

**MINUTES OF THE TOWN OF SELBYVILLE
TOWN COUNCIL MEETING MAY 3, 2022**

Mayor Murray welcomed everyone and thanked them for taking the time to come out. Councilmembers Clarence Tingle, Richard Duncan, Carol Cary and Frank Smith were in attendance.

1. Public Hearing –

Mayor Murray opened the Public Hearing:

A RESOLUTION ANNEXING CERTAIN TERRITORY, CONTIGUOUS TO THE PRESENT LIMITS OF THE TOWN OF SELBYVILLE, OWNED BY WEST SELBYVILLE DEVELOPMENT, LLC, IDENTIFIED AS SUSSEX COUNTY TAX MAP AND PARCEL 5-33-11.00-35.00, CONTAINING 73.57 ACRES, MORE OR LESS, AND SUSSEX COUNTY TAX MAP AND PARCEL 5-33-18.00-5.00, CONTAINING 92.946 ACRES, MORE OR LESS;

AND

TO AMEND THE ZONING MAP AND ZONING ORDINANCE OF THE TOWN OF SELBYVILLE TO INCLUDE SAID TERRITORY IN THE R-4 RESIDENTIAL DISTRICT, WITH A RESIDENTIAL PLANNED COMMUNITY (RPC) OVERLAY.

Daniel Bunting, owner of the West Selbyville Development, LLC, gave a presentation of the Kingfisher Project which is located across from the Lighthouse Lakes development. It contains two parcels consisting of 165.5 acres with over 100 acres remaining as open space of which 86 acres would be wooded open spaces. He is proposing a mixed use of Town Homes and single-family homes. The total project would be 307 units at 1.85 units per acre which is well below the town's allowable at 2.2 units per acre. This project would not begin construction for approximately 2 ½ years. He anticipates selling 40 units per year over the course of seven years. Mr. Bunting explained these properties are within the Town's Comprehensive Plan. He expressed the benefit to the town by annexing these properties stating the town would have control of the types & styles of the homes and the tax revenue would be an asset also. The entrance to this project by DelDOT's request would line up with the entrance of Lighthouse Lakes which would create a much safer entrance. Mr. Bunting turned to his engineers to talk about the infrastructure and traffic concerns for this project. Mr. Steve Marsh, engineer for George, Miles & Buhr, give a brief overview on some of the engineering progress to date and presented a map of the proposed project. Their firm has been meeting with the Town's engineer, Jason Loar and he has assured them that the town is capable of supplying water and sewer to this project. The traffic study is nearing completion which was started last June.

The Public Hearing was opened up to the audience for comment. There was a question about the entrance and asked if there was going to be a traffic light installed to control excess traffic in that

**MINUTES OF THE TOWN OF SELBYVILLE
TOWN COUNCIL MEETING MAY 3, 2022**

area. Mr. Bunting stated they are still in communication with DeIDOT as far as exploring what they recommend. During the traffic study, ten intersections were studied during week days during school hours and on summer Saturdays. Also included in this study were eleven different developments in the surrounding area of this project. For this particular project the traffic study is paid for by the developer who funds the studies by traffic experts and then submits to DeIDOT for approval. One of the attendees asked if anyone had considered who is going to respond to all of the developments in case of fire, ambulance & police. Stacey stated that she has to submit a plan of services to all fire departments and electric companies asking if they can serve these areas before approval by the town. Another question was in reference to any consideration of grocery stores on Lighthouse Road. Stacey responded by saying there was a meeting recently where the applicant wanted to rezone their properties to Neighborhood Business and Commercial and there was a lot of opposition from the audience that said they don't want it. So, the only location at the current time is on the highway for large commercial businesses. In essence, the majority of the concerns of the audience in reference to this development was traffic congestion on Lighthouse Road. The engineers and the developer assured them that they are obligated to get approval from DeIDOT before approval to go forward with their plans.

Once the question and answer session ended, Councilman Tingle made a motion to close the Public Hearing. The motion was seconded by Councilwoman Cary and carried by all.

2. Opening of meeting –

- A. Mayor Murray called the meeting to order.
- B. Mayor Murray led in the Pledge of Allegiance.
- C. Presentation of the Minutes of the April 4, 2022 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 Duncan and carried by all.
- D. Presentation of the April 30, 2022 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.

