

## TOWN OF FENWICK ISLAND, DELAWARE

### Minutes of the January 27, 2017, Regular Council Meeting

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

#### *Town Council Members in Attendance:*

*Gene Langan, Richard Mais, Gardner Bunting, Bernie Merritt, Julie Lee, Roy Williams*

#### *Staff in Attendance:*

*Town Manager Tieman, Chief Boyden, Building Official Schuchman, Public Works Supervisor Reed, Kristy Brittingham*

#### **PRESIDENT'S REPORT**

- Mayor Langan introduced new Town Manager, Terry Tieman. Terry has 28 years of Municipal Government experience with the last five years as Town Manager of Harrington. In 2015 she was the City Manager of the year, Delaware League of Local Government and President of Women Leading Government, Delaware Chapter.
- Mayor Langan noted a special thanks to Chief Boyden, Acting Town Manager.
- On a special note, January 20, 1997, Pat Schuchman started working for the town. She has been working for the town for over 20 years. Congratulations.
- Association of Coastal Towns Group (ACTS) 2<sup>nd</sup> meeting will be held next week with other participating towns.
- Mayor Langan announced that Business Development Committee is having trouble getting a quorum. If you are unable to serve let us know or contact Tim Collins at [gretchencollins@aol.com](mailto:gretchencollins@aol.com).

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

- **Cost Proposal for Hydrographic Survey of Town Canals & Access Channels – Alex Daly**

#### **Town of Fenwick Island Environmental Committee Canals and Access Channels 2017 Study & Evaluation**

- December 1, 2016 meeting – discussion of the condition of the canals and moved to get an estimate for a Canal Hydrographic Survey.
- January 12, 2017 meeting – Reviewed the cost proposal from GBA and moved to request the Town Council to review the canal survey proposal and refer to the Ad *hoc* Financial Committee for funding this study.
- There are no records of any prior Hydrographic Survey of the town canals since they were created in the 1950's incorporation of the Town of Fenwick Island.

- This survey is the first step in documenting the condition of this valuable town resource and is required to determine what future steps could be taken by the town to maintain the canals and access channels.
- After the survey results, public hearings should be held to inform the town residents and discuss possible future plans to maintain this key resource.
- The Environmental Committee (FIEC) will coordinate with South Bethany and Ocean City on their current canal programs and with DNREC on the Little Assawoman Bay and Assawoman Canal maintenance plans.
- This is a first step in developing a multi-year program should the town decide to move forward to a material removal program for canal and channel maintenance.
- This survey is required for any permits from DNREC and the Army Corp of Engineers for dredging and would serve as a basis for future surveys.
- We need to start now to find out the condition of our canals and access channels and begin planning now to preserve this valuable town asset.
- Discussions continued on what action is needed to repair the canals
- Need a multi-year program.
- Proposal for a Develop plan and permits.
- Discussions with issues with depth and getting in and out of canals.
- Mayor Langan noted this should be referred to the Ad *hoc* Financial Committee to look for funding and coordinate with Town Manager with contact information.

### **APPROVAL OF MINUTES**

**Motion** – Motion made to approve the Minutes with corrections - Council Member Lee

**Second** – Council Member Merritt

**Discussion** – None

**Vote** – (6-0)

### **TREASURER’S REPORT**

- The monthly report is a summary of all account balances through **December 31, 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 Mais

**Second** – Council Member Lee

**Discussion** – none

**Vote:** (6-0)

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

### **TOWN MANAGER’S REPORT**

- Acting Town Manager Boyden stated it has been a very quiet month. Nothing to report.

## DEPARTMENT REPORTS

- **Building Official** – The monthly report was included in the Council meeting packet. Issued 61 rental licenses, 21 residential merchant licenses and 170 outside contractor licenses. At the December 2016 meeting, Building Official Schuchman was asked to investigate whether the Town should be inspecting rental homes for working smoke and Co2 detectors. After consulting with the Town Solicitor, Building Official Schuchman believes it would be better to place the burden on the property owners and/or tenant to certify that detectors are in working condition and properly maintained. Delaware Code Title 16, Section 6631, indicates that it is the property owner’s responsibility to have working smoke detectors in residential properties and the responsibility of longer term tenants to have working batteries in detectors. In an effort to remind landlords of their responsibilities, Building Official Schuchman will have an acknowledgement or certification language about having detectors included on the application for the rental license where the license holder will be required to sign or initial prior to the issuance off the rental license.
- **Public Works** – The monthly report was included in the Council meeting packet. Public Works Supervisor Reed requested approval of \$3,000 to build two new lifeguard stands and one bike rack using composite materials.
  - **Motion** – Motion made to approve construction of two new lifeguard stands with composite materials, not to exceed \$3,000 – Council Member Bunting
  - **Second** – Council Member Mais
  - **Discussion** – none
  - **Vote: (6-0)**
- **Beach Patrol** – Captain Ferry noted a letter has been sent to last year lifeguards to see how many guards will be returning. Should know how many openings by end of February.
- **Police Department** – The monthly report was included in the Council meeting packet. Chief Boyden noted an increase in complaints on the alarm on the new PNC ATM. Also, old police car was sold and will be picked up in the next couple of weeks.

