

Minutes

DAGSBORO TOWN COUNCIL

Bethel Center – 28307 Clayton Street

Monday, December 12, 2016

I. CALL MEETING TO ORDER

6:00 p.m.

Meeting was called to order by Mayor Truitt at 6:00 p.m.

In attendance were: Mayor Norwood Truitt, Vice-Mayor Brian Baull, Council Members Patrick Miller, William Chandler, Theresa Ulrich, Attorney Rob Witsil, Town Administrator Cynthia Brought, Police Chief Floyd Toomey and Engineer Kyle Gulbronson. See attached sign in sheet for other members of the audience.

II. OATH OF OFFICE

The oath of office was administered to the Town Council by Attorney Rob Witsil.

III. REORGANIZATION OF COUNCIL

- a. Mayor – Councilman Chandler made a motion to elect Brian Baull for the position of Mayor. Councilman Baull accepted the position and a second to the motion was made by Councilman Miller. All in favor.
- b. Vice-Mayor – Councilman Chandler elected Theresa Ulrich for Vice-Mayor, however, she declined. A motion was then made to elect Norwood Truitt as Vice Mayor by Mayor Baull. The position was accepted by Councilman Truitt with a second made by Councilman Chandler. All in favor.
- c. Secretary/Treasurer – Councilman Chandler elected Theresa Ulrich for the position of Secretary/Treasurer. Councilwoman Ulrich accepted the position and a second was made by Vice-Mayor Truitt. All in favor.
- d. Assistant Secretary – Councilman Chandler made a motion to elect Patrick Miller for the position of Assistant Secretary. Councilman Miller accepted and a second was made by Mayor Baull. All in favor.

IV. PUBLIC COMMENT

Dina Mach addressed the Town Council regarding the Woodlands at Pepper Creek. Her concern is the amount of traffic going down Shady Creek Lane and the difficulty in turning around once they get to the end of the lane. She believes everyone is well aware that there isn't a lot of space between the homes and the actual street and was asking for any feedback on how to correct this problem. There was discussion about how there is a "No Outlet" sign at the entrance, however, it doesn't seem to keep people out. Council feels that the developer would be better able to assist with a solution to this problem, as far as traffic being able to easily turn around.

Jim Thompson addressed the Town Council regarding the Ordinance to amend the Municipal Code, Chapter 238, Section 238-7 entitled, "Subdivision of Land", "Design Standards," to revise the requirements of Section 238-7 (22) for street improvements within subdivisions. He asked the Council if

they were informed on what this ordinance change means and if it is really necessary; he wanted to know why they were voting on it if there was no reasoning for changing the percentages. Council had no comment.

V. PUBLIC HEARING AND VOTE

Attorney Witsil informed those present of the rules for a Public Hearing and proceeded to state the proposed changes for the ordinance to amend the Municipal Code of the Town of Dagsboro, Delaware, Chapter 238, Section 238-7, entitled, "Subdivision of Land", "Design Standards" to revise the requirements of Section 238-7 (22) for street improvement within subdivisions.

Mayor Baull opened the public hearing. There were no comments on the proposed ordinance, but a colloquy occurred between Council members and Mr. Gulbranson regarding the genesis of the proposed ordinance and the purpose of the proposed ordinance. Council was advised by Mr. Gulbranson that the proposed ordinance arose from complaints voiced by residents of the Woodlands, who objected to the non-enforcement of the 30% completion rule in the existing ordinance. These complaints led to an examination of the Town's ordinance, and a comparison to neighboring Town ordinances on street improvements. Based on Mr. Gulbranson's review and recommendation that Dagsboro's street completion ordinance be amended to more closely mirror other Town's and to conform to accepted engineering standards in this area, and following a fulsome discussion of the appropriate percentage at two separate Dagsboro Town Council meetings, the Council settled on an agreed percentage for subdivision street completion. Following this discussion and explanation of the origins and the purpose of the proposed amendment to the ordinance, a motion was made to close the public hearing by Councilman Chandler and seconded by Vice-Mayor Truitt. The motion carried unanimously. Councilman Chandler then made a motion to adopt the proposed ordinance as drafted. It was seconded by Vice-Mayor Truitt. The motion carried with all in favor.

