



Town of Wyoming  
Council Meeting Minutes  
Wyoming Town Annex  
April 7, 2014  
7:30 P.M.

REGULAR TOWN COUNCIL MEETING

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

PLEDGE: Mayor Rife

MOMENT OF SILENCE FOR OUR TROOPS: Mayor Rife

ROLL CALL

Council attending: Mayor Dale Rife, Vice Mayor Terry Witt, Treasurer Georgette Williams, Councilwoman Lisa Fulcher

Council absent: Jacqueline Stokes

*Ms. Williams made a motion to excuse Ms. Stokes from the meeting as she is ill. Mr. Witt seconded the motion. All in favor; none opposed; motion passed.*

Staff attending: Town Clerk Pamela Haddick, Building Inspector/Code Enforcement Officer Richard Snyder

Audience attending: Joyce Stockslager, Mike Quinn, Kyle Dixon, Mike Marasco

ADOPTION OF AGENDA

On the agenda, the date on the March meetings was March 3, 2014. This needs to be corrected to March 7, 2014 on both the meeting and the executive session minutes. Also the minutes for the March 29, 2014 Budget Workshop have not been completed yet. They will be included on the May agenda. *Mr. Witt made a motion seconded by Ms. Williams to accept the agenda as corrected. All in favor; none opposed; motion passed.*

ANNOUNCEMENTS

- Good News: Mayor Rife read a tribute to The Honorable Myron Steele, Esquire, former Solicitor for Wyoming from 1976 to 1986 and Supreme Court Chief Justice of Delaware from 2004 to 2014.
- Mayor Rife met with a gentleman from Del-DOT on Southern Boulevard to discuss the storm drains. He found he had brought the wrong map but will be looking further into the situation.

## MAYOR'S REPORT

- Camden Wyoming Sewer & Water Authority accepted a \$10,000.00 deposit from the developer of Winterberry Woods.
- Georgette Williams, Jaci Stokes and Pam Haddick attended the March DLLG Dinner Meeting with the mayor. The written responses to questions asked of Governor Markell about the proposed \$.10 per gallon gas tax at the February meeting have been received and placed on the website.
- The CDB Grant application has been submitted by Kent County and we are waiting for a response. It will probably be June or July before we hear anything.
- Boy Scout Troop 24 of Wyoming is still working on a sign to add to our Johnson Square sign. It should be ready soon.
- We are still working on deciding on a place to put the new maintenance building. The estimate from Delmarva Pole was \$22,686.00. This does not include electric or insulation and closing in of the walls. We will be putting this out for bid.
- The police department has purchased a new Ford Explorer – Police Interceptor Edition.
- The police department has also purchased new desk computers for all the officers. They have been installed and are up and running; they are just ironing out a few glitches. These were purchased with funds from the SALLE Grant.
- The office has ordered a new server for Town Hall.

## ADOPTION OF PREVIOUS MEETING MINUTES

- On page 4 of the 3/7/14 minutes under Annexation, change the minutes to clarify that the Council will move forward with the annexation at Mr. Marasco's request. *Ms. Williams made a motion seconded by Mr. Witt to approve all three sets of minutes. Mr. Witt, Aye. Ms. Williams, Aye, Mayor Rife, Aye. Ms. Fulcher not voting. Motion passed.*

## TREASURER'S REPORT

- Ms. Williams presented the Treasurer's Report for March. Miss Fulcher questioned why there were two checks to Verizon, one to Verizon and one to Verizon Wireless. Ms. Williams stated that the one to Verizon was for the office phones. The one to Verizon Wireless is for Lew's cell phone and the air cards for the police car computers. *Ms. Fulcher made a motion to accept all three parts of the Treasurer's Report subject to audit. Mr. Witt seconded the motion. All in favor; none opposed; motion passed.*
- Ms. Williams stated that she had submitted the estimate on the security system for Town Hall and Police Station to the grant people. They feel very positive that we will get the funds to cover that.

## POLICE REPORT

- Chief Willey was not available to give a report.

## FIRE COMPANY REPORT

- Mr. Glenn Neese was present to give the report. EMT crews responded to 238 medical calls last month. Fire and Rescue responded to 38 alarms, 11 motor vehicle collisions, 12

reported building fires, 2 out of town assists (Felton), 5 assists with the ambulance, and 8 miscellaneous responses. On-the-road time with the apparatus was 10.2 hours; average number of volunteers per alarm was 12; average number of calls per day was 9. On April 13<sup>th</sup> the Fire Company will be holding an Open House from 12:00 noon to 4:00 p.m. On the 19<sup>th</sup> they will be holding lunch with the Easter Bunny. The monthly Sunday morning breakfasts will no longer be held. There is an issue with Hall Rentals from Saturday night not being cleaned up for the Sunday morning breakfast. The new ambulance was discussed and Mr. Neese stated that the next thing they will be working on funding is a new fire truck. The oldest one they have is thirty years old and needs to be replaced soon.

#### C/W SEWER & WATER REPORT

- Mr. Quinn was present but had nothing to report.

