



The Town of Fenwick Island

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REGULAR MEETING OF THE TOWN COUNCIL FEBRUARY 22, 2019

MINUTES

In Attendance

Town Council Members:

Mayor Langan, Treasurer Bunting, Secretary Merritt, Council Member Carmean, Council Member Lee, Council Member Williams

Absent:

Vice Mayor Mais

Staff in Attendance:

Town Manager Tieman, Chief Boyden, Building Official Schuchman, Public Works Supervisor Reed, Finance Manager Gary, Assistant Building Official Ellinger, Town Clerk Martin

Mayor Langan began the meeting at 3:30 PM.

President's Report

Mayor Langan attended the Association of Coastal Towns (ACT) Meeting this morning, where the Delaware Inland Bay and Coastal Storm Risk Study on the back bay flooding was discussed. Delaware's cost for the study will be \$1 million. It is projected that the study will take several years to complete.

The approved seismic testing has been delayed until the end of March. Eleven states, including Delaware, are suing the Federal Government to stop the seismic testing. Once permits are issued for the testing, the public has 90 days to comment before work begins.

On January 31st, Mayor Langan attended the DNREC Beach Nourishment Finance Meeting in regards to the State's contribution to beach nourishment. In the past, the Federal Government has funded 65% of the project while the State has funded 35%. Several years ago, the Town was assessed to help with the beach replenishment. This is not just a Town problem, but a State and Sussex County problem as well. For last year's replenishment in Fenwick Island, South Bethany, and Bethany Beach, the total cost of the project was \$18.3 million.

Introduction of John Rieley

Mayor Langan introduced John Rieley, the newest member of the Sussex County Council.

Mr. Rieley noted that the County Council are currently working on the issues that are affecting the County, to include high speed internet and economic development as priority issues.

Introduction of Pearson's

Town Manager Tieman introduced Fred Pearson and Eric Piner from Pearson's Appraisal Services. They are currently conducting the revaluation of the Town.

Mr. Pearson commented that their goal is to provide a fair and equitable assessment. Once the field work is completed, they will evaluate their data and provide the new rates to residents.

For Discussion and Possible Action

Revisions to the Employee Manual

Town Manager Tieman presented the revisions to the Employee Manual, to include the changes suggested by the auditors of Chapter 3-4 (Pension Plan), Chapter 3-9 (addition of Short Term Disability), Chapter 5-12 (removal of savings bonds for Service Awards), and Chapter 7 (Travel Policy, which will now follow the GSA standards). Chapter 5-9 (Employee Vacation) is also included, although the change was previously approved last year.

A MOTION was made by Council Member Carmean, seconded by Secretary Merritt, to approve the revisions to the Employee Manual. The MOTION passed unanimously.

Beach Patrol Salary

Town Manager Tieman noted that the starting salary at Delaware State Park for their lifeguards is \$15.25, while ours is \$13. She is asking to match what the State pays.

Council Member Williams asked if the request for the pay increase was initiated by the new Beach Patrol Captain. Town Manager Tieman responded that he notified her of the State's starting salary but the decision to ask for the pay increase was mutually agreed upon.

Council Member Carmean questioned about the financial impact of the salary change. Town Manager Tieman replied that she will know more once it is determined who of the previous lifeguards will be returning for the season.

A MOTION was made by Council Member Carmean, seconded by Treasurer Bunting, to begin lifeguard salaries at \$15.25/hour. The MOTION passed unanimously.

Cleaning of HVAC Ductwork

Town Manager Tieman noted that the ductwork at Town Hall was recently checked. It was found that the duct work over the offices is in need of replacement, while the duct work over the Council area will just need to be cleaned.

A MOTION was made by Council Member Carmean, seconded by Secretary Merritt, to approve the replacement and cleaning of the HVAC ductwork at Town Hall. The MOTION passed unanimously.

Approval of Minutes

A MOTION was made by Council Member Carmean, seconded by Treasurer Bunting, to accept the minutes from the January 25, 2019 Council Meeting.

Council Member Williams noted that in the section on the discussion of "Shall" and "Must", the minutes do not reflect if it was determined in the motion if "shall" was to be added to the nomenclature. Town Manager Tieman responded that she will check the audio of the minutes.

The MOTION to accept the minutes as written passed unanimously, with a notation that they may be revised after the review of the audio.

Treasurer's Report

Treasurer Bunting presented the report for the period ending January 31, 2019. He commented that the RTT received so far is not what was budgeted, but the number should improve once the weather warms up.

A MOTION was made by Council Member Carmean, seconded by Secretary Merritt, to accept the Treasurer's Report. The MOTION passed unanimously.

Town Manager's Report

Town Manager Tieman submitted her report.

Department Reports

Building

Building Official Schuchman stated that 100 business licenses were issued in January (52 Outside Contractors licenses, 29 Rental licenses, and 19 Retail Merchant licenses). She added that Royal Farms has rescheduled their remodeling project and now will not close until the fall.

Public Works

Public Works Supervisor Reed reported that work on the Town sign has been completed. Public Works is currently working on the new lifeguard stands.

Council Member Lee asked if the lifeguard stands will remain the same as last year or will they be aluminum as discussed last summer. Public Works Supervisor Reed replied that they will be made of wood. The replacement of the wooden stands to aluminum stands has been put on hold since there is a new Beach Patrol Captain.

