

**MINUTES OF THE TOWN OF SELBYVILLE  
TOWN COUNCIL MEETING DECEMBER 6, 2021**

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

1. Public Hearing – Community Development Block Grant

The Public Hearing was properly advertised in the Coastal Point.

Mayor Murray opened the Public Hearing at 7:00 p.m. at the Selbyville Town Hall. He introduced Mr. Brandon Hamilton, Rehabilitation Specialist for the Sussex County Community Development and Housing Department. Mr. Hamilton thanked the Mayor and Council for the opportunity to once again present the Community Development Block Grant (CDBG) to the residents of Selbyville. He stated that his office applies for and administers the Community Development Block Grant (CDBG) for Sussex County. They apply for the funding on behalf of municipalities and rural communities within the county. The grant is funded by U.S. Department of Housing and Urban Development and is allocated to Sussex and Kent counties through the Delaware State Housing Authority. Mr. Hamilton stated that this year, approximately \$2,000,000 will be awarded to Kent and Sussex counties on a competitive basis. The program funds housing rehabilitation to low and moderate income homeowners. Repairs may include roofs, windows, electrical, demolition, and water and sewer infrastructure. Mr. Hamilton stated that the properties must be homeowner occupied and all property taxes, homeowner's insurance and utilities must be current. He reviewed the income guidelines. A four-person household can earn a maximum of \$60,000 and it increases or decreases approximately \$6,000 per person. In order to protect the funding, grants under \$5,000 require no lien, but grants between \$5,000 and \$15,000 require a five (5) year lien, and grants between \$15,000 and \$40,000 require a ten (10) year lien. Mr. Hamilton stressed that it is not a loan and that it does not accrue interest. It is repaid in years, not in money. The purpose of the lien is to encourage the homeowner to remain in the home after it has been repaired. If the person dies or the home is sold before the lien is forgiven, the remaining money must be repaid. Mr. Hamilton reported that within the past five years, Selbyville has received \$70,000 in CDBG funding and assisted five households. Additionally, funds are available from the Sussex County Council for such emergencies as no water, no heat, frozen or broken pipes, severe roof leaks and handicap accessibility projects. Within the same five- year period, Mr. Hamilton reported that \$56,189 in emergency funds have been used to help twelve (12) Selbyville households. There are currently 20 homes on Selbyville's waiting list. Mr. Hamilton left the list for the town's review, and he also left information for residents interested in applying. Applications are due in his office on or before February 24, 2022. The phone number to his office is (302) 855-7777.

The Mayor and Council unanimously agreed that the Community Development Block Grant has been very beneficial to the Town of Selbyville.

Councilman Duncan made a motion to continue participating in the Community Development Block Grant. Motion seconded by Councilman Tingle and carried by all.

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**WHEREAS, Town of Selbyville recognizes the importance of fair housing for the citizens of Selbyville; and**

**WHEREAS, the Town of Selbyville supports the goals of the Federal Fair Housing Law,**

**NOW THEREFORE,**

**BE IT RESOLVED that the Town of Selbyville heartily encourages all parties involved in the renting, selling or financing of housing in the Town of Selbyville to insure that no person shall, on the grounds of race, color, national origin, religion, creed, sex, marital status, familial status, age, sexual orientation or disability be discriminated against or denied a fair and equal opportunity to housing; and**

**BE IT FURTHER RESOLVED that the Town of Selbyville, when acting as administrator of a Community Block Grant, is hereby authorized to take such actions as deemed necessary to affirmatively further fair housing in connection with the said Community Development Block Grant.**

Mayor Murray closed the Public Hearing and called the Regular Meeting of the Mayor and Council for the Town of Selbyville to order at 7:20 p.m.

The meeting was properly posted.

2. Opening of Meeting –

A. Mayor Murray led in the Pledge of Allegiance.

B. Presentation of the Minutes of the November 1, 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.

C. Presentation of the November 30, 2021 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.

3. Mayor's Report –

Mayor Murray thanked Town Administrator Stacey Long for organizing a successful Christmas Parade on Friday, December 3, 2021. Stacey thanked him and acknowledged that that she had a lot of help from the Public Works Department and various volunteers.

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4. Visitors in Attendance –

Diane Schmidt was in attendance representing the Selbyville Community Club. She referenced a letter the Club recently sent the town asking for continued support of the 2022 Youth Art Show. She stated that the art will be displayed in the tent outside the library for two weeks in April and that awards will be presented on Saturday, May 21, 2022. Stacey confirmed that their formal request will be on January's Agenda.

On behalf of the Selbyville Public Library, Susan Kirsch thanked the town for selecting the library to be the recipients of the 50/50 Christmas raffle. The proceeds totaled \$216 to be put toward the library's Building Fund. Mrs. Kirsch also thanked Selbyville Community Club for decorating the library and Roots Landscaping for donating the greenery.

