



Town of Wyoming
Council Meeting
Wyoming Town Annex
December 5, 2011
7:30 P.M.

REGULAR TOWN COUNCIL MEETING

CALL TO ORDER – Mayor Rife called the Meeting to order at 7:30 p.m.

Council attending: Mayor Dale Rife, Vice-Mayor Terry Witt, Secretary Jacqueline Stokes, Treasurer Georgette Williams, Councilwoman Tracy Greenwood

Council absent: None

Staff attending: Town Clerk Pamela Haddick, Police Chief Martin Willey

Audience attending: Mike Marasco, Phyllis Collins, Joyce & Richard Stockslager, Jack Fairfull, Mike Quinn, Fred Jester, Jody Sweeney, Shannon Eachus

ADOPTION OF AGENDA

- *Ms. Williams made a motion to adopt the agenda as published. Ms. Stokes seconded the motion. Ms. Williams, Ms. Stokes and Mr. Witt, Aye. Ms. Greenwood not voting. Motion passed.*

ADOPTION OF PREVIOUS MEETING MINUTES

110711 Bid Opening

110711 Council Meeting

110711 Executive Session

Ms. Stokes motioned to accept all three sets of minutes seconded by Mr. Witt. All in favor; none opposed.

TREASURER'S REPORT

- Ms. Williams presented the financial reports. She stated that copies of the audit were given to each member last month and asked if there were any questions or issues that she could take to the auditors. Council will be voting to accept the audit in January. *Mr. Witt made a motion seconded by Ms. Stokes to accept the Treasurer's Financial Reports for November. All in favor; none opposed.*

POLICE REPORT – LT. MARTIN WILLEY

- Lt. Willey gave the police report for November. The written report is part of the packet.

- He also reported that there have been numerous car burglaries the in area. In each case the car had been left unlocked. He once again warned everyone to please keep your cars locked at all times.

FIRE COMPANY REPORT

- Mr. Fred Jester apologized for not making it to the November meeting. In October the fire company had 180 ambulance calls and 40 fire calls. In November they had 212 ambulance and 50 fire calls.
- Mr. Witt asked Mr. Jester what it would cost each household if we had a paid fire company. Mr. Jester said he would get than information for next month's meeting. They are trying their best to be more open with financial information to the public.

PLANNING & ZONING

- Shannon Eachus reported that P & Z heard an application for a conditional use to have a lawn mower repair shop at 10802 Westville Road at the November meeting. After explaining the application she stated that P & Z was recommending that Council approve the application. Ms. Greenwood stated that she did not receive the information until just a few days before the meeting and did not feel that she had been informed early enough to make a decision on this issue. *Ms. Williams made a motion seconded by Mr. Witt to accept P & Z's recommendation and approve the conditional use for a lawn mower repair shop at 10802 Westville Road. Ms. Stokes, Ms. Williams & Mr. Witt, Aye. Ms. Greenwood not voting. Motion carried.*

BUILDING INSPECTOR REPORT/ CODE VIOLATION REPORT

- The open building permit report is in the packets.
- Council will be actively looking for someone to abate the public nuisances.

C/W SEWER & WATER REPORT

- Mr. Mike Quinn reported that Wynsome Knoll is moving into Phase 2 of their project.
- *Ms. Williams motioned to hold the appointment of the new 3 year member of the Sewer & Water Board until after a judgment is received on the Sewer & Water issues. Mr. Witt seconded the motion. All in favor; none opposed.* The three current members of the board will remain as they are until the judgment is received; Mr. James Winchell, 3 years; Mr. Mike McFann, 2 years; Mr. Mike Quinn, 1 year.

PARK/STREET REPORT

- Mr. Terry Witt reported that there is nothing much going on at the Park.
- Lew has swept the streets three times since the leaves started falling and they look pretty good. The catch basins are clean also.
- The Park bathrooms are now closed for the winter and a port-a-potty has been delivered.
- We have some new decorations on the train platform this year – be sure to ride by to see them.
- Remus Lane project is starting. They will be milling up what is there and using some of it to widen the street. They have asked us if we can use the rest elsewhere. Mr. Richard Stockslager stated that Lew has already patched Chambers Alley. Mr. Witt will be checking out Jenkins Drive and the alley between Camden Wyoming Avenue and Southern Boulevard which is accessed from S. Layton Avenue.

