

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, SEPTEMBER 12, 2000

Call to Order The regular meeting of the Sussex County Council was held Tuesday, September 12, 2000, at 10:00 a.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

Lynn J. Rogers	President
Dale R. Dukes	Vice President
George B. Cole	Member
Finley B. Jones, Jr.	Member
Vance Phillips	Member
Robert L. Stickels	County Administrator
David Baker	Finance Director
Eugene Bayard	County Attorney

The meeting was opened by repeating the Lord's Prayer and Pledge of Allegiance to the Flag.

M 437 00 A Motion was made by Mr. Dukes, seconded by Mr. Jones, to approve
Approve the Agenda, as distributed.
Agenda

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
 Mr. Dukes, Yea; Mr. Jones, Yea;
 Mr. Rogers, Yea

M 438 00 A Motion was made by Mr. Dukes, seconded by Mr. Jones, to approve
Approve the minutes of the August 22, 2000 meeting, as distributed.
Minutes

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
 Mr. Dukes, Yea; Mr. Jones, Yea;
 Mr. Rogers, Yea

M 439 00 A Motion was made by Mr. Jones, seconded by Mr. Dukes, to amend the
Approve minutes of the August 29, 2000 meeting, on Page 3, as follows:
Minutes

That the following paragraph:

M 439 00
(continued)

“Mr. Phillips commented that the report refers to the rate of speed for the north/south limited access toll road as 65. Mr. Phillips requested that this be changed to 55.”

be changed to:

“Mr. Phillips commented that the report refers to the rate of speed for the north/south limited access toll road as 65. Mr. Phillips requested that the rate of speed be deleted from the report and that a recommendation not be made as to the rate of speed.”; and

to approve the minutes, as amended.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Dukes, Yea; Mr. Jones, Yea;
Mr. Rogers, Yea

Corre-
spondence

Mr. Bayard read the following correspondence:

SUSSEX STARS GIRLS FASTPITCH SOFTBALL, SEAFORD,
DELAWARE.

RE: Letter in appreciation of Councilmanic Grant.

THE ARC OF DELAWARE, GEORGETOWN, DELAWARE.

RE: Letter in appreciation of \$1,000 grant.

LOWER EASTERN SHORE TRIBUTARY TEAM.

RE: Letter to Mr. Stickels in appreciation of his assistance with the spray irrigation tour.

SEAFORD MIDDLE SCHOOL MARCHING BAND, SEAFORD,
DELAWARE.

RE: Letter in appreciation of Councilmanic Grant.

M 440 00
Adopt
Procla-
mation

A Motion was made by Mr. Jones, seconded by Mr. Dukes, to Adopt the Proclamation entitled “PROCLAIMING TUESDAY, SEPTEMBER 12, 2000, AS ‘9-1-1 EMERGENCY NUMBER DAY’”.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Dukes, Yea; Mr. Jones, Yea;
Mr. Rogers, Yea

Ellendale
Sanitary
Sewer
District
Survey
Grant

Mr. Stickels advised that Sussex County Community Development & Housing Division, on behalf of the Sussex County Council, has requested from the CRA (Community Revitalization Association), a grant in the amount of \$5,000 to perform a Needs Assessment Survey in the Ellendale community.

The Ellendale Needs Assessment Project will be two-fold. A door-to-door field survey of the town of Ellendale and surrounding community will be performed to determine housing conditions, approximate income levels, and the number of substandard homes in the area. With this information, Sussex County Community Development can correlate a report accurately detailing various deficiencies in this targeted area. The survey will not be used to displace any resident. This information can then be used as a valuable resource to possibly obtain future funding for this community.

Mr. Pryor, CRA/Community Affairs Director, Discover Bank, was in attendance and advised Council that the County's request for \$5,000 has been approved by Discover Bank.

