



Town of Wyoming
Council Meeting Minutes
March 1, 2021 6:30 P.M.
Virtual Meeting

REGULAR TOWN COUNCIL MEETING

CALL TO ORDER – Mayor Bilbrough called the Meeting to order at 6:31 p.m.

PLEDGE OF ALLEGIANCE – Mayor Bilbrough

MOMENT OF SILENCE – Mayor Bilbrough

ROLL CALL

Council attending: Mayor- Steve Bilbrough; Vice-Mayor, Doug Denison; Treasurer, Kyle Dixon, Secretary, Tracy Johovic and Council Person, Carlen Kenley

Council absent: None

Staff attending: Chief Martin Willey, Town Clerk, Roseann Lamar, Office Manager Michael Wooleyhand and Clerk of Council, Audrey Lindale.

Audience attending: Tom Lindale, Joyce Stockslager, Mike Marasco and Charles Traylord.

PUBLIC COMMENTS

- None

ADOPTION OF AGENDA

Mr. Denison moved with a second by Mr. Dixon to approve to agenda as presented. Mayor Bilbrough, Mr. Denison, Mr. Dixon, Ms. Johovic and Mr. Kenley, Aye. None Opposed. Motion carried.

ANNOUNCEMENTS – GOOD NEWS

- Mayor Bilbrough stated that the park renovations are moving along and should be completed by April.
- Mayor Bilbrough stated that Sgt. Baker is almost complete with K-9 training and will be required to train 2 days a month to keep up to date. K-9 has been on duty.

ADOPTION OF PREVIOUS MEETING MINUTES

- February 1, 2021- Council Meeting
- February 1, 2021- Executive Session

Mr. Denison moved with a second by Ms. Johovic to adopt the meeting minutes as presented. Mayor Bilbrough, Mr. Denison, Mr. Dixon, Ms. Johovic and Mr. Kenley Aye. None Opposed. Motion carried.

TREASURER'S REPORT

- Mr. Dixon presented balances, profit and loss reports and check register to council for review.
- Discussion ensued regarding past due taxes, base and trash balances.
- Mr. Kenley asked for clarification of codes on report.
- Mr. Wooleyhand explained the codes.

Mr. Denison moved with a second from Ms. Johovic to approve the reports as presented subject to audit. Mayor Bilbrough, Mr. Denison, Mr. Dixon, Ms. Johovic and Mr. Kenley, Aye. None Opposed. Motion carried.

POLICE REPORT

- Chief Willey presented January police report to council noting that the cutoff date was to read 2/21 not 1/21.
- February saw 114 traffic tickets, 2 arrests, 3 accidents, 0 DUI's and 91 total complaints that were handled by the WPD.
- Mr. Denison questioned if the vehicle was ready for the K-9.
- Mr. Wooleyhand stated that the vehicle has been outfitted and being used.
- Chief Willey advised council that planning for the Annual Easter egg hunt and fishing derby were taking place on Thursday March 4th. WPD will be proceeding with events.

FIRE COMPANY REPORT

- None

C/W SEWER & WATER REPORT

- Mrs. Lindale advised of onsite meeting with Mr. Wooleyhand, Mr. Reed and Mr. Scott from CWSWA at the Greens of Wyoming regarding the streets.
- CWSWA questioned why they have to fix roads when they cut into them and the developers/builders do not.
- It was advised that the developer had been contacted and that they will be fixing roads when the weather warms as they do not like to cold patch the roads.
- Mr. Denison questioned the progress on the adopting the streets in the Greens of Wyoming.
- Mr. Wooleyhand advised that the lawyers are in the process of finalizing the line of credit.

PLANNING & ZONING

- Mrs. Lamar advised at their last meeting there was a lot line adjustment for Mr. Fennemore and Delmarva Pole Building presented a site plan for their upcoming new construction.
- The Comprehensive Plan was behind as meetings had been cancelled due to lack of quorum.
- Mrs. Lamar advised that she would be emailing council a copy of plan to council for their review. She asked that council email back any concerns, questions or changes they would like to see.
- Mayor Bilbrough questioned the number of members vs. quorum needed as the committee currently only has 3 members.
- Mr. Denison advised that quorum is based on total members which is suppose to be 5 members.
- Mayor Bilbrough advised that flyers had been delivered regarding open positions on the town's committees. Town staff had received a couple of calls showing interest.

BUILDING PERMITS

- Mrs. Lamar advised that we have only had 1 new building permit for February.
- Council was advised that D.R. Horton recently dropped off 8 new construction permits.