OLD BUSINESS

- The second reading and adoption of the ordinances will be time consuming; therefore, it will be moved to the end of the meeting.

NEW BUSINESS

- The Town has received two bids to paint the town office and the small copy machine/file room. They are as follows:

David W. Brown Painting	\$1,080.00
Lexco Painting	\$ 725.00

Mr. Witt made a motion seconded by Ms. Stokes to accept Lexco's low bid of \$725.00 to do the painting. All in favor; none opposed. Ms. Haddick will contact him to see how soon the work can be done.

- The Town has received two bids on carpet for the town office and the small copy machine/file room. The two bidders bid on different types of carpet so Ms. Haddick contacted one of them to get a price on one carpet that they both carry. The bidders were A+ Floor Store and Air Base Carpet Mart. A+ Floor Store was the lower bidder by \$95.77.

Ms. Williams motioned to accept the bid from A+ Floor Store for the Chart Topper bid of \$1,557.25. Mr. Witt seconded the motion. All in favor; none opposed.

- Mayor Rife read the resolution for no parking on Caesar Rodney Avenue. *Ms. Stokes motioned seconded by Mr. Witt to adopt this resolution. All in favor; none opposed.*

CORRESPONDENCE

- All correspondence is on file at Town Hall if anyone is interested in seeing it.

CALENDAR OF EVENTS

- A. Town Council Meeting – 1/9/12, 7:30 pm, Annex
- B. Planning & Zoning – 12/13/11, 7:30 pm, Annex
- C. CWSWA – 12/13/11, 7:00 pm, CWSWA office

PUBLIC COMMENTS

- Jody Sweeney congratulated Chief Willey.
- Mike Marasco asked questions about the no parking issue.

OLD BUSINESS

- Mayor Rife and Ms. Haddick took turns with the second reading of the synopsis from each of the following ordinances that had first readings last month. These ordinances are as follows:
 - Repeal of Ordinance #P16-07 “An Ordinance Pertaining to Loud Sound Amplification Systems in Motor Vehicles.” *Ms. Williams made a motion seconded by Ms. Stokes to adopt this repeal. All in favor; none opposed.*
 - Repeal of Ordinance #46 “Abandoned Vehicles” and All Previous Versions and/or Amendments Thereto. *Ms. Stokes made a motion seconded by Mr. Witt to adopt this repeal ordinance. All in favor; none opposed.*
 - New Ordinance #8-11 “An Ordinance Regulating Abandoned, Wrecked, Dismantled, Inoperative, or Unregistered Vehicles.” *Ms. Stokes made a motion seconded by Mr. Witt to adopt this ordinance. All in favor; none opposed.*
 - Repeal of Ordinance #P5-07 “An Ordinance Establishing a Building Commission; Defining Its Duties; and Providing Penalties for Violations Thereof: and Ordinance #16 “An Ordinance Creating the Position of Building Inspector, Requiring Property Owners to Secure a Building Permit from the Building Inspector Prior to

Commencing any Construction, Establishing Procedures for the Application, Review, and Grant of Building Permits, and Providing Penalties for Violations Thereof.” Including All Amendments and/or Prior Versions of These Ordinances. *Ms. Williams made a motion seconded by Mr. Witt to adopt this repeal ordinance. All in favor; none opposed.*

