

**MINUTES OF THE TOWN OF SELBYVILLE
TOWN COUNCIL MEETING SEPTEMBER 14, 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.

1. Opening of the Regular meeting –

- A. Mayor Murray opened the meeting by welcoming everyone.
- B. Mayor Murray led the audience in the Pledge of Allegiance.
- C. Presentation of the Minutes of the August 3, 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.
- D. Presentation of the August 31, 2020 bills by Mayor Murray. After review by the Council, Councilman Smith made a motion to pay all bills as presented. Motion seconded by Councilman Tingle and carried by all.

2. Mayor's Report & Comments:

Mayor Murray presented the following:

- A. A RESOLUTION PROPOSING TO ANNEX CERTAIN TERRITORY, CONTIGUOUS TO THE PRESENT LIMITS OF THE TOWN OF SELBYVILLE OWNED BY RONALD D. HAMBLIN AND JOSEPHINE B. HAMBLIN, LOCATED ON US ROUTE 54 (A/K/A LIGHTHOUSE ROAD), IDENTIFIED AS SUSSEX COUNTY TAX MAP AND PARCEL NO. 5-33-18.00-35.01, CONTAINING 3.88 ACRES, MORE OR LESS ("SUBJECT PROPERTY"):**

AND

TO AMEND THE ZONING MAP AND ZONING ORDINANCE OF THE TOWN OF SELBYVILLE TO INCLUDE SAID SUBJECT PROPERTY IN THE R-4 RESIDENTIAL DISTRICT:

AND

ESTABLISHING THAT A PUBLIC HEARING BE HELD ON SAID ZONING AMENDMENT ON THE 5TH DAY OF OCTOBER, 2020, AT 7:00 O'CLOCK IN THE EVENING, PREVAILING TIME, AT THE TOWN OFFICE, 1 W. CHURCH STREET, SELBYVILLE, DELAWARE.

Councilman Tingle made a motion to hold a Public Hearing on October 5th, 7 p.m. at the Selbyville Town Hall in regards to the Zoning Amendment of the above mentioned property. The motion was seconded by Councilman Smith and carried by all.

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3. Visitors in Attendance:

Ms. Dawn Lekites, a resident of Meadow View Estates, inquired about the vacant building of the previously owned Georgia House Restaurant asking if anything has been decided on what is going in that building. Stacey responded by saying that it has a new owner and as of this date they are just renovating the building and hoping to lease it out in the future.

4. Reports

A. Police Report – J. Murray

Councilman Murray stated there was 292 calls for service, 240 tickets and 16 different arrests during the month of August and we received \$2,785.82 in fine money for the month of July. Chief Collins reported the newest officer is now on the road by herself. She is doing a good job. The new vehicle has arrived and going to be equipped soon. The in-car cameras have arrived and will be installed starting with the newest vehicle. The National Drug Take Back program will be next month and the Distractive Driving grant starts next week. Chief Collins also reported the speed trailer is going to be repaired and is under warranty.

B. Code – S. Long

See report for the month of August. Stacey introduced the new Code Enforcement Officer, Charlie Herbert. Charlie thanked the Mayor and Council for giving him this opportunity to come aboard. He stated that if anyone has any concerns to not hesitate to call the office and they will be addressed to best of their ability.

C. Water Report – R. Duncan

See report for the month of August. Councilman Duncan stated we are still in compliance with all State and Federal testing requirements. The dead ends are continually being flushed with no problems. Hydrant flushing will take place in October.

D. Public Works – R. Duncan

See report for the month of August. Councilman Duncan reported George, Doug, Trey & Ron have been cleaning storm drains, cutting grass, repairing water meters and assisting in the water plant. They are also painting the curbs in front of the hydrants.

E. Recreation – R. Duncan

Councilman Duncan reported we are still waiting on a grant for Pickleball recreation.

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F. Sewer Report – F. Smith

See report for the month of August. Councilman Smith reported that the plant performed within the required permit parameters for the month. He reported there are bills for the SCADA system upgrade in the amount of \$16,700 and explained that it notifies problems with the pump stations.

There was a meeting held with Hans Medlarz from the Sussex County Engineering Department to discuss the modification of the Ocean Outfall contract. It is being reviewed by our attorney and the unanimous opinion of the Mayor and Council is to wait for her approval before it is accepted by the Town.

