

**MINUTES of the REGULAR TOWN COUNCIL MEETING**

**JUNE 14, 2016 @ 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 Bill Olsen, Frank Twardzik, Tom Maly and Carol Bodine. Town Manager Dianne Vogel, Town Administrative Official Charles McMullen, Finance Director Lee Brubaker, Captain Heath Hall, Town Clerk Donna Schwartz and Town Solicitor Dennis Schrader.

**2. ADOPTION OF AGENDA**

A motion was made by Council Member Bodine, seconded by Council Member Twardzik, to adopt the agenda as posted. The motion carried unanimously 5/0.

**3. APPROVAL OF MINUTES**

A motion was made by Council Member Olsen, seconded by Council Member Bodine, to approve the minutes of the regular meeting held on May 10, 2016. The motion carried unanimously 5/0.

**4. COMMUNICATIONS AND PRESENTATIONS**

**A.** Mayor Curran read a letter from the Estates of Fairway Village to the Council. Town Administrative Official Charles McMullen explained the situation to the Council and the reason for the letter. Mr. Schrader commented he had received an email from Seth Thompson, legal counsel for the Town of Millville, saying Millville's Town Council was voting on a resolution tonight to resolve the property dispute. Mr. Schrader noted he would have a similar resolution ready for Ocean View Town Council to approve at the July meeting.

**B.** Mayor Curran read a letter from Mr. Warren Eastburn of Country Village. This item was discussed further in item #8C New Business.

**5. REPORTS**

**A. Financial (Lee Brubaker)**

Report received and filed.

**B. Public Safety Report (Capt. Heath Hall)**

Report received and filed.

Council Member Twardzik complimented the Police Department on the excellent job they do.

**C. Town Administrative Official's and Public Works Department Report (Charles McMullen)**

Report received and filed.

Council Member Twardzik questioned Mr. McMullen about the DelDOT owned properties along Route 26. He asked if those properties would be turned over to the Town or sold now that Route 26 project was finishing up. Mr. McMullen commented that he could look into the matter and report back to Council.

**D. Town Manager's Report (Dianne Vogel)**

Report received and filed. On the topic of Homecoming both Mayor Curran and Council Member Twardzik commented in favor of supporting Ms. Vogel's recommendation to eliminate this event and use the funds for additional concerts.

Council Member Bodine questioned what the Town was doing to curb the Zika virus. Mr. McMullen detailed the method and schedule the Town uses to control mosquitos. He stated he does not know for sure whether the chemicals being used work on the mosquitoes that carry the Zika virus, but he believes it would kill them.

**E. Council Members** – no comments

6. **CITIZENS' PRIVILEGE ON THE PREPUBLISHED AGENDA** – No comments were made.

7. **OLD BUSINESS** - None

8. **NEW BUSINESS**

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

**B. Discussion, Consideration, and Possible Voting on a request by Windansea, LLC, the developer of the Ocean View Beach Club, to amend Condition #7 of the Residential Planned Community as outlined in Ordinance 214, in so far as it pertains to the completion of the amenity area. – DEFERRED**

**C. Discussion, Consideration, and Possible Voting on Amending the Drainage Project in County Village Phase 1.**

Mr. McMullen updated the Council on the progress of the drainage project. He noted that the project has been completed other than the roadway repairs which will take place in about three weeks after things settle a bit. Mr. McMullen presented Council with many pictures of the completed project.

Mayor Curran opened the discussion on the drainage project by saying he had attended a Country Village HOA meeting and listened to the concerns of the residents. He has watched the progress of the project and he thinks it looks good now that it is complete. Mayor Curran stated he is satisfied with the outcome of the work and does not believe it warrants the Town spending any more money.

Council Member Twardzik commented that the pictures are worth a thousand words and said he agreed with the Mayor and feels things look better now that the project is complete. Mr. Twardzik asked if a “partial cost share” with the property owners was ever considered. Mr. McMullen replied it had not been considered. Mr. Twardzik suggested that maybe this was an option that could be considered in the future.

Council Member Bodine said she thought the Town would be “opening a can of worms” by piping a development like Country Village. She said she feels every resident would want to do away with swales.

In closing, Mayor Curran noted one of the things that came up at the HOA meeting was the subject of maintaining the swales. He stated that the swales are on private property and he did not feel it was the obligation of the Town to maintain the swales. Although no official vote was taken, the consensus among the Council Members was not to do any additional drainage work to the Country Village Phase 1 project.

9. **CITIZENS' PRIVILEGE**

**Mr. Warren Eastburn**, 9 Windmill Lane, read the text of a letter he submitted to the Town. He commented that he was unhappy that he had not received a reply to his letter which the Mayor

read at the opening of the meeting. Mayor Curran apologized for the lack of reply. Mr. Eastburn stated that he also not happy with the engineer of the project. He stated he is still concerned about a car going off the road into the ditch (swale). He also believes the street is not a safe place to walk anymore and because of the new swales they can never have sidewalks. He also noted due to a medical problem he cannot push a lawnmower and cannot use his riding mower in the swale on such a slope. He stated he would like the Town to mow the swale they created.

Mr. Eastburn also noted that the Verizon telephone lines are currently laying on top of the sod and they need to be buried. In closing Mr. Eastburn thanked the Mayor, Council Member Twardzik and Chief McLaughlin for attending their annual HOA meeting.

Mayor Curran replied the Town will check with Verizon about the exposed lines. He also commented that the Town will not take on the mowing of his swale and said he thought it could be handled easily with a hand held grass whacker. Mayor Curran noted that the Town did not deliberately create a difficult situation for Mr. Eastburn, it was part of a bigger drainage project to benefit everyone.

**Mr. Mike McDowell**, 36 Central Avenue, addressed Council on several topics. First, he inquired about the Town-wide ambulance fee and whether it was in effect now. Mayor Curran replied that no fee has been initiated as of today. Mr. McDowell noted that he read in the newspaper that the fee was “approved in theory” by the Town. Mayor Curran replied while the Council was in favor in theory at this point there were still many details had to be worked out.

Secondly, Mr. McDowell asked if there had been any resolution to the fire siren problem. Town Manager Dianne Vogel replied that she recently met with the Fire Chief to discuss several topics including the fire siren and has provided him with a list of questions for which she is still awaiting a response. Mr. McDowell questioned whether the Town requires audits of the Fire Company before handing over money to them. Mayor Curran explained that the Town asks and receives copies of receipts for donations that the Town makes. All Town money has been accounted for by the Fire Company.

Lastly, Mr. McDowell questioned the proposed speed limit reduction on Central Avenue and when this would take place. Mr. McMullen said the speed limit change would require a change in the Town ordinance and he would work on having something ready for introduction at the next meeting.

**10. EXECUTIVE SESSION** - None

**11. ADJOURNMENT**

A motion was made by Council Member Maly, seconded by Council Member Bodine, to adjourn the meeting at 8:00pm. The motion carried unanimously 5/0.

Respectfully submitted,  
Donna M. Schwartz, Town Clerk