

The Town of Laurel
Mayor & Council Meeting
August 15, 2022

A Mayor & Council Meeting was held in the Mayor & Council Chambers at the Laurel Town Hall, on Monday, August 15, 2022, beginning at 7:00 p.m. The following persons were in attendance Mayor John Shwed, President of Council Chris Calio, Council Members Randy Lee, Robin Fisher-Cornish via ZOOM, Cheryl Martin via ZOOM, Jonathan Kellam, and Donald Holden. Also, in attendance were Director of Code Enforcement Ken West, Public Works Director James Foskey, Chief Dan Wright, Alderman Taylor Oliphant, Finance Manager Mary Introcaso, Recording Secretary Alexis Oliphant, and Town Manager Jamie Smith.

Mayor Shwed opened the Court of Appeals at 7:00 p.m. The purpose of holding the Court of Appeals is to listen to any citizen who wants to appeal the town's tax assessment for the FY 2023. Mayor Shwed inquired if the Court of Appeals was properly advertised. Town Manager Smith stated yes. Town Manager Smith advised Sussex County will be completing a new assessment on all properties scheduled for FY 2024. Mrs. Ann Davis, resident of Pine Street, inquired if the county is reassessing each property or just selecting a certain location. President of Council Calio stated it will be property by property. Mayor Shwed stated with there being no further questions or comments he closed the public hearing. The Court of Appeals closed at 7:05 p.m.

Chief Wright congratulated Retired Officer Story for his 20 years of service with a monumental frame displaying all his municipalities he has served throughout his career. Officer Story thanked the town and the Mayor & Council for the opportunity in serving the community.

The Mayor & Council Regular Session Minutes of July 18, 2022, were presented for review and adoption. President of Council Calio made a motion to accept the regular session minutes of July 18, 2022. Councilman Kellam seconded the motion. Vote was 7-0.

The July 2022 Department Head Reports were presented for review.

- Director of Code Enforcement West stated he had no additions to his report.
- Public Works Director Foskey stated he had no additions to his report. Mayor Shwed acknowledged the intake of 594,111.00 gallons resulted in income of \$39,717.39. Town Manager Smith advised they began sludge removal last month removing 563 tons. Mayor Shwed inquired the status of the King Street Bridge Project. Town Manager Smith advised the engineers needed to do a redesign by placing a valve on each side of the bridge rather than replacing the waterline. She is hopeful the project will begin by the end of September.
- Chief Wright stated last month citizens were concerned about speeding in various locations in town. Chief Wright advised a 29 Hour Radar Operation took place on Pine Street, East 4th Street, Sixth Street, 7th Street and Central Avenue totaling in 14 tickets issued during that time.

- Alderman Oliphant stated she had no additions to her report.
- Finance Manager Introcaso stated she no additions to her report.
- Town Manager Smith advised she has met with the architect pertaining Dunbar and they're finalizing the Request for Proposal, which is a 30-day timeline. Town Manager Smith advised the DEL-Dot Agreement pertaining the Highway Welcome Signs has been finalized and the next step is reaching out to the sign company for installation. Town Manager Smith stated the town was a recipient of a Delaware Division of Parks and Recreation Grant for the installation of a shade structure and a swing set at Tidewater Park. Town Manager Smith advised she was notified that the town may receive ED Funding for the completion of Tidewater Park from Senator Carper's Office but a federal budget must be approved. She advised she will keep Mayor & Council updated with the project. Town Manager Smith stated Mr. Sombar has sold his practice and he won't be completing the towns audit this year and the town must draft a letter to search for potential auditors. Town Manager Smith stated the new auditor must be accepted by Mayor & Council. Town Manager Smith stated the train's station heating and air has gone up and she has received two quotes of \$9,200 and \$9,400. She advised the Laurel Historical Society utilizes the train station at no costs and they're willing to give \$3,000 towards this project. She advised this expense is not budgeted in this year's budget. Town Manager Smith gave a brief update pertaining the TAP Funding for the walkway installation. She advised an architect of no costs will be coming to the town and giving potential pointers and ideas of the walkway along the water.

Councilman Kellam made a motion to accept the July 2022 Department Head Reports. Councilman Lee seconded the motion. Vote was 7-0.