VI. APPROVAL OF MINUTES

A. November 21, 2016– Town Council Minutes

Motion to approve the minutes was made by Councilwoman Ulrich and seconded by Councilman Chandler. All in favor.

VII. CONSENT AGENDA

A. Police Department Report

Chief Toomey reviewed his November 2016 report with Town Council.

B. Treasurer's Report

Councilwoman Ulrich asked Town Administrator Brought to find out why the payroll account was in the negative.

C. Administrative Report

D. Economic Development Committee

E. Building Official Report

F. Code Enforcement Report

G. Meeting Reports

H. Water Department Report

I. Prince George's Chapel Cemetery Report

J. Correspondence

Motion to approve the consent agenda was made by Vice-Mayor Truitt and seconded by Councilwoman Ulrich. All in favor.

VIII. PLANNING & ZONING COMMITTEE

No meeting was held in December.

IX. NEW BUSINESS

A. Proposed smoking ban on Town property

Councilman Chandler presented his views on the proposed smoking ban for Town property. After discussion it was decided by Council and Attorney Witsil that a resolution would be drafted, as well as an ordinance regarding a non-smoking policy. The proposed resolution and ordinance will be drafted, reviewed, and discussed at next month's meeting.

B. Proposed amendments to Chapter 34, Planning and Zoning Commission (Section 34-2, 34-3, and 34-4)

Councilman Chandler presented the proposed amendments in regard to the Planning and Zoning Commission. After discussion, it was decided that Attorney Witsil will draft a resolution, as well as an ordinance in this regard. This will be addressed at next month's meeting.

C. Financial Controls

Councilman Chandler expressed concern regarding petty cash that is held in Town Hall. His concern is not with current personnel; he was asking if petty cash is necessary. Town Administrator Brought advised that petty cash is necessary, as people come into Town Hall to pay their bills and may need change from petty cash. There are also times when maintenance and/or police may need to pick something up and we like to reimburse them if it is not a large amount. After further discussion, it was decided that the petty cash amount of \$300 could be reduced to \$150 or less, as well as doing a monthly reconciliation to be included in the monthly Town Council financial report.

A motion to reduce petty cash to \$150, as well as including a petty cash monthly reconciliation in the financial report was made by Councilman Chandler and seconded by Councilman Miller. All in favor.

D. Part-time Personnel Holiday Pay

Town Council agreed to do a waiver in regard to the personnel policy allowing part-time personnel to receive holiday pay through the February Town Council meeting, at which time, it will be addressed once again.

Motion was made by Councilman Chandler and seconded by Councilwoman Ulrich. All in favor.

E. Holiday Bonus for Staff

Council discussed the bonus and the amounts to be given to personnel; amounts are to be the same as in the past, which will be \$100 for part-time personnel and \$150 for full-time personnel.

A motion was made by Councilman Chandler and seconded by Vice-Mayor Truitt to give out the annual bonus. All in favor.

X. OLD BUSINESS

A. Ordinance to adopt Conditional Use Zoning Classifications, Chapter 275

It was decided by Town Council that there was nothing more to discuss regarding this proposed ordinance. Attorney Witsil advised Council that there was no requirement to make a decision, motion, or vote. It can be simply dropped for now. If no motion is made, the ordinance goes away. Council agreed that there would be no further action at this time.

B. Interconnect Meter Billing

Attorney Witsil commented that he would like to talk to Bob Flowers personally in regard to what actually took place during the installation of the new meter. Bob Flowers could not be at this meeting and therefore, Attorney Witsil prefers to hold off on making any comments and/or decisions on the billing for the work that was completed.

XI. PUBLIC COMMENT

XII. ADJOURNMENT

A motion to adjourn was made by Councilman Chandler and seconded by Vice Mayor Truitt. All were in favor.

Respectfully submitted by;

Megan Thorp
Town Clerk