- New Ordinance #9-11 “An Ordinance Creating the Position of Building Inspector and Establishing Building Permit Regulations and Procedures. *Ms. Stokes made a motion seconded by Mr. Witt to adopt this ordinance. All in favor; none opposed.*
- New Ordinance #10-11 “An Ordinance Requiring Good Standing in Order to Obtain Any License, Permit, Utility Service, or Do Any Business with the Town of Wyoming. *Ms. Stokes made a motion seconded by Mr. Witt to adopt this ordinance. All in favor; none opposed.*
- Repeal of Ordinance #P4-07 “An Ordinance Prohibiting the Discharge of Firearms, Air or Gas Operated Guns, Spring-Guns, Slingshots, and/or Bows and Arrows within the Limits of the Town of Wyoming; Prohibiting the Sale, Transfer, and Distribution of Fireworks; and Providing for Exceptions and Penalties.” *Mr. Witt motioned, seconded by Ms. Stokes to adopt this repeal ordinance. All in favor; none opposed.*
- New Ordinance #11-11 “An Ordinance Prohibiting the Discharge of Firearms, Fireworks, Air or Gas Operated Guns, Spring-Guns, Slingshots, and/or Bows and Arrows within the Limits of the Town of Wyoming, Prohibiting the Sale, Transfer, and Distribution of Fireworks, and Providing for Exceptions and Penalties. *Ms. Stokes motioned, seconded by Mr. Witt to adopt this ordinance. All in favor; none opposed.*
- Repeal Ordinance #15 “An Ordinance Relating to Sanitation and Public Health.” *Ms. Williams motioned, seconded by Mr. Witt to adopt this repeal ordinance. All in favor; none opposed.*
- Ordinance #12-11 “An Ordinance Regulating Overgrown Grass and Weeds in the Town of Wyoming.” *Ms. Stokes motioned, seconded by Mr. Witt to adopt this ordinance. All in favor; none opposed.*
- Ordinance #13-11 “An Ordinance Requiring Notice of Tort Claims against the Town of Wyoming to be Provided within One Year of the Date of Occurrence.” *Ms. Williams motioned, seconded by Ms. Greenwood to adopt this ordinance. All in favor; none opposed.*
- Repeal Ordinance #34 “Ordinance Relating to Prohibition of Parking on Certain Streets During Snowfall and Enforcement of Such Restriction” and Amendment #1 to the Same Ordinance. *Ms. Stokes motioned, seconded by Mr. Witt to adopt this repeal ordinance. All in favor; none opposed.*
- New Ordinance #14-11 “An Ordinance Regulating Parking on Designated Streets during Periods of Snowfall.” *Ms. Stokes motioned, seconded by Mr. Witt to adopt this ordinance. All in favor; none opposed.*
- Ordinance #17-07, Amendment #1- An Ordinance Amending Ordinance #17-07 “An Ordinance Establishing a Procedure for the Determination and Abatement of Public Nuisances within the Town of Wyoming and Providing Penalties for Violations Thereof.” *Mr. Witt motioned, seconded by Ms. Stokes to adopt this amendment. All in favor; none opposed.*
- Repeal Ordinance #12-07 “An Ordinance Providing for the Collection of Trash within the Town of Wyoming” Including All Amendments to and Previous Versions of the Ordinance. *Ms. Stokes motioned, seconded by Mr. Witt to adopt this repeal ordinance. All in favor; none opposed.*

- New Ordinance #15-11 “An Ordinance Providing for the Collection of Trash within the Town of Wyoming.” *Ms. Williams motioned, seconded by Ms. Stokes to adopt this ordinance. All in favor; none opposed.*
- Repeal Ordinance #21-07 “An Ordinance Relating to Dead and Damaged Trees.” *Ms. Stokes motioned, seconded by Mr. Witt to adopt this repeal ordinance. All in favor; none opposed.*
- New Ordinance #16-11 “An Ordinance Relating to Dead and Damaged Trees.” *Ms. Stokes motioned, seconded by Mr. Witt to adopt this ordinance. All in favor; none opposed.*
- New Ordinance #17-11 “An Ordinance Authorizing the Town to Employ Voluntary Assessment Procedures.” *Mr. Witt motioned, seconded by Ms. Williams to adopt this ordinance. All in favor; none opposed.*
- Repeal Ordinance #4 “An Ordinance Related to Dogs Making it Unlawful to Keep Disorderly Dogs and Prohibiting the Running at Large of Female Dogs under Certain Conditions.” And Ordinance #4, Amendment #1 “An Ordinance Relating to At Large and Barking Dogs,” and Any Other Amendments to, or Previous Versions of, this Ordinance. *Ms. Williams motioned, seconded by Mr. Witt to adopt this repeal ordinance. All in favor; none opposed.*
- New Ordinance #18-11 “An Ordinance Relating to the Cleaning Up of Animal Waste and Establishing Regulations for the Keeping of Dogs in the Town of Wyoming.” *Mr. Witt motioned, seconded by Ms. Greenwood to adopt this ordinance. All in favor; none opposed.*
- Repeal Ordinance #7, Amendment #1 “An Ordinance Establishing the Composition of the Planning and Zoning Committee for the Town of Wyoming and Defining its Power,” Including Any Amendments to and Previous Versions of the Ordinance. *Ms. Williams made a motion, seconded by Ms. Stokes to adopt this repeal ordinance. All in favor; none opposed.*
- New Ordinance #19-11 “An Ordinance Establishing the Planning and Zoning Commission of the Town of Wyoming.” *Ms. Williams motioned, seconded by Ms. Stokes to adopt this ordinance. All in favor; none opposed.*
- Repeal Ordinance #32 “An Ordinance Regulating and Prohibiting the Occupancy by Human Beings of Trailers or Portable Structures as Dwellings or Places of Business within the Limits of the Town of Wyoming, Kent County, State of Delaware.” *Ms. Williams motioned, seconded by Ms. Stokes to adopt this repeal ordinance. All in favor; none opposed.*
- New Ordinance #20-11 “An Ordinance Regulating the Parking and Use of Recreational Vehicles in the Town of Wyoming.” *Ms. Stokes motioned, seconded by Ms. Williams to adopt this ordinance. All in favor; none opposed.* The fees for this ordinance will be determined at the January meeting.