CODE ENFORCEMENT

- Council was advised that 3 letters had been sent for untagged cars in February and all had been resolved.
- Mrs. Lindale advised that an arborist from urban forestry had come out to assess a tree on S. Mechanic Street. The tree was found to be hazardous and a letter sent to home owners.

PARK/STREET

- Mr. Kenley advised council of the following:
 - Bids for paving are in progress.
 - Punch list was made for bathrooms.
 - ADA walkway to bathrooms has not been started due to weather.
 - Awaiting electrical quotes for pavilion as schedule electrician did not show.
 - Tree grants- awaiting bids to submit grant application.
 - Dump Truck has an oil leak and will be going to shop to be fixed.
 - Town staff is working on part-time ad for maintenance.

PEACH FESTIVAL

- Ms. Johovic advised that planning for the Peach Festival is moving forward.
- The committee is focusing on making it more family friendly and less business oriented keeping the small town feel.
- Next meeting is the 3rd Wednesday in March in person for those who would like to attend.

NEW BUSINESS

- **Urban Tree Resolution**
 - Mrs. Lindale explained that the resolution was needed for the grant through Urban Forestry.
 - The resolution was read to council.
 - Mr. Kenley expressed concerns as to where trees would be planted, noting that we need to avoid powerlines.

- Mr. Denison added that expanding the tree canopy was also addressed in the Land Use and Development code with landscaping in developments and business parks.

Mr. Denison moved with a second from Ms. Johovic to adopt Urban Tree Resolution. Mayor Bilbrough, Mr. Denison, Mr. Dixon, Ms. Johovic and Mr. Kenley, Aye. None Opposed. Motion carried.

- **Paving Quotes**

- Mrs. Lindale explained the quotes to council and advised that W. Third is a priority due to the ADA improvements at the Wyoming Park.
- Council was advised that we would not be able to pave all roads that we acquired quotes for but we are looking into quotes for Price St. Alley and Wyoming Mills entrance.
- Mr. Denison stated that the town needs all streets evaluated with a list of priority streets for future funding.
- Discussion ensued of quoted prices for W. Third St.

Mr. Denison moved with a second from Mr. Dixon to contract with EFG Paving for W. Third St. paving. Mayor Bilbrough, Mr. Denison, Mr. Dixon, Ms. Johovic and Mr. Kenley, Aye. None Opposed. Motion carried.

- **Wyoming Business Park**

- Mayor Bilbrough advised that staff reached out to several engineering firms for quotes to review the plans for the Wyoming Business Park.
- Lawyer via email stated that the developer is responsible for the review by a 3rd party and states so in the Land Use and Development Code.
- Mr. Wooleyhand reviewed the estimates with council with Davis, Bowen & Friedel, Inc quoting \$8,500 and Scott Engineering quoting \$4,500.
- Discussion ensued regarding estimates.
- Developer will need to pay for review before plans will be sent for review.

Mr. Denison moved with a second from Mr. Dixon to contract with Scott Engineering to review the plans for the Wyoming Business Park. Mayor Bilbrough, Mr. Denison, Mr. Dixon, Ms. Johovic and Mr. Kenley, Aye. None Opposed. Motion carried.

UNFINISHED BUSINESS

- **Camden Wyoming Sewer and Water Authority appointment**

- Council was presented with an email sent by Mr. Quinn that he would be interested in continuing on the board with the CWSWA.
- Ms. Johovic advised that she would like to have a report at council meetings from one of the board members as it was done in the past.
- Mr. Denison suggested that staff send out an email to the board members for a report for council.
- Mayor Bilbrough motioned to reappoint Mr. Quinn.

Mr. Denison moved with a second from Mr. Kenley to reappoint Mr. Quinn to the CWSWA board. Mayor Bilbrough, Mr. Denison, Mr. Dixon, Ms. Johovic and Mr. Kenley, Aye. None Opposed. Motion carried.

- **Ordinance #17-07**
 - Council received clarification of when fines should be assessed.
 - Fines will be assessed after 30 days deadline. Fines can be retroactive back to original date of violation if not abated by violator.
 - Mayor Bilbrough advised that ordinance be sent to lawyer so that amendments are combined and fines clarified.