G. Planning & Zoning – J. Murray

Councilman Murray reported there was a meeting held on August 18th with all members present. The first item on the agenda was a Conditional Use Request for a tattoo shop to be operated at 11 W. Church St. Stacey read the following Resolution:

RESOLUTION TO APPROVE A CONDITIONAL USE FOR A TATTOO SHOP TO BE OPERATED BY MIGUELANGEL GARCIA, LOCATED ON REAL PROPERTY OWNED BY RICKARDS REAL ESTATE DELAWARE, LLC, IDENTIFIED AS 11 W. CHURCH STREET, SELBYVILLE, DELAWARE, AND FURTHER IDENTIFIED AS SUSSEX COUNTY TAX MAP AND PARCEL NUMBER 5-33-16.16-8.00. (SEE ATTACHED)

Stacey explained the Tattoo shop was previously located at 5 W. Church St. and is asking to relocate the same business to 11 W. Church St. Councilman Duncan made a motion to adopt this resolution as presented upon the recommendation of the Planning & Zoning Commission. The motion was seconded by Councilman Murray and carried by all.

The second item on the agenda was a Conditional Use request for a Commercial Landscape Management operation to be located on Cemetery Road and Blueberry Farm Road. Stacey read the following Resolution:

RESOLUTION TO APPROVE A CONDITIONAL USE FOR A COMMERCIAL LANDSCAPE MANAGEMENT OPERATION TO BE OPERATED BY COY INVESTMENTS, LLC, ON REAL PROPERTY PRESENTLY OWNED BY EVELYN A. EVANS, TRUSTEE, LOCATED ON CEMETERY ROAD AND BLUEBERRY FARM ROAD, SELBYVILLE, DELAWARE, AND FURTHER IDENTIFIED AS SUSSEX COUNTY TAX MAP AND PARCEL NUMBER 5-33-

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16.00-41.00. (SEE ATTACHED)

Joel Sullivan, owner of Coy Investments, LLC, addressed the Mayor and Council by explaining the operation of their business. He stated they are a small family business which has been in operation for 32 years and has grown significantly in the past couple of years. Selbyville is the perfect location for their business as it continues to grow. After much discussion, Councilman Duncan made a motion to adopt this Resolution as presented upon the recommendation of the Planning & Zoning Commission. The motion was seconded by Councilman Tingle and carried by all.

The third item on the agenda was the review and consideration to the town's Construction Standards and Subdivision Standards and Specifications. Stacey explained there are several items such as the Bonding Process, Street Specifications, Utility Install Location, Street Lighting and Street Signage (Speed Limits) that need updating and making sure that they coincide with what's in the code versus what is in the construction standards. The Planning & Zoning Commission recommends the engineer, Davis, Bowen & Friedel update these specifications and make sure they all coincide with one another.

H. Industrial Park – C. Tingle

No activity for the month of August.

I. Annexation – C. Tingle

It was discussed earlier in the meeting.

J. Administration Report – C. Tingle

Nothing to report for the month of August.

K. Administration Report – S. Long

Stacey reported the Lions Club has inquired about the Halloween Parade on whether it is allowable or if it has to be cancelled. It was the consensus of the Mayor and Council and due to the current situation they feel it should be cancelled. Councilman Smith made a motion to cancel the Halloween Parade and to allow for Trick or Treating from the hours of 6 pm. to 8 p.m. The motion was seconded by Councilman Tingle and carried by all.

In conclusion, Stacey reported that the Bethany-Fenwick Chamber of Commerce will be having their Ocean to Bay Bike Tour on Saturday, October 17th. They asked if they could use our parking lot. They informed us they will be adhering to the mandatory requirements for face masks and social distancing. Chief Collins stated the police department will have to

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make sure there will be cones placed at their entrance so they can enter & exit the building. The Chamber has to make sure they are not blocking that entrance.

Councilman Duncan reported the Royal Farms is now open for business. Everyone agreed it looks very nice and will be a great asset to the Town.

5. Executive Session

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

Mayor Murray adjourned the regular session to go into executive session to discuss legal and personnel matters and thanked everyone for attending.

Respectfully submitted,

Deborah L. McCabe
Secretary/Treasurer

Executive Session