

**MINUTES OF THE TOWN OF SELBYVILLE
TOWN COUNCIL MEETING AUGUST 3, 2020**

Mayor Murray called the Regular Meeting of the Mayor and Council for the Town of Selbyville to order at 7 o'clock p.m. Also in attendance were Councilmen Richard Duncan, Jay Murray, Frank Smith and Clarence Tingle.

The Agenda was properly posted.

1. Opening of Meeting –

A. Mayor Murray led in the Pledge of Allegiance.

B. Presentation of the Minutes of the July 6, 2020 meeting by Mayor Murray. Councilman Smith made a motion to dispense with the reading of the Minutes and to approve them as presented. Motion seconded by Councilman Tingle and carried by all.

C. Presentation of the July 31, 2020 bills by Mayor Murray. Councilman Smith made a motion to pay all bills as presented. Motion seconded by Councilman Tingle and carried by all.

2. Mayor's Report –

A. AN ORDINANCE REVISING, UPDATING, AMENDING AND ADOPTING THE 2020 UPDATE TO THE TOWN OF SELBYVILLE COMPREHENSIVE PLAN.

Mayor Murray read the Ordinance in its entirety. He stated that the town has been working on updating the Comprehensive Plan for some time now. Councilman Duncan made a motion to accept the revised, updated and amended Comprehensive Plan as presented. Motion seconded by Councilman Smith and carried by all.

B. A RESOLUTION PROPOSING THAT A PUBLIC HEARING BE HELD ON SEPTEMBER 14, 2020, AT 7:00 P.M., AT THE TOWN HALL, 1 W. CHURCH STREET, SELBYVILLE, SUSSEX COUNTY, DELAWARE, TO CONSIDER THE REZONING OF REAL PROPERTY IDENTIFIED AS SUSSEX COUNTY TAX MAP AND PARCEL NUMBER 5-33 16.16 102.00 FROM HR HISTORIC RESIDENTIAL TO HB HISTORIC BUSINESS; THE REZONING OF REAL PROPERTY IDENTIFIED AS SUSSEX COUNTY TAX MAP AND PARCEL NUMBER 5-33 16.12 35.01 FROM R2 RESIDENTIAL TO HB HISTORIC BUSINESS; THE REZONING OF REAL PROPERTY IDENTIFIED AS SUSSEX COUNTY TAX MAP AND PARCEL NUMBER

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**5-33 17.00 156.07 FROM R4 RESIDENTIAL TO GC GENERAL
COMMERCIAL; AND THE REZONING OF REAL PROPERTY
IDENTIFIED AS SUSSEX COUNTY TAX MAP AND PARCEL NUMBER
5-33 17.00 182.00 FROM R4 RESIDENTIAL TO GC GENERAL
COMMERCIAL.**

Mayor Murray stated that the rezoning of these properties could not be done until the Comprehensive Plan was accepted. Town Manager Stacey Long added that the properties were brought forth during the Comprehensive Plan update and reviewed during a joint meeting of the Planning and Zoning Commission and the Mayor and Council. Councilman Duncan made a motion to set a Public Hearing for September 14, 2020 at 7 o'clock p.m. to consider the rezoning of the properties as presented. Motion seconded by Councilman Tingle and carried by all.

Mayor Murray acknowledged that certain COVID-19 restrictions are still in place but that the town is operating smoothly.

3. Visitors in Attendance –

Jay Griffith from Mountaire commented on several issues that occurred during the past month. He conceded that Mountaire needs to do a better job parking trailers where they are supposed to be parked and following the Parking Agreement. He also addressed an odor complaint that, because of miscommunication, was not followed up on for several hours. Upon investigation, he suspects it had to do with pumping sludge into a trailer.

Zach Evans, Community Relations with Mountaire, stated that their main focus during the pandemic has been feeding people. He reported that they've sold over 4 million pounds of chicken, at an average of \$1 per pound, by holding community truck sales in communities across Delmarva. He also reported that they've donated 675,000 pounds of chicken to local non-profits and food banks with the majority also going to local communities in Kent and Sussex counties. He complimented the entire agriculture industry on the shore for their outpouring of generosity during the past few months. Mayor Murray thanked Mountaire for their generosity. Councilman Duncan also thanked Mountaire. He reported that they donated 30,000 bags to Delaware Health and Social Services. The bags were then filled with hand sanitizer, masks and disinfectant wipes and distributed to communities that could not afford them.

4. Reports –

A. Police – J. Murray

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Councilman Murray reported that during the month of July there were 359 calls for service, 189 tickets issued and 26 varying arrests. Fine money for the month of June has not yet been received from the state. Chief Collins cautioned everyone about the rain and wind expected with the approaching storm. The discussion then turned to excessive speeding and parking within developments, which has long been an ongoing issue. The speed limit is often posted at the entrance to the development but not on the streets throughout the development. Councilman Smith was in favor of changing the speed limit to 15 mph in all developments. Chief Collins stated that the speed trailer really does help deter speeding and that he tries to move it around to all the locations. He suggested curbs and hydrants be repainted to highlight parking restrictions. Chief Collins also reported that he had a request from the Apostolic Church of God to hold a benefit carwash and chicken BBQ in the parking lot of the old Town Hall at 68 W Church Street on August 21st and 22nd. The Council had no objection. Chief Collins stated that his department has not experienced any negativity during this time. Quite the opposite, in fact, as they've received several food donations and thank you cards from residents.

