



The Town of Fenwick Island  
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**REGULAR MEETING OF THE TOWN COUNCIL  
FEBRUARY 23, 2018**

**MINUTES**

**In Attendance**

Town Council Members:

Mayor Langan, Vice Mayor Mais, Treasurer Bunting, Secretary Merritt, Council Member Carmean

Absent:

Council Member Lee, Council Member Williams

Staff in Attendance:

Town Manager Tieman, FIPD Chief Boyden, Building Official Schuchman, Public Works Supervisor Reed, Finance Manager Gary, Administrative Assistant Martin, Police Clerk Ellinger

**President's Report**

Mayor Langan began the meeting at 3:30 PM. He provided an update on the beach replenishment that he received when he attended the ACT Meeting the previous week. The beach replenishment is now scheduled to begin on May 15<sup>th</sup>. He is planning to attend DNREC's pre-construction meeting in Lewes on Monday, but he has heard that the contractor may be starting in Bethany Beach first instead of Fenwick Island.

Mayor Langan informed everyone that if they have any comments in regards to offshore drilling that the deadline to submit comments to the Bureau of Ocean Management is by March 9<sup>th</sup>. There will be a meeting at the Lewes Town Hall on March 3<sup>rd</sup> starting at 3:00 PM to discuss opposition to offshore drilling.

As for the Town sign that was destroyed by a car accident, Mayor Langan stated that a permit was applied for to replace the sign but the Town is not sure if DelDOT will allow us to replace it. Town Manager Tieman added that the staff is working with DelDOT to get the sign grandfathered in, but DelDOT has already informed the Town that the tree that was also destroyed in the accident cannot be replaced.

Mayor Langan stated that Sussex County is redoing its long-range plan and is asking municipalities for input, for example our need for dredging. Vice Mayor Mais and the Planning Commission will work together to provide the information to the County.

**For Discussion and Possible Action**

Unallocated Reserve

Town Manager Tieman read the proposed Reserve Policy. She commented that the Finance Committee completed the analysis and determined that the appropriate level to be held in reserve is between 50-60% of revenue.

Vice Mayor Mais commented that the current operating revenue is about \$2M, so 50-60% is about \$1M a year. Council Member Carmean added that she had a question about the 16% noted in the policy, but it was explained to her that 16% was equivalent to around \$320,000, or 3 months of reserves.

A MOTION was made by Vice Mayor Mais, seconded by Treasurer Bunting, to accept the RTT Reserve Policy. The MOTION passed unanimously.

#### Memorial Brick Policy

Mayor Langan stated that at the January Council Meeting he directed Council Member Carmean and Town Manager Tieman to define the policy for memorial brick purchases.

Town Manager Tieman read the new policy. Council Member Carmean commented that the policy can be adjusted at any time.

A MOTION was made by Vice Mayor Mais, seconded by Council Member Carmean, to accept the Memorial Brick Policy. The MOTION passed unanimously.

#### Request for the use of the Town Hall parking lot for a yard sale

Building Official Schuchman presented the request on behalf of the Lion's Club, who would like to use the Town Hall parking lot for a yard sale on a Saturday in May. The yard sale will be conducted by members of the Lion's Club.

Mayor Langan commented that the Lion's Club rents Villalon Hall on a monthly basis for meetings and he does not see any problem with letting them use the parking lot. Treasurer Bunting added that he is in favor of letting them use the parking lot since their fundraising efforts from the yard sale will go towards scholarships for local students.

A MOTION was made by Secretary Merritt, seconded by Treasurer Bunting, to approve the use of the parking lot for the Lion's Club yard sale. The MOTION passed unanimously.

#### Approval of Minutes

A MOTION was made by Vice Mayor Mais, seconded by Treasurer Bunting, to accept the minutes from the January 26, 2018 meeting.

Mayor Langan requested changing the word "approved" in the motions to "accepted". Council Member Carmean responded that she had already had that changed with Administrative Assistant Martin, but unfortunately the packets had already been printed.

Treasurer Bunting noted that on page 4, Chris Bason is actually from Inland Bays, not DNREC.

Mayor Langan noted on page 6 that a "d" needs to be added to the end of the word "ensure".

A MOTION was made by Vice Mayor Mais, seconded by Treasurer Bunting, to accept the minutes from the January 26, 2018 with the corrections as stated. The MOTION passed unanimously.

#### Treasurer's Report

Treasurer Bunting presented the report for the period ending January 31, 2018. He noted that the Town is on target for where it should be for this time of the year. He added that no RTT

money was received last month from Sussex County, which is the first time that he can remember not receiving any money.

A MOTION was made by Council Member Carmean, seconded by Vice Mayor Mais, to accept the Treasurer's Report. The MOTION passed unanimously.

### **Town Manager's Report**

Town Manager Tieman presented Chief Boyden with his 15 year anniversary award.