#### PLANNING & ZONING

- Kyle Dixon was present and was able to report on the last planning & zoning meeting. They met with Linda Raab from the University of Delaware IPA to discuss the Comprehensive Plan maps and zoning maps.
- Mike Marasco spoke of the unfairness of the way his annexation request has been handled and how long it has been since he first applied.
- Mayor Rife explained that what Mr. Marasco wants to do with his property on Westville Rd. is currently not permitted in the Town of Wyoming as per the Comprehensive Plan. Planning & Zoning is working on making some changes to the Comp Plan. One of the changes that Planning and Zoning is considering is some Mixed Use areas in the gateway regions of the Town of Wyoming. After all the changes are completed for the Comp Plan an amendment will still need to be done for the Land Use and Development Code to either set up a new zoning code or tweak an existing one to allow for some mixed use. As per Linda Raab, from University of Delaware this could take up to 18 months to complete. In the meantime, if Mr. Marasco requests that we move forward on his annexation, we will do that as a residential property as per out Comp Plan. Then when all the changes are done, he can apply to rezone the property on Westville Rd.
- Ms. Fulcher stated that she has not received all the emails regarding this and she wants to be copied on everything in the future. She also stated that Nicole referred to “council” in her communications to Mr. Marasco; however, council did not discuss, approve, receive all of the communications that were referenced nor did they have any say in the matter.

#### BUILDING INSPECTOR REPORT/ CODE VIOLATION REPORT

- Mr. Snyder has made numerous calls to the Deutsche Bank in reference to 46 Mechanic Street. The gentleman that he spoke with once before is not responding to his calls. He has called again and asked for this gentleman’s supervisor. This man is not aware of anything on this property so Mr. Snyder asked Pam to contact him and send him all the information that we have previously sent on this issue.
- The owners of the property at 6 Old North Road have requested an appeal to the Order to Demolish the property. Mr. Schrodinger was present at the meeting. He stated that he has started making some of the listed repairs. Mr. Snyder referred to the meeting the Schrodinger had with him and Mayor Rife back in early October. He told the Schrodinger at that time that he would give them some time to complete the interior repairs but that the exterior repairs must be done prior to the end of their previous building permit which was to expire on December 26, 2013. They agreed at that time to do this. Other than covering the exterior basement opening with a metal door, none of the other exterior work has been done. *After much discussion Ms. Williams made a motion to allow the Schrodinger to make a \$350.00*

*payment on their property tax agreement to get it caught up and to agree to continue making the agreed upon monthly payments. Once this is done, we will grant them a 90 day permit to complete all the work needed to make this property up to code. Mr. Snyder is to have the right to inspect that things are being properly done during this time. They will need to sign a new financial agreement. Mr. Witt seconded this motion. All in favor; none opposed; motion passed.*

- Mr. Marasco asked what was going on with the property at 6 S. Railroad Avenue. He doesn't understand why we are so adamant about the 6 Old North Road property but we are letting the 6 S. Railroad Avenue property continue doing nothing. He was told that we have put this in our attorney's hands.
- Mayor Rife explained that we have received a letter of resignation from Mr. Dave Van Kavelaar from the Planning & Zoning Commission. *Mr. Witt made a motion seconded by Ms. Williams to accept Mr. Van Kavelaar's resignation from the committee. All in favor; none opposed; motion passed.*
- *Ms. Williams made a motion to appoint Mr. Doug Denison to fill the seat on the Planning & Zoning Committee that was left vacant after the resignation of Mr. Rick Eachus. Mr. Witt seconded the motion. All in favor; none opposed; motion passed.*
- Mr. Marasco asked that Mr. Van Kavelaar's resignation letter be read. Ms. Haddick read the letter.

#### PARK/STREET REPORT

- Mr. Witt reported that Lew has started repairing some pot holes in Town. He has used 15 bags of cold patch so far.
- Mayor Rife stated that she has received a quote from the Town of Camden for sweeping our streets. The price they quoted is \$115.00 per hour which is considerably lower than the others we have received. This includes everything including disposal of the debris picked up. We will only be having them sweep the streets that are NOT state maintained. Nicole will send them a list of streets to be done (4.62 miles.) They will probably sweep about twice a year and only on the Town maintained roads.
- Ms. Fulcher stated that the mulch for the playground areas in the Park has been ordered. It is due in around the 16<sup>th</sup> but they will contact Lew 24 hours in advance of delivery.
- Lew has taken a park grill to Mr. Spruill's Machine Shop on Mechanic Street to see if they can be repaired. Mr. Spruill says he can put a steel bottom on the grills that will cover the holes and add about 5 years of life to the existing grills for \$32.00 for each of the 2 double grills. Council agreed to have them repaired.
- The park bathrooms are now open and the port-a-potty is gone.