Mr. Bill Kirsch commented on the town's Christmas decorations, mentioning that some of them seem brighter than others. Stacey said, yes, the town is slowly working on replacing the old decorations with bigger, brighter, prettier LED decorations. She reported that each year the town budgets a certain amount of money for decorations until, eventually, all the old ones are replaced. Mr. Kirsch then asked what happens to the old ones. Stacey stated that some are rehabbed with new bulbs while others are used to extend into areas of town that didn't previously have them.

5. Reports –

A. Police – J. Murray

Councilman Murray reported that there were 280 calls for service, 89 tickets issued, and 10 arrests of various nature during the month of November. Fine revenue from the state for the month of October totaled \$2,688.74. Chief Collins reported that he has a recruit ready to go through the Academy. The next class starts on January 9, 2022.

Councilman Murray was not feeling well and excused himself from the remainder of the meeting.

B. Code – S. Long

See report for the month of November.

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C. Water – R. Duncan

See report for the month of November. Councilman Duncan reported that the plant continues to meet all state and federal testing requirements, continues to flush outside extremities, and continues to monitor the S Main Street area of town for TTHM's. He stated that the MCL for TTHM's is 80 and the town is right at 79, so the hope is that the town will be back in compliance after next quarter's testing results. Councilman Duncan acknowledged that with new development, the town has a water pressure and water capacity issue on the eastern side of town. He stated that the town continues to purchase water daily from Artesian Water Company even in the winter to maintain pressure. He stated that the town has submitted a Notice of Intent to the state for funding for a 1,000,000 gallon water tank to be erected on Hudson Road, on land that the fire company donated to the town. The tank will equalize the pressure and provide adequate storage so the town will no longer have to purchase water from Artesian. Additionally, the town continues to move forward on a Backwash Recovery System. A Notice of Intent has been submitted for that project as well. Councilman Duncan reported that he was able to get \$622,000 obligated for that project into a grant. Town engineer Jason Loar stated that the town is proceeding with the design, as the town has approved the project, but he added that the town does need to move forward with the Referendum in order to officially allow the town to borrow the money. Councilman Duncan confirmed that the money has been allocated but that it's a lengthy process from start to finish. Stacey presented the Mayor and Council with two proposed Referendum Schedules. One timeline involves the Mayor and Council holding a Special Meeting but, ultimately, there is only a one week difference between the proposed Referendum dates. Councilman Smith asked if the town will have to go to Referendum again for proposed wastewater upgrades. Jason stated that they would not because, basically, the state will not pay for growth and the wastewater upgrades will be implemented to accommodate future growth. The water funds are for current pressure and quantity needs. Jason stated that the town will have to borrow approximately \$4.8 to \$5 million for the Water Tank and Backwash Program projects at Referendum. Jason added that there will be public information meetings prior to the Referendum so residents understand the need and the benefits of the project. Stacey stated that a Resolution to set a Public Hearing to borrow the money will be presented at the January 3, 2022 meeting. The Mayor and Council will decide at that time what timeline they'd like to pursue. Stacey added that the town has other revenue sources, including Impact Fees, American Rescue Plan Act funds and, possibly, additional USDA funds but a Referendum will most certainly be needed. Jason estimated a year to 18 months before construction on the project would begin.

D. Public Works – R. Duncan

See report for the month of November. Councilman Duncan gave kudos to the employees of the Public Works Department, stating that it's a good team and he appreciates all that they do.

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E. Recreation – R. Duncan

Councilman Duncan reviewed that the town will be installing two pickle ball courts on Park Street. He stated that he'll be meeting with Contractors for a Cause later this month about laying out the design. He anticipates completion in the fall.

F. Sewer – F. Smith

See report for the month of November. Councilman Smith reported that the plant performed within all required permit levels for all of the required parameters for the month of November. He added that there were problems with the gear box and pinch valve on the pista grit and that it is being rebuilt. Jason stated that he anticipates a Pre-Construction meeting before the end of the year on the Pump Station and Force Main upgrade. Councilman Duncan added that Jason will be teaching a class at his DRWA facility about controlling sanitary wipes in sewer systems, which has become a national issue.

