

MINUTES of the REGULAR TOWN COUNCIL MEETING
December 8, 2015 @ 7:00 PM
32 WEST AVENUE
OCEAN VIEW, DELAWARE 19970

1. CALL TO ORDER

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

Present: Council Members Carol Bodine, Bill Olsen, and Geoff Christ; Town Manager Dianne Vogel, Town Clerk Donna Schwartz, Town Administrative Official Charles McMullen, Finance Director Lee Brubaker, Chief Kenneth McLaughlin and Town Solicitor Dennis Schrader. Mayor Curran called for a moment of silence in memory of Council Member Sheeran.

2. ELECTION OF MAYOR PRO-TEM

A motion was made by Council Member Bodine, seconded by Mayor Curran, to nominate Council Member Olsen for Mayor Pro-tem. The motion carried unanimously 4/0.

3. ADOPTION OF AGENDA

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

4. APPROVAL OF MINUTES

A motion was made by Council Member Bodine, seconded by Council Member Christ, to approve the minutes of the regular meeting held on November 10, 2015. The motion carried unanimously 4/0.

5. COMMUNICATIONS AND PRESENTATIONS

- A. Mayor Curran presented Proclamation 15-6, Building Homes in Ocean View for Wounded Warrior Families.
- B. Mayor Curran announced the date of the Special Election will be held February 20, 2016 for a District 3 Council Member.
- C. Mayor Curran commented on the petition from some Woodland Avenue area residents included in the packet. He said a meeting was set with the construction manager to discuss truck traffic and their other concerns next week.

6. REPORTS

- A. **Financial (Lee Brubaker)**
Report received and filed.
- B. **Public Safety Report (Chief Ken McLaughlin)**
Report received and filed.
- C. **Town Administrative Official's and Public Works Department Report (Charles McMullen)**
Report received and filed.
- D. **Town Manager's Report (Dianne Vogel)**
Report received and filed.
- E. **Council Members** – No Report

7. CITIZENS' PRIVILEGE ON THE PREPUBLISHED AGENDA –

Kathy Vengazo, of Briarcliffe, spoke to the Council about the condition of Woodland Avenue. The text of her comments are attached to the minutes.

8. OLD BUSINESS

A. Consideration, Discussion, and Possible Voting on Chapter 15, Emergency Services, for Possible Amendment.

Mayor Curran explained that the Millville Volunteer Fire Department has made a request this year to the Council that they be able to use the grant money the Town gives them to pay down some capital debt. The Mayor stated he would agree to them paying down principal debt only. Council Member Olsen stated he had no problem with that either, however, he would like to see them dismantle the siren and make that a condition of the receiving the money. Council Member Christ remarked that he hears complaints all the time about the siren. The Council unanimously agreed the siren should be removed however they did not make it a condition of receiving grant money.

A motion was made by Council Member Christ, seconded by Council Member Bodine to approve the request by the Millville Volunteer Fire Department to allow them to use the grant money to pay down debt with no restrictions. The motion carried unanimously 4/0.

9. NEW BUSINESS

A. Introduction of Ordinance(s) –

Mayor Curran introduced an ordinance repealing Ocean View Code §210-10.1 and §210-11 and substituting in lieu thereof a new §210-11 entitled Stopping, Standing and Parking.

B. Consideration, Discussion, and Possible Voting on the Special Election Timetable.

A motion was made by Council Member Bodine, seconded by Council Member Christ, to approve the timeline. The motion carried unanimously 4/0.

C. Consideration, Discussion, and Possible Voting on accepting Ocean Mist Drive as a Town Street.

A motion was made by Council Member Christ, seconded Council Member Bodine, to accept the streets in Ocean Mist as Town streets. The motion carried unanimously 4/0.

D. Consideration, Discussion, and Possible Voting on the naming of streets in two subdivisions in Town.

A motion was made by Council Member Bodine, seconded by Council Member Christ, to approve the street names. The motion carried unanimously 4/0.

Council Member Christ commented on the shortage in the police department and asked when this would be discussed. Mayor Curran stated it would be discussed in the Budget Workshop in 2016.

10. CITIZENS' PRIVILEGE

Steve Cobb, West Avenue, spoke to the Council regarding the fire siren and his efforts to have the fire siren eliminated from Ocean View.