CDBG
Program

Mr. Stickels and Mr. Lecates, Director of Community Development and Housing, reported to Council concerning State of Delaware Community Development Block Grant (CDBG) Program applications. In the past, the County has assisted local communities in procuring grants for the purpose of keeping administrative costs down; the County assists with the preparation and administration of the applications. Mr. Stickels requested permission to send letters to the local governments to determine whether or not they are interested in seeking the County's assistance.

Mr. Phillips questioned whether there are any requirements associated with the County receiving CDBG funding. Mr. Lecates responded that the only requirement is that the County/municipality have a housing code. Mr. Lecates advised that the State of Delaware has a housing code; and, that the State's code would become effective if the County/municipality does not have a housing code.

Mr. Phillips expressed his belief that citizens who do not receive CDBG funds should not be subject to the housing code requirement. Mr. Phillips questioned whether the County could have a code that applies only to those people who receive funding. Mr. Phillips clarified that he is not suggesting that the County change its policy with regards to enforcement; he is suggesting that the Code apply only to individuals receiving the funding.

Mr. Stickels reported that the County does not enforce the code on owner-occupied homes.

CDBG Program There was not a consensus of Council to pursue the recommendation made by Mr. Phillips.

M 441 00 Assist Local Governments in CDBG Applications A Motion was made by Mr. Jones, seconded by Mr. Dukes, that the Sussex County Council authorizes the Sussex County Community Development Division to assist local Sussex County governments in the preparation and administration of Community Development Block Grant applications.

Motion Adopted: 4 Yea, 1 Nay.

Vote by Roll Call: Mr. Phillips, Nay; Mr. Cole, Yea;
Mr. Dukes, Yea; Mr. Jones, Yea;
Mr. Rogers, Yea

Phillips' Comments Mr. Phillips stated that he does not agree with the way the CDBG funds are allocated and that there are unnecessary regulations associated with the program.

Delaware Biodiversity Symposium Mr. Stickels advised Council of a letter he received from Nick DiPasquale, Department of Natural Resources and Environmental Control, on behalf of the Delaware Biodiversity Symposium Planning Committee. A subcommittee is currently planning for a Biodiversity Symposium to be held in Dover this coming fall. The symposium is designed to inform and solicit feedback from key decision makers across the State – from government officials to legislators, land use planning groups, land trusts, agricultural and development representatives, and citizens groups. The cost of the symposium is estimated to be \$60,000. Currently, \$15,000 has been secured from DNREC to cover direct costs. Agencies and organizations involved in conference planning are providing in-kind contributions that will offset a large portion of the costs. However, an additional \$15,000 is needed to support the continued involvement, leadership, and follow-up by the Environmental Law Institute. DNREC is asking that a contribution be made in the amount of \$2,500 by each department and \$1,000 by each non-profit.

M 442 00 Contribution A Motion was made by Mr. Cole to give \$2,500 to the Department of Natural Resources and Environmental Control for the Delaware Biodiversity Symposium.

Request Information/ Delaware Biodiversity Symposium Mr. Phillips made a recommendation that Council invite Mr. DiPasquale and his associates to a future Council meeting to provide additional information regarding this request for funds and to find out if the other two counties are participating. It was the consensus of Council to support Mr. Phillips' recommendation.

Motion Failed Mr. Cole's Motion failed for the lack of a second.

DelDOT
CIP/
Sussex
County's
Recommen-
dations

Mr. Stickels reported that on September 14, 2000, DelDOT will be holding a public meeting to receive input on the Five Year Capital Improvement Program. Mr. Stickels reviewed the report he has prepared that lists Sussex County Council's priority requests:

- North/south limited access, revenue-generating toll road.
- Development of a network of east/west roads to compliment the new north/south limited access highway. These roads include SR54, SR404, SR24, SR17, and SR36.
- SR1, Grid Improvements, Rehoboth Avenue to Five Points.
- Route 16 improvements.
- Routes 30 and 5 improvements.
- SR 24 and SR 5, Long Neck Road, intersection improvements.
- Road 352 widening.
- Improvements at the Sussex County Airport.
- Stormwater Drainage into South Bethany Canals.

