

Dagsboro Town Hall
Bethel Center-28307 Clayton Street
Monday July, 28, 2014

Call Meeting to Order: The regular meeting of the Town Council was called to order at 7:00p.m. By Brad Connor, Mayor. Those in attendance were Mayor Connor, Stacey Long, Town Administrator, Vice Mayor Truitt, Councilwoman Ulrich, Councilman Baull, Attorney Rob Witsil, Jr., Kyle Gulbranson, and others listed on the sign in sheet.

Public Hearing & Vote: On the subject of amending Chapter 275-68C & 275-74 to provide for electronic message boards sign in the Highway Commercial District. Mr. Witsil states that he inserted the definition of a video board. Kyle states he thinks it is adequate and it is referencing what the Planning Commission had discussed. Section F8 states that a video board shall be prohibited. Electronic signs will be permitted in the Highway Commercial District only. The hearing was opened to anyone in favor of the ordinance. There was none. It was asked if anyone was opposed to the ordinance. There being none, the hearing was closed. Kyle states that he and the planning commission have been working several months on developing the ordinance. Stacey read Marjie's statement into the record. "I am in favor of this amendment to allow for the digital signage in the highway commercial district." Councilman Baull made a motion to accept the ordinance to allow for digital signs in the Highway Commercial district and seconded by Councilman Truitt. Each member votes individually with a reason for approving the amendment. Norwood states it is a good ordinance and he votes yes. Councilwoman Ulrich votes yes. She states it is keeping up with other towns. Councilman Baull votes yes and that it catches the Town up with current electronics and the technology that is available and it is a good ordinance. Mayor Connor states he is in favor and that it is in line with technology and also it is not interfering with traffic. All were in favor, motion carried.

Presentation of Feasibility Study for a New Town Hall: Debbie Pfiel with URS was given the floor. She states in discussing with the Mayor and Town Manager she is recommending a feasibility study. She says the first thing we are going to do is look in the charter to find out what the requirements are to borrow. Mr. Witsil states the issue he is having trouble with is the certificate of indebtedness. Debbie states a lot of jurisdictions that have updated their charter is allowed so much to be borrowed without a referendum. Debbie states the unknown items that she and Stacey have been working on is the last known survey, building plans and contractor on the Adkins' property. Having these items help save money for the Town. She states the project feasibility report would have the following four sections: the scope, the budget, the funding source options and the schedule. She states the agencies that we need to meet with, she could get most of them done in a two day period. Theresa asked if the old Fire Hall was being considered. Mayor answered no it was appraised at \$400,000. Mr. Chandler states that they are considering keeping the property and using it as a public center. Brad states he wouldn't feel comfortable selling the Town Hall because it was appraised so low and it is history in the Town. William Chandler states there are three properties within 150 yards of the Town Hall. Debbie asks are they all single family structures. Mr. Chandler answers one is a single family home and the other is grand-fathered as commercial. Norwood suggest we explore the prices of the properties. Mr. Chandler suggest holding off on the feasibility study and try to explore independently the other sites to see if they are feasible from the stand point of pricing. The Mayor asked if Mr. Chandler would be willing to help talk to the property owners. He answered that he would help. Stacey states she wants to read Marjie's statement on this matter into the record. She states "I am in favor of the feasibility study for the New Town Hall because the study will ensure that all the facts are gathered in the report prior to making a large capital expenditure and she does vote for the \$6,000 feasibility study to be conducted." Stacey states she just wanted to remind the Council that we have been given ninety days to make an offer to Dr. Adkins and then he will be placing the property on the market. Council decided to table this item until the other properties that were suggested were researched.

Police Department: Sgt. Litten presents the report for June 2014. Total miles driven 4,285, traffic arrests 406, traffic warnings 67, criminal arrests 6, total hours worked 484, patrol hours 250. 75 of those are investigative and 159 hours were administrative. There were 700 business checks, 51 complaints and 7 collisions investigated. Patrolman Paskey made a DUI arrest and Chief Toomey made two drug related criminal arrests. Mayor Connor states a letter was sent on June 16 about Officer Paskey assisting with a mechanical issue at the intersection of Vines Creek and Armory Road. The letter states Patrolman Paskey was a great help and wanted to thank him. The Council thanked Paskey for a job well done.

Councilwoman Ulrich made a motion to accept June 23, 2014 meeting minutes and Councilman Truitt seconded the motion. All were in favor. Motion carried.

Planning & Zoning: Kyle states the two changes that are being updated to the Comp Plan are to the Transportation section and the demographic section. He states the Town will be good for another five years when the update is complete. The updates should be ready for approval at the next meeting.

