

Minutes of Meeting
Dagsboro Town Council
Bethel Center-28307 Clayton Street
April 25, 2016

Call meeting to Order:

Mayor Truitt called the April 25, 2016 meeting to order at 6:00p.m. Those in attendance were Mayor Truitt, Vice Mayor Baull, Councilman Miller, Councilwoman Ulrich, Town Administrator Stacey Long, Chief Toomey, Kyle Gulbranson from AECOM, and Attorney Witsil. Councilman Chandler was absent. The sign-in sheet is attached for all others in attendance.

Public Comment: No comment at this time.

Approval of Minutes- May 18, 2015

Vice Mayor Baull approved the May 18th minutes and Councilwoman Ulrich seconded the motion. All were in favor. Motion carried.

Consent Agenda:

Chief Toomey relayed that the new Officer, James Joles, has been with us for a month and is working out great. He is riding on his own now but he will be shadowed by another officer and be on his own in June. Councilwoman Ulrich made a motion to approve the Consent Agenda items and Councilman Miller seconded the motion. All were in favor. Motion carried.

Planning & Zoning Committee Report:

The Planning and Zoning Commission met on April 13, 2016. This was a workshop, therefore no votes or recommendations were taken. The next meeting will be 2nd Wednesday in May. Three items were discussed: screening of dumpsters, outside storage and displays and bringing town center signs into compliance. A Temporary Sales Permit for an Ice Cream Stand was submitted for the property across from the theater. Plans will go to Planning and Zoning and if approved there, they will go to Council in May. If it is approved and productive they will then start renovations on the house on the property on Main St. It was asked if there is a new business going into the old Hot Tubs Plus as they are seeing a lot of recent activity on the premises. No new business occupancy has been applied for. They may just be fixing the place up. An application and fee for a Business Occupancy would be needed. Heathman's Jewelers has been sold and the owners are on the DDTF. Their intentions are to open a restaurant there in the future.

New Business:

1. Review Draft FY2017 Operating Budgets

There has been a revision to the Transfer Tax account, due to a miscalculation. The transfer fees expense has dropped to \$550 which is 2% of the anticipated transfer tax income plus \$50 worth of postage fees. We budgeted \$20,719 for building permits and have received \$4,500 so far. June of last year we issued 4 building permits for the Woodlands of Pepper Creek. Those incomes were budgeted to be in Fiscal Year 2016 but received in 2015. Revenue in 2015 was higher than budgeted on that line item. On the revenue side there is a current year to date deficit of \$26,000, of which \$16,000 is building permits and prior year taxes not collected.

Pension income of approximately \$7,000 should be received in June. It will look clearer in the next 2 months when the inter-fund transfers are completed and end of year grant funds are received. The upcoming year tax assessments will be submitted next week from our tax assessor. Stacey estimated the new value to be around \$250,000. Building permit values are up again based on the Woodlands of Pepper Creek as they anticipate building out Woods Court this year. Planning Fees went over budget as did building inspections. This is due to the increased inspections on properties that need repairing. Town improvements is negative but Economic Development Grant Funds came in balancing it out. Police Department equipment was \$14,000 over budget. \$11,505 of that is for radar signs that we received grant money for. Attorney Witsil has received prior years of uncollected taxes and he will be sending a collection letter to those who are delinquent in the back taxes along with his fees. We stand behind the State and the County, Mortgage Company and federal tax liens take priority over Towns. Projected budget revenue for fiscal year 2017 is \$526,685 and total expenses is \$526,293 with a surplus of \$392.00 not including any balance that is brought forward. We replenished several CD's this year so balance brought forward will be low. The budget will be discussed again in May and needs to be approved by the June meeting.

