

**Lewes Board of Public Works
Joint Meeting Minutes
Monday, January 27, 2025
Rollins Community Center
101 Adams Avenue Lewes, De 19966**

1. Welcome, Call the meeting to order

Mayor Williams called the meeting to order at 1:04pm.

2. Roll Call

BPW Board Members

*Thomas Panetta
Barbara Curtis
D. Preston Lee, P.E.
Richard Nichols
Bob Heffernan*

City Council Members

*Mayor Andrew Williams
Khalil Saliba
Timothy Ritzert
Amy Marasco
Joseph Elder*

BPW Ex-Officio Members

*Robin Davis, Interim General Manager
Michael Hoffman, Legal Counsel*

City Ex-Officio Members

*Ellen Lorraine McCabe, City Manager
Janet Reeves, ACM/Parks and Recs
Alexander Burns, Legal Counsel*

Others

*Bill Shull, Cape Gazette
Benjamin Hearn, GMB
Andrew Lyons, GMB
Ashley Akgoren, City Clerk
Blue Jade, City of Lewes
Sharon Sexton, BPW Special Projects Coordinator
Kerry Tripp, Resident*

3. Review and discussion of the existing Memorandum of Understanding between the City of Lewes and the Lewes Board of Public Works.

The Memorandum of Understanding (MOU) between the City of Lewis and the Board of Public Works (BPW) is set to expire in 2026. As this renewal approaches, the purpose of this discussion is to look at potential amendments or whether the agreement should be renewed in its current form.

Reviewed Key points of the existing MOU include a variety of provisions governing:

- **Utility extensions:** The procedures and responsibilities surrounding the expansion and maintenance of utility infrastructure.

- **BPW's authority to sue or be sued:** This provision gives BPW the legal right to initiate or defend lawsuits, a clause that may be revisited in the upcoming review.
- **Permits and capital projects:** Guidelines for issuing permits and overseeing capital projects such as infrastructure improvements.
- **Compliance with zoning laws:** Ensuring that all activities of the city and BPW are in line with the city's zoning regulations.

There is a consensus among the attendees that litigation should not be the primary method of resolving disputes between the city and BPW. The group emphasized the importance of maintaining open lines of communication to resolve conflicts amicably before resorting to legal action.

Future discussions will focus on several unresolved questions:

- Whether BPW's authority to sue or be sued should remain in the new MOU.
- How to address stormwater fee structures that are still under discussion.
- Whether changes need to be made in how both the city and BPW ensure compliance with zoning laws.

Ms. Marasco suggested transitioning the MOU into a more evergreen agreement, meaning it would no longer require frequent renewals. Instead, the MOU would be accompanied by an action plan that addresses specific activities or changes on a case-by-case basis.

Resiliency and emergency management are being considered as new elements that could be integrated into the MOU. These additions would align the city and BPW's efforts in planning for long-term sustainability and disaster preparedness.

No public Comment on this topic.

4. Update from the ad-hoc steering committee regarding the municipal complex at the Army Reserve Center.

Discussion:

- BPW voted at last Board meeting in favor of demolishing the existing Army Reserve Center building, with the intent to clear the site for future development. This is seen as a necessary step to prepare the land for a new municipal facility.
- Mr. Saliba reviewed the ad hoc committee's purpose of defining the processes for transforming the Army Reserve Center site into a municipal complex. Ms. Marasco would like to see a macro schedule at the next quarterly meeting. The project will look holistically at city/BPW property, including Shley Avenue.
- Public involvement is seen as critical to the success of the project. Several public engagement methods are being discussed, including:

- Workshops: Community meetings where the public can provide input on what the municipal complex should look like and what services it should offer.
- Outreach: Conducting surveys and town halls to ensure the project aligns with the needs and desires of the residents.
- There is also an emphasis on exploring potential financial strategies for development, including the possibility of entering public-private partnerships to help fund the project. This could involve collaborating with private developers or seeking funding from federal or state sources.
- The Army Reserve Center is being viewed as a potential site to address the growing need for more space for both city offices and BPW facilities. As the city and BPW expand, the current office spaces may no longer be sufficient, making this redevelopment a vital component of future planning.
- BPW needs to discuss their position in the project, as a shared owner or a tenant.

Kerry Tripp, 400 Park Avenue, questioned how this project was initiated. The City Council and Board explained that both entities have outgrown the current space and a GMB spatial study was conducted. Ms. Tripp requests more transparency with the public, as many residents are surprised by these project discussions. Mayor Williams disagrees as the project has been discussed at multiple city council meetings and BPW Board meetings. Ms. Tripp feels that this project does not reflect what the people want. Mr. Saliba stated that developing the process through the ad hoc committee will play a key role in transparency with the public. President Panetta agrees that more information is needed before presenting to the public. Ms. Tripp encourages public engagement during the ad hoc process.

5. Review and discussion on the procedure for agenda item requests.

Discussion:

The process of adding items to the agenda for joint meetings between the City and BPW has been a point of contention.

The mayor is responsible for setting the agenda for the City Council, while the Board President sets the agenda for the BPW. For joint meetings, the mayor and president must agree on which items will be included on the agenda. If they do not reach an agreement, the item will not be included. Mr. Hoffman stated that this is general practice.

Suggestions to improve this process include:

- Requiring that two members from each body agree on an item before it is added to the agenda. This would ensure that only significant issues are discussed and prevent the agenda from becoming overcrowded.

- Another option is to funnel agenda requests through city and BPW managers or chairs who could filter and prioritize topics based on relevance and urgency.

Both the City Council and BPW Board agree that it is important to make sure that all relevant topics are discussed, and no significant issue is overlooked and will continue discussions regarding best practices for requesting items to be placed on an agenda.

6. Selection of the date and topics for the next BPW/City joint meeting.

Next joint meeting is scheduled for April 28, 2025 1:00 at the Rollins Center.

7. Call to the Public

8. Call to the Press

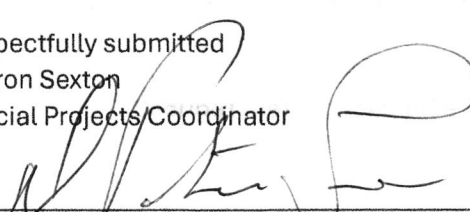
Bill Shull of the Cape Gazette asked for clarification on whether the BPW supports the demolition of the Army Reserve site. Board President Panetta stated that the BPW did vote in favor of demolition; however, who they feel should be responsible for the demolition has yet to be determined.

Mr. Shull then asked if there were any updated figures for the project. Both organizations agreed that they are not far enough along in the process to provide figures.

9. Adjournment

Meeting was adjourned at 2:24pm.

Respectfully submitted
Sharon Sexton
Special Projects Coordinator



Board Secretary, D. Preston Lee, P.E.



Date