

**MINUTES OF THE TOWN OF SELBYVILLE
TOWN COUNCIL MEETING JULY 11, 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:

TO CONSIDER REZONING THE REAL PROPERTY OWNED BY KEITH A. AND SHELLEY J. COFFIN, IDENTIFIED AS SUSSEX COUNTY DISTRICT, MAP AND PARCEL 533-17.00-156.07, FROM R-4 RESIDENTIAL TO NB NEIGHBORHOOD BUSINESS.

Mayor Murray stated this property fronts Lighthouse Road on Lynch Rd. consisting of approximately four acres. Councilman Tingle explained there had been a public hearing previously where Mr. Coffin had asked for this property to be zoned GC - General Commercial. Due to numerous objections, Mr. Coffin is now asking for this property to be zoned as NB Neighborhood Business.

Mrs. Sandra Bennett and her husband, residents across from this property, stated they do not want any business on this property due to traffic congestion. They questioned where the entrance was going to be, and Mr. Coffin stated he would have to abide by DelDot's request before approval and that he is not sure where that will be. Stacey explained to everyone that DelDOT's review does not happen until a final plan has been submitted for approval. They must have a preliminary plan review; final plan review and the town cannot approve a plan unless it has a DelDOT entrance permit. Right now, we are just discussing the use of the land to change the zoning of the property.

Mr. Coffin spoke to the Mayor, Council and audience in reference to the reason he is asking for the change in zoning. He explained there isn't many businesses between this property and Harris Teeter. Being the area is surrounded by residential properties he feels they need to be served by some type of business also and feels this is an ideal location for it and greatly beneficial to the local residents in this area.

Mr. Bennett asked if a traffic study has been done for this proposal. Daniel Bunting, developer for West Selbyville, LLC explained to everyone that DelDOT must approve all development entrances on state-maintained roads before any project can proceed.

**MINUTES OF THE TOWN OF SELBYVILLE
TOWN COUNCIL MEETING JULY 11, 2022**

Mr. Marty Hudson, a resident on Lynch Road, asked where the entrance to this project was going to take place. Mr. Bunting stated it will be line up with Lynch Road. Mr. Hudson stated his concern was the increase in traffic this development would incur on Lynch Road. It is not very wide and asked if anyone could assist the residents on that road to get the state to change the speed limit and widen the road. Mr. Coffin explained this parcel of property is a corner lot and

would face Lighthouse Road and isn't sure how far down on Lynch Road that DelDot would require him to meet their road standards.

Mr. Bennett asked if someone could tell them what type of business would be allowed in a Neighborhood Business District. Stacey read from the town code book all the allowable types of business in this district.

Since there weren't any other questions pertaining to this request, Councilman Tingle made a motion to close the public hearing. The motion was seconded by Councilman Duncan 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 June 6, 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 Tingle and carried by all.

D. Presentation of the June 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 JULY 11, 2022**

3. Mayor's Report & Comments:

Mayor Murray read the following:

A. CONSIDERATION OF REZONING THE REAL PROPERTY OWNED BY KEITH A. AND SHELLEY J. COFFIN, IDENTIFIED AS SUSSEX COUNTY TAX MAP AND PARCEL NUMBER 533-17.00-156.07, FROM R-4 RESIDENTIAL TO NB NEIGHBORHOOD BUSINESS.

The Mayor and Council unanimously agreed this would be a great asset to the residents of the surrounding area of this property. Councilman Tingle made a motion to rezone this property as NB Neighborhood Business. The motion was seconded by Councilman Duncan and carried by all.

4. Visitors in Attendance:

Jay Griffith from Mountaire reported they have done fifty-one odor checks since the last town meeting and there were more instances of odor reported than last month. They believe it came from the offal trailer and will continue to monitor.

Councilman Duncan stated that at the last meeting Mountaire requested data on our wells through FOIA. He asked Jay what their plans are for these wells. Jay stated they are potentially looking at another well and they have hired a consultant to make sure they wouldn't infringe on the town's well. Councilman Duncan stated that after we drilled the CR 1 and CR 2 wells there was contaminants in the Mountaire wells that we found in our wells. That's why the town is hesitant about giving permission to Mountaire to drill a new well. Jay agreed with the concern and that's why have hired someone more qualified to give them advice on what can be done to prevent this issue.

5. Reports

A. Police Report – Chief Wilson

Chief Wilson introduced the two new officers. Uriel Romero just graduated from the Police Academy on May 27th and is currently on field training. He also introduced Killian Klopp who is a certified officer who just joined our force from the South Bethany Police Department. He is also on field training. Chief Wilson reported one of our officers resigned last month leaving a position open for our police department. Chief Wilson attended the Old Timer's Day event along with other officers and reported everything went very well with great weather and with no issues to report. For the month of June there were 292 calls for service, one hundred tickets issued, and five criminal arrests.

**MINUTES OF THE TOWN OF SELBYVILLE
TOWN COUNCIL MEETING JULY 11, 2022**

B. Code Enforcement – S. Long

See report for the month of June.

