



## The Town of Fenwick Island

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### REGULAR MEETING OF THE TOWN COUNCIL

Friday, May 28, 2021

MEETING HELD VIA TELECONFERENCE

#### MINUTES

#### In Attendance

##### Town Council Members:

Mayor Langan, Vice Mayor Mais, Treasurer Bunting, Secretary Merritt, Council Member Carmean, Council Member Houser, Council Member Weistling

##### Staff in Attendance:

Town Manager Tieman, Police Chief Devlin, Building Official Schuchman, Finance Manager Gary, Public Works Manager Locke, Town Clerk Menominee

##### Others in Attendance:

Along with the Town Council and Staff, there were an additional 31 participants that called in to the meeting.

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#### **1. President's Report - Mayor Langan**

Mayor Langan reported that the emergency order has not been lifted on COVID. Masks are required for people who are not vaccinated, along with 3 foot social distancing and outdoor dining is allowed. He also reported that the accommodation tax through the County was tabled. Mayor Langan also reported Verizon is announcing 5G Service for the Coastal Towns, Mayor Langan thanked Council Member Weistling and Town Manager Tieman for their work on the project.

#### **2. For Discussion and Possible Action:**

##### 2.1. Business Development Ad

# - #

[FI Business Ad CAF.pdf](#)

Town Manager Tieman reported that the Business Development Committee submitted a proposal for a

newspaper ad in the Coastal Point. Chairman Collins reported he would like the ad appearing off and on throughout the summer, but did state the ultimate goal was to advertise in the off-season. Chairman Collins would like the ad to run 9-10 months.

MOTION to accept the Business Development Ad.

# - #

*Moved by:* Mike Houser

*Seconded by:* Gardner Bunting

**MOTION passed 6-1 with Council Member Carmean dissenting.**

2.2. Auditing Services Proposal

# - #

[Three Year Audit engagement.pdf](#) 

[3 Year Proposal Engagement Letter.pdf](#) 

Town Manager Tieman presented the 3 year proposal of PKS Contract (2021-2023). She also stated that this is a fair and reasonable proposal.

MOTION to approve the 3-year PKS Auditing Services Proposal.

# - #

*Moved by:* Bernie Merritt

*Seconded by:* Mike Houser

**MOTION passed unanimously.**

2.3. Wildlife Crossings

# - #

[Local Elected Leader Letter to Carper April 2021.pdf](#) 

[Pew Transportation and Wildlife Fact Sheet -- 2021-2.pdf](#) 

MOTION to approve the request of support for wildlife crossings as a COUNCIL.

# - #

*Moved by:* Gardner Bunting

*Seconded by:* Richard Mais

**MOTION passed unanimously.**

2.4. Absentee Ballot Box # - #

[Ballot Box.pdf](#) 

Town Manager Tieman stated that an outside absentee ballot box was suggested for use in the 2021 Fenwick Island Election by Board of Elections Inspector Serio, Town Solicitor Mary Schrider-Fox and the Election Commission.

MOTION to approve the purchase of the outdoor absentee ballot box. # - #

*Moved by:* Vicki Carmean

**MOTION passed unanimously.**

2.5. Summer Clerk # - #

[Summer Clerk.pdf](#) 

Town Manager Tieman stated the current Town Clerk is new and still learning some of the responsibilities, i.e. tax billing, municipal election. After the police clerk position was dropped to avoid a tax increase, the Town Clerk assumed the additional duties of bonfire permits, parking permits and parking fines.

MOTION to approve the Summer Clerk position. # - #

*Moved by:* Vicki Carmean

**MOTION passed unanimously.**

2.6. Installation of valves # - #

[Mowing Contract - valve replacement projed.pdf](#) 

Staff requested Council approve \$13,000 for a mowing contract. This will assist Public Works team with mowing so that priority may be given to installation of the back flow prevention valves. Public Works staffing has been reduced due to COVID child care needs.

MOTION to approve the mowing contract. # - #

**Passed 6-1 with Council Member Carmean dissenting.**

2.7. Voter Roll List

[Voter Roll Strike List.pdf](#) 

2.8. Employee Anniversary Dates

Brian Parsons- 10 year anniversary

Bryan Reed- 20 year anniversary

**3. Approval of Minutes from April 23, 2021 Meeting**

[4-23-21 meeting minutes.pdf](#) 

MOTION to approve the April 23, 2021 meeting minutes.

*Moved by:* Vicki Carmean

*Seconded by:* Mike Houser

**MOTION passed unanimously.**

**4. Treasurer's Report - Treasurer Bunting**

[Treasurer's Report.pdf](#) 

Treasurer Bunting reported that the RTT for April was \$124,669.05 which bring the total to \$826,772.54. He reported that this puts the capital and operating budget 413.39% above.

[Image\\_001](#) 

MOTION to approve the Treasurer's Report.

*Moved by:* Mike Houser

*Seconded by:* Richard Mais

**MOTION passed unanimously.**

**5. Town Manager's Report - Town Manager Tieman**

[Town Manager's Report.pdf](#) 

[Image\\_001](#) 

Town Manager Tieman went through step by step on how to access documents through the Fenwick Island website and Community by Diligent website. She also announced that this season is expected to be

busy and trying, all the lifeguard positions have been filled and the Town has been very fortunate in that aspect. Town Manager Tieman asked everyone to please be patient with the lifeguards, retailers and staff.

