



Town of Wyoming
Council Meeting Minutes
Wyoming Town Annex
September 19, 2012
7:30 P.M.

REGULAR TOWN COUNCIL MEETING

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

PLEDGE OF ALLEGIANCE – Mayor Rife

MOMENT OF SILENCE FOR OUR TROOPS – Mayor Rife

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, Richard Snyder

Audience attending: Richard & Joyce Stockslager, Gene & Carol McFann, Barbara Gooden, Kim Bomberger, Lisa Fulcher, Mike Marasco

ADOPTION OF AGENDA

Ms. Williams made a motion to accept the agenda as published. Ms. Stokes seconded the motion. All in favor; none opposed.

ADOPTION OF PREVIOUS MEETING MINUTES

- *Mr. Witt made a motion to approve the minutes for July 2, 2012 which have been corrected and the minutes for August 13, 2012. Ms. Stokes seconded the motion. All in favor; none opposed.*

TREASURER'S REPORT

- Ms. Williams presented the Treasurer's Account Balance Report. There were no questions.
- Ms. Williams presented the Budget Update Report. There were no questions.
- Ms. Williams presented the Check Register for July. There were no questions.

Mr. Witt made a motion seconded by Ms. Greenwood to accept all three parts of the Treasurer's Report. All in favor; none opposed.

POLICE REPORT – Chief Martin Willey

- Chief Willey gave the police report for July. The written report is part of the council packet.

FIRE COMPANY REPORT

- No one was available to give a report.

PLANNING & ZONING

- No one was available to give a report as there was no meeting held this month.

BUILDING INSPECTOR REPORT/ CODE VIOLATION REPORT

- Mr. Snyder was present to give a building permit report; however, a written Building Inspector Report is in the packets.
- The property at 101 Front Street has had one of the vehicles removed and it appears that something is possibly being done to the other one. The property owners were tied up with a police issue and unable to be at the meeting. *Mr. Witt motioned and Ms. Stokes seconded to table this issue until the October 1st meeting to see if more gets done and give the owners another opportunity to be present. All in favor; none opposed.*
- 5 N. Layton is in the process of being sold but the sale is not final yet. *Ms. Stokes made a motion seconded by Ms. Greenwood to table until next month to be sure the sale goes through, and, if so, this item will be removed from the agenda. All in favor; none opposed.*
- The property at 6 and 6L Old North Road has made some minor repairs but none of the major work we asked to be taken care of has been done. The deadline was 30 days after the August 13th meeting and the 30 days are past. *Mr. Witt made a motion to pass a resolution stating that this property is in violation of Ordinance #17-07 with Amendment #1 “An Ordinance Establishing a Procedure for the Determination and Abatement of Public Nuisances within the Town of Wyoming and Providing Penalties for Violations Thereof. Ms. Williams seconded the motion. All in favor; none opposed.*
- 48 S. Mechanic Street is approximately 85% done. It was suggested that we send the property owner another letter thanking him for what has been done and encouraging him to finish up several more items by the November 5th meeting. *Ms. Stokes made the motion to send letter and revisit this property at the November 5th, 2012 meeting. Mr. Witt seconded the motion. All in favor; none opposed.*
- 21 Front Street has completed all the work that we requested them to do. According to what the owner told Mr. Snyder, they are planning to sell the property. This property will be removed from our violation list.
- 24 South Mechanic Street has had some clean-up done such as grass mowing but nothing else has been cleaned up and there has been no contact from the company that is handling the property. *Ms. Williams made a motion to pass a resolution stating that this property violates Ordinance #17-07 with Amendment #1 “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 seconded the motion. All in favor; none opposed.*

C/W SEWER & WATER REPORT

- There was no one available to give a report.

PARK/STREET REPORT

- Mr. Witt reported that we have really had heavy use of the park pavilion this summer. It was booked for two parties this past Saturday and two on Sunday. Mr. Stockslager questioned whether we had decided anything on charging for use of the pavilion. Mrs. Haddick stated that she has been in touch with our attorney and he is researching deeds for any restrictions.
- Mr. Witt also reported that a bird bath and granite marker have been placed next to the Wyoming sign on the corner of Caesar Rodney and Camden Wyoming Avenues in dedication to Ms. Rose Chatto who donated the corner land to the Town. Mike Marasco donated the bird bath and Billy Pippin donated the marker. We will be planning a dedication ceremony in October, possibly the 13th or the 20th. The date will be finalized at the October 1st meeting and will be in the October newsletter.
- Ms. Haddick stated that we have heard from DNREC and they are planning for the second phase of planting at the Wyoming Park on Saturday, October 6, 2012. The Town will once again be providing lunch for the volunteers.