**MINUTES OF THE TOWN OF SELBYVILLE
TOWN COUNCIL MEETING MAY 3, 2022**

3. Mayor's Report –

Mayor Murray read the following:

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE TOWN OF SELBYVILLE, SUSSEX COUNTY, DELAWARE, CHAPTER 200, AND THE ZONING MAP OF THE TOWN OF SELBYVILLE, AS AMENDED, TO REZONE REAL PROPERTY OWNED BY KEITH AND SHELLEY COFFIN, IDENTIFIED AS SUSSEX COUNTY TAX MAP AND PARCEL NUMBER 5-33-17.00-182.00, FROM R-4 RESIDENTIAL TO NB NEIGHBORHOOD BUSINESS.

Councilman Tingle explained there was a Public Hearing on this property a week ago and there was some opposition to it, but he feels it is necessary to change this from R-4 Residential to NB Neighborhood Business which allows more low scale businesses. Therefore, Councilman Tingle made a motion to adopt this Ordinance as presented. The motion was seconded by Councilman Duncan and carried by all.

Mayor Murray stated he is aware of the concerns of traffic on Lighthouse Road. He relates to them because he has lived on Lighthouse Road all of his life and doesn't blame them for how they feel.

4. Visitors in Attendance:

Ms. Diane Schmidt of the Community Club reported they have been working very hard at the Library sorting through all of the artwork from the children at the local schools. The artwork has been hung around different places and judged. There will be a ceremony at the big tent outside of the Library on May 21st at 2 o'clock p.m. to present the awards to the 1st, 2nd and 3rd place winners and some honorable mentioned. Everyone is invited to attend.

Mr. Jay Griffith from Mountaire reported they have done thirty-eight odor checks since the last town meeting and out of those there was four instances of odor reported and they have contacted their vendor to see if anything more can be done to prevent this problem.

Mr. Zach Evans, Community Relations for Mountaire reported that 3,000 boxes of food were packed during the Easter for thousands benefit which included 12,000 meals. There was a lot of volunteers and all of their help was greatly appreciated. Zach also gave an update on the Park project. The two buildings located on Park Street are being worked on by Contractors for a Cause to do the renovations. Mountaire has provided some resources, contractors have provided some expertise. They are doing the plumbing rough-in, the electrical rough-in and all the mechanical upgrades that are needed. They're also working with Cabinetry Unlimited who is going to help with some storage cabinets which they hope will be done by Memorial Day. Zach also thanked the Mayor and Council for allowing them to work on this project. He also thanked Contractors for a Cause and very grateful for all of their support as well. Zach also reported

**MINUTES OF THE TOWN OF SELBYVILLE
TOWN COUNCIL MEETING MAY 3, 2022**

there will be a Ribbon Cutting at Phillip Showell Elementary School on May 21st to commemorate and celebrate their new playgrounds, the walking bridge and hopefully a newly surfaced basketball court. The community is invited to attend.

5. Reports

A. Police Report – Capt. Wilson

Captain Wilson reported there were 341 calls for service, 139 tickets, 10 arrests and the fine revenue for the month of March has not been received as of this date. He reported the new recruit will be graduating on May 27th from the Police Academy and are looking forward to welcoming him to our department.

The Mayor questioned what could be done about the parking at the end of Lighthouse Road and South Main Street. When you try to make the turn off Main Street to Lighthouse Road there are cars parked almost to the end of Lighthouse Road making it a hazard for turning. Stacey addressed this issue by stating that the town has to put no parking in that area in our ordinance and then DeIDOT will back it and put it in their ordinances. The town has to start the process first. The Mayor and Council agreed for Stacey to get the process started as soon as possible.

B. Code Enforcement – S. Long

See report for the month of April.

C. Water Report – R. Duncan

Councilman Duncan reported for the month of April the water plant produced 5.5 million gallons of water. We continue to meet all State and Federal testing requirements. The fire hydrant flushing project has been completed and everything went well. This process is performed every six months to keep the water fresh and clear. The water department is starting to replace some of the older meters that are having issues and replacing them. Also, the water department is requesting that all water meters be free of debris, dirt and grass so that they can be read by the sensor on top of the meter to input readings into our computer system. Councilman Duncan reminded everyone about the referendum to be held on May 16th at the Town Hall from 10:00 a.m. until 4:00 p.m. for the tower project and our backwash recovery system. He encouraged everyone to support this project. Councilman Tingle stated this project would significantly assist with the water pressure in the developments that are using irrigation systems.