Mr. Phillips discussed two additional road concerns in his district: (1) resurfacing and shoulders for Road 493, crossing Route 24, out to Road 74, turning onto Jersey Road, and (2) relief for pedestrian and bicycle traffic from Five Points to the Laurel Little League.

Mr. Stickels advised that he would discuss the first concern with Alan Redden of DelDOT and the State Representative for the area regarding suburban street money. Mr. Stickels noted that the second concern is a local issue.

M 443 00
Adopt
Sussex
County's
Requests/
DelDOT
CIP

A Motion was made by Mr. Jones, seconded by Mr. Phillips, to Adopt the Sussex County Council's Requests for the Capital Transportation Improvement Program (2002 – 2006).

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Dukes, Yea; Mr. Jones, Yea;
Mr. Rogers, Yea

This report will be presented Thursday, September 14, 2000, at the DelDOT CIP meeting.

Adminis-
trator's
Report

Mr. Stickels read the following information in his County Administrator's Report:

1. Police Vehicles

On Tuesday, September 19, 2000, at 9:30 a.m., County Council members will present a check to the Delaware State Police in front of the Courthouse to assist in the purchasing of two patrol vehicles

Adminis-
trator's
Report
(continued)

and one Dodge Durango. The Dodge Durango will be assigned to Troop 5, Bridgeville. This will be the third Durango that the County Council has assisted in purchasing, one for each troop. The three vehicles bring the total to 16 vehicles that the County Council has assisted in purchasing.

2. Library of Congress

On Monday, September 11, 2000, Senator William V. Roth, Jr., arranged for David Baker, Carol Fitzgerald, Patricia Brown, Mary Catherine Hopkins, Marina Johns, and me to visit the Library Congress in Washington, D.C. The trip was coordinated by Rodney Brittingham, Legislative Assistant to the Senator. Sussex County library representatives selected over 900 books, videos, and tape cassettes for County libraries worth approximately \$13,500. I would like to personally thank Senator Roth for arranging to acquire these library materials.

Public
Hearing/
Postal
Lane
Extension
Request

A Public Hearing was held to consider extending the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District to include the proposed Grant Estate subdivision and adjacent lands (Postal Lane Expansion area). Mr. Witsil, Attorney, representing Michael Simeone of Unity Development, LLC, requested approval of this extension. There were no further public comments and the Public Hearing was closed.

M 444 00
Adopt
Resolution
No.
R 028 00

A Motion was made by Mr. Dukes, seconded by Mr. Jones, to Adopt Resolution No. R 028 00 entitled "A RESOLUTION TO EXTEND THE BOUNDARY OF THE WEST REHOBOTH EXPANSION OF THE DEWEY BEACH SANITARY SEWER DISTRICT (WRX) TO ENCOMPASS A CERTAIN PIECE, PARCEL, OR TRACT OF LAND KNOWN AS GRANT ESTATE SUBDIVISION AND ADJACENT LANDS (POSTAL LANE EXPANSION AREA), LYING CONTIGUOUS TO THE WRX, SITUATE EAST OF COUNTY ROAD 275 AND BEING IN LEWES-REHOBOTH HUNDRED, SUSSEX COUNTY, DELAWARE".