COMMITTEE REPORTS

- None

UNFINISHED BUSINESS

- None

NEW BUSINESS

- Mayor Rife did the first reading of a possible new ordinance #24-12 “Placement of Goods, Wares, & Merchandise on Sidewalks.” Mr. Witt stated that he didn’t like this ordinance because he feels it is not specific enough. It can be construed in many ways and he feels it was aimed at just one business in town. Ms. Greenwood stated that she, Mr. Witt and Ms. Stokes were not informed of the need for an ordinance like this prior to the attorney being notified to write it for us. Mr. Gene McFann, the owner of the property, stated that this property has been a store of some kind since the 1800’s and this has never been a problem before. When it was stated that the town had received several complaints from people not being able to walk the sidewalk in front of the store and not being able to see clearly when stopped at the stop sign on Grant Street, Ms. Greenwood asked if they were in writing. They were not. They were all phone calls. Mr. McFann asked why we had not just called the store owners or him as they would have taken care of the situation right away. Ms. Haddick stated that she had called and spoken with one of the store owners who was very agreeable on the phone, but nothing appeared to change after the call. Ms. Gooden, the store owner that Ms. Haddick spoke with, stated that as soon as Ms. Haddick called, she went out and cleared the items off the corner. There was apparently a miscommunication here. Ms. Haddick meant all across the front of the walk and Mrs. Gooden thought she meant just on the corner. Mr. Snyder was asked his opinion of what should happen. He walked down and looked at the sidewalk in front of the store. When he came back he stated that there were 3 ½ pads to the entire concrete area. He feels that the 1 ½ pads adjacent to the street should be left clear and the 2 pads next to the building were fine to place things on for display. The store owners then asked if they could decorate the poles in front of the store with corn stalks for the fall season. The answer was “no.” Anything around those poles blocks vision from the stop sign on Grant Street. Mr. Snyder then said that as long as what they put up is less than three feet in height, it shouldn’t block vision. There will be more discussion on this ordinance at the October 1st meeting and the second reading will not be done until the November meeting.

- The spreadsheet of the possible new fees for building permits was not available as planned so it will be tabled until the October meeting.
- The University of Delaware IPA has sent us a proposal for doing a rezoning of a parcel that was improperly zoned on the Land Use and Development Code Zoning Map. The proposal is for \$2,500.00. This is the group who did the initial work on the Code when it was first adopted. Some discussion ensued. *Mr. Witt made a motion to accept their proposal. Ms. Stokes seconded the motion. 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. Yard Sale – 9/22/12, 7:00 am
- B. Town Council Meeting – 10/1/12, 7:30 pm, Annex
- C. Phase 2 of the planting at the Wyoming Park – 10/6/12, 9:00 am
- D. Planning & Zoning – 10/9/12, 7:30 pm, Annex
- E. CWSWA – 10/9/12, 7:00 pm, CWSWA office

GOOD NEWS

- Mayor Rife stated that Ms. Susan Hoffmann, the nurse at the W. B. Simpson Elementary School, has been named the Delaware School Nurse of the Year for 2012/2013. An awards program has been scheduled for her on Thursday, September 27, 2012 at the school. Mayor Rife will be attending and reading a tribute to her from the Town Council which they have all signed.
- Mayor Rife gave the Peach Festival Committee a Certificate of Appreciation for all the many hours of hard work and dedication they have given to the Festival and the Town of Wyoming.

PUBLIC COMMENTS

- Mr. Gene McFann questioned whether everything that was discussed about the sidewalk in front of his store property would be in the minutes. He was told “yes.”
- Mr. Marasco asked what the rezoning amendment issue was about. Ms. Haddick explained that the Wynsome Knoll property was annexed into the town as R2. It has recently come to our attention that the zoning map shows it as R1. The Wynsome Knoll developers want to buy a small portion of the CW Little League property and it was during the research of this that we realized the mistake. There may be a few other changes that also will be made but this is the major issue.
- Mr. Marasco also stated that he did not feel that the storefront issue was handled properly and made some rather rude remarks to council. Mayor Rife thanked him for his opinion and his comments.
- Mr. Marasco asked if the town had an accounting of how many hours our part time summer help spent on painting Stokes Square and the Annex. Ms. Williams stated that she did not have that information in front of her but she will put a report together that she will give at the next public meeting. He also asked if he was being paid mileage for using his own truck. Ms. Haddick told him “no.”
- Ms. Lisa Fulcher questioned the new police officer status, whether anyone had been offered the job yet and when the targeted start day would be. The Chief is still going through the applications and has not scheduled interviews yet.

- Ms. Fulcher also questioned why there were 2 checks written for carpet, one to Tom's Floor Covering marked "office" and one to Tom Armstrong marked "Annex." Ms. Williams explained that they were both for the Annex; one was to pay for the carpet and the other to pay for the installation.

Council took a break at 8:55 p.m. Ms. Greenwood asked if she could be excused from the rest of the meeting as she was not feeling well due to the new paint and carpeting in the Annex. Council understood and excused her from the remainder of the meeting.

Ms. Williams made a motion to move into Executive Session to discuss some personnel issues at 9:00 p.m., seconded by Mr. Witt. All in favor; none opposed.

Council entered back into regular session at 9:50 p.m.

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

The meeting adjourned at 9:53 p.m.

Respectfully Submitted,
Pamela Haddick, CMC
Town Clerk