- **Permit Fees**

Residential Construction Fees

- Mr. Wooleyhand explained the example forms presented to council for demolitions, residential and commercial construction.
- Mr. Wooleyhand explained the permit fee calculations through examples based off of a current new construction permit for Schoolview using a variety of rates.
- Discussion ensued regarding the rates that were presented.
- Mrs. Lamar explained the town’s current fees and how they are computed compared to the new proposed fees.
- Mayor Bilbrough proposes that a school fee be added to help with the impact of new construction will have on schools.
- Mayor Bilbrough expressed concern with ongoing issues with First State Inspections and advises that we may need to look into other companies.
- Mr. Denison pointed out his concerns with the bullet points listed on the permit application.
- Mr. Wooleyhand advised that changes would be made to the application.
- Mayor Bilbrough questioned if the percentages included the Safety Impact Fee.
- Mr. Wooleyhand advised that towns have increased the percentage to include the impact fee.
- Proposed residential new construction fee:
 - Permit fee - 2%
 - Camden Wyoming Fire fee – 0.5%
 - Caesar Rodney School fee – 0.25%
 - Wyoming Police Department fee – 1%

Mr. Denison moved with a second from Ms. Johovic to accept the new Residential Building fees based on Kent County’s formula to be effective immediately. Mayor Bilbrough, Mr. Denison, Mr. Dixon and Ms. Johovic,, Aye. Mr. Kenley- not voting. Motion carried.

Commercial Construction Fees

- Ms. Johovic questioned what is meant by fit out only fee.
- Mr. Wooleyhand explained that the building is a shell and will outfitted later for the lease/buyer.
- Mayor Bilbrough recommends taking out the school fee as commercial doesn’t impact the school system.
- Mr. Dixon suggested leaving the school fee into commercial permits.
- Proposed new construction commercial fee:
 - Permit fee – 2% under \$15,00 sq. ft.
 - Permit fee - 2.25% over \$15,000 sq. ft.

- Wyoming Police Department fee- 1%
- Camden Wyoming Fire Department fee – 0.5%
- Caesar Rodney School fee – 0.25%
- Fit out fee – 2%
- Ms. Johovic asked how the school was given the money. Was it sent directly to the school or to the district office?
- Mr. Bilbrough explained that it would go to district office and put into that school’s budget.
- Mr. Denison clarified that commercial does not refer to zoning but rather the building type.

Mr. Denison moved with a second from Mr. Dixon to accept the new Commercial Building fees based on Kent County’s formula to be effective immediately. Mayor Bilbrough, Mr. Denison, Mr. Dixon, Ms. Johovic and Mr. Kenley, Aye. None Opposed. Motion carried.

Residential Renovation Fees

- Tabled until next meeting
- **Savannah Farms**
 - Mayor Bilbrough explained that situation with the tax abatement on Savannah Farms property.
 - Council did not vote to abate this property and that the abatement the previous mayor approved was not legal.
 - Wyoming’s town charter states that tax abatement cannot be longer than 7 years. Savannah Farms was annexed in town well over 7 years ago.
 - Discussion ensued regarding advice from lawyer.

Mr. Denison moved with a second from Mr. Dixon to start sending tax bills in July 2021 to the owners of Savannah Farms. Mayor Bilbrough, Mr. Denison, Mr. Dixon, Ms. Johovic and Mr. Kenley, Aye. None Opposed. Motion carried.

CALENDAR OF EVENTS

- Peach Festival Committee, 3/17/2021 @ 7pm- Town Hall
- Planning & Zoning Meeting, 3/24/2021, @ 6:30 p.m.
- Town Council Meeting, 4/5/2021, 6:30 p.m.- virtual.
- CWSWA Quarterly Meeting, 4/13/2021, 7pm- virtual

PUBLIC COMMENTS

- Mr. Marasco thanked council for thinking of the school district with the new permit fees.
- Mr. Marasco also thanked council and staff for their work fixing the problems that have been found.

COUNCIL COMMENTS

- None

EXECUTIVE SESSION

Mr. Denison moved with a second from Ms. Johovic to enter executive session at 8:43pm. Mayor Bilbrough, Mr. Denison, Mr. Dixon, Mrs. Johovic and Mr. Kenley, Aye. None Opposed. Motion carried.

- **Employee Evaluation**

Mr. Dixon moved with a second from Mr. Denison to accept the personnel action discussed in Executive Session. Mayor Bilbrough, Mr. Denison, Mr. Dixon, Ms. Johovic and Mr. Kenley, Aye. None Opposed. Motion carried.

Mr. Denison moved and was seconded by Ms. Johovic to adjourn meeting at 9:27pm. Mayor Bilbrough, Mr. Denison, Mrs. Johovic and Mr. Kenley, Aye. None opposed. Motion carried.

The meeting adjourned.

Audrey Lindale
Clerk of Council