

Minutes of Meeting
Dagsboro Town Council
Bethel Center-28307 Clayton Street
Tuesday January 20, 2015

Call Meeting to Order: Mayor Connor called the January 20, 2015 meeting to order at 7:00 p.m. Council member Patrick Miller was absent.

Mayor Connor had a moment of silence to remember Clarence Truitt and Jamie Kollock who were longtime residents of Dagsboro who passed away recently.

Mayor Connor thanked Council, Stacey, Chief and citizens for all their help and support during his Council term.

Oath of Office: Eric Howard filled in for Attorney Rob Witsil. He swore in the Town Council members that were elected in December: William Chandler and incumbent Norwood Truitt.

William Chandler thanked Brad Connor for his services to the Town and the citizens for voting at the polls. Patrick Miller was called and placed on speaker phone to be included in the discussion of reorganization. Councilman Miller was both audible to the Council and members of the audience in attendance. Councilman Miller signaled that the Council and members of the audience were audible to him as well.

Patrick Miller nominated Norwood Truitt for Mayor and it was seconded by William Chandler. All were in favor. Norwood Truitt nominated William Chandler for Mayor. There was no second to his motion. Norwood then accepted the appointment of Mayor.

Theresa Ulrich nominated Brian Baull for the Vice Mayor position. It was seconded by William Chandler. All were in favor. Motion carried.

William Chandler nominated Theresa Ulrich for the Secretary-Treasurer position and it was seconded by Vice Mayor Baull. All were in favor. Motion carried.

Mayor Truitt nominated William Chandler for Assistant Secretary and it was seconded by Vice Mayor Baull. All were in favor. Motion carried.

Councilman Chandler suggested changing positions every year so everyone can learn the roles of Council and fill in when needed.

Public Hearing: Ordinance to adopt the 2015 Comprehensive Development Plan: Attorney Eric Howard reads the rules for the Public Hearing into the record.

Kyle informs the Council that for the 2009 Comprehensive Plan every 5 years the State requires the Planning Commission to review the Town's Comprehensive Plan. The Planning Commission recommended that the following two sections be updated: Chapter 2 Section 2 Demographics and Chapter 2 Section 4 Transportation.

Councilman Chandler suggests focusing on the Town Center District theme such as working with Deldot with the continuation of the Streetscape Redesign Program; engage with the efforts to create traffic calming procedures; assessing the Town's street conditions that are in disrepair; creating of a transportation fund that would be dedicated to street repairs, sidewalks and upkeep.

Mayor Truitt also recommends looking at traffic flow through the Town. Councilman Chandler made a motion to close the public hearing and it was seconded by Councilwoman Ulrich. All were in favor. Motion carried.

Vice Mayor Baull made a motion to approve and adopt the 2015 Town of Dagsboro Comprehensive Development Plan updates and it was seconded by Councilman Chandler. All were in favor. Motion carried.

Approval of Minutes: The December 8, 2014 minute are still being transcribed.

Planning & Zoning Report & Consideration of the following:

1. Stacey reads to the Council Chapter 34-2 of the Town Code regarding the number of seats for the Planning Commission. She also states that it was suggested and recommended by the Planning Commission to amend the section to read the following: The Planning Commission shall consist of 5 members who shall be fulltime residents of at least 3 years to be appointed by the Mayor of the Town of Dagsboro. Subject confirmation by majority of the elected members of the Town Council for terms of 5 years. Also to delete the section regarding the alternate member. Stacey stated that she talked to Attorney Witsil and he informed her the requirement is more restrictive on the Planning Commission if the proposed language was used, than that of a Council member. Mr. Witsil's opinion was it should be more inclusive and less restrictive for participation purposes. There are now three members after the resignation of Gayle Chandler. An application was submitted and if appointed he would be the fourth member.

Stacey informs Council that the Town has received a rezoning application and is waiting on a review from the Planning Commission as soon as they obtain more members.

Scott Crater, resident of Dagsboro informs Council that the residency requirement to be a member on the Planning Commission was in the language when he became a member. Councilman Chandler made a motion to accept the recommendation of the Planning Commission to amend Section 34-2 on the condition of there being no durational residency requirement, the number of member's year of service be reduced to 3 years and it go to public hearing at the February meeting to keep it at 5 members with no alternate. Vice Mayor Baull seconded the motion. All were in favor. Motion carried.

2. Stacey informs Council that Planning & Zoning couldn't meet due to not having enough members. Also Gayle Chandler submitted her resignation letter from the Planning Commission as Chairwoman. Stacey then reads the letter into the record.