ANNEXATION – discussed under Planning & Zoning

#### UNFINISHED BUSINESS

- #27-14 Floodplain Ordinance – All Council was sent a copy of the new Floodplain Ordinance. Due to this ordinance being 25 pages long, council dispensed with the second reading of the ordinance. *Ms. Williams made a motion seconded by Mr. Witt to adopt the #27-14 Floodplain Ordinance. All in favor; none opposed; motion passed.*
- The ordinance amending the prior amendment to the Land Use and Development Code was discussed. Mayor Rife summarized what the amendment to the amendment is for. Ms. Fulcher suggested that the town repeal this ordinance in its entirety and stop wasting time and money on it. *Mr. Witt made a motion seconded by Ms. Williams to table discussion of this ordinance until the May meeting. All in favor; none opposed; motion passed.*

- The copy of #2-11 Ordinance Regulating Excess Noise in the Town of Wyoming that Mr. Edwards had added specific times to under Section 4, C and D was discussed. Ms. Fulcher questioned why the ordinance was being changed and Dale stated that the lawyer periodically reviews our ordinances and that there were no requests or complaints for this change. *Ms. Williams made a motion to leave this ordinance alone as it stands; Mr. Witt seconded this motion. All in favor; none opposed; motion carried.*

## NEW BUSINESS

- Liaison/Representative to the DeLea Founders Insurance Trust was discussed. *Mr. Witt made a motion seconded by Ms. Fulcher to appoint Ms. Georgette Williams as the Liaison/Representative to DFIT as she has worked with them from the beginning. All in favor; none opposed; motioned carried.*
- Mayor Rife stated that the Mike Brown Scholarship Funds are getting low. There is approximately \$600.00 left in the account. Once we have paid out this year's scholarship of \$500.00 and received the \$250.00 donation from the Buffalo Stampede that we always deposit into that account, there will not be enough left in the account to fund a \$500.00 scholarship next year. It will be necessary to either find more funding for this account or to stop giving the scholarship. Ms. Fulcher felt the discussion on this should be tabled until Chief Willey can be present as he had expressed interest in the police department taking the scholarship over. Mr. Kyle Dixon, councilman elect, stated that he would be willing to help the police department with fundraising for the scholarship. Ms. Fulcher told Mr. Dixon that she would be willing to help also.
- The mayor announced that she is getting quotes from three different contractors to build the exterior stairs at the Annex. She is still waiting for some adjusted figures in order to be sure all three are quoting on exactly the right thing. Discussion ensued as to whether we could just replace the pull down stairs that we already have with a more heavy duty, wider set of steps to make them safer rather than put out the money to build an exterior stairway. This will be tabled until the May meeting.
- Mayor Rife announced that Representative Blakey had called and offered Wyoming some money to do some street work. We have sent out requests for estimates from a couple of companies in order that Mr. Blakey will know how much to set aside for us. We have several projects in mind and we are asking for separate quotes on each one. We can then prioritize them once we know how much Mr. Blakey can give us.

CALENDAR OF EVENTS – Tentative schedule of meetings. Please check with Town Hall for any changes or cancellations.

- Town Council Reorganization Meeting – 5/5/14, 7:00 p.m., Annex
- Town Council Meeting – 5/5/14, 7:30 p.m., Annex
- CWSWA – 4/8/14, 7:00 p.m., CWSWA Office
- Planning & Zoning – 4/8/14, 7:30 p.m., Annex
- Peach Festival Committee Meeting – 4/15/14, 7:30 p.m., Annex

## PUBLIC COMMENTS

- Mr. Marasco questioned who decided on the list of streets that needed work – what steps were taken to justify or why? Ms. Fulcher questioned that also. As stated before, the streets will be prioritized once we find out estimates and what Mr. Blakey can give us.
- Mr. Marasco stated that he feels we should completely drop the Amendment to the Land Use & Development Code and leave it as it is. Once a plan is adopted it should be left as originally planned.

- Mr. Marasco questioned what the plan was for the stormwater basins on Southern Boulevard. Mayor Rife stated that the plan will depend on what Del-DOT says. We are hoping they will repair them if that is needed. There have been 8 small catch basins placed on private properties and at this time we do not know where they lead or if they are all tied into the main system or not.
- Mr. Marasco asked who the town had received a quote from on the maintenance building. We got an estimate from Delmarva Pole Building. Once it is determined where the building will be placed, the job will go out to public bid.
- Mr. Marasco asked some questions about the Layton Avenue pump station project.
- Mr. Marasco asked how many survey questionnaires had come back from the approximate 600 that were sent out. The answer to that is 16.

#### COUNCIL COMMENTS

- There were none.

Council took a break at 10:05 p.m.

*Mr. Witt made a motion seconded by Ms. Williams to go into Executive Session. All in favor; none opposed; motion carried.*

Council moved into Executive Session at 10:12 p.m.

Council entered back into Regular Session at 10:29 p.m.

*Mr. Witt made a motion seconded by Ms. Fulcher to adjourn. All in favor; none opposed; motion passed.*

The meeting adjourned at 10:31 p.m.

Respectfully Submitted,  
Pamela Haddick, CMC, Town Clerk