

Town of Camden
Regular Town Council Meeting
Camden Municipal Building
April 1, 2024

CALL TO ORDER

Mayor Dougherty called the meeting to order at 7:00 p.m. and noticed that this regular Council Meeting was being held in compliance with the Delaware Open Public Meeting Act by posting the agenda on March 25, 2024, in the following manner:

- a. The electronic sign,
- b. The official bulletin board,
- c. The official Town of Camden website.

Mayor Dougherty led attendees in the Pledge of Allegiance and a moment of silence.

Council Attending: Mayor Dougherty, Vice-Mayor Sturgeon, Councilwoman Rhodes, and Councilman Ridgely

Council Absent: Councilman Woodall

Staff Attending: Town Manager Harold Scott Jr, Account Specialist Malori Lewis, Town Solicitor Greg Morris, CFO Tom Josiah, and Police Chief Marcus Whitney

AMENDMENTS

Mayor Dougherty advised that New Business (b.) – Maintenance Contract for Police parking entry gates) will be moved to the agenda for the following month, and that New Business (a.) – Fiscal Year 2023 Audit Report from Horthy & Horthy PA) will be moved to the first item on the agenda.

ANNOUNCEMENTS

None.

FY23 AUDIT REPORT (NEW BUSINESS (a.))

Paige Rubino represented Horthy & Horthy, PA, and thanked Mr. Scott, Ms. Lewis, Chief Whitney, Mr. Josiah, and the Mayor and Council for their assistance with getting through another successful audit. Ms. Rubino reported that they did not find any internal control deficiencies that rose to a sufficient deficiency or material weakness. Assets exceed the Town's liabilities by \$10.5M, of which \$6.5M is unrestricted and can be used to satisfy obligations and \$4M is invested in capital assets and other related debt. The capital assets of the Town are \$6.4M and the net position increased from the prior year due to the recognition of ARPA funding, building permits, and transfer taxes. As a result of federal expenditures exceeding the threshold, a single audit was conducted under uniform guidance. In closing, Ms. Rubino added that the audit went well, and their firm enjoys working with the Town of Camden.

A motion was made by Councilwoman Rhodes, seconded by Vice-Mayor Sturgeon, to accept the audit report as written. All in favor; none opposed.

REAPPOINTMENTS FOR THE YEAR 2024

Mayor Dougherty explained that the seats for the Planning Commission, Board of Adjustment, and Camden-Wyoming Water Board are typically 3-year terms, but it is unclear at this time when everyone's term expires as a majority have occupied the seats for many terms. The reappointments for this year will be for 3, 2, and one-year terms, based on seniority. After the terms reappointed in this meeting have expired, a vote will be taken by the Mayor and Council to reappoint these individuals, or make other selections, and each reappointment will be for a 3-year term moving forward.

Planning Commission – Mary Ellen Gray (3-year term), Michael Johnson (3-year term), Thomas Wanstall (3-year term), Adam Colaprete (2-year term), Tim Sullivan (2-year term), and Mike Prystajko (1-year term). There is one open seat for the Planning Commission (1-year term).

Board of Adjustment – Mike Prystajko (3-year term), John Badger (3-year term), Robert Bongers (2-year term), and Gale Christensen (2-year term). There is one open seat for the Board of Adjustment (1-year term).

Camden-Wyoming Water Board – Daniel Ridgely (3-year term), John Badger (2-year term), and Russell Steiger (1-year term).

Councilman Ridgely thanked each of these individuals for volunteering their time to assist with these positions and welcomed volunteers to fill the open seats.

Mayor Dougherty added that these individuals are volunteers and are not compensated for the time they devote to helping the Town of Camden on the Planning Commission, the Board of Adjustment, and the Camden-Wyoming Water Board.

A motion was made by Councilwoman Rhodes, seconded by Vice-Mayor Sturgeon, to accept the above individuals to the Planning Commission, the Board of Adjustment, and the Camden-Wyoming Water Board. All in favor; none opposed.

MINUTES

A motion was made by Vice-Mayor Sturgeon, seconded by Councilman Ridgely, to approve the March 4, 2024 regular meeting minutes. All in favor; none opposed.

FINANCE REPORT

Ms. Lewis stated that the delinquent tax amount is \$19,732.13 and that this amount includes 2022 and 2023 bills that have not been paid. We will be billing the 2024 tax bills on July 1, 2024. She added that we received \$10,127.70 in RETT in the month of March.

CAMDEN WYOMING FIRE DEPARTMENT

Jeff Brown gave a report that included but was not limited to fire and EMS calls. The two new ambulances continue to be delayed and are now scheduled to be ready in June or July of 2025.

Mayor Dougherty questioned the timeframe that the reported calls include.

Mr. Brown said the report includes calls from January 1 to current and their normal monthly calls average around 300-375.

Vice-Mayor Sturgeon asked if they keep track of other agencies they are assisting.

Mr. Brown advised that the 9-1-1 center handles that for them and sends them a report every month. He added that a lot of assistance is given to the City of Dover.

