

*Minutes*

**DAGSBORO TOWN COUNCIL**

**Bethel Center – 28307 Clayton Street**

**Monday, May 21, 2018**

I. SPECIAL PRESENTATION – CHIEF TOOMEY

Chief Toomey presented former maintenance man, Bob Flowers, with a Civilian Medal of Appreciation for his assistance to the Dagsboro Police Department during his employment with the Town of Dagsboro.

II. CALL MEETING TO ORDER

6:03 p.m.

Meeting was called to order by Mayor Brian Baull at 6:03 p.m.

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

III. PUBLIC COMMENT

IV. PUBLIC HEARING - COURT OF APPEALS – PROPERTY TAXES FISCAL YEAR 2018-2019

Mayor Baull informed those present of the procedure and rules for any tax payers in attendance that would like to appeal their tax assessments. Mr. Pearson and Mr. Piner were present from Pearson's Appraisal Service (the assessment company used by the town).

Emily Betlejewski of 29176 Shady Creek Lane requested to appeal her taxes. She believes she is being taxed for a sunroom that she does not have. Mr. Piner stated that his paperwork shows that she does not have a sunroom. Mrs. Betlejewski stated she is concerned about the square footage listed. Mr. Piner asked if it is the same floor plan as Mrs. Mach (a property that was re-assessed last year). Mrs. Betlejewski replied it is the same floor plan, but she has a four foot bump out. Mr. Pearson asked how many square feet Mrs. Betlejewski has in her house. She was unsure of the exact square footage. Mr. Piner has that it is 2,114 square feet. He will look at this again.

Carol Thompson from 29206 Shady Creek Lane would like her assessment to be reviewed. She stated that they have the four foot bump-out also and a deck. Mr. Pearson asked Mrs. Thompson what her square footage is. She is not sure, but can get it and will send it to Town Administrator Brought.

William and Gayle Chandler asked for a review of their property listed on the town's records as Harvey Tingle Farm, LLC. They are asking for the review because it was recently re-zoned – it was zoned Cluster and is now zoned Residential. The property has gone from a higher density zoning to a lower density zoning.

There were no further appeals so Mayor Baull closed the public hearing.

## V. APPROVAL OF MINUTES

### A. April 16, 2018 – Town Council Meeting

Councilman Chandler made a motion to approve the meeting minutes for April 16, 2018. Vice-Mayor Ulrich seconded the motion. All in favor.

## VI. CONSENT AGENDA

### A. Police Department Report

Chief Toomey informed Council that the department did in fact get the new weapons that he had mentioned at the previous meeting. They have the weapons (which were traded at no cost to the town) and have all been qualified on them.

### B. Treasurer's Report

### C. Administrative Report

Councilman Chandler asked if the software for the police department has been taken care of. Town Administrator Brought replied it is, they are just waiting for the computers to be ready for the software.

### 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 Councilman Truitt and seconded by Councilman Chandler. All in favor.

## VII. PLANNING & ZONING COMMITTEE

### a. Change of Use – Kern's

Brad Connor, Chairman of the Planning & Zoning Committee, was present. He stated the committee recommends the Change of Use for the Kern's property from a vacant, jewelry store to a restaurant/bar be accepted.

### b. Final Review of Changes Made to Proposed Sign Ordinance

The Planning & Zoning Committee also reviewed all of the changes to the sign ordinance recommended by Mr. Witsil and accepted the ordinance with those changes. Mr. Connor asked the Council to accept the changes as well and allow the ordinance to move forward in the process.

## VIII. NEW BUSINESS

### A. Prince George's Chapel – Lease Increase/Contract

Town Administrator Brought informed Council that there was a surprise phone call, followed by the actual lease, which increases the amount from one dollar to five hundred dollars. The lease is due by

July 1<sup>st</sup>. Sandie Gerken was present at the meeting for any questions pertaining to the history of the chapel and how the town became involved.

Mrs. Gerken explained how the town became involved in leasing the property in order to maintain the Chapel. Mrs. Gerken worked for the State of Delaware as the primary caretaker from 1980 until 1992. At that time, the state decided to close the chapel due to lack of visitation and Mrs. Gerken's position was eliminated. The townspeople formed a group to try to lease the chapel from the state in order to maintain it and keep it open. In 1994, a Friends group was formed. The town and the state wanted to be the primary lease holder in case the Friends group could not raise enough money. It was agreed for a lease to be one dollar, paid by the town and then the Friends group reimbursed the town. That has been the agreement since 1994 until Town Administrator Brought called to ask when the lease was up and was informed it would be five hundred dollars. Mrs. Gerken stated this increase is a hardship on the Friends group.

Councilman Truitt asked if legislatures voted on this or if it was just a bureaucratic decision. Mrs. Gerken is not sure, but she does know the contact for the town is the Division of the Historical and Cultural Affairs and believes the division is under the Secretary of State. Mayor Baull read from the e-mail that was sent that stated, "the Division of Historical and Cultural Affairs was instructed to raise all one dollar leases to five hundred dollars," giving the impression that it was coming from above that division.

