

## TOWN OF FENWICK ISLAND, DELAWARE

### Minutes of the May 26, 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, Vicki Carmean, Bernie Merritt, Roy Williams, Julie Lee*

#### *Staff in Attendance:*

*Town Manager Tieman, FIPD Lt. Devlin, Building Official Schuchman, Public Works Supervisor Reed, Finance Administrator Brittingham*

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

- Mayor Langan began the meeting by stating that at a press conference held by Senator Tom Carper on May 15, 2017 he announced that beach replenishment for Fenwick Island along with Bethany Beach and South Bethany will begin this coming Fall and commence through the Winter at no cost to the State or Towns.
- On June 5, 2017 at 7:00 p.m., a public hearing will be held in the Selbyville Fire Company with DNREC, Senator Hocker and Representative Gray to discuss possible dredging of canals in Sussex County. Mayor Langan added that the fees charged for boat registrations go towards dredging.
- We have been notified by DNREC of a public hearing on June 8, 2017 to be held in Fenwick Island Town Hall but the topic has not yet been announced. Town Manager Tieman will confirm with DNREC and report back to Town Council.

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

- Mayor Langan asked for a motion to **approve** the 2017 Board of Elections, namely Audrey Serio, Faye Horner and Carl McWilliams.
  - **Motion** – Motion made to **approve** the 2017 Board of Elections - Council Member Mais
  - **Second** – Council Member Bunting
  - **Discussion** – Mayor Langan explained that although all committees and boards were approved at the October 2016 Town Council meeting, formal approval must be given prior to Town elections in accordance with Town Code.
  - **Vote** – (7-0)
- Mayor Langan asked for a motion to **approve** the Updated Voters Roll prior to the 2017 Town elections.

- **Motion** – Motion made to approve the 2017 Updated Voters Roll - Council Member Carmean
- **Second** – Council Member Merritt
- **Discussion** – Mayor Langan explained that a review of the registered voters list was conducted and any names of persons who sold or are now deceased have been removed.
- **Vote** – (7-0)

■ Mayor Langan asked for a motion to approve Resolution #82-2017 FY 2017-2018 Fee Schedule.

- **Motion** – Motion made to approve Resolution #82-2017 FY 2017-2018 Fee Schedule - Council Member Mais
- **Second** – Council Member Bunting
- **Discussion** – Mayor Langan explained that with the exception of an increase in fees for both copies of the Resident Merchant address list to \$100 and copies of property owners address list to \$150 the fee schedule will remain the same. Town Manager Tieman added that an increase to Board of Adjustment hearing fees to cover the actual cost of such a hearing which will added to the fee schedule and amended at the June Town Council meeting.
- **Vote** – (7-0)

■ Mayor Langan asked for a motion to approve Resolution #83-2017 FY 2017-2018 Operating and Capital Improvement Budget.

- **Motion** – Motion made to approve Resolution #83-2017 FY 2017-2018 Operating and Capital Improvement Budget. - Council Member Carmean
- **Second** – Council Member Mais
- **Discussion** – Town Manager Tieman informed Town Council that any necessary changes may be changed during the budget year.
- **Vote** – (7-0)

### APPROVAL OF MINUTES

- **Motion** – Motion made to approve the Minutes - Council Member Carmean
- **Second** – Council Member Mais
- **Discussion** – None
- **Vote** – (7-0)

### TREASURER'S REPORT

■ The monthly report is a summary of all account balances through April 30, 2017 and other pertinent financial information since the prior month's Town Council meeting.

- **Motion** – Motion made to accept the Treasurer's Report – Council Member Mais
- **Second** – Council Member Merritt
- **Discussion** – none
- **Vote:** (7-0)

**Treasurer's Report accepted by Council.**

**TOWN MANAGER'S REPORT**

Town Manager Tieman's monthly report was included in Council meeting packet. Mrs. Tieman reported on the hiring of Linda Martin as the new administrative assistant. She also informed the public that the "FI" license plates are now available for sale.

**DEPARTMENT REPORTS**

- **Building Official** – The monthly report was included in the Council meeting packet. There were 6 rental licenses, 6 residential merchant license and 12 outside contractor licenses during the month of April. The town appraisal was completed on May 11<sup>th</sup> and 12<sup>th</sup>. New appraised values will be sent to those property owners affected early in July. The Town passed the playground inspection conducted on May 17<sup>th</sup> by Compliance Management International.
- **Public Works** – The monthly report was included in the Council meeting packet. Public Works Supervisor Reed added his department has finished placing 54 mobi mats on beach ends along with trash can and lifeguard stands.
- **Beach Patrol** – None.
- **Police Department** – The monthly report was included in the Council meeting packet. Lt. Devlin informed the public that parking permits are now available on weekends in the Public Safety building.