CAMDEN WYOMING SEWER & WATER AUTHORITY

John Badger said the next meeting is in April. There has been no change in the water rate and there was a small increase in the sewer rate.

FRIENDS OF HISTORIC CAMDEN

Gale Christensen said that Kent County has agreed to match the \$500,000 grant from the National Parks System, and they will be awarded a total of \$1M in funding for the Goggin House, which will mostly be used for structural repairs. She added that with the help of Senator Paradee, they have applied for a grant of \$10,000 to help fund the flag program. The Friends of Historic Camden have secured a spot at the Peach Festival, scheduled for the first Saturday in August, and welcomed volunteers to assist them.

POLICE REPORT

Chief Whitney gave a report that included but was not limited to traffic arrests and criminal activity. He stated they have had 48.5 hours of paid overtime and 6 hours of court overtime. Chief Whitney said they have had a total of 464 calls for this period, compared to 447 calls for this period last year.

Vice-Mayor Sturgeon added that the Police and Fire Departments do an excellent job assisting with vehicle accidents.

TOWN MANAGER REPORT

Mr. Scott stated that he did 22 inspections during the month of March. He signed off on another building in Sunset Village and a week after it caught fire. The building was unoccupied, and the sprinklers did their job but caused some major water damage. Regarding the streetlight project

that has been in the works for 2 years on King Blvd., Delmarva Power has started the process, and we should see the streetlights in working condition very soon. Mr. Scott stated that upon attending a University of Delaware (UD) class the previous week, he was advised that we owe them \$7,500 for the completion of the comprehensive plan updates that were done in 2022. He has received a copy of the invoice from UD to confirm that the total was \$15,000 and only \$7,500 has been paid, leaving \$7,500 due. Mr. Scott added that fuel is over budget.

Mayor Dougherty said he believes that fuel will continue to be over budget with the continuous rise of gas prices.

MAYOR

Mayor Dougherty stated that he has been working on a few things with the Chief and Town Manager, which will be reviewed under New Business. He added that we are making progress and trying to correct things as we go along.

OLD BUSINESS

None.

NEW BUSINESS

Amendment to Ordinance #2020-O-01 – New Construction Public Safety Impact – First Reading

Mayor Dougherty said that in 2021, the Council passed an ordinance for a New Construction Public Safety Impact Fee on all new residential builds. At that time, the fee was assessed at \$585.20, and this amount would be revisited every 2 years. We are in the 3rd year; Chief Whitney did a lot of research and together they have come up with a revised Ordinance that would raise the fee to \$934.20. This is a one-time fee for new residential builds and the fee is per unit. This impact fee would assist with public safety and help cover the cost of extra police that would be needed for additional calls stemming from added residences.

Vice-Mayor Sturgeon asked if the revenue from the fees would be designated to the Police Department.

Mayor Dougherty confirmed that the funds are strictly for public safety and designated for the Police Department. The calculation is based on the cost of an Officer for the first year, which includes training, salary, equipment, a vehicle, fuel, bullets, and annual firearm training. He added that this fee should be revisited every 2 years.

Vice-Mayor Sturgeon asked if the fee is assessed at the time of the residential build completion.

Mr. Scott advised the fee is assessed with the building permit, which is paid before starting the project.

Councilman Ridgely asked if we have a similar Ordinance for new commercial construction.

Mayor Dougherty explained that we do not have a similar Ordinance for new commercial construction at this time, but it is one of the things they have been discussing for future consideration. This type of impact fee may need to be annual, rather than one-time because most of our police calls are to commercial establishments.

Mayor Dougherty added that this is the first reading. This Ordinance amendment will be discussed again next month in a Public Hearing that is open for public comments, and the Mayor and Council will vote at that time. If approved, the amendment will be effective at the start of our next fiscal year, July 1, 2024.

New Ordinance #2024-O-01 – Traffic Ordinance – First Reading

Mayor Dougherty advised that this is a new Ordinance establishing traffic regulations in the Town of Camden, including penalties for violations thereof. This has been discussed for a few years, and the purpose is to help Camden residents and the Town of Camden. Currently, a traffic ticket that is generated, such as a speeding ticket, usually involves a fine of around \$105. If you plead guilty, the Town of Camden receives approximately \$12 to \$25, which can vary based on the type of ticket issued. Passing this Ordinance would, if pleading guilty, eliminate points on your driving record and your car insurance will not increase from a violation of a Town Ordinance. The Town of Camden will receive \$50, an increase of \$25. Mayor Dougherty added that enforcement will still be done the same way; if you contest the ticket, you will go to court just like you would now, and doing so opens you up for potential points on your driving record and increased insurance rates.

Vice-Mayor Sturgeon asked how this would impact the person receiving the ticket.

Chief Whitney advised that a standard ticket is \$104.50 for pretty much everything unless it is a non-moving violation. This Ordinance would increase the fine to \$107, however, no points would go on their driving record and would ultimately save them the cost of an insurance rate increase. The person does not have to plead guilty and can still contest the ticket, which would enter it into the DELJIS system, and it would be handled like a regular citation.

