

**MINUTES OF THE TOWN OF SELBYVILLE
TOWN COUNCIL MEETING FEBRUARY 1, 2021**

Mayor Murray welcomed everyone and called the meeting to order at 7 o'clock p.m. Also in attendance were Councilmen Jay Murray, Richard Duncan, Frank Smith and Clarence Tingle.

The meeting was properly posted.

Mayor Murray led the Pledge of Allegiance.

1. Opening of Meeting –

A. Presentation of the Minutes of the January 4, 2021 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.

B. Presentation of the January 31, 2021 bills by Mayor Murray. After review by the Council, Councilman Smith made a motion to pay the bills as presented. Motion seconded by Councilman Tingle and carried by all.

2. Mayor's Report –

A. A RESOLUTION PROPOSING THAT A PUBLIC HEARING BE HELD ON MARCH 1, 2021, 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 17.00 182.00 FROM R-4 RESIDENTIAL TO GC GENERAL COMMERCIAL.

Mayor Murray read the Resolution in its entirety. Councilman Tingle made a motion to set a Public Hearing on March 1, 2021 at 7 o'clock p.m. as presented. Motion seconded by Councilman Duncan and carried by all.

B. Mrs. Dawn Lekites informed the Council that the Selbyville Community Club has regretfully decided to cancel its annual March Art Show.

C. Mayor Murray stated that according to the Charter it was once again time to set the Tax Rate. He stated that it is currently \$1.85 per \$100 of assessed value. Councilman Tingle made a motion to keep the Tax Rate at \$1.85 per \$100 of assessed value. Motion seconded by Councilman Smith and carried by all.

**MINUTES OF THE TOWN OF SELBYVILLE
TOWN COUNCIL MEETING FEBRUARY 1, 2021**

3. Visitors in Attendance –

Zach Evans, Community Relations Manager for Mountaire Farms, stated that they are moving forward with plans for their annual Easter Food Packing event. They will be practicing all COVID protocols. He also stated that they continue to support local churches, schools and other community organizations in need.

4. Reports –

A. Police – J. Murray

Councilman Murray stated that there were 306 calls for service, 99 tickets issued, and 8 arrests of various kinds made during the month of January. Fine money for the month of December 2020 has not yet been received from the state. Chief Collins reported that In-Car and Body Camera equipment is being received and should be ready to install by the end of March. Unfortunately, the company cannot be onsite until May. Chief Collins anticipates being up and running by summer.

B. Code – S. Long

See report for the month of January.

C. Water – R. Duncan

See report for the month of January. Councilman Duncan reported that the town continues to meet all state and federal testing requirements. He also stated that the town is continuing to monitor TTHM levels on South Main Street and Route 54. Councilman Duncan reported that he and engineer Jason Loar have been talking with several funding agencies and are hoping to secure grant money for the new water tower project on Hudson Road. The town will submit a Letter of Intent for SRF funding. He stated that the town is also eligible for USDA funding so they're exploring all their options.

D. Public Works – R. Duncan

See report for the month of January.

E. Recreation – R. Duncan

No activity for the month of January

**MINUTES OF THE TOWN OF SELBYVILLE
TOWN COUNCIL MEETING FEBRUARY 1, 2021**

F. Sewer – F. Smith

See report for the month of January. Councilman Smith stated that the plant performed within all required permit levels for the month of January. Councilman Smith reported that he received several quotes for repairs to the wet well sealing and also for sealing the Polly Branch flow station. He stated that these are smaller wet wells and that the leaking caused electrical problems. Councilman Smith reported that the quotes were reviewed by Davis, Bowen & Friedel and that engineer Jason Loar recommends Harry Caswell be awarded the maintenance project in the amount of \$11,700.00 to seal the wet wells. It's a maintenance issue and the Council agreed it needs to be done.