Police Department

Chief Boyden submitted the Police Department Report. He noted that he is actively recruiting for a new Police Officer due to the resignation of Corporal Lowe.

Committee Reports

Beach

No report.

Business Development

Building Official Schuchman commented that there will be a Business Development Meeting in April.

Dredging

Secretary Merritt noted that he would like to work with the County on the dredging project. He has scheduled a Dredging Committee Meeting on March 8th at 2:30 PM.

Environmental

Mary Ellen Langan stated that the Environmental Committee met yesterday to begin plans for Earth Day. The usage of plastic straws was also discussed, along with seismic testing. There will be a meeting on seismic testing on March 6th at 4:30 PM at the Dunes Manor Hotel in Ocean City.

Mary Ellen also encouraged everyone to report any dead trees.

The next Environmental Committee Meeting will be held on March 21st at 2:30 PM, followed by a meeting on April 11th at 2:30 PM to finalize the Earth Day event.

Finance

No report.

Pedestrian Safety

Council Member Carmean reported that she received an email today from DelDOT with the financial figures for the sidewalk project. She will schedule a meeting with DelDOT to go over the proposal.

Council Member Carmean noted that the proposal received from DelDOT also includes the County cost of the project.

Planning

No report.

Technology

Mayor Langan reported that currently the Town has 819 Twitter followers, 4,778 Facebook page likes, and the website had 32,688 unique visitors over the last year. 73.93% of the 32,688 were new visitors to the website. For the month of February so far, there were 1,053 users to the website, with 69.82% being new visitors.

The next Technology Committee Meeting will be held on March 15th at 2:00 PM. The Committee will look at the Park Mobile app for parking permits as well as the ICompass program for Council Meetings.

Charter & Ordinance

Bill Weistling commented that the next meeting will be held on March 1st at 9:30 AM.

Old Business

Mayor Langan noted that the two tabled items from last month's meeting will be discussed after they are reviewed by the Charter & Ordinance Committee.

Council Member Lee questioned why there was a delay in all of the readings discussed at the January Council Meeting. Bill Weistling responded that per Chapter 24-2 of the Town Code, all first readings after approval need to go back to the Charter & Ordinance Committee for review prior to the second reading. Since there was no meeting in February, they will be reviewed at the meeting to be held on March 1st. Council Member Lee commented that she knows of several cases that the Town did not follow this procedure and according to Chapter 24-6, it states if the procedure is not followed it makes the ordinance change null and void. Bill Weistling agreed, and commented that a few years ago when he made it a point that all changes to the Code would have to go through the Town Council, then the procedure was followed. He added that 30+ years of ordinance changes would need to be reviewed to see if the procedure was followed. Town Manager Tieman confirmed that the law was put in affect in 1979, but will follow up with the Town Solicitor on how we should proceed.

New Business

Council Member Lee asked to be excused from the March 22nd and April 26th Council Meetings.

A MOTION was made by Secretary Merritt, seconded by Treasurer Bunting, to excuse Council Member Lee from both the March and April Council Meetings. The MOTION passed unanimously.

Upcoming Events and Meetings

Mayor Langan confirmed the upcoming events and meetings as stated on the agenda, and added the Dredging Committee Meeting on March 8th at 2:30 PM, the Technology Committee Meeting on March 15th at 2:00 PM, and the Environmental Committee Meeting on March 21st at 2:30 PM.

Public Participation

Joyce Chaconas, 5 W. Cannon Street

- ☛ Since hurricane season is over, Ms. Chaconas requested that the beach benches be reinstalled on the dune crossing. Public Works Supervisor Reed responded that DNREC requires us to have the benches removed from October through March. He will re-install the benches in the spring at the same time the mobi mats are re-installed.

Ms. Chaconas commented that she is against the sale of the additional blue hang tag for parking since there are already limited spaces and it deprives people in going to the beach. Town Manager Tieman replied that less than ten of the additional permits were sold last season. Council Member Lee added that the additional parking permit was considered by both the Finance Committee and Budget Committee, and both Committees agreed on the price increase of the permit.

Jackie Napolitano, 2 E. James Street

Ms. Napolitano agreed with Ms. Chaconas, and added that the extra permits are being used unfairly by others, especially those that are not residents to the Town.

Bill Weistling, 7 E. Indian Street

Mr. Weistling commented that in regards to the salary increases for lifeguards approved earlier in the meeting would the County be giving us money as well since the State provides us money for lifeguard coverage.

Mark Tingle, 1605 Coastal Highway

In regards to the sidewalks, Mr. Tingle asked if it has been confirmed what areas will be covered under the project. Council Member Carmean replied that the project would cover the entire Town limits and include up to the Chamber of Commerce. Mr. Tingle objected to the sidewalk being installed in front of his home, in which Council Member Carmean replied that DelDOT made it clear if a property owner did not want a sidewalk installed in front of their home they didn't need to grant access to the easement, but later on if DelDOT decided a sidewalk was needed then it would be installed at the owners expense.

Mike Quinn, 5 W. Houston Street

Mr. Quinn questioned the use of the land on Route 54 that is adjacent to the canal. Mayor Langan responded that nobody knows what it is used for.

Adjournment

A MOTION was made by Treasurer Bunting, seconded by Secretary Merritt, to adjourn the meeting. The MOTION passed unanimously, and the meeting adjourned at 4:31 PM.