B. Water Report – R. Duncan

Councilman Duncan reported for the month of June the water plant produced 10.3 million gallons of water. We continue to purchase 175,000 gallons of water per day from Artesian to help keep the water pressure on the eastern side of town. We continue to meet all State and Federal testing requirements.

D. Public Works – R. Duncan

Councilman Duncan reported the public works department has been busy reading meters, changing out meters, spraying weeds, cutting grass and are backup operators in the water plant. The Public Works supervisor was asked to get bids on a new public works building. He submitted three bids from Country Builders, Inc. in the amount of \$394,800.00, Delmarva Buildings in the amount of \$391,223.00 and Pole Buildings Unlimited in the amount of \$282,814.00. The only difference in these bids was some of them did not include the concrete pad, the interior walls, the painting and one contractor did not include guttering around the building. Councilman Duncan made a motion to award the new public works building to Country Builders, Inc. in the amount of \$394,800.00. Funding is secured in the amount of \$339,000.00 in County grants and will use \$239,000.00 to do the water, sewer, electrical and miscellaneous items from the town's transfer tax money. We do not see any increase in property taxes to fund this building. The motion was seconded by Councilman Tingle and carried by all.

E. Recreation – R. Duncan

We are waiting for Delmarva Paving to come back for the second coat on the pickle ball court. After that we will start laying out for the playground equipment, fencing, and lighting. Everything has been taken care of for the security cameras. The school had a board meeting on Monday and asked us to plot out what part of the property we would like for the future expansion of the park. Per State funding requirements, the town has requested a twenty-five-year lease with the district.

F. Sewer Report – F. Smith

See report for the month of June. Councilman Smith reported that the plant performed within the required permit levels for the month of June. The town received a report from DNREC in reference to Compliance Sampling & Inspection (CSI) on May 19, 2022. Councilman Smith would like this letter to be included in the minutes and he read the last two paragraphs, "During

**MINUTES OF THE TOWN OF SELBYVILLE
TOWN COUNCIL MEETING JULY 11, 2022**

this inspection, there were no major observable deficiencies. It is quite evident that the staff at the Selbyville WWTP takes pride in keeping the facility in compliance with NPDES requirements. I would like to thank you for your cooperation and participation in this Compliance Sampling & Inspection program to help assure the quality of NPDES effluent waters and the self-reporting data.” Councilman Smith reported there is still a problem with erosion on the east end where there is a wash-out. The force main is in the ground but is not hooked up yet. Jason reported they had received a confirmation from DNREC today that they have accepted the town’s NPDES application for the discharge permit. All EPA issues have been taken care of.

G. Planning & Zoning – R. Duncan

Councilman Duncan reported there was a meeting held on May 25, 2022, to discuss conceptual plans for property located on DuPont Blvd. and Cypress Road, District 5-33. Map 16.00, Parcels 25.00 and 32.00, owned by Long Family of Sussex County, LLC.

Due to the content of the meeting the Planning & Zoning Commission doesn’t feel this type of development would be beneficial to the town. Councilman Tingle stated he agrees with the Planning & Zoning Commission’s consensus.

H. Industrial Park Report – C. Tingle

No report for the month of June. The Mayor and Council are interested in getting another one started.

H. Annexation Report – C. Tingle

Councilman Tingle reported that a meeting was held on July 6, 2022, in reference to District 5-33, Map 18.00, Parcel 5.01 containing 20,184.2 square feet owned by 32707 Lighthouse, LLC. It is the recommendation of the Annexation Committee to allow this property to be annexed into town. Therefore, Councilman Tingle made a motion to hold a Public Hearing on September 12, 2022, at 7:00 P.M. at the town meeting in reference to this annexation. The motion was seconded by Councilman Smith and carried by all.

J. Administration Report – C. Tingle

Councilman Tingle recommended hiring another administrative employee to assist with additional work due to town growth.

K. Administration Report – S. Long

Stacey reported the Lions Club reached out to us to make sure we were still on board for the Halloween parade to be held on October 26, 2022.

**MINUTES OF THE TOWN OF SELBYVILLE
TOWN COUNCIL MEETING JULY 11, 2022**

Stacey gave an update on the Route 113 Hazard Elimination plan. They have been doing soil borings. They intend beginning in the Spring or Summer of next year on the intersection improvements with the traffic signals and eliminating the east and west crossing of the highway.

In conclusion, Stacey reported that Joanne Guilfoil publisher of the “Chickens of Delmarva” book is asking if the town would consider helping to defray the cost of the mural in the Selbyville Post Office. She did receive permission to utilize it in her book. It costs \$450.00. If the town would be willing to help, she would put the town seal in the book. On the flip side of

that she also stated if the town wanted a sponsorship level there are different ones to choose from. Councilman Tingle made a motion to go with level 2 for ½ page in the amount of \$900.00 plus pay for the mural in the amount of \$450.00. The motion was seconded by Councilman Duncan and carried by all.

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 Councilwoman Cary and carried by all.

Mayor Murray adjourned the meeting and thanked everyone for attending.

Respectfully submitted,

Deborah L. McCabe
Secretary/Treasurer

EXECUTIVE SESSION