G. Planning and Zoning – J. Murray

See Minutes of the January 20, 2021 meeting. **It is noted in the Minutes that Councilman Jay Murry recused himself from the first two items on the Agenda.**

Councilman Duncan stated that the first item on the Agenda was a request from Saltwater Landing to eliminate the north-south walking path from their Site Plan. Saltwater Landing is a Residential Planned Community located at the easterly corner of Lighthouse and Hudson Roads. Councilman Duncan stated that there is already a proposed sidewalk that runs the perimeter of the property and also an east-west interior walking path. In reviewing the plans, the developer decided the north-south walking path was a potential privacy issue and an HOA maintenance issue that could be avoided. Councilman Duncan stated that it is the recommendation of the Planning and Zoning Commission that the Mayor and Council approve this request. Councilman Tingle made a motion to approve the revision request from Saltwater Landing as presented. Motion seconded by Councilman Duncan and carried by all. **It is noted in the Minutes that Jay Murray abstained from the vote.**

Councilman Duncan stated that the second item on the Agenda was a request from Atlantic Lakes for a Record Plan revision to change townhouse units to Duplex Buildings. Atlantic Lakes is a Residential Planned Community located at the westerly corner of Lighthouse and Hudson Roads. Councilman Duncan stated that the request is to change the proposed 53 townhouse units to 53 duplex units. The new layout would include twenty-five (25) two (2) unit buildings and one (1) three (3) unit building. The new plan separates the quad units into two units, with one triple unit. Councilman Duncan stated that the town's engineering firm reviewed the revision and recommended approval of the revised plat and construction plans. He confirmed that there is no change in density. Councilman Duncan stated that it is the recommendation of the Planning and Zoning Commission that the Mayor and Council approve this request and made a motion to approve the request. Motion seconded by Councilman Tingle and carried by all. **It is noted in the Minutes that Jay Murray abstained from the vote.** Councilman Duncan continued the discussion of Atlantic Lakes by adding that the developer also requested that garage trellises be

**MINUTES OF THE TOWN OF SELBYVILLE
TOWN COUNCIL MEETING FEBRUARY 1, 2021**

used as the offset, a request he stated Ryan Homes was granted in Lighthouse Lakes. He stated that it is the recommendation of the Planning and Zoning Commission that this request also be approved and he made a motion to approve the request for garages to be moved to the center of the buildings and for the trellis that separates the garages to be used as the offset. Motion seconded by Councilman Tingle and carried by all. Chairman Murray abstained from both votes. **It is noted in the Minutes that Councilman Jay Murray abstained from this vote as well.**

Chairman Murray stated that the third item on the Agenda was a warehouse and trailer parking addition by Mountaire Farms. He stated that the plans have been reviewed and approved by DNREC, the Conservation District, and Davis, Bowen & Friedel, the town's engineer. Mountaire would like to increase parking facilities for their 2,000+ employees. They currently have 562 parking spaces and would like to add an additional 122 employee parking spaces along Railroad Avenue. Ariel Jovan from Mountaire was in attendance and provided the Mayor and Council with an aerial view of the properties. He confirmed that they are not asking to expand as Mountaire already owns the property. The new lot would be fenced, lighted and paved with asphalt. Additionally, Mr. Jovan stated that Mountaire would like to add 52 new spaces for trailer parking behind the existing trailer lot. Jay Griffith confirmed that the trailers in the new lot would be empty units as it is not a secured site. Chairman Murray stated that it is the recommendation of the Planning and Zoning Commission that the Mayor and Council approve this request. The Council had significant concerns about the excessive parking of unused trailers currently sitting double parked for months in the existing trailer lot. Councilman Smith stated that when additional parking was first requested by Mike Tirrell, it was for a single row of box trailers or over-the-road trucks and the shed itself would be for live haul trailers. He said now he sees over-the-road trucks parked inside the live haul shed and box trailers sitting unused for months at a time. He believes this is what is creating the parking problem. Councilman Tingle agreed. Mr. Griffith stated that he understands their concerns and that their goal is to reduce the congestion. Councilman Tingle suggested moving some of the unused trailers to the Millsboro location and disposing of the inoperable ones. The Council also expressed frustration that no progress has been made with the trucks backing across Hosier Street. Councilman Tingle stated that the town needs to see positive progress on this issue as well. Councilman Smith also had concerns about the existing retention ponds holding additional runoff. Mountaire's engineer confirmed that infiltration ponds are being added on both sites. After a lengthy discussion, Councilman Smith made a motion to approve employee and trailer parking with the following conditions: The existing trailer parking on Hosier Street will allow 23 parking spots outside for single parked boxed trucks or reefer trucks and 23 parking spots inside for live haul and fan trailers. That is all that is allowed in the existing trailer parking. The request for additional trailer parking will be granted at 52 spaces for box trailers or refrigeration trucks. The motion also approves the request for 122 additional employee parking spaces. Motion seconded by Councilman Tingle and carried by all.