Councilman Chandler stated that it seems this was done to many people, not just Dagsboro. Mrs. Gerken replied she tried to do some research on that – the state has leases with thirteen different properties, but only three are Friends groups. The rest are with private organizations that can charge \$800 to host a wedding or other events. Town Administrator Brought stated that the chapel can be rented. Mrs. Gerken replied it is rented, but that she feels that could be increased. Other places charge from \$500 to \$1,700. Their rate is \$200, but does not have the facilities of other locations (i.e. no separate room to change).

Vice-Mayor Ulrich asked about the length of lease being two years. Town Administrator Brought replied that it has always been a two year lease, but that she did ask about that and the director is willing to take any suggestions from Council. However, the lease will need to be signed by the next council meeting. One possibility would be if they would accept a one year lease, the Friends of Prince George's Chapel could split the cost with the town. Vice-Mayor Ulrich was in favor of a one year lease and asked if there would be anyway to raise funds. Councilman Chandler replied that the Friends group can seek donations and increase the rates for events. Vice-Mayor Ulrich asked about the ice cream socials they used to have. Mayor Baull stated they cannot have events like that anymore because of health reasons. He has worked with concession stands for the band boosters also and they have to get a license each time and get certified from the Department of Public Health and Serve Safe.

Councilman Chandler reviewed their options – they can renew the lease for two years at \$500 a year, refuse to renew the lease, which means the state takes over the building and probably closes it, or sign a one year lease and hope they don't increase it again after one year. He is in favor of the two year lease. Vice-Mayor Ulrich is in favor of the one year lease. Council decided to wait to sign the lease and have Town Administrator Brought check on the possibility of signing a one year lease. Town Administrator Brought asked if she should look into the Friends group paying half. Councilman Chandler stated he feels the Friends are already covering the insurance, water, sewer, electricity, and heat so he would be in favor of the town covering the cost of the lease. Mayor Baull would like to see it be used more with

schools and field trips. Mrs. Gerken replied they could certainly brainstorm some things. Council decided this will be on the agenda for next month's meeting for a vote.

B. Prince George's Cemetery – Liaison from Town Council Appointment

It was opened up to Council if somebody else would like to serve as the liaison for the Prince George's Chapel Cemetery Committee or if Mayor Baull should continue. Vice-Mayor Ulrich stated that Mayor Baull does a good job. He stated he was fine with continuing. Council was in agreement with Mayor Baull continuing as the liaison from Town Council for the cemetery committee.

C. New Outdoor Lighting – Police Station

Currently, the police department just has one exterior light on the building. Normally, when one of the officers goes out at night, they have to turn the light on before leaving the station so that they have clear vision when they return. The current light is in disrepair – a light bulb that was too hot was put in and melted the fixture. Since the light needs to be replaced anyway, Chief Toomey would like to replace it with a motion sensor light so that the light does not have to stay on continuously – it would just come on as someone approaches the building. Long term, this would also be a cost savings to the town. Council was in agreement and asked for some prices to be brought back.

D. Board of Adjustment Hearing May 11<sup>th</sup> – Kern's Variance

Town Administrator Brought informed Town Council that the variance for the Kern's property was approved. The preliminary site plans will be the next step at the meeting in June. She had a conversation with Attorney Witsil and he informed her that the preliminary site plans do not need a public hearing for the preliminary site plans since it is not a subdivision. She does know some residents would like to ask some questions regarding what is going in that building so she can still have a public hearing; it just does not have to be advertised. This way people can come and voice their opinion.

E. 2019 Draft of Proposed Budget – Discussion and Recommendations

Councilman Chandler asked if a third column could be added to show the actual money spent. Town Administrator Brought stated she could.

Town Administrator Brought also informed Council, she spoke with Leslie who usually does the audit. Leslie came in and worked with Duane (finance clerk) to correct the journal entries and other suggestions given in the audit. Leslie will also come to the June meeting to go over ideas for the water department and moving the CD's around for insurance purposes. Council was in agreement to Leslie coming to answer questions and offer suggestions.

Councilman Chandler questioned the electric utilities because they went from \$2,500 to \$8,000. Town Administrator Brought replied that there were some major changes with the utilities, including the fact that they combined some lines which aren't shown on the draft. Vice-Mayor Ulrich asked if this was street lighting and Town Administrator Brought confirmed.

Vice-Mayor Ulrich asked about snow plowing. Town Administrator Brought replied that it has been advertised in the paper that they are looking for bids. She also stated it is hard to predict – this past year was mostly due to the one blizzard.

Councilman Chandler asked what the projection for the transfer tax was based on. Town Administrator Brought replied that she has looked at the past several years, but she can also see the amount dropping in the next year because the town is running out of places to build. The numbers are mostly coming from what was seen last year. The town is actually bringing in more than what was in the budget.