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Dukes, Yea; Mr. Jones, Yea;
Mr. Rogers, Yea

Draft
Ordinance/
Subdivision
Code

Mr. Lank, Director of Planning and Zoning, presented for Council's consideration a draft ordinance entitled "AN ORDINANCE AMENDING CHAPTER 99, SECTION 13, OF THE SUBDIVISION CODE OF SUSSEX COUNTY, RELATING TO NOTICE REQUIREMENTS TO BE GIVEN TO OWNERS WITHIN SUBDIVISIONS PRIOR TO ALTERATION, RESUBDIVISION, OR

Draft Ordinance/ Subdivision Code (continued)

ADDITION". This Ordinance anticipates the enactment of revisions to the Subdivision Ordinance which would require the approval of individual lot owners for the alteration or resubdivision of an existing approved subdivision. This Ordinance will exempt from the approval requirements, alterations or resubdivisions which alter lot lines or lot configurations, but do not increase overall density. All lot owners and other interested property owners would still receive notice of the application, and would be given the opportunity to be heard at a hearing before the Planning & Zoning Commission. This Ordinance also provides for the payment of a \$300.00 fee for subdivision applications, plus the cost of mailing.

Proposed Ordinance

Mr. Cole introduced the Proposed Ordinance entitled "AN ORDINANCE AMENDING CHAPTER 99, SECTION 13, OF THE SUBDIVISION CODE OF SUSSEX COUNTY, RELATING TO NOTICE REQUIREMENTS TO BE GIVEN TO OWNERS WITHIN SUBDIVISIONS PRIOR TO ALTERATION, RESUBDIVISION, OR ADDITION". The Proposed Ordinance will be advertised for Public Hearing.

Draft Ordinance/ Vendors

Mr. Lank, Director of Planning and Zoning, presented for Council's consideration a draft ordinance entitled "AN ORDINANCE TO AMEND CHAPTER 115 OF THE CODE OF SUSSEX COUNTY IN ORDER TO ALLOW VENDORS IN THE C-1 GENERAL COMMERCIAL DISTRICT". This draft Ordinance defines vendors and allows vendors to operate as permitted accessory uses in a C-1 General Commercial District. The location of a vendor may be approved by the Director of Planning and Zoning, or by the Planning and Zoning Commission, if the Director chooses to refer the application to the Commission. Mr. Cole brought up concerns that he has with the draft ordinance: attaching a fee to the use; limiting the use to food related items; concern about multiple vendors; limiting the number of vendors per site. Introduction of the draft ordinance was deferred.

Public Hearing C/U No. 1350

A Public Hearing was held on the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN AMUSEMENT (PAINTBALL GAMES) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROAD CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 1.03 ACRES, MORE OR LESS" (Conditional Use No. 1350) filed on behalf of Delmarva Paintball, c/o Daniel Wallace. The Planning and Zoning Commission held a Public Hearing on this application on August 24, 2000, at which time they recommended approval with stipulations.

With the exception of Bill Brown, one of the operators of the flea market, Council found that there were no parties present in support of or in opposition to the application. The Public Hearing closed.

M 445 00
Adopt
Ordinance
No. 1348
(C/U
No. 1350)

A Motion was made by Mr. Dukes, seconded by Mr. Phillips, to Adopt Ordinance No 1348 entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN AMUSEMENT (PAINTBALL GAMES) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROAD CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 1.03 ACRES, MORE OR LESS" (Conditional Use No. 1350) filed on behalf of Delmarva Paintball, c/o Daniel Wallace, with the following conditions:

1. The paintball activity hours shall not exceed 9:00 p.m. on Fridays and Saturdays, and 5:00 p.m. on Sundays, except during the month of October only when hours may be until 11:00 p.m. on Fridays and Saturdays.
2. Any lighting of the paintball area shall not be directed toward homes or roadways.
3. The site plan shall be subject to the review and approval of the Planning and Zoning Commission.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Dukes, Yea; Mr. Jones, Yea;
Mr. Rogers, Yea

Findings
of Fact

The Council found that the conditional use was appropriate legislative action based on the following findings of fact:

1. The applicant established by substantial evidence that the proposed use is an appropriate adjunct to a neighboring general commercial site, upon which a flea market and outdoor retail sales occur. The use will provide adolescents and young adults a recreation and amusement area without any adverse impact on traffic, the environment, or the character of the immediate neighborhood.
2. The use is consistent with the Comprehensive Land Use Plan.
3. The findings of fact and recommendations of the Planning and Zoning Commission are incorporated herein.