2. Review and discuss draft Downtown Development District Plan

In the fall of 2015 the Town applied for and was awarded a Neighborhood Building Blocks Grant to develop a downtown development district plan. There was an online survey for citizens and businesses to discuss their desires for the town and how we could better the downtown area. We are going to have a workshop the 5th of May to go through the plan in detail. Once this is completed, this needs to be submitted to the State for possible designation as a downtown development district community with the State of Delaware. The deadline is July 1st. We are on schedule and shouldn't have any problems with meeting this deadline. This will have to be put to a final vote during the May 23rd meeting. Once this is adopted we will submit the application to the state for designation. This is going to be very competitive and we hope that because Dagsboro is the smallest town applying for this funding that they'll think it's a good opportunity to show what can happen in a small town. The governor has just introduced another eight million dollars in funding for communities that receive this designation. That money is for anyone who has an existing business in town, and wants to renovate or upgrade their facility or a new business that wants to come into town and build a new building. This funding is a 20% cost share to help the property owners. We put a lot of emphasis on the impacts that the Botanical Garden, is going to have in Dagsboro. Businesses apply directly to the State. No money will come to the town, it's for investors, developers and small business owners. They have to apply to the state for that money. There needs to be a resolution by Town Council approving the plan. Motion made by Councilman Miller to add a public hearing to the May 23rd meeting if necessary to approve the plan and it was seconded by Vice Mayor Baull. All were in favor. Motion Carried.

Old Business

1. Consideration of proposal for Mercantile Processing INC for accepting credit card payments as a form of payment for municipal services.
There will be a \$25 per month maintenance fee and can be split 80/20 with the water fund. There will be a \$193 upfront fee to get started. The contract is for 3 years but they will work with us if it doesn't work out for the town to continue accepting credit cards. Motion made by Councilwoman Ulrich to accept the contract with Mercantile Processing Inc. for credit card services. Motion was seconded by Vice Mayor Baull. All were in Favor. Motion Carried.
2. Consideration of setting a public hearing on an ordinance to amend Chapter 146, Section 3(E), entitled "Licensing" by adding an annual license fee for commercial or business centers, buildings or structures renting units, shop space, storage units and similar rented spaces.
This would apply a rental licensing fee to commercial entities that lease their space to other commercial businesses, etc. The schedule proposed as of now is that larger spaces and shops i.e.: shopping mall, would pay \$75 per unit per year and smaller spaces such as individual consignment space in an antique store or sections in a warehouse or mini storage for each rented space would be \$12.50 per unit per year. These fees would be paid by the Property Owner and would be their responsibility to pass on to their tenants if they choose too. A storage unit will pay the \$75 annual business license fee and \$12.50 for each unit. Motion to hold a public hearing during the June Town Council Meeting for this proposed amendment was made by Councilman Miller and was seconded by Vice Mayor Baull. All were in favor. Motion Carried.
3. Review and discuss Section 238-7(B) (22) of the Dagsboro Code regarding timing of completion of subdivision streets.
Kyle presented sections of codes from other counties and towns. Prince Edward County, Virginia states that the roads must be completed at 60% of issued building permits. No more than 90% of the building permits in any section of a subdivision, or residential community shall be issued until the streets have been completed and constructed to the state standards and accepted in the county system. There is an appeals process that states that they can go to the Town and present extenuating circumstances and request an extension of units or months. In Milton 80% is the threshold and streets have to be completed with a 5 year cap. Ocean View says the initial road base must be built before the first unit is occupied. All streets have to be completed before receiving the Certificate of Occupancy for the last unit. The house can be built but a Certificate of Occupancy can't be issued until roads are complete. A bond would protect us in case the developer stops or goes under without finishing the roads. The Council discussed using Ocean View's language and add #3 from Prince Edward County to it with the 90% Occupancy. Council will review this draft in May.

Public Comment

Jim Thompson questioned the status of the Conditional Use Ordinance. Attorney Witsil stated that the matter of the Conditional Use Ordinance is significant enough to send it to Office of State Planning for recommendations. It's not an amendment to the plan because there is no change in boundaries by adopting the ordinance. We are providing a whole new open classification of zoning throughout the entire town. If we send it to plus and get their approval and no objections, then we have our I's dotted and T's crossed. The time line is about a month. Once we are happy with the draft ordinance we will send it off to PLUS.

Revised final plans for the Woodlands will be scanned and sent as requested.

Jim Thompson is questioning why Erosion and sediment control is not on the next Planning and Zoning agenda. Stacey informed Council that it was not agreed upon by the committee to place that item on the agenda and that is why it is not on it.

Attorney Witsil stated that a majority vote is needed to make recommendations or conduct duties on the Planning and Zoning Committee. Attorney Witsil stated that he could draft a letter addressing the authority of single planning commission member vs commission as a whole who can only make recommendations if the Council wishes or this section of the minutes can be utilized as his opinion on the matter.

Adjournment

Councilman Baull made a motion to adjourn the meeting at 7:25 p.m. and it was seconded by Councilwoman Ulrich. All were in favor. Motion carried.

Respectfully Submitted,

Amelia Ronco
Town Clerk