B. Code – S. Long

See report for the month of July.

C. Water – R. Duncan

See report for the month of July. Councilman Duncan reported that the town produced 14.8 million gallons of water during the month and continued to meet all state and federal testing requirements. He announced that the annual Consumer Confidence Report is now available for review on the town's website. He also reported that a chemical feed pump malfunctioned on July 21st caused pink water. Flushing hydrants resolved the issue within several hours. Councilman Duncan reported that the town is receiving approximately 130,000 gallons of water a day from the interconnection with Artesian. The town is continuing to work with Artesian concerning erecting a tower near Hudson Road. Town engineer Jason Loar is working with USDA on funding. Councilman Duncan acknowledged that it's going to be a lengthy project.

D. Public Works – R. Duncan

See report for the month of July. Councilman Duncan reported that the town has hired an additional employee in the Water/Public Works department. He's young, eager to learn and is already studying for Level I water license.

E. Recreation – R. Duncan

No report for the month of July.

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F. Sewer – F. Smith

See report for the month of July. Councilman Smith reported that the plant performed within all required permit parameters for the month. He reported that there was a peak flow of 1.8230 gallons. Councilman Smith stated that this is the highest number he's ever seen. Jason Loar volunteered to review the data to identify the cause of the increase. He added that there was a day in July when the Hudson Road pump station was running longer than usual. He'll get with Bettina and check the flow meters for the various pump stations to try to identify the spike. Councilman Smith referenced a report from Davis, Bowen & Friedel that outlines work needed at the plant in order to bring the second oxidation ditch back online. He stated that some of diffusers, that have a life span of about 7 years, will have to be replaced, as well as some of the mixers. The clarifier will have to be repaired and the slide gates replaced, like what was done on Oxidation Ditch #1. Stacey stated that she was just given a Purchase Order request to repair Mixer #3. The cost to repair is \$10,657 as opposed to \$25,139. DBF recommends it be repaired. Councilman Smith also stated that he would like to upgrade a third sludge pump at a cost of \$32,000. The plant was built in 1989, equipment needs to be replaced, so the bills are going to start mounting. He reviewed that Oxidation Ditch #1 has been shut down and that the plant is now running on Oxidation Ditch #2. If Mountaire has any questions about the bills, he suggested they contact Stacey. Jay Griffith acknowledged Councilman Smith's comment. Councilman Smith also asked Jason Loar about the ditch on Old Farm Road along Polly Branch Road. Jason stated that he brought a large aerial map for review. Jason stated that he got minor comments back from DNREC concerning Phase 1 of the pump station upgrade and that they're currently being addressed. He anticipates getting a construction permit within the next few weeks for the upgrade themselves. The force main alignment issue still needs to be addressed. With so much already going down the road (gravity, water and DelDOT), Councilman Smith stated that other options need to be considered.

G. Planning and Zoning – J. Murray

No report for the month of July.

H. Industrial Park – C. Tingle

No report for the month of July.

I. Annexation – C. Tingle

See report of the July 15, 2020 Meeting. Councilman Tingle stated that the committee had received an annexation request from Ronald H. Hamblin and Josephine B. Hamblin to annex property located on Lighthouse Road, identified as Tax Map 5-33-18.00 Parcel 35.01, consisting

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of 3.88 acres, more or less, into the town. The property is contiguous to Lighthouse Lakes. Councilman Tingle stated that the property owner basically wants to annex in so that he can connect to town water and sewer services. He added that Jason Loar had explained to the property owner the cost of connecting to a sewer force main and that Mr. Hamblin understood, and accepted, the expense. Councilman Tingle stated that the Annexation Committee had no objection to the request. Stacey reported that she has sent the paperwork on for review and approval from the Office of State Planning. A Public Hearing will be set once the state and county comment on the request.

J. Administration – S. Long

Stacey reported that she has received two quotes to demolish the existing building at 68 W Church Street, a discussion that was tabled at the July meeting. Councilman Duncan stated that he talked with the Public Works supervisor and that they'd like to see a pole barn, similar to the one the fire company recently built, erected on the site. They'd like to have a building where they could park their equipment and also have a small office in the front. Some of their equipment is currently stored at Site B on Polly Branch Road. The Mayor and Council agreed that the existing building needs to be demolished. Councilman Murray suggested hiring a land planner to design the new structure and Councilman Smith agreed. Councilman Duncan stated that the lowest demo bid was from LH Excavating, Inc. The bid to demolish and remove the old structure is \$19,000. Councilman Duncan made a motion to accept the bid from LH Excavating, Inc. for \$19,000 as presented. Motion seconded by Councilman Tingle and carried by all.

5. Executive Session –

There being no further business to discuss, Councilman Smith made a motion to adjourn the meeting to go into Executive Session to discuss legal and personnel matters. Motion seconded by Councilman Duncan and carried by all.

Respectfully submitted,

Sandra H. Givans
Assistant Secretary/Treasurer