## TOWN COMMITTEE REPORTS

- **Beach Committee** – Chair McWilliams reported the Freeze had 140 jumpers, 100 spectators and raised \$2800. T-shirts are still available for sale.
- **Environmental Committee** – Chair Wilson noted the committee is working on the 2<sup>nd</sup> Annual Earth Day Clean-up. Earth Day Clean-Up is scheduled for April 22<sup>nd</sup>, 2017. Details to follow.
- **Technology Committee** – Town Manager Tieman will conduct a technical audit on the town equipment/software and phones and report recommendations to the Technology Committee.
- **Business Development Committee** – Chair Tim Collins was unavailable. Due to change of day to Wednesday, no quorum.
- **Ad hoc Election Committee** – No recent meeting. Workshop to be scheduled to discuss voter qualifications and voters eligibility, date and time TBD.
- **Planning Commission** – Working on five (5) year update. Final draft version will be available on April 4<sup>th</sup> to public at the Planning Commission meeting. First Reading will be on April 28<sup>th</sup> Council Meeting. Public Hearing will be scheduled for May 20<sup>th</sup> and 2<sup>nd</sup> reading and approval on May 26<sup>th</sup> council. Approved Comprehensive Plan will be forwarded to state for final approval.
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- **Charter and Ordinance** – Chairperson Bill Weistling:
  - Second Reading – Chapter 61-1C (Utility & Bldg. Const. – Article 1) – The Town of Fenwick Island is 100% in the flood plain and per Chapter 88, Flood Damage Protection, a building permit is required now for any work done in the Town.
- **Motion** – Motion made to *accept* the Second Reading as read – Council Member Mais
- **Second** – Council Member Bunting
- **Discussion** – Building Official Schuchman noted a building permit is required for all work being done in a special flood hazard area effective with the adoption of Chapter 88 (Flood Damage Protection) on 1-23-2015. A building permit shall also be required for the maintenance of a structure or for repairs to a structure which does not exceed \$1,000; however no building permit fee shall apply. No building permit fee shall also apply to utility systems which are repaired or replaced one-on-one with the same systems, but a building permit fee shall apply to a utility system that is new or upgraded to a better system.
- **Council Poled: Council Members Mais, Lee, Merritt, Langan, Bunting and Williams – 6 Ayes** – Second Reading passed.

**OLD BUSINESS**

Council Member Lee asked if the Public Hearing for the Comprehensive Plan update could be held prior to the 1<sup>st</sup> reading. Council Member Mais stated these are the step our attorney has advised us to follow given the states requirements.

**NEW BUSINESS**

Council Member Williams asked Town Council to approve an excused absence for the February Council.

- **Motion** – Motion made to approve excused absence for Council Member Williams – Council Member Merritt
- **Second** – Council Member Mais
- **Discussion** – none
- **Vote: (6-0)**

**UPCOMING MEETINGS AND EVENTS**

Mayor Langan announced the following upcoming meetings and events as follows:

a	Feb 09	2:30 p.m.	Environmental Committee Meeting
b	Feb 15	2:00 p.m.	Business Development Committee Meeting
c	TBD	10:30 a.m.	Technology Committee Meeting
d	Feb 20	Town Hall Closed	President’s Day
e	Feb 24	3:30 p.m.	Regular Council Meeting

## **PUBLIC PARTICIPATION**

Lynn Andrews – 1205 Schulz Road – Thanked Building Official Schuchman for looking into and following up on smoke alarms for rental properties.

Becca McWilliams – 1701 Coastal Highway – Tim Collins offered to buy extra Fenwick Freeze t-shirts and sell in Southern Exposure.

Jack Pyne – Mr. Pyne stated there was a sewage smell in air. Public Works Supervisor Reed contacted DELDOT to look at the drains. Drains have been checked twice. Public Works Supervisor Reed will contact DELDOT again. Council Member Bunting stated it could be the marsh. Bill Weistling stated that Spiro should be contacted to check on his motel.

Alex Daly – 5 W. Farmington St. – Asked if there was any progress on the hotel update. Building Official Schuchman stated she talked to Spiro and he is working on the plans. Expects to come in with plans in the spring and start after Labor Day. Property being surveyed now.

**Motion to Adjourn** – Council Member Lee

**Second** – Council Member Merritt

**Discussion** – None

**Vote** – (6-0)

Meeting adjourned at 4:13 p.m.

*\*Transcribed by Linda Poole, Town Clerk  
for Council Member Bernie Merritt,  
Secretary*