11. EXECUTIVE SESSION

A motion was made by Council Member Bodine, seconded by Council Member Christ, to open the Executive Session at 7:48pm. The motion carried unanimously 4/0.

A motion was made by Council Member Bodine, seconded by Council Member Olsen to close the Executive Session at 7:55pm. The motion carried unanimously 4/0.

Town Solicitor Dennis Schrader said the Executive Session was attended by four Council Members, Town Manager and himself. There were no motions were made or votes taken.

12. ADJOURNMENT

A motion was made by Council Member Olsen, seconded by Council Member Bodine, to adjourn the meeting at 8:00 pm. The motion carried unanimously 4/0.

Respectfully submitted,
Donna M. Schwartz, Town Clerk

**STATEMENT TO OCEAN VIEW COUNCIL
DECEMBER 8, 2015**

My name is Kathy Vengazo, and I live in the Briarcliffe community in Ocean View. My husband and I are the original owners of our home and have lived here for more than 12 years. I am also the Secretary of the Executive Council of the Briarcliffe Homeowners Association.

I am here tonight to support the petition that originated with our neighbors in the Reserve Community which is located directly across Woodland Avenue from Briarcliffe. The only access and egress to our community is onto Woodland Avenue, and the homeowners at the Reserves also have that sole access and egress into their community.

I have testified before this Council many times since we moved to Ocean View regarding various aspects of Woodland Avenue and wish to share with this Council information about which some of you may or may not be aware.

Woodland Avenue is in deplorable condition. When it rains or snows the road becomes treacherous to navigate. The addition of multiple trucks using Woodland Avenue to transport construction materials and dirt, bricks, lumber, etc., to the Reserves and Ocean View Beach communities where hundreds of homes are planned for development, will tax this roadway and lead to its ultimate destruction or some terrible calamity that could affect my family or the family of one of my neighbors.

Several years ago, money was designated in the Ocean View budget to repair the drainage and road deterioration issues on Woodland Avenue, but Town officials were unable to secure easements from homeowners on Woodland Avenue who would be affected by the repairs but did not live in the Town. Consequently the money earmarked for Woodland Avenue was deviated for use in another community.

I would like to see the Town again set aside budget funds to fix Woodland Avenue and then work with the neighboring communities on Woodland to talk to the persons who refused to sign easements to see if we could persuade our neighbors to approve the easements with the guarantee from Ocean View that any damage to their property would be corrected.

I think our talking to them neighbor-to-neighbor could bring about better results than contacts by Town officials have accomplished to date.

Our past President of the Briarcliffe HOA, Fred Nunley, has had multiple meetings and conversations with Ocean View officials regarding a sign that is posted on Central Avenue, south of Woodland Avenue, that says that trucks are not permitted to travel through Woodland Avenue. Mr. Nunley asked repeatedly that the restriction posted on that sign be enforced by the police and Town management.

In the past, someone in authority in the Town of Ocean View found the need to install that sign and impose the restriction on Woodland and possibly enact a town ordinance prohibiting the through traffic on Woodland Avenue, but, to my knowledge, it has NEVER been enforced. We are asking that you now enforce that restriction by following the long standing motor vehicle restriction and honor the petition presented to you tonight by homeowners in The Reserves community.

Something has to be done to Woodland Avenue on a permanent basis. The addition of 300 to 400 additional cars with the new homes to be built in The Reserves (two cars plus guests' vehicles per household) poses an untenable risk to an already deteriorated and inadequate roadway.

Please address this problem now. We beg you to not wait until it is an emergency. Let's think ahead and be proactive for a change instead of cleaning up problems after the fact.

I don't know if this is possible, but, since the zoning and permitting for NV Homes for The Reserves rests with Sussex County rather than the Town of Ocean View, can the Town talk with their respective peers at the County level to see if they will assist the Town by requiring NV homes to pay for the repairs to Woodland Avenue as a condition of approval of their building plans. I know this is routine in other jurisdictions but is sorely lacking in Delaware to date. It seems that Ocean View is getting all of the burdens of this new community but none of the benefits and it's time to do what is right for Ocean View.