**MINUTES OF THE TOWN OF SELBYVILLE
TOWN COUNCIL MEETING FEBRUARY 1, 2021**

Chairman Murray stated that the last item on the Agenda was a review and discussion of Chapter 184 – Vehicles and Traffic – and to address on-street parking concerns within subdivisions. The Code currently allows parking on both sides of the street in subdivisions. Chairman Murray stated that the older developments, such as Mill Pond, have wider streets that can accommodate on-street parking. The town does get complaints, however, about excessive vehicle parking in some of the newer developments without RV lots, especially concerning campers, land scape trailers and enclosed trailers parked for long periods of time, some even year round. Chief Collins confirmed that the only parking restrictions the police can enforce are the ones specifically listed in the Code, which identifies street names. Chairman Murray stated that the Committee asked Stacey to investigate how surrounding towns address landscape trailers, tractor trailers and RV trailers in their ordinances. That information will be forwarded on to the next Planning and Zoning meeting. He stated that the Commission is still discussing ways to address the issue and is not ready to make a recommendation.

H. Industrial Park – C. Tingle

No activity for the month of January.

I. Annexation – C. Tingle

No report for the month of January.

J. Administration – S. Long

Stacey reported that the Bethany-Fenwick Chamber of Commerce will be holding their annual Fire and Ice Festival the last weekend in February. Typically held in the Bethany Beach area, this will be the second year in which the event, which showcases ice sculptures and other festivities, has been staggered throughout participating communities. Stacey stated that there are potentially three businesses in Selbyville interested in participating. The Council welcomed their participation.

Stacey presented the FY 2022 Budget. She stated that she's met with department heads and that the proposed budget has been provided to the Mayor and Council for review. She highlighted several items in the proposed budget. She reported that there is a 3% increase from our trash/recycle company, Republic Services. In order to cover expenses, trash rates would increase by 0.53 per month, or \$6.36 annually, and recycle rates would increase by 0.15 per month, or \$1.88 annually. There are no proposed increases in water or sewer rates. Stacey reported that there is a proposed \$500 increase in impact fees, bringing impact fees to \$3,000 for water and \$3,000 for sewer. She also addressed the increased cost of meter prices. The town's cost for the smaller, residential meter has increased by \$50 each and the larger, two inch meter has increased

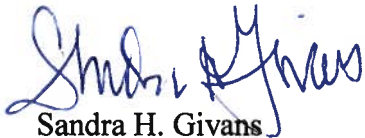
**MINUTES OF THE TOWN OF SELBYVILLE
TOWN COUNCIL MEETING FEBRUARY 1, 2021**

by \$150 each. Stacey stated that the town's current Building Permit fees also need to be taken into consideration. She provided a three year analysis of Revenues and Expenses to justify the proposed increases, which she recommends be adopted in annual increments. Stacey reported that the proposed budget has a projected income of \$5,058,201 with a total projected expenditures of \$5,057,595 with a surplus of \$606. The proposed budget also included a wish list of Fixed Assets depending on needs and a \$296,493 bond reduction. Councilman Tingle made a motion to table the FY2022 Budget for further review. Motion seconded by Councilman Smith and carried by all.

5. Executive Session –

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

Respectfully submitted,



Sandra H. Givans
Assistant Secretary/Treasurer