

*Minutes*

**DAGSBORO TOWN COUNCIL**

**Bethel Center – 28307 Clayton Street**

**Monday, November 19, 2018**

I. CALL MEETING TO ORDER

6:00 p.m.

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

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

II. PUBLIC COMMENT

No public comment was made.

III. APPROVAL OF MINUTES

A. October 22, 2018 – Town Council Meeting

Councilman Chandler made a motion to approve the meeting minutes for October 22, 2018. Councilman Miller seconded the motion. All in favor.

IV. CONSENT AGENDA

A. Police Department Report

Chief Toomey informed Council that in the last month there was a number of car break-ins, including a car theft and a burglary, all as a result of one individual. That individual has been arrested thanks to some of the Dagsboro officers. Chief Toomey also reminded those present at the meeting to lock their cars. He stated he uses the term “car break-ins” loosely as none of the cars were actually broken into – they all had been left unlocked. In the case of the car theft, the keys were also left in the car.

Chief Toomey also gave an update on the red light enforcement that was discussed at a previous meeting. He did some research and found that it was a Senate bill that enacted the Red Light Enforcement Program in 2001. That bill became Section 4101-D of Title 21. When the bill was passed, there were 15 lights that were deemed worthy of the enforcement and that number has not grown. Chief Toomey has found that the way the law reads is different from how the bill reads. The law states that with Del-Dot approval, municipalities can seek permission to have the cameras installed. Chief Toomey stated Del-Dot would have to do the installation and everything because it is their red light. He informed Council he is still in the process of getting in touch with Del-Dot to discuss the feasibility, cost, etc.

- B. Treasurer's Report
- C. Administrative Report

Town Administrator Brought gave Council an update after a phone call she received Friday. There is a sink hole near the Crater residence on Main Street, across from Porto's. The town did place a cone on it so that people can be aware. The call she received on Friday was from Del-Dot informing her that the sink hole is not Del-Dot's problem, it is the town's problem because it is near the sidewalk and they only go curb-to-curb. Town Administrator Brought has since spoken to Mr. Gulbranson about it and he is going to check on it because he thinks Del-Dot may have done work on it before, but it could have been sediment control. Town Administrator Brought asked Del-Dot who put the storm drain in to begin with and they told her that does not matter. She has already spoken to Representative Collins and she will need to speak with Senator Hocker as well because it will probably be an expensive fix and in need of a lot of grant money. It might involve tearing up the road. Councilman Chandler stated that would involve Del-Dot. Town Administrator Brought confirmed.

Councilman Chandler asked for an update on the status of the condemned properties in town. Town Administrator Brought replied that the Galbis home owed some tax money so Greg Morris sent a letter to them and they have since paid that money. Mr. Morris has requested that Town Administrator Brought just confirm with Council that they approve moving forward with court procedures to condemn that property and the Zier property (next to Dagsboro Days). She told him that Council has already discussed and agreed. She did inform them that the Zier property will be more of a challenge because Mr. Zier passed away in 2004, but it is still in his name. Councilman Chandler asked if they have been notified that the town is moving forward. Town Administrator Brought replied that they have been sent letters informing them.

Councilman Chandler asked about the status of the Wisner property. Town Administrator Brought replied that he refused his letter that was sent by Mr. Morris informing him that the town will take formal proceedings. Town Administrator Brought asked Council for permission to move forward with that to court proceedings. He has unpaid civil fines, as well as all of the violations that he refuses to take care of.

Councilman Chandler made a motion to authorize Town Administrator Brought and Town Solicitor Morris to initiate actions to enforce compliance with the ordinance. Councilman Truitt seconded the motion. All in favor.

Town Administrator Brought directed Council's attention to the ordinance and resolution for the fire company's truck. She stated there was just one minor change with wording from "1,000 gallon" to "500 gallon," but the Town Solicitor felt the change should still be done properly with a change in the document and having a public hearing on the revised document. Town Administrator Brought needs 15 days to advertise, but believes there is time if they want to move forward with the public hearing in December.

Councilman Chandler made a motion to advertise and hold a public hearing in December for the revised resolution and ordinance for the Dagsboro Volunteer Fire Department's bond financing. Councilman Miller seconded the motion. All in favor.

- 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 Chandler and seconded by Councilman Miller. All in favor.

#### V. PLANNING & ZONING COMMITTEE

##### A. Report from November 8, 2018 meeting

Cathy Flowers, Co-Chairperson of Planning and Zoning, informed Council that the only thing discussed was the sale of the old firehouse. They tabled that discussion and do not have anything that Council needs to vote on.

#### VI. NEW BUSINESS

##### A. Signage Median Rt. 113 - Cindi

Town Administrator Brought informed Council that all of the new rules and regulations for replacing a sign are in their packets. Del-Dot's recommended materials must be used, the town has to hire their own flagging crew, the highway will probably need to close while they install the sign, exact measurements from the sign to other signs need to be given, etc. It seems to be a lengthy and expensive process. Town Administrator Brought stated she feels if they do replace the one, they should go ahead and replace the other at the same time because it is not in good condition either. Selbyville and Fenwick Island recently went through the same thing.

