

## TOWN OF FENWICK ISLAND, DELAWARE

Minutes of the October 28, 2016, Regular Council Meeting

Call to Order and Flag Salute at 3:30 p.m. by Vice-Mayor Mais

*Council in Attendance:* Richard Mais, Gardner Bunting, Bernie Merritt, Vicki Carmean, Julie Lee, Roy Williams

*Absent:* Gene Langan

*Staff in Attendance:* Chief Boyden, Public Works Supervisor Reed, Building Official Schuchman, Administrative Assistant Brittingham

### **PRESIDENT'S REPORT**

- Vice-Mayor Richard Mais explained the absences of both Mayor Langan whose wife was hospitalized after surgery and Town Clerk Linda Poole who also was hospitalized after surgery.

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

- **Section 9 – Qualification of Voters** – Vice-Mayor Mais explained the First Reading scheduled for this date would be postponed until Town Council could further review with the Town Solicitor.
- **2016 Fenwick Flicks Summer Review** – Vice-Mayor Mais stated Kristie Maravalli from the Chamber of Commerce was unavailable to attend this meeting and asked to postpone the review.
- **2016-2017 Fee Schedule** – Interim Town Manager/Chief Boyden stated this will be postponed until the Town Clerk returns to explain the new mandatory fee for Notary Public required by the state.
- **Committee Announcements** – Council Member Bunting made a motion to approve the 2016-2017 Town Committees, seconded by Council Member Williams. Motion approved.
- **Community Holiday Event** – Barbara McCoy and Sue Clark asked that the Town once again approve a holiday party to be held on Friday, December 2, 2016 with singing during the tree lighting and a social afterward in Town Hall. They added they would be accepting non-perishable foods for the food bank at Town Hall. Council Member Carmean made a motion to approve the holiday tree lighting and party seconded by Council Member Bunting. Motion approved.
- **Turkey Trot** – Becca McWilliams announced the “Ninth Annual Turkey Trot” will be held on Thursday, November 24, 2016 starting at 8:00 a.m. Parking is available at Warren’s Station, Pottery Place and the Chamber of Commerce. Donations will be accepted for the American Cancer Society in memory of Barbara Murphy as well as non-perishable food for neighbors in need.

### **APPROVAL OF MINUTES**

**Motion** – Motion made to approve the Minutes as read - Council Member Carmean

**Second** – Council Member Bunting

**Discussion** – None

Vote – (6-0)

### **TREASURER’S REPORT**

- The monthly report is a summary of all account balances through **September 30, 2016** and other pertinent financial information since the prior month’s Town Council meeting.

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

**Second** – Council Member Lee

**Discussion** – none

**Vote: (6-0)**

**Treasurer’s Report *accepted* by Council as read.**

Council Member Bunting added that Administrative Assistant Brittingham is finalizing the transfer of all bank accounts to the Bank of Ocean City.

Council Member Carmean asked when the auditor’s report will be completed. Mr. Bunting stated he expects the report to be available at the December Town Council meeting. He added that some items were paid out of Realty Transfer Tax funds erroneously. This is being corrected and any questions can be addressed to the Town auditor, Tom Sombar, when he presents the audit to Town Council.

### **TOWN MANAGER’S REPORT**

- Interim Town Manager/Chief Boyden announced the Town continues to receive applications for the Town Manager’s position.
- The Public Works Department is working on placing asphalt millings on all beach end streets.
- The Town will no longer be getting their electric rates through the Chamber of Commerce. The new supplier offers a better rate which will result in savings of \$1,200 per year.
- New identification cards will be distributed to all civilian employees and Town Council members.
- Go Melvo, the company contracted by the Town to sell snow cones on the beach, will be placed on the December Town Council meeting agenda to extend the contract for next year.
- Chief Boyden stated Workmen’s Compensation rates have been reduced by 15% due to workplace safety among Town employees.

### **DEPARTMENT REPORTS**

- **Building Official** – The monthly report was included in the Council meeting packet. Thirteen (13) Business License were issued in September. Ms. Schuchman reported on attending the meeting held on new regulations governing beach protection and use of beaches and added that the presentation can be accessed on the Town’s website.
- **Public Works** – The monthly report was included in the Council meeting packet. Public Works Supervisor Bryan Reed thanked Council Member Carmean for her assistance with the work on the median strip landscaping. Mr. Reed added that the backhoe needs to be repaired and he is getting prices.
- **Beach Patrol** – None.

- **Police Department** – The monthly report was included in the Council meeting packet. Chief Boyden announced the delivery of two new police vehicles.