## 6. Department Reports

6.1. Building Report- Building Official Schuchman # - #

[Building Report.pdf](#) 

6.2. Public Works Report- Public Works Manager Locke # - #

[Public Works Report.pdf](#) 

6.3. FIBP Report- Beach Patrol Captain Rykaczewski # - #

[FIBP Report.pdf](#) 

6.4. FIPD Report- Chief Devlin # - #

[FIPD Report.pdf](#) 

Chief Devlin reported that he attended the 29th Annual FBI-Leeda Conference. They were formed to bring training down to smaller municipalities. FIPD has received an award that will be .... Police are prepared for the weekend and Chief Devlin will be available to his staff for any emergencies. He also reported that they will have cameras working for this weekend.

## 7. Committee Reports

Business Development- Chairman Collins reported that the Our Harvest owner was concerned about 84 people signing the petition challenging the patio license. He is concerned that people may not be totally informed on Town ordinances/codes.

Pedestrian Safety- Council Member Carmean reported that the committee is still in limbo until the end of June and would like to hold an in-person meeting after hearing what could happen with the bond bill.

Ad-Hoc- Vice Mayor Mais reported that they met and came up with a list of topics and questions that needed to be resolved. He is hoping they have something to present at the June Town Council meeting.

C&O- Council Member Weistling discussed the April C&O Meeting. The Committee discussed the possible proposed ordinances banning low speed shuttle services and a shuttle service to the Town outside the limits. C&O sent the questions and comments to the Town Solicitor for answers. Council Member Weistling stated there was never consideration for a "booze bus" and C&O considers the pros and cons of each process fairly.

## **8. Old Business**

Council Member Carmean suggested picking up the Hotel Moratorium and review facts and figures. Council Member Weistling agreed to pick it back up in the fall and discuss extending the moratorium or banning them altogether.

## **9. New Business**

Council Member Carmean questioned when the Town Hall is going to be opening full-time. Town Manager Tieman stated that the outside lobby is open and the inside lobby is still closed along with the restrooms. She stated Bethany Beach is using porta-potties in their Town. Could be something Fenwick could look into.

## **10. Upcoming Events and Meetings:**

- 10.1. May 31st- Memorial Day- Town Hall Closed
- 10.2. June 1st- Ad-Hoc Commercial District Planning Meeting @ 1:30 pm
- 10.3. June 23rd- Candidate Filing Deadline @ 4:30 pm
- 10.4. June 23rd- Board of Elections Meeting @ 4:30pm
- 10.5. June 23rd- Special Meeting of the Town Council @ 4:45pm
- 10.6. June 25th- Town Council Meeting @ 4:30pm

## **11. Public Participation**

The Public Participation segment of the Council Meeting is the time that the Town extends the opportunity to the general public to share with us your questions, thoughts, comments, concerns, and complaints. The Council is allowing 30 minutes for public participation during this meeting. Those wishing to come forward to take advantage of the Public

Participation segment will be provided two (2) minutes. While Town government is interested in taking appropriate action, current FOIA laws prohibits Town Council and Town officials from engaging in discussion of any comments made or taking any action.

Jacque Napolitano, 2 E. James Street- Ms. Napolitano disagreed with the business development ad. She also said that the valves should have been addressed a long time ago.

Janice Bortner, 1303 Schulz Road- Mrs. Bortner had questions in regards to the shuttles, wondering how they would benefit residents. She also questioned the traffic on Route 54 and if the Town had done any traffic studies.

Gail Warburton, 10 W. Farmington Street- Mrs. Warburton was concerned on Town Council members voting online items before the public is able to participate. She would also like the Ad-Hoc workshops held before the Council votes on a final plan. She also disagreed with using tax dollars for the business development ad.

Roy Williams, 9 E. Essex Street- Mr. Williams would like everyone to tune into the upcoming Ad-Hoc Commercial District Planning Committee on Tuesday.

Natalie Magdeburger, 32 Ebb Tide Cove- Mrs. Magdeburger was concerned that respect is not being shown by Town Council. She also questioned if there would be a time table for the valve replacement project.

Deborah Cowell, 9 W. Atlantic Street- Mrs. Cowell questioned the pedestrian safety concerns for a no U-turn sign to be placed at the end of Bayard Street.

Jim Simpson, 1 E. Lewes Street- Mr. Simpson encouraged residents to get past the politics that happen every year in the Town.

Yvonne Lehm, 905 Wright Street- Ms. Lehm thanked the Council Members and Town Staff for their dedication to the Town. She asked the Council to take a look a controlled system that would help the residents.

## **12. Executive Session**

*For preliminary discussion on site acquisitions for any publicly funded capital improvements; strategy sessions, including those involving legal advice or opinion for an attorney-at-law, with respect to collective bargaining or pending or potential litigation; discussion of the content of documents, excluded from the definition of "public record"; and personnel matters in which the names, competency and abilities of individual employees are discussed. Pursuant to 29 Del.C. § 10004(B)(2), (4), (6), & (9).*

**13. Adjournment**

MOTION to adjourn the meeting.

*Moved by:* Mike Houser

*Seconded by:* Gardner Bunting

**MOTION passed unanimously.**

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