The Planning Commission has been in discussion about the Town Center District Sign Regulations. They voted to recommend to Town Council that all properties in the Town Center Zoning District with commercial properties have 5 years from a specific date to come into compliance with the existing sign code. It eliminates the grandfathering of the existing signs and creates uniformed signage through the Town Center District. This will be addressed at the February Council Meeting.

New Business:

1. Public Access: Councilman Chandler informs Stacey that the Rules & Procedures should be posted on the Town's website as well as updated minutes, holidays and vacations for the public. Councilman Chandler suggests reaching out to the State that offers website assistance for free to any Town or Municipality. Rebecca Standcliffe is the Town's web page designer and she charges the Town \$300.00 for the entire year for maintenance and it is unlimited updating and changes to the website. The additional charges are for the domain renewal and host services.
2. FY 2015 Budget: Stacey provides a year-to-date budget analysis every 6 months for the Council. The Town has received more income than projected in building permits and fine money. The Town's total revenue is \$461,056.00 and the total expenses are \$393,150.00. There will be additional income coming from gross rental receipts taxes which are due by February 1, 2015 at about \$55,000, franchise fees from the cable company and business licenses.

A question was asked on the water budget for the income on new water services. The new water services is shown as an income and expense. The Town contacts their plumber to install a tap and pit when single family homes come into Town. The plumber charges the Town and the Town collects money at the building permit.

Stacey states that the Town receives a set dollar amount each year for the Municipal Street Aid Account, which is based on street mileage maintained by the Town.

Councilman Chandler has several questions about the budget and says he will meet with Stacey to discuss them.

3. Councilman Chandler is interested in creating a committee within the Council to survey businesses in Town to find out why they wanted to locate to Dagsboro and what obstacles they went through and how the Town could address them. Mayor Truitt and Councilwoman Ulrich volunteered to serve on the committee in addition to Councilman Chandler.
4. Rules & Regulations of Town Council: Councilman Chandler suggested adding two public comment opportunities for the public to participate in the beginning and end of the meeting. Also having the executive session before the Council meeting starts. Mayor Truitt suggests the session to start at 6:30 before the Council meeting. Councilman Chandler states that Executive Sessions are to discuss personnel and acquisitions. Councilman Chandler states that 2.8 & 2.10 needs to be rewritten. It was stated that the revisions will be discussed at the next Council Meeting.

It was recommended that when the agenda is posted seven days before the meeting at a minimum, that the packets with the materials be available as well.

Councilman Chandler informs Council that he has concerns with 4.2 that the third sentence should be reworded. The Mayor should tell Council members that putting an item on the agenda is not in the Town's jurisdiction. "Not in the opinion of the Mayor" is how it should be reworded.

5. Stacey states that she tries to attend the SCAT meetings when available. When she receives a notice she forwards out to Council to see who is interested. Brad Connor stated he served on SCAT as past president and he was an active member with the Delaware League of Local Governments. Councilman Chandler reads as follows a member of Council so appointed shall inform the Council of issues discussed at the meetings or events which impact the Town's government. Mayor Truitt suggests inputting "or Town Administrator".

Councilman Chandler states he doesn't think it is right for the taxpayers of the Town to pay for Council or employees to attend SCAT or DLLG meetings in the terms of meals and mileage. Mayor Truitt agrees that Council paying their own way for the league and meetings is fine but not the employee since an employee would be attending at the request of the Council. Mayor Truitt wants to table the item until February Town Council meeting.

6. The Mayor and Council all agree appointing Brad Connor as a member on the Planning & Zoning Commission. Councilwoman Ulrich made a motion to appoint Brad Connor and it was seconded by Councilman Baull. All were in favor. Motion carried.

Reports: Police Department: Chief Toomey presents the annual report, December's report and the statistical comparison from 2006 to 2014. In 2006 there were 721 traffic arrests and in 2014 there were 2,415. 276 traffic warnings in 2006 and 466 in 2014. 23 criminal arrests in 2006 and 258 in 2014. 586 criminal complaints in 2006 and 705 in 2014. In 2006 there were 27 traffic collisions and in 2014 there were 77. Chief Toomey believes the increase is due to cell phone use and inattentiveness. On the December report there were 57 criminal arrests: 29 were subjects who were wanted by other agencies, 14 drug arrests, 6 fraud theft arrests that were felonies, 1 DUI, 1 domestic theft, 4 shopliftings: 1 at Royal Farms, 1 at the Savannah Liquor Store and 2 at the Dollar General.