F. Discuss Possibilities For Emergency Water System Repairs – Funding

Town Administrator Brought informed Council that for the water department, more money is being put out than what is being brought in. She would like to set up a meeting with Sherry from Delaware Rural Water Association to help look at the numbers and see what the rates should be. Council also questioned the chart they were given showing the billing Dagsboro pays for water and what the town bills out to residents. They would also like to see a better chart that includes the loans and costs the town has for the water. Councilman Chandler had asked for this to be on the agenda, but is okay with waiting until June to discuss it further since there will probably be more answers at that time.

G. Summer Break Town Council

Council was in agreement they will take a break in August. Councilman Chandler made a motion to have a break from Town Council meetings in August. All in favor.

Vice-Mayor Ulrich asked if Planning & Zoning gets a break in August then as well. Town Administrator Brought replied it depends on what comes up.

IX. OLD BUSINESS

A. Maintenance Position

The position has been filled. Bill Bryant will be starting tomorrow and will be a good fit for the town. He meets all of the requirements and will work Tuesday, Wednesday, and Thursday, eight hour days at \$18 an hour. Bob will be coming and assisting Bill a little also. Vice-Mayor Ulrich asked if he lives locally. Town Administrator Brought stated he lives in Selbyville.

B. Review/Discuss Changes to Sign Ordinance – Possible Decision to Move Forward with a Public Hearing

Town Administrator Brought stated that a lot of the changes were of the descriptions. Councilman Chandler asked if this could be discussed at the June meeting so there is more time to review it. The public hearing can be in July.

X. PUBLIC COMMENT

Lisa Blanchette, resident and business owner in town, informed Council that a small group of businesses in town have been meeting together. They would like to be able to have a small, concise sign showing they are open for business. She made a design incorporating the sign that is on the highway. It would be a sign about two feet by three feet to be hung outside of each business in town. Town Administrator Brought asked if this would be instead of an open flag. Mrs. Blanchette replied that this would be a flag in place of an open flag that would be consistent with all of the businesses. They would like this to be considered in the sign ordinance discussion that will come up. Town Administrator Brought mentioned it could be an issue with the number of signs allowed if it has the name of the business on it. Mrs.

Blanchette stated it will not have the business name, it will just be an open flag, but it would make it more uniform and hopefully eliminate the larger, more obnoxious flags.

Carol Thompson asked if The Woodlands could be on the agenda for next month for discussion of the street dedication. She thought the town solicitor needed to look into more information. Town Administrator Brought informed Mrs. Thompson that it was actually left up to herself to make the decision. She had discussed with David Steele the possibility of waiting until Woods Court was completed because water was still being worked on in that area. She asked him if heavy equipment will still be traveling over Shady Creek Lane and when the building will be done. Shady Creek Lane is guaranteed for one year only. Mr. Steele stated the other units will probably not be completed for another year or two. Town Administrator Brought does not believe it is in the town's best interest at this point to accept the streets. She was told that the sidewalk bids would be in within a month and she hasn't heard anymore back. Mrs. Thompson had been told at one of their meetings that the sidewalks would be done in the next two weeks. Town Administrator Brought didn't know that. Last she heard, Mr. Steele had told her a couple of trees in the park will possibly need to come down for the sidewalks. They are waiting to see movement in the right direction before considering accepting the streets. She also would need five homeowner's signatures in addition to Mr. Steele's letter.

Mrs. Thompson stated last she heard, Mr. Steele had filled out paperwork and was just waiting on the streets to be accepted. But she agrees, if things aren't being done, the streets should not be dedicated. Mrs. Thompson asked about the topcoat of Woods Court being completed. Town Administrator Brought replied that is not being discussed yet.

Mrs. Thompson asked if the town engineer checks things to make sure they are done properly. Council affirmed this. Mrs. Thompson stated there are problems with the drainage and Mr. Gulbranson verified it has not been done properly. Mrs. Thompson would like to know who to follow up with. Town Administrator Brought stated she will have Mr. Gulbranson follow up with this. Councilman Chandler asked Mrs. Thompson to e-mail her questions to Town Administrator Brought and then she can contact Mr. Gulbranson with those specific questions. Mrs. Thompson also informed Council that she and Town Administrator Brought have been communicating; she just wanted to make some questions known publicly.

Art Blanchette, resident on Sussex Street, stated that he really appreciates the police department. However, he is on a street that people use to detour around the traffic light and they are going faster than 25 miles per hour and running the stop sign at Warrington and Sussex Street. He asked if the police could sit and watch the street, even in his driveway if needed. The busiest time seems to be 6:30 in the morning so it probably is not tourists as much as people traveling to work. Chief Toomey replied that he will take care of it and inform the other officers. They have sat there in the past and did not observe the traffic violations mentioned, but they will increase their presence again.

#### XI. ADJOURNMENT

A motion to adjourn the meeting was made by Councilman Chandler and seconded by Councilman Truitt. All in favor. Meeting was adjourned at 7:00 p.m.

Respectfully submitted by;  
Megan Thorp, Town Clerk