Old business: Stacey states after the June meeting she contacted the Town Manager of Millsboro and she discussed the counteroffer of \$50,000 cash and a \$20,000 credit. The Town Manager responded a few days later that the Council talked about it and they are willing to pay the \$50,000 but they are not willing to give any more than that. Their original offer was for approximately \$45,000. Stacey states Marjie is in favor of accepting the offer from the Town of Millsboro for paying Dagsboro \$50,000 for the overbilled water. Theresa asks if that \$50,000 would go back into the CD to replenish it. Stacey states it will go into the water fund since water monies are separate than general funds. Vice Mayor Truitt made a motion to accept Millsboro's offer of \$50,000 for the over charge of water. Councilman Baull seconded the motion. All were in favor. Motion carried.

Old Business: Stacey states the tax assessor went out and did a visual inspection of the Chapel Crossing townhouses that were in question about the assessed value. His report is saying that they are assessed in line with the other units within the Chapel Crossing development. His recommendation is that the application for adjustment of assessment made to these homeowners be denied. Vice Mayor Truitt made the motion to accept the tax assessor's report and Councilman Baull seconded the motion. All were in favor. Motion carried.

New Business: 1. Stacey states the Christmas Committee met in May and discussed adding vendor licenses to our code. It is a recommendation by the parade committee that the license fee be \$25.00 per day. One discussion was if it was a non-profit organization the license fee be waived. The vendor license would expire after 24 hours. Scott Crater suggest everyone pay \$25.00 even if they are a non-profit because the parade might turn out to be an annual event and we might possibly have to get part time police to contain or watch the crowd. Council agreed with having all vendors pay the \$25.00 license fee.

Stacey read Section 146-3E1 of the code, entitled "Licensing". She notifies the Council that she was asked if you own one property and you rent that property out you have to pay \$75.00? What if you own five properties and rent out all of those why would you not have to pay \$75.00 per unit? Stacey explains years ago, we addressed this and we had per unit rental fee and about a year later it was revised again to take out the wording "per unit." Stacey wondered since we are addressing the same chapter of the code, could these 2 sections be amended during the same hearing if Council agreed? Mr. Witsil states in case there is controversies he would rather have two ordinances. He states he will prepare an ordinance for our review for next month. This item was tabled until the next Council meeting.

2. Stacey states we had a request from the Dagsboro Church of God for the removal of the water meter in the house on the property. They are only using it for storage and to run a donation center. Stacey states URS conducted an interior inspection and there is no plumbing fixtures in the structure. Mr. Witsil states that Stacey has the authority to declare it exempt from connection. Stacey states during the course of the inspection there were multiple safety concerns that were noted. URS conducted the inspection and they strongly recommend they get a public assembly license from the State of Delaware through the Fire Marshall's office having the structure properly licensed will avoid liability to the Town.

Treasurer's Report: General Checking Account \$28,505.02, Public Service Money Market \$5,275.47, Police Grant Account \$705.55, Salary Account \$12,920.00, Property Transfer Checking Account \$76,788.90, 4 CD's \$28,051.69, \$47,758.25, \$5,145.38 and the new CD we just opened for \$20,000. Water Fund Checking Account \$8,754.49, Impact Fee Account \$204,030.57, Reserve Account \$35,812.92, Prince George's Cemetery Checking Account \$407.18, Savings \$3,771.27. 3 CD's of \$32,693.31, \$44,672.84 and \$32,055.74. Municipal Street Aid Checking \$13.56 and Savings \$5.52. SALLE/EIDE Account \$4,121.72. Stacey states we get approximately \$19,500.00 a year for Municipal Street Aid. It costs about \$2,000 a month to run our streetlights. Stacey states we will not receive a reimbursement until October. Vice Mayor Truitt makes a motion to accept the Treasurer's Report. Councilwoman Ulrich seconded the motion. All were in favor. Motion carried.

Administrative Report: Stacey states DelDot will keep one of the pedestrian caution school signs in its current location as requested by the Town. A certificate of deposit was opened for \$20,000 with WSFS Bank to replenish what was withdrawn in April of 2013. Stacey states we are switching our code supplements to a semi-annual schedule. This saves the Town money and since there isn't a lot of code amendments, it is a good idea.