Pension
Fund
Report

Mr. Baker summarized the Pension Fund Committee meeting held on September 12, 2000. At the meeting, a report was reviewed showing the performance of the Pension Fund. As of July 31, 2000, the fund was valued at \$17.4 Million. The fund has increased in pension value from investment appreciation during this calendar year in the approximate

Pension
Fund
Report
(continued)

amount of \$744,000. The investment performance was 4.41 percent compared to comparable indices of .6 percent. Over the long term, from January 1, 1994 to December 31, 1999, the fund's investment performance has averaged 12 percent per year.

Approximately 32 percent of the fund is invested in Wilmington Trust stock funds; 11 percent is invested in Fidelity; and 37 percent in the State of Delaware Pension Fund. An additional 20 percent of the fund is invested directly in U. S. Treasury Bonds and Agency Bonds.

Regarding the individual trustee returns, the Wilmington Trust return was 1.45 percent; Fidelity Investments was 1.98 percent; and the State of Delaware Fund was 9.3 percent.

Mr. Baker discussed the County's Fiscal 2000 pension contribution. The budgeted amount for the pension contribution is \$1.4 million. This will bring the County's unfunded pension liability to \$0; it will also fund the change in the Pension Plan for the paramedics and dispatchers.

The Committee is recommending that the County invest with the State of Delaware Pension Fund. The Committee considered how the contribution is to be made: (1) contribute the entire amount in December, (2) contribute the entire amount early, or (3) contribute through periodic investments using dollar cost averaging prior to January 1, 2001. The Pension Committee is recommending to Council (1) that the pension contribution be invested in the State of Delaware Pension Fund for this Fiscal Year and (2) that periodic equal investments be made on a monthly basis.

M 446 00
Approve
Invest-
ment of
Fiscal
2001
Pension
Fund

A Motion was made by Mr. Jones, seconded by Mr. Cole, that the Fiscal 2001 pension contribution be invested in the State of Delaware Pension Fund with periodic equal investments made prior to the first of each month, between now and January 1, 2001.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Dukes, Yea; Mr. Jones, Yea;
Mr. Rogers, Yea

Health
Care/
Pensioners

Mr. Baker reported that the Pension Committee also considered a health care proposal for pensioners. The proposal outlines the State of Delaware health care program for pensioners. The current cost for group hospital for the County's pensioners is \$304,000 annually. If the County goes to a similar type of program, there would be a savings of approximately \$117,576. The Committee has suggested that the County look at this proposal as part of the budget process next year.

Flood
Mitigation
Plan

Ms. Betty Collins, Assistant Director, Emergency Management, was in attendance to discuss the development of a Sussex County Flood Mitigation Plan. Counties were required to develop and adopt Flood Mitigation Plans as a condition for some FEMA funding. Several recommendations that are incorporated in this Plan are:

- (1) Identify properties subject to repetitive flood losses.
- (2) Work with property owners to implement mitigation projects as Federal grant funding becomes available.
- (3) Revise sections of the Sussex County Zoning Code which could allow new development to be subject to unnecessary flood risks, i.e. manufactured homes with floors below predicted flood levels and enclosures beneath elevated buildings.
- (4) Improve the quality of flood plain maps, processes for correcting the maps, and public awareness.
- (5) Create greater awareness within the agricultural community regarding construction requirements, i.e. poultry houses constructed within the flood plains and how to design these structures so as to comply with County requirements or eliminate the need for flood insurance.

Mr. Powell, State Flood Mitigation Plan Manager, discussed the concerns he most frequently hears from County personnel and residents regarding flooding: the cost of flood insurance and the inaccuracies of the flood plain maps. Mr. Powell stated that some of the ordinance change recommendations contained within the Flood Mitigation Plan would address these concerns. He further stated that this Plan will have a beneficial effect on keeping future development less prone to flooding and reduce the cost of flood insurance.