### **Department Reports**

#### Building

Building Official Schuchman stated that 129 business licenses were issued in January. She and Public Works Supervisor Reed attended the monthly DFIT meeting on February 20<sup>th</sup> and she also attended the CSRU Users Group meeting on February 21<sup>st</sup> with Police Clerk Ellinger.

#### Public Works

Public Works Supervisor Reed stated that the Public Works employees are currently working on the beach end doing milling work. He also noted that the landscape beds have been rebuilt on Essex Street near the lifeguard shed.

#### Police Department

Chief Boyden stated that there have been a few incidences of minor break-in's around Town. If anyone sees anything or anyone suspicious, please call the Police Department.

### **Committee Reports**

#### Beach

No report.

#### Business Development

Building Official Schuchman noted that the next meeting will be held on April 18<sup>th</sup> at 2:00 PM.

#### Dredging

Secretary Merritt stated that the next meeting will be held on March 2<sup>nd</sup> at 1:30 PM. The proposal received by John Hynes will be discussed along with ideas of testing spoil samples.

#### Environmental

Mary Ellen Langan reported that the Committee met on February 8<sup>th</sup>. There were not enough members in attendance for a quorum.

Three guests attended the meeting. Chris Bason made a presentation on wastewater runoff. Debbie Pfeil from KCI discussed the sustainability grant and offered assistance with the Town's Earth Day event. Barbara Shamp from the 38<sup>th</sup> District Environmental Committee discussed projects that her committee are currently working on.

The next meeting will be held on March 8<sup>th</sup> at 2:30 PM.

Mary Ellen also commented that if any residents have dead trees in their yards to please remove them.

### Finance

Vice Mayor Mais stated that at the meeting on February 22<sup>nd</sup>, the Committee reviewed the Unallocated Reserve Policy and discussed rental, business license, building permit, and parking permit fees, which they compared with other municipalities. The Committee will explore property taxes at their next meeting in March.

### Pedestrian Safety

Council Member Carmean reported that since the last meeting in December, no one has heard from DelDOT. Town Manager Tieman responded that she will try to contact them again for a status on the project.

### Planning

Vice Mayor Mais stated that he will be reviewing the Sussex County Comprehensive Plan and will provide the County with the Town's input.

### Technology

Mayor Langan reported that the Committee met in December and is hoping to move through with the small cell technology in Town.

### Charter & Ordinance

#### Proposed Second Reading – Charter Section 9 (Qualification of Voters)

A MOTION was made by Vice Mayor Mais, seconded by Council Member Carmean, for the second reading of Charter Section 9 (Qualification of Voters) to be included in the minutes (copy attached).

Bill Weistling commented that the Charter & Ordinance Committee improved the definition of resident.

The MOTION to adopt the second reading of Charter Section 9 passed unanimously.

#### Proposed Second Reading – Chapter 61 (Article IV – Wireless Infrastructure Construction – Wireless Facilities)

A MOTION was made by Vice Mayor Mais, seconded by Council Member Carmean, for the second reading of Chapter 61 (Wireless Infrastructure Construction – Wireless Facilities) to be included in the minutes (copy attached).

Bill Weistling noted that the change made to Chapter 61 reflects the agreement when contracting with a provider of wireless infrastructure construction.

The MOTION to adopt the second reading of Charter 61 passed unanimously.

#### Proposed Second Reading – Chapter 160-2B (Zoning – Definition of Business, Improved Lot, Primary Building, and Primary Structure)

A MOTION was made by Vice Mayor Mais, seconded by Council Member Carmean, for the second reading of Chapter 160-2B (Zoning – Definition of Business, Improved Lot, Primary Building, and Primary Structure) to be included in the minutes.

Bill Weistling commented that the definitions were added by the recommendation of the Town attorney.

The MOTION to adopt the second reading of Chapter 160-2B passed unanimously.

Proposed Second Reading – Chapter 160-10C(2) (Zoning – Commercial – Parking)

A MOTION was made by Vice Mayor Mais, seconded by Council Member Carmean, for the second reading of Chapter 160-10C(2) (Zoning – Commercial – Parking) to be included in the minutes.

The MOTION to adopt the second reading of Chapter 160-10C(2) passed unanimously.

**Old Business**

None.

**New Business**

None.

**Upcoming Events and Meetings**

Mayor Langan confirmed the upcoming events and meetings as stated on the agenda.

**Public Participation**

Bill Weistling, 7 E. Indian Street

Mr. Weistling requested that Bonnie Metz from Verizon provide everyone a status update on the work they are doing around Town. Bonnie Metz stated that Verizon has completed all of the splicing work and are in the process of removing the additional poles, which should all be removed in the next couple of months.

Buzz Henifin, 48 Windward Way

Mr. Henifin noticed that during the last low tide that Fisher Island has moved east.

**Adjournment**

A MOTION was made by Treasurer Bunting, seconded by Secretary Merritt, to adjourn the Town Council Meeting. The MOTION passed unanimously, and the meeting adjourned at 4:14 PM.