MORE NEW BUSINESS

- The following ordinances were read for the first time. Second reading and adoption will occur in January. They are as follows:
 - Repeal Ordinance #15-07 “The Town of Wyoming Realty Transfer Tax Ordinance”, Including Any and All Amendments to and Previous Versions of this Ordinance.
 - Ordinance #21-11 “The Town of Wyoming Realty Transfer Tax Ordinance.”

Ms. Williams made a motion to move into Executive Session. Ms. Stokes seconded the motion. All in favor; none opposed.

Council moved into Executive Session at 8:40 p.m.

Council returned to Regular Session at 9:00 p.m.

Ms. Williams made a motion to amend the police budget in the amount of \$200.00. Mr. Witt seconded the motion. All in favor; none opposed.

After some discussion, it was determined that any time an agenda is posted for anything it will also be emailed to each Council Member or a hard copy placed in mailboxes of those Council Members who do not use computers.

Starting in January, Council Members will receive their meeting books on the Friday prior to the Monday meeting instead of at the meeting in order to save paper. Currently a packet is printed out on Friday for the members and then re-printed for the book on Monday. It will be the responsibility of each Council Person to pick up their books the Friday evening prior to the Council Meeting and to remember to bring it to the meeting on Monday night.

Ms. Greenwood made a motion seconded by Mr. Witt to adjourn the meeting. All in favor; none opposed.

The meeting adjourned at 9:35 p.m.

Respectfully Submitted,
Pamela Haddick, Town Clerk



RESOLUTION NO. 2-11
"NO PARKING ON CERTAIN SECTIONS OF
NORTH CAESAR RODNEY AVENUE"

WHEREAS, Chapter 18, Section 18.15, Wyoming Town Charter of 2010, designates superintendence and oversight of all roads, streets and squares, lanes and alleys now opened or hereafter to be opened, within the limits of the Town; and

WHEREAS, resident concerns have been received by Mayor and Council that there is considerable traffic congestion at the intersection of Old North Road and N. Caesar Rodney Avenue at the Camden/ Wyoming Post Office; and

WHEREAS, resident concerns have been received that there is considerable traffic congestion at the new entrance for the Caesar Rodney District Office and the W. B. Simpson Elementary School on Old North Road; and

WHEREAS, many students attending the W. B. Simpson Elementary School, the Fifer Middle School, and the Caesar Rodney High School walk to and from their respective schools in the area of where North Caesar Rodney Avenue and Old North Road intersect; and

WHEREAS, numerous residents have approached Mayor and Council with safety concerns due to the congestion of traffic on North Caesar Rodney Avenue where it intersects with Old North Road; and

NOW THEREFORE, be it resolved by the Town Council of the Town of Wyoming, a majority thereof concurring in Council duly met, that:

The Town Council does hereby approve "No Parking" on the south side of Old North Road for 75 feet west of N. Caesar Rodney Avenue, "No Parking" for 231.8 feet south of Old North Road on the west side of North Caesar Rodney Avenue to North Street, and "No Parking" on the east side of North Caesar Rodney Avenue from Old North Road to Camden Wyoming Avenue.

This will certify that this is a true and correct copy of the Resolution duly adopted by the Town Council of the Town of Wyoming at a regularly scheduled meeting on the 5th day of December, 2011.

So Certifies:

Attest: Pamela B. Haddock 12/5/11
Town Clerk Date

Mayor Frankie Dale Rife
Mayor Frankie Dale Rife