## **TOWN COMMITTEE REPORTS**

- **Beach Committee** – None.
- **Environmental Committee** – None.
- **Technology Committee** – None.
- **Business Development Committee** – Council Member Bunting announced the new chairperson for the committee is Tim Collins effective November 1. The next meeting will be held on Thursday, November 17, 2016 at 2:00 p.m. Mr. Bunting further added that discussion on branding has been tabled and discussions will begin on business community activities after the first of the coming year.
- **Ad hoc Election Committee** – None.
- **Charter and Ordinance** – Chairperson Bill Weistling:
  - First Reading – Chapter 9 – Qualification of Voters – this has been postponed until Town Council members are able to meet with the Town Solicitor.
  - First Reading – Chapter 120-2A(3)(a) – (Property Maintenance) - this amendment will require any additional work to approved drainage plans must be approved by the Building Official. Council Member Merritt made a motion to accept the First Reading as read, seconded by Council Member Bunting.
    - **Motion** – Motion made to accept the First Reading as read – Council Member Merritt
    - **Second** – Council Member Bunting
    - **Discussion** – none
    - **Vote: (6-0)**
  - First Reading – Chapter 160-2B – (Zoning) – this amendment will increase the number of bathrooms allowed in a single-family dwelling from no more than four bathrooms to a maximum of five full bathrooms and one half-bathroom. Council Member Merritt made a motion to accept the First Reading as read, seconded by Council Member Bunting.
    - **Motion** – Motion made to accept the First Reading as read – Council Member Merritt
    - **Second** – Council Member Bunting
    - **Discussion** – none
    - **Vote: (6-0)**
  - First Reading – Chapter 160-8A(9)(b) [1](a) – (Zoning) – this amendment will require a fence along the rear of commercial property for new construction (*being used for commercial purposes and adjacent to residential property*). In the event a fence pre-exists the new construction that fence may remain; however, in the event the fence is removed at any time it will be the responsibility of the commercial property owner to replace the fence with a fence no less than six feet high nor more than seven feet high. Council Member Merritt made a motion to accept the First Reading as read, seconded by Council Member Lee.
    - **Motion** – Motion made to accept the First Reading as read – Council Member Merritt
    - **Second** – Council Member Lee
    - **Discussion** – none
    - **Vote: (6-0)**

**OLD BUSINESS**

Council Member Bunting stated he would like to see a handicap parking space on each beach end street. Chief Boyden commented there are few requests for handicap parking and he had no objection to adding spaces on each beach end street and waiving the parking fee. This will be forwarded to the Charter & Ordinance Committee for consideration of an amendment to waive the parking fee as indicated above.

**NEW BUSINESS**

Council Member Lee thanked both Public Works Supervisor Reed and Lifeguard Captain Ferry for their input at the two previous Town Talks meetings.

Mr. Bill Weistling, Chairperson of the Charter & Ordinance Committee, informed those present that Charter & Ordinance Committee meetings will now be held on the first Friday of each month at 9:30 a.m., with the exception of the meeting on November 4<sup>th</sup> meeting which will begin at 2:00 p.m.

**UPCOMING MEETINGS AND EVENTS**

Vice-Mayor Mais announced the following upcoming meetings and events as follows:

- |   |        |           |   |
|---|--------|-----------|---|
| a | Nov 04 | 2:00 p.m. | Charter and Ordinance Committee Meeting   |
| b | Nov 08 |           | Election Day (Town Hall Closed)           |
| c | Nov 10 |           | Return Day (Town Hall Closed)             |
| d | Nov 11 |           | Veteran’s Day (Town Hall Closed)          |
| e | Nov 17 | 2:00 p.m. | Business Development Committee Meeting    |
| f | Nov 24 |           | Thanksgiving Day (Town Hall Closed)       |
| g | Nov 25 |           | Day after Thanksgiving (Town Hall Closed) |
| h | Dec 02 | TBD       | Town Holiday Party                        |
| i | Dec 09 | 3:30 p.m. | Town Council Meeting                      |

**PUBLIC PARTICIPATION**

Lynn Andrews – 1205 Schulz Road – inquired about the lighthouse lights. Public Works Supervisor Reed informed her that the lights were removed in preparation of Hurricane Matthew and for repairs. The lights will be back in place before the holidays.

Buzz Henifin – 48 Windward Way – asked about the traffic barriers along the right-of-way on W. Dagsboro Street. Public Works Supervisor Reed explained these new barriers will prevent cars from attempting to park along the right-of-way and damaging the newly installed drainage pipes.

Dave VanKavelaar – 1703 Coastal Highway – asked if building permits were required for interior renovations. Building Official Schuchman explained that new FEMA regulations require a building permit for any renovations or replacements.

**Motion to Adjourn** – Council Member Lee  
**Second** – Council Member Carmean  
**Discussion** – None  
**Vote** – (6-0)

Meeting adjourned at 4:31 p.m.

*\*Transcribed by Pat Schuchman, Building Official  
for Council Member Bernie Merritt, Secretary*