Mayor Dougherty added that this is the first reading. This new Ordinance will be discussed again next month in a Public Hearing that is open for public comments, and the Mayor and Council will vote at that time.

PUBLIC COMMENTS

Maryann Faust – Asked when is flag on the wall will be taken down, if developers are aware of the changes being considered to Ordinance #2020-O-01, and asked what RETT stood for, why the amount changes, and what those funds are used for.

Mayor Dougherty advised that we will review the Code that Mrs. Christensen cited for the flag and that developers would be advised of the changes when they apply for their permits. He added that our fee is one of the lowest found in Kent County.

Ms. Lewis explained that RETT stands for Real Estate Transfer Tax and the amount is determined by the home sales for that month, which can vary regularly.

Mayor Dougherty explained that we have legal limitations on what RETT funds can be used for.

Fleur McKendell – Asked if public comment is still 2 minutes and if the Mayor and Council are considering changing it to 3 minutes.

Mayor Dougherty explained that public comment is 2 minutes, and they are considering changing it to 3 minutes.

Ms. McKendell mentioned that the website still shows Councilwoman Rhodes as Vice-Mayor and should be updated to Vice-Mayor Sturgeon. She recommends that the Council packet be included on the website. Ms. McKendell thanked Chief Whitney and Vice-Mayor Sturgeon for attending the Town Hall that Representative Yearick and Senator Buckson hosted at CRHS regarding homeless and tent encampments. She expressed her concern with the FOIA requests she submitted; she understands that the Town Clerk who handled them has resigned and would like an update. Ms. McKendell also inquired when we will have the necessary equipment to have virtual meetings for people unable to attend in person and added that she will continue to go Live on Facebook to stream our meetings. She added that contact information such as an email address should be available on our website for the Mayor and Council.

Mayor Dougherty advised that it was announced in last month's meeting that we have been approved for a grant to be able to upgrade the King Meeting Room to cast virtual meetings and the process will begin when the grant is received. The software will not be interactive and we will accept public comments via email.

Gale Christensen – Thanked Mayor Dougherty for clearing up the terms for the Boards and for taking her comments seriously. She mentioned that US Flag Code 18, Section 700 describes the many ways that the flag on the wall is not within the Flag Code.

Susan Savage – Asked when the audit report will be posted on the website.

Ms. Lewis advised that now that the audit has been approved, the financial statements that include the details of the audit will be added this week.

Carole Milton (Camden Commons) – Expressed her longstanding concern about the demise of her neighborhood and wants to know what the plan is to get her development up to code.

Mayor Dougherty explained that something will be done by the end of this month.

Dawn Gonzalez (Barclay Farms) – Suggests that someone researches the UD bill from 2022 before issuing a payment for it.

Mayor Dougherty advised that the bill will be researched to ensure it is valid.

Councilman Ridgely said he can vouch that the planner from UD put in a lot of hours and effort working with him, Mary Ellen Gray, and Mr. Scott on updates to the zoning ordinance in 2022.

Ms. Gonzalez thanked Councilman Ridgely for looking into it and thanked the Mayor and Chief Whitney for looking at the Public Safety Impact Fee and the discussion of implementing a fee for commercial construction. She added that the Town Clerk was very helpful in answering many questions for her and was able to provide her with contact information for the Mayor and Council. She mentioned that she has emailed them on occasion and thanked them for replying to her emails, and thanked Ms. Lewis for assisting her with an Ordinance question.

Mary Ann Faust (Barclay Farms) – Asked if the grant we were approved for is for Zoom specifically and if it would require a meeting ID and password to join. She also asked how the public would be able to make comments and ask questions.

Mr. Scott said that it would be a streaming platform.

Mayor Dougherty explained that we want to respond to questions and concerns from the public, but the debate must stop. We will pan out the details of public comment.

COUNCIL COMMENTS

Councilwoman Rhodes thanked the Town Staff, the Police Department, the Fire Department, and everyone out in the field for everything they do for the Town and the Mayor and Council.

Councilwoman Sturgeon thanked everyone for coming out and giving valuable feedback. She thanked the Police Officers for attending the Town Hall at CRHS to discuss the homeless tent encampments. She added that this is all after hours and she appreciates their dedication. She also thanked the Town Staff for getting everything done while being short-staffed and in high demand.

Councilman Ridgely thanked all public service officials and mentioned that he welcomes feedback from the public to assist with changes to the comprehensive plan.

EXECUTIVE SESSION

To consider strategy with respect to pending and/or potential litigation and/or with respect to personnel issues and/or collective bargaining.

ADJOURNMENT

A motion was made at 8:11 p.m. by Councilwoman Sturgeon, seconded by Councilman Ridgely, to adjourn the council meeting. All in favor; none opposed.

*Respectfully submitted,
Maleri Lewis, Account Specialist*