Stacey states she did contact Gerald Mitchell from the Tax Ditch Association about the sink hole on Sussex Street. He stated that since it was a failing pipe it is the Town's responsibility. Stacey said she has spoken to Representative Adkin's Secretary and he is going to fund \$6,000 to help pay for the sink hole repair. Mayor Connor states that Representative Hocker talked with him and is willing to contribute as well. Stacey states URS is getting the bid packets ready so we can advertise in the papers. Stacey has been notified that on Ward Lane there is another street repair issue. We have a quote for \$1,625.00 from Matt's Management LLC. Council agreed to get that fixed and accept the quote.

Stacey states she received information from the Community Development Block Grant Fund that we did not receive the grant funds for this year. Stacey states all the people who want to be on the list to receive the grant funding apply directly through the County. Kyle suggests there should be a news campaign or an educational campaign to let people know about it for the upcoming years.

Mr. Witsil suggests to the Mayor that a motion be made to deny the tax appeals of Patricia Krim, Robert and Ruth Ann Williams and Robert and Donna Burns based on the report presented at the beginning of the meeting. Councilman Baull made a motion to deny the tax appeals and Councilwoman Ulrich seconded the motion. All were in favor. Motion carried.

Stacey states that we were going to be notified in July whether or not we have received the grant funds for the TNR cat program. The lady that heads the program, Susan Coleman, stated she has still not heard anything then proceeded to ask if the Town has any funding that we would like to put towards this program. The cost for males is \$47.00 and for females is \$67.00. We would have to trap them and take them to the vet. Councilwoman Ulrich states the SPCA has a spay and neuter program for senior citizens that are on public assistance for \$20.00.

Vice Mayor Truitt made a motion to not having a Town Council meeting for the month of August and Councilwoman Ulrich seconded the motion. All were in favor. Motion carried.

Building Official: Stacey states nine permits were issued. One was for renovations on Hudson Road the old Sussex Automotive being turned into an office for heating and air. One permit for siding replacement and door replacement and that is formerly known as the Asper property. One permit for two wall signs and a free standing sign at the same property. A fit out permit for Porto Pizza at the old Dagsboro Food Rite. An in-ground pool and fence on Hem Street and a roof and door repair on Main Street. A front porch renovation on Main Street and a wooden privacy fence on King George III Street. A Certificate of Occupancy for the new Fire Department was issued and we received a commitment letter for their landscaping to be completed in the fall.

Code Enforcement: Marconi Property: Stacey states thirty days from the date of the notice to the property owner we are going to require four items. Sixty days from the notice three additional items and we are going to require a

thirty day that they remove the barn in the rear that has collapsed. Mr. Witsil states we should sit down with Mr. Marconi before we move forward with the consent order. Stacey states for the King Property that at the end of the summer everything should be completed.

Water Department Report: On June 3rd the inter-connect pit was sealed with hydraulic cement. Tony from Bel Air Road Supply stated this week he is going to be placing a sealant around the lid. Stacey states that Millsboro was able to read the meter during the July 23rd reading. Stacey states she had several water quality complaints this month. After contacting Millsboro they notified her that they were flushing their lines. Stacey had two auto flushers installed: one on New Street and one at the end of Piney Neck Road.

Christmas Parade Committee: Councilman Baull stated they didn't have a meeting in June. He states what they talked about in the May meeting was the ordinances with vendors. Stacey states we received an email confirmation from County Councilman Vance Phillips that he is contributing \$1,200 to help with costs for the upcoming Christmas Parade.

Prince George's Chapel Cemetery: Stacey states on July 17th she and Councilman Baull met with Doug Melson from Melson's Funeral Home. He was meeting on behalf of Mrs. Lorraine Banks. She asked him to meet with us because she would like irrigation at the cemetery to irrigate her son's burial plot. She is willing to pay up to \$10,000 to have this completed. She would be willing to pay additional electricity expenses for running the irrigation. Stacey states she has been in contact with the President of the Cemetery Committee and they will consider holding a special meeting with them if needed. Mayor Connor said he would contact the State to see if this is even allowable on the state property.

Stacey said the Town has received a \$1,000 Preservation Grant for the split rail fencing in the cemetery on the sections owned by the town. Mr. Flowers states he found seven headstones that are already across the line onto the State property according to the survey that was just done.

Correspondence: Kyle states that URS and AE Com will be merging as one company at the end of the year. It still has to be approved by both Company's Board of Directors.

Public Comment: Scott Crater made comments on the feasibility study, Licensing and rental fees, cat programs and the cemetery fencing.

At 9:04 p.m. Vice Mayor Truitt made a motion to adjourn the meeting and it was seconded by Councilwoman Ulrich. All were in favor. Motion carried.

Respectfully Submitted,

Autumn Miller
Town Clerk