

**MINUTES of the REGULAR
ZOOM TELECONFERENCE
TOWN COUNCIL MEETING**

**October 13, 2020 @ 7:00PM
OCEAN VIEW, DE 19970**

1. CALL TO ORDER

Mayor Reddington called the meeting to order at 7:00 p.m. with the **Pledge of Allegiance**.

Present: Council Members Tom Maly, Frank Twardzik, Bert Reynolds, and Bruce White. Town Manager Carol Houck, Finance Director Dawn Parks, Police Chief Ken McLaughlin, Planning & Development Director Ken Cimino, Town Solicitor Dennis Schrader, and Town Clerk Donna Schwartz were present.

Mr. Schrader read the meeting Rules of Procedure to those present on ZOOM.

2. ADOPTION of Agenda

A motion was made by Council Member Maly, seconded by Council Member Reynolds, to adopt the agenda as presented. The motion carried unanimously 5/0.

3. APPROVAL of the Town Council Minutes

A motion was made by Council Member Maly, seconded by Council Member Reynolds, to approve the minutes of the Regular Meeting held on September 8, 2020. The motion carried unanimously 5/0.

A motion was made by Council Member Reynolds, seconded by Council Member White to approve the minutes of the Mediacom Special Meeting held on September 8, 2020. The motion carried unanimously 5/0.

4. COMMUNICATIONS & PRESENTATIONS

5. REPORTS

- A. **Financial (Dawn Parks)**
Report received and filed.
- B. **Public Safety (Ken McLaughlin)**
Report received and filed.
- C. **Planning, Zoning and Development (Ken Cimino)**
Report received and filed.
- D. **Town Manager (Carol Houck)**
Report received and filed.
- E. **Town Council**

6. CITIZEN'S PRIVILEGE ON AGENDA ITEMS - None

6. NEW BUSINESS

- A. **Introduction of Ordinance(s)** - None

B. Discussion, Consideration, and Possible Voting on a recommendation to amend the lease agreement with Ocean View Historical Society.

Synopsis: Town Council is being asked to approve the second amendment to the lease agreement for the property at 39 Central Avenue.

Town Manager Carol Houck briefly reviewed the amendment change to the lease agreement for Council. The original lease had some conflicting language regarding the use of the Hall's Store building. They will be using it as a visitor's center and education and community room. We are also adding some insurance requirements Council Member Maly questioned whether alcohol would be served on the premises and if they would need a special license for the gathering. Mrs. Houck replied that they would need a gathering permit from the DABCC. Council Member White asked if they would need any additional permits from the Town for their gathering license. Mrs. Houck replied no, nothing additional.

Council Member Twardzik was concerned about the liability for the Town of alcohol being served on the premises. Mr. Schrader stated it would be an insurance problem for the Ocean View Historical Society. He said the limiting factor is the Fire Marshal and the DABCC. Mr. Schrader said there would be no liability to the Town. Council Member Twardzik asked if the Town had the right of refusal. Mrs. Houck stated that they, OVHS, need the okay of the Town for their events because of the shared parking. She said that she would be the gatekeeper. Mayor Reddington asked where they get a gathering license. Mr. Schrader replied from the DABCC in Wilmington, which is done mostly over the internet.

A motion was made by Council Member Twardzik, seconded by Council Member Reynolds, to approve the amendment to the lease agreement. The motion carried unanimously 5/0.

C. Discussion, Consideration and Possible Voting on a recommendation to award a contract to George & Lynch, Inc for concrete and curb repairs in Bear Trap Dunes.

Synopsis: Town Council is being asked to award a contract for concrete and curb repairs in Bear Trap Dunes.

A motion was made by Council Member Maly, seconded by Council Member Twardzik, to approve the bid award to George & Lynch Inc for \$110,992.50. The motion carried unanimously 5/0.

D. Discussion, Consideration, and Possible Voting on the Public Safety Staffing Study.

Synopsis: Town Council is being asked to review of the Police Dept staffing study.

Chief McLaughlin briefly explained why he would like another officer added to the budget process for his department in FY22. He stated he has been awarded a grant of \$125,000 for new officers. Chief McLaughlin noted that he does currently has a recruit in training at the Delaware State Police Academy who was approved in the FY20

budget. Mrs. Houck suggested that Council and Staff refamiliarize themselves with the 2019 Staffing Study.