Mayor Baull pointed out it is a ten step process and then four more pages of standards. Councilman Chandler stated these regulations are for a sign in the median and asked what happens if they don't put it in the median. Town Administrator Brought replied that is a good question, but Del-Dot would probably still have issues because the sign would be in the right-of-way. Councilman Chandler confirmed Fenwick and Selbyville have gone through it. Town Administrator Brought replied that Fenwick had an accident at theirs and have not been able to replace the trees, but are in the process of replacing the sign. The town administrator in Selbyville just finished the process and stated Dagsboro would probably get approved, it is just a lengthy process. Town Administrator Brought added it could get very expensive because of the regulations like hiring a flagging crew and the Del-Dot employee she spoke to comes to observe the whole process.

Councilman Chandler shared he doesn't feel strongly one way or the other, but expressed he isn't sure about putting the money, time, and resources of staff and Chief through the process. He isn't sure how much people passing by pay attention to the signs. He does understand that people who love history and tradition will feel differently.

Mayor Baull agrees – he feels there is still one sign out there and it seems like without saying they don't want the sign back out there, Del-Dot is basically saying they don't want the sign back out there. Chief

Toomey agreed when the new Royal Farms comes to that side of the highway, people probably won't notice the town sign with all of the signs for Royal Farms.

Councilman Chandler made a motion to let the sign go and not replace it at this point. Councilman Miller seconded the motion. All in favor.

B. Christmas Bonuses

Town Administrator Brought reminded Council that last year the town employees each received \$150. She asked if they wished to entertain the bonuses again this year. Mayor Baull was in agreement to give the bonuses again this year.

Councilman Chandler made a motion to approve the \$150 Christmas bonuses for each of the town employees again this year. Councilman Miller seconded the motion. All in favor.

C. Re-appoint Janice Kolbeck – BOA

Councilman Chandler confirmed Janice Kolbeck is willing to serve again. Town Administrator Brought stated that she is.

Councilman Chandler made a motion to re-appoint Janice Kolbeck to the Board of Adjustment for another term. Councilman Miller seconded the motion. All in favor.

D. Hydrant Flushing November 27 & 28

Town Administrator Brought informed Council this has been advertised around town, including on the fire department's sign. She stated if the weather does not cooperate on the 27<sup>th</sup> and 28<sup>th</sup>, it will take place on the 29<sup>th</sup> and 30<sup>th</sup>. She also reminded those present to try to avoid doing white laundry on those days and to let the water run until its clear because this does stir up all of the sediment in the lines.

Councilman Truitt asked if this will help the Marvel's water. Town Administrator Brought informed Council their line has been getting flushed separately, but it will help. Councilman Chandler asked if DRWA has been contacted regarding that water. Town Administrator Brought replied that they are involved and have been out to test the water.

E. Town Election – December 1, 2018 – 1:00 p.m. to 5:00 p.m. – Dagsboro Fire Hall – 28331 Clayton Street

Councilman Chandler stated he has been asked by people who will not be in town for the election, when they could pick up an absentee ballot. Town Administrator Brought replied they can be picked up anytime, but Town Hall can only mail them out through November 26<sup>th</sup>. She informed Council that those requesting an absentee ballot will need to fill out a form stating why they need one, but then they can be given the ballot.

F. Election Candidate Nominations – Incumbent William Chandler, Incumbent Norwood Truitt, Candidate James Thompson

Mayor Baull informed those present that there are three people running for two seats – Incumbent William Chandler, Incumbent Norwood Truitt, and Candidate James Thompson. He stated they had a meeting a few days prior to review the candidates and make sure they meet all of the requirements.

G. Board of Elections:

- a. Meri Jo Montague – Inspector
- b. Robert Flowers – Judge
- c. Janice Kolbeck – Judge

Mayor Baull stated that at the same meeting when they reviewed the candidates, they certified the Board of Elections committee and determined all were qualified.

VII. OLD BUSINESS

A. Discuss Town Council Members Participating in Christmas Parade December 11<sup>th</sup>

Councilman Miller can ride this year and has a convertible. Councilman Truitt also can ride. Councilman Chandler might not be in town. Mayor Baull informed those present that the Grand Marshals this year are Howard and Sandie Gerken.

VIII. PUBLIC COMMENT

Jim Thompson of Shady Creek Lane stated he sent a letter to the editor of Coastal Point and that he is present if anyone had any questions. He also referred to the credit card that was stolen out of a car and stated he had heard recently people should not sign credit cards, but instead write “photo ID required.” It was confirmed by Chief Toomey and other members of Council that they have been doing that for quite some time. Mr. Thompson again asked if anyone had any questions about his letter. Councilman Chandler stated that he read the letter and informed Mr. Thompson that he still believes in the first amendment of the Constitution.

Chief Toomey informed those present that Gumboro will be having its first ever Christmas parade. Mayor Baull confirmed it will be on Friday, December 14<sup>th</sup>. To Chief Toomey’s knowledge, this will be the first unincorporated town in Sussex County that has ever had one.

Mayor Baull wished everyone a happy Thanksgiving and reminded them to come out to the tree lighting ceremony on the 24<sup>th</sup> at 7 p.m. There will be special music, cookies, hot chocolate, the lighting of the tree and Santa.

Town Administrator Brought also mentioned the Christmas lights were put up, but there are problems with the pole lights near Bodie’s. It has been fixed to get through this year, but the wiring really needs to be updated, at least in sections. Now there is a problem on Clayton with a neutral receptor. She’s hopeful they will be fixed by the tree lighting ceremony.

IX. ADJOURNMENT

A motion to adjourn the meeting was made by Councilman Chandler and seconded by Councilman Miller. All in favor. Meeting was adjourned at 6:29 p.m.

Respectfully submitted by;  
Megan Thorp, Town Clerk