Chief states the Police Department is having issues with comp time. There is no information in the personnel manual about comp time. Chief informs Council that there is no budget line for overtime. In the 2014 budget there was a vacant officer position for \$41,600 for salary. That position went vacant for 3 months. Chief budgeted \$45,000 in ticket revenue for the fiscal year. The police department is \$11,000 over budget on that income item. Chief would like to add overtime in the budget.

Stacey suggests that the Council could amend the budget to reduce the salary expense of the 4th officer to a more accurate number and minus the 3 months that the position was inactive. Then add an overtime line item and put the extra funds under the overtime.

The personnel policies need reviewing and updating. It was suggested that a committee be established that includes two Council members, Stacey and the Chief. Councilman Chandler and Councilman Miller will be the two Council members. They will report back to the Council with revisions.

Chief informs Council that the police department generated \$20,800 towards the cop grant, \$25,000 from the County grant, \$2,115 from the SLEAF fund (Attorney General Office maintains), \$800.00 from the Community Block Grant, \$700.00 towards Office of Highway Safety radar unit, \$1,995 towards Office

of Highway Safety DUI patrol, \$1,200 FROM SALLE, \$3,761.00 from EIDE and \$10,131.00 from the Violent Crime Fund.

Sussex County sent a letter stating the police department would receive an additional \$10,000 that has to be spent before June of 2015.

Chief informs Council that the police department needs a new vehicle. He would like to take the \$10,000 from the grant money and place an order for a car. The new vehicle would be an explorer, costing \$38,000 fully equipped. Councilman Chandler asked Chief to report back to Council to advise them which is more important: the overtime or a new car.

Treasurer's Report: General checking \$176,673.27, Special Events Fund \$2,340.57, Public Service Impact Fee \$13,405.17, Police Grant Account \$9,172.86, Police Salary Account \$12,018.28, Property Transfer Account \$95,404.66 and 4 CD's of \$28,124.29, \$47,758.25, \$5,145.38 and \$20,000. Water Checking Account \$107,099.49, Impact Fee Account \$222,857.99, Reserve Account \$35,824.93, Cemetery Checking Account \$515.88, Cemetery Savings Account \$2,772.59, 3 CD's of \$32,704.26, \$44,689.36 and \$32,055.74. MSA Checking and Savings Account \$13,364.76, SALLE/EIDE Account \$1.72. Vice Mayor Baull made a motion to accept the treasurer's report. It was seconded by Councilman Chandler.

Administrative Report: Sussex County Council has additional funding for \$10,000 for the year ending 6-30-2014. The County has created a 2015 Economic Development Infrastructure Grant. It is a one-time grant and it must be used by 6-30-2015.

In September it was voted to approve the memorandum with the State's Fire Marshal's office. They are updating all of their MOU statewide and nothing in the document has changed so the Mayor will be re-signing the document.

Stacey stated that if the Town wants to continue with the Delaware Mosquitos Program she will sign the municipality endorsement for participation. It was affirmed to continue.

Building Official: 5 permits have been issued between December 9th and January 20th. Permit #926 on Hudson Road for window replacements. Permit #929 Piney Neck Road for a demo of an out building. Permit #930 on Clayton Street for a new roof and new windows. Permit #'s 927 & 928 for duplex units in Woodlands of Pepper Creek.

Code Enforcement: December 15, 2014 the Town's building inspector with URS performed an exterior inspection of the Marconi property located on 33108 Main Street. It was to check the progress of the repairs to the building that was agreed upon by the Town and property owner In addition to the razing of the collapsed building in the rear of the property.

Water Department: There was a water quality complaint on Chapel Lane. Stacey contacted Artesian to schedule a flushing. When she receives a date and time she will post it on the Town's website and Facebook page. The additional flushing for quality complaints is covered under the Town's contract.

Friends of Prince Georges Chapel wants to waive their monthly water service charge due to not receiving income. The Friends have received an anonymous donation to apply towards their water bill for an entire year.

Prince Georges Chapel: N/A

Correspondence: N/A

Public Comment: Mayor Truitt thanked Vice Mayor Baull for his efforts with the Christmas Parade. Patti Adams asked Stacey if the CD for \$20,000 has been replenished. Stacey states it has been replenished. She asks if the \$50,000 has been replaced as well. It was stated that not as of yet. Councilman Chandler asked to have the vote placed on the February agenda.

Adjournment: At 9:39 p.m. Councilman Chandler made a motion to adjourn the meeting and it was seconded by Vice Mayor Baull. All were in favor. Motion carried.

Respectfully Submitted,

Autumn Gardner-Town Clerk