

**MINUTES of the REGULAR
TOWN COUNCIL MEETING**

**March 10, 2020 @ 7:00PM
32 WEST AVENUE
OCEAN VIEW, DE 19970**

1. CALL TO ORDER

Mayor Pro-tem Maly called the meeting to order at 7:00 p.m. with the **Pledge of Allegiance**.

Present: Council Members 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 present.

2. PUBLIC HEARING

A. A First Reading on an Ordinance to amend the Ocean View Code, Chapter 68, Animals by adding thereto Prohibitions against Nuisances and Harboring or Feeding of Non-domesticated Dogs and Feral Cats within the Town Limits of Ocean View.

Mr. Schrader explained this change to the Council and those present. Mrs. Houck stated that an agency will chase and trap the cats, neuter and return them to their location. She said the cost is \$50 a cat. Liz Reynolds of Fairway Village expressed concern over the Town paying for the service. She said she felt the people feeding the cats should be fined. Mr. Schrader said there were \$25 fines in place, however the greater concern was solving the health issues, not recovering money. Chief McLaughlin stated that with a fine there would be court costs of a \$100, or more, for the Justice of the Peace hearing.

B. A Second Reading on an Ordinance to Amend Ocean View Code by Amending Chapter 1 by Adding Article 2 Relating to Penalties and Fines for Violations and Payment Thereof.

Mr. Schrader explained this ordinance saying this change makes it easier to pay for a violation or to appeal a penalty or fine.

A motion was made by Council Member Twardzik, seconded by Council Member White, to approve this ordinance. The motion carried unanimously 4/0.

C. A Second Reading on an Ordinance to Amend the Ocean View Code, Chapter 199, Providing for the Defense and Indemnification of Town Officers and Employees.

Mr. Schrader explained the purpose of this ordinance saying it covers all uninsured claims against elected persons, appointed officials, and employees.

A motion was made by Council Member Twardzik, seconded by Council Member White, to approve this ordinance. The motion carried unanimously 4/0.

D. A Second Reading of an Ordinance Adopting an Updated Comprehensive Plan for the Town of Ocean View.

Mr. Kyle Gulbranson of AECOM was present and said the state was very complimentary about the Comprehensive Plan and was just waiting on Council action.

A motion was made by Council Member Twardzik, seconded by Council Member Reynolds, to approve the Comprehensive Plan. The motion carried unanimously 4/0.

3. **ADOPTION** of Agenda

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

4. **APPROVAL** of the Town Council Minutes

A motion was made by Council Member Reynolds, seconded by Council Member Twardzik, to approve the minutes of the Regular Meeting held on February 11, 2020. The motion carried unanimously 4/0.

A motion was made by Council Member Reynolds, seconded by Council Member White, to approve the minutes of the Workshop held on February 25, 2020 with the clarification that a Public Hearing was the first half hour and the Workshop followed. The motion carried unanimously 4/0.

5. **COMMUNICATIONS AND PRESENTATIONS**

A. Mayor Pro-tem Maly read a resignation note from Frank Mack, Board of Election.

B. Mayor Pro-tem Maly read a letter of interest from Pat Sharpe for Board of Elections.

A motion was made by Mayor Pro-tem Maly, seconded by Council Member Reynolds, to appoint Pat Sharpe to the Election Board to fill the term of Frank Mack. The motion carried unanimously 4/0.

6. **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**

7. **CITIZENS' PRIVILEGE ON AGENDA ITEMS**

John Reddington, October Glory Avenue, questioned if the new discount line would be printed on the tax bills. Mrs. Parks stated she was working with our software developer to provide this information on the bills.

8. **NEW BUSINESS**

A. **Introduction of Ordinance(s)**

Council Member Twardzik introduced the Ordinances for Operating Budget and the Capital Budget

- B. Discussion, Consideration, and Possible Voting on a revised recommendation regarding the paving of the parking lot at 32 West Avenue.**
Mrs. Houck also asked Council for permission to remove some trees ahead of the paving project.
A motion was made by Council Member Twardzik, seconded by Council Member White, to approve the recommendation. The motion carried unanimously 4/0.
- C. Discussion, Consideration, and Possible Voting on a recommendation to replace first floor flooring at 201 Central.**
A motion was made by Council Member Reynolds, seconded by Council Member White, to approve the flooring recommendation of Creative Flooring Contractors Inc. The motion carried unanimously 4/0.
- D. Discussion, Consideration, and Possible Voting on a recommendation regarding the three-year lease agreement between the Town of Ocean View and the University of Delaware acting on behalf of the Osher Lifelong Learning Institute.**
Council Member White inquired about the missing disability accommodation notice in their program for Sussex County. Mrs. Houck stated she was checking into this matter.
A motion was made by Council Member Twardzik, seconded by Council Member Reynolds, to approve the lease agreement with the condition of the addition of the disability notice be added to their brochure. The motion carried unanimously 4/0.
- E. Discussion, Consideration, and Possible Voting on additional funding needed for FY2020 Street Repair and Improvements for Woodland Park, County Village and Country Estates.**
A motion was made by Council Member Twardzik, seconded by Council Member White, to approve the additional \$60,139 needed for street repair and improvements. The motion carried unanimously 4/0.
- F. Discussion, Consideration, and Possible Voting on a contract award for the Town of Ocean View Municipal Maintenance Services Contract #OV20-0018.**
A motion was made by Council Member Twardzik, seconded by Council Member White, to approve contract to George & Lynch Inc. The motion carried unanimously 4/0.
- G. Discussion, Consideration, and Possible Voting on Municipal Assistance Agreement between the Town of Ocean View and South Bethany.**
A motion was made by Council Member Twardzik, seconded by Council Member Reynolds, to approve the Mutual Assistance Agreement with South Bethany. The motion carried unanimously 4/0.

Mayor Pro-tem Maly commented that Mayor Curran had reviewed all the items and was in agreement with all of the above topics.

9. **CITIZENS' PRIVILEGE**

Mr. Dick Jennison, OGRE Drive, questioned what the status was of OGRE Drive. Mr. Cimino replied there was no change of status. He said he may know more at the end of the month.

11. **ADJOURNMENT**

A motion was made by Council Member Reynolds, seconded by Council Member Twardzik, to adjourn the meeting at 8:40pm. The motion carried unanimously 4/0.

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