M 447 00
Adopt
Flood
Mitigation
Plan

A Motion was made by Mr. Cole, seconded by Mr. Jones, that the Sussex County Council adopts the Flood Mitigation Plan, as recommended by the Assistant Director, Emergency Management, and the Consulting Firm of Greenhorne & O'Mara, Inc.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Dukes, Yea; Mr. Jones, Yea;
Mr. Rogers, Yea

Milton
Public
Library
Expansion/
Contract
Agreement

Mr. Izzo, County Engineer, presented for Council's approval a Contract Agreement between Sussex County Council and Weymouth Architects and Planners for Consulting Services for Phase I of the Proposed Expansion to the Milton Public Library Building. The total project budget is \$600,000; this Contract is in the amount of \$24,950. Mr. Izzo noted that the County is still seeking grant funding for the project and for this reason, the County Engineering Department is recommending that

Milton
Library
(continued)

the County Council approve this “phased” Contract Agreement to permit the project to move forward in the interim. A deadline of December 31, 2000, has been set to see if additional funding has been obtained.

M 448 00
Execute
Agreement/
Proposed
Expansion/
Milton
Public
Library
Building

A Motion was made by Mr. Dukes, seconded by Mr. Cole, based upon the recommendation of the County Engineering Department, that an Agreement with Weymouth Architects and Planners be executed in the amount of \$24,950.00 to provide Phase I Consulting Services for a Proposed Expansion to the Milton Public Library Building.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Dukes, Yea; Mr. Jones, Yea;
Mr. Rogers, Yea

Ocean View
Expansion/
Change
Order

Mr. Izzo, County Engineer, presented for Council’s approval, a change order to the Contract entitled “Regional Pump Station at Ocean View”. The change order, in the amount of \$500.00, is for the addition of expansion joints, which were left off of the original plans.

M 449 00
Approve
Change
Order/
Ocean
View
Expansion

A Motion was made by Mr. Jones, seconded by Mr. Dukes, based on the recommendation of the Consulting Engineers, Whitman, Requardt and Associates, LLP, and the County Engineering Department, that the Sussex County Council approves Change Order No. 5 for Contract 99-08, Regional Pump Station at Ocean View, for expansion joints, that increases the Contract total in the amount of \$500.00.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Dukes, Yea; Mr. Jones, Yea;
Mr. Rogers, Yea

Savannah’s
East
Apartments

Mr. Green, Director of Utility Construction, discussed granting Beneficial Acceptance for the wastewater facilities constructed in Savannah’s East Apartments.

M 450 00
Grant
Beneficial
Acceptance/
Savannah’s
East
Apartments

A Motion was made by Mr. Cole, seconded by Mr. Jones, based upon the recommendation of the County Engineering Department, for Sussex County Project No. 81-04, that the Sussex County Council grant Beneficial Acceptance for the wastewater facilities constructed in Savannah’s East Apartments, located in the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District.

Motion Adopted: 5 Yea.

M 450 00
(continued)

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Dukes, Yea; Mr. Jones, Yea;
Mr. Rogers, Yea

Proposed
Ordinance

Mr. Cole introduced the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR RETAIL SALES OF SHEDS, PLAYGROUND EQUIPMENT AND YARD FURNITURE; SEASONAL SALES OF CHRISTMAS TREES, PUMPKINS AND VEGETABLES; OPEN PIT COOKING, AND A CORN MAZE, TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 39.81 ACRES, MORE OR LESS" (Conditional Use No. 1370) filed on behalf of Jay Beach. The Proposed Ordinance will be advertised for Public Hearing.

Proposed
Ordinance

Mr. Rogers introduced the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A MULTI-FAMILY DWELLING STRUCTURE (14 UNITS) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN CEDAR CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 19.82 ACRES, MORE OR LESS" (Conditional Use No. 1371) filed on behalf of the Philadelphia Pentecostal Holiness Church, Inc. The Proposed Ordinance will be advertised for Public Hearing.