E. Discussion, Consideration, and Possible Voting on a recommendation for South Coastal Volunteers to use 32 West Avenue office space.

Synopsis: Town Council is being asked to approve use of Town Hall for South Coastal Volunteers.

Mrs. Houck explained who the South Coastal Volunteers are and what they do. She also explained that they need some office space and contacted her about using a room in Town Hall. She would like to offer them a trial lease from November to May at \$300 a month. No rent would be collected for November and December. Council Member White stated he was nervous about leasing office space in Town Hall and would like to have further discussion. He said doesn't think the Town should be in the rental business. Mrs. Houck said they would have access through the front door and responsibility for the building while it is open. We would perform pop-in check-ups periodically.

A motion was made by Council Member Twardzik, seconded by Council Member White, to allow the South Coastal Village Volunteers to use Town hall on a trial basis of six months. The motion carried unanimously 5/0.

F. Discussion, Consideration, and Possible Voting on upcoming Holiday Event Plans.

Synopsis: Town Council is being asked to approve upcoming holiday event plans.

Mrs. Houck outlined the holiday items she had planned for the 11/28 event. She said there would be a tree lighting, trail lights, photo-ops, and a bell choir video which would all be free to the public. She recommended the holiday items remain in the park during the holiday season from 11/28 through 1/1.

A motion was made by Council Member Maly, seconded by Council Member Twardzik, to support the holiday event planned by Mrs. Houck. The motion carried unanimously 5/0.

G. Discussion, Consideration, and Possible Voting on Ocean View Historical Society, Hall's Store As-Built Plan review and status.

Synopsis: Town Council is being asked to review the as-built plan for Hall's Store.

Mrs. Houck stated that the as-built plan has changes that do not match the original approved site plan for the Hall's Store. The items are the clam-shell driveway rather than paver driveway, no sidewalk on Central, and the landscaping plan. These are all items that could be waived for them to get their certificate of occupancy. Mrs. Houck said that the clamshells are fine with the Fire Marshal, however, they are not ADA compliant. She said the pavers would be ADA compliant. Mrs. Houck said she does not want to waive ADA accessibility. Council Member Twardzik stated he was concerned who would pick up the tab on the pavers.

Mr. Cimino stated that they were looking at like \$30,000 for permeable concrete walkways. The grade of the sidewalk is the same as the clamshells. Council Member Reynolds said Hall's Store is not connected to Town Council, so they should not waive things or should not pay for them. Mr. Reynolds said we must be very careful. Mrs. Houck noted that the property belongs to the Town. Mr. Reynolds stated they should have to follow the rules like everyone else.

Mr. Twardzik stated the Town purchased the house and lot for \$258,000 to expand the park. We gave them a gift of \$258,000 of taxpayer money. Council Member White expressed concern over not following through with ADA compliance. Mr. Twardzik said the Ocean View Historical Society is always looking for a bail out from something. Mayor Reddington suggested that the plan needed more work. Mrs. Houck said she would discuss the situation with the OVHS and bring the plan back to Council.

7. CITIZEN'S PRIVILEGE

Brenda Treherne, October Glory Avenue, spoke to the Council about the cat issue, and said there are rescue cat and kitten programs that work. They have had a huge success rate at BVSPCA. The major problem with the Town ordinance is the no feeding of the animals.

Mayor Reddington replied that he realizes that this is a very sensitive issue for both sides, but the Town does not want to be in the TNR business. He said we do not have an animal control officer in the Town. He stated people and property come first.

Nancy Ward sent an email to the Mayor and Council.

Chloe Stengl, Dorothy Circle, OV, asked Town Council to allow Coastal Cats Rescue to feed the cats to trap and rehome them. She suggested the Town help them.

Christie Nicholson, Anchorage Drive SB, asked if this ordinance meant they must stop feeding the birds.

8. ADJOURNMENT

A motion was made by Council Member Maly, seconded by Council Member Reynolds, to adjourn the meeting at 8:35pm. The motion carried unanimously 5/0.

Respectfully submitted,
Donna M. Schwartz, CMC,
Town Clerk