G. Planning and Zoning – S. Long

Stacey revisited a Conditional Use request that was presented at the September 2, 2021 Planning and Zoning meeting. Business owner Dania Rodriguez of Honee Beauty Center at 5 W Church Street requested a Conditional Use to provide permanent makeup services at her retail store in Unit 202. The Commission had made a recommendation to approve the request at that time but Ms. Rodriguez asked that the decision be delayed for personal reasons. Stacey stated that she is still waiting on approvals from the Department of Health and the Fire Marshall's office. Ms. Rodriguez explained that the procedure is called microblading and that it's a semi-permanent tattoo on the eyebrows. She explained that it benefits people who have lost hair from natural aging, alopecia or cancer treatments. She believes her service would complement other businesses offered in the building, to include a cosmetologist and weight loss services. The Council was hesitant to grant approval without the all the agency approvals in place. Stacey stated that the town's code states that when someone applies for a Conditional Use, the Planning and Zoning Commission has 45 days to report to the Mayor and Council. If not, the Conditional Use is automatically approved. That deadline is quickly approaching. Stacey added that once approval is granted, Ms. Rodriguez would have one year to commence her business, or it becomes null and void. Ms. Rodriguez confirmed that she is actively working on getting both approvals but that some delays have been out of her control. Councilman Tingle made a motion to approve Ms. Rodriguez's Conditional Use request to provide permanent makeup services at her retail store at 5 W Church Street Unit 202. She cannot, however, be issued a town Business License or commence operating until she provides both Department of Health and Fire Marshall approvals. Motion seconded by Councilman Duncan and carried by all.

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H. Industrial Park – C. Tingle

No report for the month of November.

I. Annexation – C. Tingle

No report for the month of November.

J. Administration – S. Long

Stacey advised that it's time to appoint the Board of Election in anticipation of the March election. Councilman Duncan made a motion to appoint Virginia Pepper, Bonita Maull and Renda Wise to the Board of Election. Motion seconded by Councilman Tingle and carried by all.

**AN ORDINANCE AMENDING THE ZONING CODE OF THE TOWN  
OF SELBYVILLE, CHAPTER 200, TO ADD REGULATIONS AND  
PROCEDURES FOR A NEW NB NEIGHBORHOOD BUSINESS DISTRICT  
AND TO MAKE OTHER TECHNICAL REFERENCES AND ADJUSTMENTS  
AS NECESSARY ELSEWHERE IN THE ZONING CODE.**

Stacey revisited the above Ordinance amending the Zoning Code of the Town of Selbyville, Chapter 200, to add regulations and procedures for a new NB Neighborhood Business District. A Public Hearing was held at the November 1, 2021 meeting. There was no one in favor or opposed to the Ordinance at that time. The Mayor and Council felt that the vote should be delayed to give more time for review and comment. Stacey reported that the Ordinance was properly posted in various venues and that she has not had any further comment, for it or against it. She stated that the town is only adding a new zoning code, they are not zoning any property at this time. Councilman Duncan made a motion to adopt the new NB Neighborhood Business District as presented. Motion seconded by Councilman Tingle and carried by all.

Stacey concluded her report by presenting a request from Mike West for new flooring for the town's Museum. Mike has graciously agreed to be volunteer curator of the Museum. The existing carpeting is worn and frayed and presents a safety hazard. Stacey presented a quote from Matt The Carpet Guy for \$4,800 to install vinyl plank flooring throughout the museum. Councilman Tingle made a motion to accept the quote from Matt The Carpet Guy and to install new flooring in the Museum. Motion seconded by Councilman Duncan and carried by all. Stacey added that she may be able to recoup some of the expense through an annual Delaware Preservation Grant.

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Jay Griffith from Mountaire apologized for arriving late. He praised Stacey and Zach Evans for the great job they did coordinating the town's Christmas parade. He agreed that Zach is an asset to both Mountaire and the community. He reported that Mountaire packed 10,000 cases during Thanksgiving for Thousands, providing 40,000 meals for needy families, and added that a smaller event will be held in December for Christmas meals. Addressing recent odor complaints, Mr. Griffith stated that for several months they have been doing checks twice a day and that in November they noticed an increase in odor issues in the afternoons, around the time that they pump their sludge. They're continuing to investigate it and have initial plans to eventually enclose the area. Mr. Griffith also stated that he met with Bettina and several of the wastewater operators at the E Church Street pump station to discuss masks and tissue clogging the pumps. He acknowledged that he recognized both as types used at Mountaire. He said they had a very informative discussion at which time he asked about the possibility of installing grinder pumps. He welcomed a discussion with the town about Mountaire sharing the expense if the town has an interest. Mr. Griffith also stated that Mountaire is looking at installing another well. They're having problems redeveloping the ones they have. He added that they don't plan on using more water, they just need another outlet. They're looking at property beside the old sales building and would have to do a directional bore under Railroad Avenue. They're also looking at ways to get the trucks off the roadway, onto Railroad Avenue. He stated that their engineer is working on a conceptual idea at this point which will be brought to the town before they move forward. Lastly, Mr. Griffith reported that they're going to be making cosmetic improvements to the front of the building by adding stacked stone. He acknowledged that they have "a lot" going on. Councilman Smith asked about activity he witnessed on Veteran's Day. He saw empty cages from Receiving being taken across the street and loaded onto an empty trailer in front of the Receiving area. Mr. Griffith stated that he will pull video from that day.

6. 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 legal and personnel issues. Motion seconded by Councilman Tingle and carried by all.

Mayor Murray thanked everyone for attending and wished everyone a Merry Christmas!

Respectfully submitted,

Sandra H. Givans  
Assistant Secretary/Treasurer