**TOWN MINUTES OF THE TOWN OF SELBYVILLE
TOWN COUNCIL MEETING MAY 3, 2022**

D. Public Works – R. Duncan

The public works department is busy reading meters, changing out meters, flushing hydrants, cutting grass and are backup operators in the water plant. They are also monitoring drainage issues throughout town.

E. Recreation – R. Duncan

Delmarva Paving is going to try to be here this week to lay out the pickleball court and to hopefully start cutting and taking out the topsoil this week or next week. Over the weekend we had a supplier take out and scrape out the ballfield for manicuring. They are going to give a quote on replacing the infield dirt and some diamond tech to get the ballfield back up and running. Councilman Duncan also sent a picture of playground equipment that the River Church just purchased to the Public Works department. We are working toward securing a grant to offset the cost of some of the playground equipment and the ballfield. We are also working on having a Park with walking trails, places where people can play pickleball and to bring their grandchildren to play on the playground

F. Sewer Report – F. Smith

See report for the month of April. Councilman Smith reported that the plant performed within the required permit levels for the month of April. Jason reported they are getting ready to start the force main on McCabe Court and Polly Branch Road. We have met the first of two criteria consent orders and Bettina is working on the second one for the Pista Grit system. Hopefully it will be taken care of within the next month, per Jason.

F. Planning & Zoning – R. Duncan

No report for the month of April.

G. Industrial Park Report – C. Tingle

No report for the month of April.

I. Annexation Report – C. Tingle

The annexation request during the Public Hearing at this meeting couldn't be ruled on tonight due to the timing. Therefore, it will be addressed at next month's town meeting.

J. Administration Report – C. Tingle

Councilman Tingle referred the Administration report to Stacey.

**MINUTES OF THE TOWN OF SELBYVILLE
TOWN COUNCIL MEETING MAY 3, 2022**

K. Administration Report – S. Long

At the April meeting it was voted on to continue our lease at \$425.00 per month with PNC Bank for the ATM machine outside. The effective date is April 3, 2023 and expires April 30, 2028. They came back with two additional proposals. One was to go ahead with two new five-year renewal options. Option one would be beginning on May 1, 2028 and going through April 30, 2033 and to increase their rent to \$450.00 per month for a fixed five-year term. Option two was to continue from 2033 through 2038 with rent of \$475.00 per month for a fixed five-year term. Councilman Tingle made a motion to renew the lease at \$425.00 for a five-year term. The motion was seconded by Councilman Duncan and carried by all.

Sussex County has informed us that we qualify for a Realty Transfer Tax grant in the amount of \$339,052.00. If we apply for anything over \$100,000 the town would have to match the additional funds. It can be used for a majority of things and one of the things we have been discussing is a Public Works building. If we apply for the full \$339,052.00 the town would have to match \$239,052.00. For a grand total project or projects of \$578,104.00. Some preliminary figures have been received on a 40' X 50' Public Works building consisting of an office area including bathrooms, map rooms, showers, place for overnight stay if necessary due to weather circumstances, a room for the SCADA system and all of their electronic equipment needed to run the water plant in the amount of \$395,000.00 which also includes a 60' X 100' six bay door garage. When site work, electrical work and plumbing is added to this project, the total preliminary cost would be \$573,500.00. Councilman Duncan made a motion to allow Stacey to apply for the above-mentioned grant in the amount of \$339,052.00. The motion was seconded by Councilwoman Cary and carried by all.

The last item on her agenda was an Outdoors Recreation Parks and Trails Grant program from the State of Delaware. The deadline is May 9th. It is a 50/50 matching grant. This could be utilized to expand our pickleball court project and playground equipment. Zach volunteered to reach out to Contractors for a Cause to put together a scope of work and a bid sheet to go with it. Councilman Duncan made a motion to allow Stacey to apply for the Outdoors Recreation Parks and Trails grant. The motion was seconded by Councilman Tingle and carried by all.

Stacey reminded everyone about the referendum on May 16th, 10:00 a.m. until 4:00 p.m. and encouraged all to come out to support it.

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

**MINUTES OF THE TOWN OF SELBYVILLE
TOWN COUNCIL MEETING MAY 3, 2022**

Mayor Murray adjourned the meeting and thanked everyone for attending.

Respectfully submitted,

Deborah L. McCabe
Secretary/Treasurer

EXECUTIVE SESSION