Mayor Shwed presented the 1st Reading of Ordinance 2022-2 Chapter 12 Code of Conduct. Town Manager Smith explained at July's Mayor & Council Meeting Ordinance 2022-2 was presented with the town attorney requesting more time to research vagrancy laws. Town Manager Smith stated a draft ordinance and a memo from the town's attorney was submitted for Mayor & Council's review. The purpose of this ordinance is to eliminate people sleeping on sidewalks and parks. Mayor Shwed stated he believes the town should adopt this ordinance due to this becoming a problem in our country. President of Council Calio made a motion to accept the 1st Reading of Ordinance 2022-2. Councilwoman Martin seconded the motion. President of Council Calio inquired if this ordinance is passed and there is no local shelter available this ordinance is unenforceable. Town Manager Smith stated yes, it's unenforceable and they can't be criminally charged. Town Manager Smith stated the penalty is a fine not imprisonment. Town Manager Smith advised if a shelter is available, and they refuse to go then the town may enforce the ordinance. After general discussion, Councilman Holden made a motion to table Ordinance 2022-2. Councilman Kellam seconded the motion. Vote was 7-0.

Mayor Shwed presented Development Updates. Town Manager Smith presented the following Development Updates:

- **Marino Development on Discount Land Road:** is a 410 mixed-used housing development where they're working with state agencies to obtain all necessary state approvals prior to obtaining final approval from the Planning & Zoning Committee. They're continuing to work with Del-DOT pertaining the speed limit.
- **Whaley Property on Route 9 & U.S. Route 13:** developers who will be coming before Mayor & Council for LPD-OD approval in September. Planning & Zoning approved the LPD-OD in August.
- **Commercial Site at U.S. Route 13:** a developer is hoping to have property purchased finalized to begin the annexation process of the portion of the land within next several weeks.
- **Rigibe:** the owner is working with Planning & Zoning for approval to reconstruct the building. A presentation was presented in July where Planning & Zoning had a concern regarding parking. At August's Planning & Zoning Meeting they reduced the size of the building to meet the towns parking requirements. The proposed building will have a laundry mat on the bottom portion with apartments on the 2nd and 3rd floor.
- **Laurel Dutch Inn:** the owner has had an architect submits plans for the town to review and the architect needs to make amendments to the plan to meet IBC Code.

Mayor Shwed presented Resolution 2022-6 Public Hearing Date RE: Amendment to Zoning Ordinance Permitted Uses. Town Manager advised Resolution 2022-6 is a resolution proposing that the Town of Laurel amend the zoning ordinance Chapter 125, Single Family and Multi Residential Use District (R-1, R-2, R-3) Special Permitted Uses and Permitted Uses. Town Manager Smith stated a Public Hearing will be held on Monday, September 19, 2022 with the Planning & Zoning recommendation for all Residential Zonings (R-1, R-2, & R-3) special permitted uses to be re-classified as permitted uses. Town Manager Smith advised special permitted uses in residential areas are home base occupied business, such as a day care and accountants. Mayor Shwed inquired the change of the special permitted uses. Town Manager Smith advised the town charges a fee for a special permitted use and a public hearing must be held with certified notices mailed to residents within 200 feet of the property. If the resident meets the criteria of the special permitted use, then Planning & Zoning must grant them the request. Director of Code Enforcement West advised they must be home base occupations that have no manufacturing or inventory. President of Council Calio advised he believes neighbors of a neighboring home base occupation should still have an opportunity to express their opinion. Town Manager Smith advised Resolution 2022-6 is the

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scheduling of the public hearing Monday, September 19, 2022, where Mayor & Council will have final say of the proposed zoning amendment change. President of Council Calio made a motion to accept Resolution 2022-6. Councilman Kellam seconded the motion.

Mayor Shwed presented September Meeting Dates. Town Manager Smith recommended to keep Tuesday, September 6, 2022, open as needed due to Monday, September 5, 2022, is Labor Day and Town Hall will be closed. Town Manager Smith proposed to meet on the second meeting of the month on Monday, September 19, 2022. President of Council Calio made a motion to accept the September Mayor & Council Meeting Dates. Councilwoman Martin seconded the motion. Vote was 7-0.

Councilman Kellam thanked the town staff for their hard work.

Mayor Shwed stated the new swing set is a huge success at Tidewater Park. Mayor Shwed congratulated the Laurel Fire Department for hosting their first Duck Float-In Race that helped raise a lot of money for the fire department. Mayor Shwed congratulated the District 3 Senior League Softball World Series Team and the Delmar Mid-Atlantic Junior League Softball World Series Team.

With there being no further business, Councilwoman Martin made a motion to adjourn the meeting. Councilman Holden seconded the motion. Vote was 7-0.

Meeting Adjourned at 8:02 p.m.

Mayor

President of Council

Town Manager

Recording Secretary