Housing
Code/
CDBG
Funding

Mr. Phillips brought up for discussion the issue relating to the housing code. He asked if it was a consensus of Council to allow an amendment to the Code excluding from the housing code requirements, those citizens who do not receive CDBG funding. There was not a consensus of Council to proceed with an amendment.

M 451 00
Council-
manic
Grant

A Motion was made by Mr. Cole, seconded by Mr. Jones, to give \$250.00 from Mr. Cole's Councilmanic Account to the Lord Baltimore PTO for the Sixth Annual Coastal Music and Arts Festival.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Dukes, Yea; Mr. Jones, Yea;
Mr. Rogers, Yea

M 452 00
Council-
manic
Grant

A Motion was made by Mr. Cole, seconded by Mr. Jones, to give \$500.00 from Mr. Cole's Councilmanic Account to the Center for the Inland Bays, Inc. and the Kiwanis Foundation of Rehoboth Beach for the Rehoboth Beach Folk Music Festival.

Motion Adopted: 5 Yea.

M 457 00
Council-
manic
Grant

A Motion was made by Mr. Dukes, seconded by Mr. Jones, to give \$200.00 from Mr. Dukes' Councilmanic Account to the Laurel Lions Club for "Lions Vision Days".

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Dukes, Yea; Mr. Jones, Yea;
Mr. Rogers, Yea

M 458 00
Council-
manic
Grant

A Motion was made by Mr. Dukes, seconded by Mr. Jones, to give \$300.00, \$150.00 each from Mr. Dukes' and Mr. Jones' Councilmanic Accounts, to the Delaware State Police for a community policing partnership seminar.

Motion Adopted: 4 Yea, 1 Not Present.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Not Present;
Mr. Dukes, Yea; Mr. Jones, Yea;
Mr. Rogers, Yea

Corre-
spondence

The following correspondence was read into the record:

MAYOR'S PRAYER BREAKFAST COMMITTEE, DOVER,
DELAWARE.

RE: Seventh Annual City of Dover Mayor's Prayer Breakfast.

TOM MCDONALD, SEAFORD, DELAWARE.

RE: Letter and video tape regarding the early morning construction at the Perdue Agri-Recycle site.

FREDERICK J. WINWARD, FRANKFORD, DELAWARE.

RE: Letter explaining his absence at the Public Hearing scheduled for his conditional use application.

M 459 00
Council-
manic
Grant

A Motion was made by Mr. Dukes, seconded by Mr. Jones, to give \$450.00, \$250.00 from Mr. Rogers' Councilmanic Account and \$50.00 each from Mr. Cole's, Mr. Dukes', Mr. Jones' and Mr. Phillips' Councilmanic Accounts, to the Pilgrims' Ministry of Deliverance, Inc. for the Christian Fellowship Day.

Motion Adopted: 4 Yea, 1 Not Present.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Not Present;
Mr. Dukes, Yea; Mr. Jones, Yea;
Mr. Rogers, Yea

M 460 00
Council-
manic
Grant

A Motion was made by Mr. Dukes, seconded by Mr. Rogers, to give \$500.00, \$100.00 from each Councilmanic Account, to the Delaware Police Chiefs' Council, Inc. for Martin Johnson, Local Police Coordinator, to attend a meeting/conference in San Diego, California.

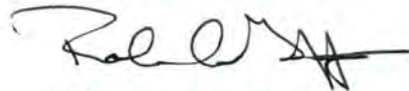
Motion Adopted: 4 Yea, 1 Not Present.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Not Present;
Mr. Dukes, Yea; Mr. Jones, Yea;
Mr. Rogers, Yea

M 461 00
Adjourn

A Motion was made by Mr. Dukes, seconded by Mr. Jones, to adjourn at 12:40 p.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Robin A. Griffith
Clerk of Council