MINUTES of the REGULAR
TOWN COUNCIL MEETING
32 WEST AVENUE
YOUTUBE BROADCAST
November 9, 2021 @ 7:00PM

1. **CALL TO ORDER**

Mayor Reddington called the meeting to order at 7:00 p.m. with the **Pledge of Allegiance.** *Present*: Council Members Frank Twardzik, Don Walsh, and Bruce White. Town Manager Carol Houck, Police Chief Ken McLaughlin, Planning, Zoning & Development Director Ken Cimino, Town Solicitor Dennis Schrader, and Town Clerk Donna Schwartz were also present. Russ Carter was present to video the meeting. Council Member Maly and Finance Director Dawn Parks were not present.

2. **PUBLIC HEARING**

A. Second Reading of an Ordinance Repealing Chapter 40, Procurement of Material and Award of Contract, and Adopting a New Chapter 40, Procurement of Material and Award of Contract.

Mr. Schrader explained the need for the ordinance change. No Council or public comment.

A motion was made by Council Member White, seconded by Council Member Walsh, to adopt a new Chapter 40 as presented. The motion carried unanimously 4/0.

B. Second Reading of an Ordinance to Amend the Ocean View Code, Chapter 169, Property Maintenance, Article 1, Grasses, Weeds, and Other Vegetative Growth, Regarding Trees, Shrubs, and Other Vegetative Growth within the Town's Easements or Right of Way.

Mr. Schrader explained this ordinance change. He noted that the Town received three negative comments regarding the ordinance change. Mr. Jennison, Mr. Ondo, and Ms. Cziraky, all of Ogre Drive, sent emails in opposition. Mr. Schrader explained further the duty of the property owner and Mr. Cimino explained the ownership of swales. Mr. Schrader also noted that Chapter 169-2, which is not being changed at this time, allows the town to give 10-days' notice of growth to be removed and assess costs to property owner if not compliant.

A motion was made by Council Member Twardzik, seconded by Council Member Walsh, to amend Chapter 169 as presented. The motion carried unanimously 4/0.

3. **ADOPTION of Agenda**

A motion was made by Council Member Walsh, seconded by Council Member Twardzik, to adopt the agenda as presented. The motion carried unanimously 4/0.

4. **APPROVAL of the Town Council Minutes**
A motion was made by Council Member Walsh, seconded by Council Member Twardzik, to approve the minutes of the Regular Meeting held on October 12, 2021. The motion carried unanimously 4/0.

A motion was made by Council Member Walsh, seconded by Council Member Twardzik, to approve the minutes of the workshop held October 12, 2021. The motion carried unanimously 4/0.

A motion was made by Council Member Walsh, seconded by Council Member Twardzik, to approve the minutes of the workshop held October 26, 2021. The motion carried unanimously 4/0.

5. **COMMUNICATIONS AND PRESENTATIONS**

6. **REPORTS**

   A. **Financial (Dawn Parks)**
   Report received and filed.
   B. **Public Safety (Chief 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. **MVFC Report**
   Report received and filed.

7. **CITIZEN'S PRIVILEGE ON AGENDA ITEMS** - None

8. **NEW BUSINESS**

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

   B. **Discussion, Consideration, and Possible Voting on ARPA Funding Recommendations as presented by Town Manager Houck.**
   Town Manager Houck reviewed her list of funding recommendations with Town Council. She said she would like to submit the list to the legal firm for review. Council Member White noted that Congress appropriated $46 billion into broadband, and suggested the Town hold off on the cable recommendation at this time.
   A motion was made by Council Member Walsh, seconded by Council Member White, to approve the recommendations be presented to legal counsel for review. The motion carried unanimously 4/0.

   C. **Discussion, Consideration, and Possible Voting on Holiday Observance Recommendations.**
   Town Council discussed the addition of Juneteenth as a paid holiday for staff, which would make fourteen yearly holidays. Delaware's Return Day was also discussed all though no decision was made. Chief McLaughlin noted that the staff has always been

invited to Mr. Schrader's legal firm's festivities in Georgetown. He also noted that Return Day is still a state holiday in Delaware.
A motion was made by Council Member Walsh, seconded by Council Member Twardzik, to increase the yearly holidays to fourteen, adding Juneteenth. The motion carried unanimously 4/0.

D. Discussion, Consideration, and Possible Voting on Extension of Audit Agreement with PKS & Company.
Mrs. Houck noted that she would like to extend the contract with PKS for 2022, 2023, and 2024. She said this would be the second extension for PKS, and there is nothing to prohibit extensions. Mr. Schrader recommended staying with the same auditors now with the new ARPA regulations.
A motion was made by Council Member Twardzik, seconded by Council Member Walsh, to approve the recommendation for extension through 2024. The motion carried unanimously 4/0.

E. Discussion Consideration, and Possible Voting on 2022 Pilot Shuttle Recommendation.
Mrs. Houck summarized her report to Council, saying even with free buses from DART she estimated it would cost about $8 per trip to run a shuttle with no subsidy. Mrs. Houck noted the Town of Bethany Beach charges twenty-five cents per ride for their trolly. She also noted that she had a scheduled meeting with DART and the Town of Millville today and that Millville is also interested in getting public transportation, but they are not willing to subsidize shuttles or trollies at this time.

She stated it was her recommendation to abandon the Town effort for a shuttle at this time and suggested creating a working group of the Quiet Resorts towns and include the Chamber of Commerce in discussions. Mr. Cimino added the cost information of developing the lots at Woodland and West Avenues for shuttle service. Mayor Reddington agreed with Mrs. Houck's analysis that it is just too costly at this time.

9. <u>CITIZEN'S PRIVILEGE</u>

Mr. Schrader replied to an email by Mr. Jennison regarding Mr. Cimino's retirement, saying it is a personnel matter and not appropriate to discuss in public. He also inquired when the Town will end its closed meetings and open to the public. Mayor Reddington explained that the covid percentages have remained high and will consider reopening when the counts come down.

Greg Hocker, MVFC, thanked Council for their contribution to their building fund, and he said he will recommend that a hallway be named after the Town of Ocean View.

10. <u>ADJOURNMENT</u>

A motion was made by Council Member Walsh, seconded by Council Member Twardzik, to adjourn the meeting at 8:38pm. The motion carried unanimously 4/0.

Respectfully submitted,
Donna M. Schwartz, CMC
Town Clerk