated that Lynn Andrews has been in charge for a long time. Lynn Andrews said that what was in the database is what we are working from. Not sure what happened.
- John Nason – 1107 Bunting Ave. – Why if anyone can get a copy of the voter registration list, could it be put on the website? Mayor Serio stated that we haven't had an election in years and no one has checked to see if they were registered or if there were issues. Town Manager Burke has worked very closely with the State Board of Elections to cover all the issues. Council Member Tingle stated that at the training there were several changes to the process. Lynn Andrews stated that she never had access to the voters roll unless the Town was having an election. Pete Fredericks asked if the voter registration deadline could be extended. Mayor Serio said we will have to address someone at the State to see if it could be allowed. Lynn Andrews stated to contact Kenny McDowell office about this.
- Vicki Carmean – 38 Ebb Tide Cove – She thinks it's a shame that the Lopez's can't vote, they have been property owners for a long time. Mayor Serio stated that they can vote if they are registered.
- Richard Benn – 1306 Bunting Ave. - Are we adding 10 more buildable feet to construction in the commercial area? Council Member Weistling stated yes. We are taking 5ft from the back buffer and 5ft in the front for sidewalks.

Approved  
7.24.2015

- Greg Mahon – 1406 Bunting Ave. – Could the list be left in the lobby for everyone to see over the weekend? Mayor Serio stated that it will be available in the Police Department for anyone who wishes to see if they are currently registered.
- Lynn Andrews – 1205 N. Schulz Rd. – Would like to have printed copies of the all the hard work that C&O Committee does on the ordinance changes. Council Member Weistling stated the hard copies will be made available.
- Willis Lee – 703 Bunting Ave. – If a survey is the only way we can get enough input information to make an informed decision, how do we determine election standing? Mayor Serio stated that the Town’s attorney advised us not to put these issues on the voting machines. Everyone who owns property in Town should have the right to say how they feel, not just those who vote.
- Council Member Weistling continued discussion on commercial buffer and commercial setbacks.

#### UPCOMING MEETINGS AND EVENTS

Council Member Serio announced the following upcoming meetings and events as follows:

a. July 3	Town Hall Closed	Independence Day Holiday
b. July 5	6:30 p.m.	Town Bonfire – Dagsboro Street
c. July 7	9:30 a.m.	Charter and Ordinance Committee Meeting
d. July 11	9:00 a.m.-11:00 a.m.	F.I.S.H. – Meet the Candidates
e. July 14	2:30 p.m.	Planning Commission Meeting
f. July 22	9:30 a.m.-1:30 p.m.	Barefoot Club Gardner Meeting
g. July 24	3:30 p.m.	Regular Council Meeting

**Motion to adjourn** – Council Member Weistling

**Second** – Council Member Langan

**Discussion** – none

**Vote** – (7-0)

Meeting adjourned at 5:15 p.m.

*\*Transcribed by Linda Poole, Town Clerk  
for Council Member Diane Tingle, Secretary*