**TOWN COMMITTEE REPORTS**

- **Beach Committee** – None.
- **Environmental Committee** – None
- **Business Development Committee** – None.
- **Ad hoc Election Committee** – None.
- **Planning Commission** – Chair Mais stated that the public workshop was held on May 20, 2017 at Town Hall on the plan update which will be submitted to the State for their approval. After final approval by the State a second reading will be held.
- **Ad Hoc Financial Committee** – Council Member Mais reported that the committee continues to discuss fees and taxes, equitable disbursement of Real Estate Transfer funds and funding for long term projects.
- **Charter and Ordinance** –
  - Council Member Mais asked for a motion to approve the First Reading of an amendment to Chapter 160-2B (Definitions and word use).
    - **Motion** – Motion made to approve the First Reading of an amendment to Chapter 160-2B (Definitions and word use)– Council Member Mais
    - **Second** – Council Member Merritt
    - **Discussion** – Council Member Mais stated this amendment will add definitions of “cell phone towers/antennas” and “mechanical equipment” to the list of definitions in the zoning code.
    - **Vote: (7-0)**

- Council Member Mais asked for a motion to **approve** the First Reading of an amendment to Chapter 160-4C (Area regulations – residential).
  - **Motion** – Motion made to **approve** the First Reading of an amendment to Chapter 160-4C (Area regulations – residential)– Council Member Mais
  - **Second** – Council Member Carmean
  - **Discussion** – Council Member Mais stated this amendment will restrict or prohibit mechanical equipment in setbacks in the residential zone.
  - **Vote: (7-0)**
  
- Council Member Mais asked for a motion to **approve** the First Reading of an amendment to Chapter 160-5C (Area regulations – commercial).
  - **Motion** – Motion made to **approve** the First Reading of an amendment to Chapter 160-5C (Area regulations – commercial)– Council Member Mais
  - **Second** – Council Member Carmean
  - **Discussion** – Council Member Mais stated this amendment will restrict or prohibit mechanical equipment in setbacks in the commercial zone and add restrictions to swimming pools in commercial use regulations.
  - **Vote: (7-0)**
  
- Council Member Mais asked for a motion to **approve** the First Reading of an amendment to Chapter 160-8A (General regulations; exceptions).
  - **Motion** – Motion made to **approve** the First Reading of an amendment to Chapter 160-8A (General regulations; exceptions)– Council Member Mais
  - **Second** – Council Member Carmean
  - **Discussion** – Council Member Mais stated this amendment add a new item (12) that will prohibit commercial cell phone communication facilities in the residential, commercial and parks zone.
  - **Vote: (7-0)**

## **OLD BUSINESS**

Council Member Mais reported that there was a meeting held on May 23, 2017 with members of the New Friends of the Lighthouse and State representatives informing the public that the State has acquired the lighthouse keepers house which will be repaired and restored to its original condition as well as make repairs to the lighthouse.

## **NEW BUSINESS**

Town Manager Tieman reported that she and Chief Boyden met with representatives from Verizon regarding new legislation that will enable them to mount cell phone antenna booster in the State right-of-way which will not create any obstruction of views. She asked that Town Council approve sending a letter of support to the legislature.

Council Member Lee thanked Town Manager Tieman for how nice the Town looks for Memorial Day saying it has never looked better.

### **UPCOMING MEETINGS AND EVENTS**

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

- a. June 8      6:00 p.m.      DNREC Public Hearing
- b. June 9      1:00 p.m.      Charter & Ordinance Committee Meeting
- c. June 23     3:30 p.m.      Regular Town Council Meeting

### **PUBLIC PARTICIPATION**

Bill Mould expressed his concern on the recent cruiser's weekend and asked that Town Council send a letter of support to Ocean City who are considering changing the annual weekend event from May to April.

Bill Weistling asked whether or not Town Council will appoint an alternate for the Board of Elections. Mayor Langan answered that Town Charter only will permit someone to be appointed on the day of elections if needed. Mr. Weistling also mentioned the accomplishment of Hayden McWilliams (son of Carl & Becka McWilliams) who received both the highest academic and sports awards from Indian River High School. Hayden will be attending the University of Alabama on full scholarship in the Fall.

Barbara McCoy commended Council Member Carmean on her efforts working with the Public Works Department on the medians.

Condolences were offered to Town Manager Tieman on the loss of her Mother.

**Motion to Adjourn** – Council Member Carmean

**Second** – Council Member Bunting

**Discussion** – None

**Vote** – (7-0)

Meeting adjourned at 4:20 p.m.

*\*Transcribed by Pat Schuchman, Bldg. Off.,  
for Council Member Bernie Merritt,  
Secretary*