

**MINUTES OF THE TOWN OF SELBYVILLE
TOWN COUNCIL MEETING MARCH 4, 2024**

Mayor Duncan welcomed everyone and called the meeting to order at 6 o'clock p.m. Councilmembers Dr. Carol Cary, Monroe Hudson, Chris Snader, and Gary Steffen were in attendance.

The meeting was properly posted.

1. Opening of Meeting –
 - A. Mayor Duncan led in the Pledge of Allegiance.
 - B. Reading of the Certificate of Election by Administrative Assistant Loryn Rose.
 - C. Swearing in of Councilwoman Dr. Carol R. Cary and Councilman Monroe B. Hudson, Jr. by Town Administrator Stacey Long.
 - D. Public Hearing #1 –

Mayor Duncan opened the Public Hearing:

**ANNEXING CERTAIN TERRITORY, CONTIGUOUS TO THE PRESENT
LIMITS OF THE TOWN OF SELBYVILLE, OWNED BY ROY CREEK
HOLDINGS LLC, IDENTIFIED AS SUSSEX COUNTY TAX MAP AND
PARCEL NO. 533-18.00-35.02, CONTAINING 2.5705 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.**

Mayor Duncan invited Zak Smith, the owner of the property and Rt 113 Boat Sales, to present. Mr. Smith referenced previous concerns that were expressed by neighboring property owners about the tree line buffer between the properties. He stated that they left a 10-foot buffer, however, he identified some thin areas and plans to plant more trees in the designated spots between his property and Lighthouse Lakes. Mr. Smith stated that he plans to erect a fence around the property as well. At this time, Mayor Duncan invited public comment. Being there were no comments, Councilman Snader made a motion to close the Public Hearing. Motion seconded by Councilman Steffen and carried by all. Councilwoman Dr. Cary made a motion to annex Tax Map and Parcel No. 533-18.00-35.02 into town and to amend the zoning map and zoning ordinance of the Town of Selbyville as presented. Motion seconded by Councilman Snader and carried by all.

- E. Public hearing Public Hearing #2 & #3 –

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Mayor Duncan opened the Public Hearing:

ANNEXING CERTAIN TERRITORY, CONTIGUOUS TO THE PRESENT LIMITS OF THE TOWN OF SELBYVILLE, OWNED BY SELBYVILLE PARTNERS, LLC, IDENTIFIED AS SUSSEX COUNTY TAX MAP AND PARCEL NO. 533-18.00-18.00, CONTAINING 47.734 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, WITH A RESIDENTIAL PLANNED COMMUNITY (RPC) OVERLAY;

AND

ANNEXING CERTAIN TERRITORY, CONTIGUOUS TO THE PRESENT LIMITS OF THE TOWN OF SELBYVILLE, OWNED BY BUNTING HOLDINGS, LLC, IDENTIFIED AS SUSSEX COUNTY TAX MAP AND PARCEL NO. 533-18.00-11.00, CONTAINING 36.592 ACRES, MORE OR LESS (“SUBJECT PROPERTY”);

AND

TO AMEND THE ZONING MAP AND ZONING ORDINANCE OF THE TOWN OF SELBYVILLE TO INCLUDE A 26.905 ACRE, MORE OR LESS, PORTION OF THE SUBJECT PROPERTY IN THE R-4 RESIDENTIAL DISTRICT, WITH A RESIDENTIAL PLANNED COMMUNITY (RPC) OVERLAY, AND TO INCLUDE A 9.687 ACRE, MORE OR LESS, PORTION OF THE SUBJECT PROPERTY IN THE GC GENERAL COMMERCIAL DISTRICT.

See Minutes of the August 29, 2023, and December 12, 2023, Annexation Committee meetings.

Mayor Duncan invited Daniel Bunting, a representative of Selbyville Partners, LLC, to present. Mr. Bunting stated that this property is located on east Route 54 near Johnson Road. They plan to break this project into two phases, residential and commercial, and plan to subdivide the southernmost parcel. Mr. Bunting stated that some utility upgrades need to occur before they start the project, so currently they do not anticipate starting for at least five years. Mayor Duncan invited public comment. Being there were no comments, Councilman Snader made a motion to close the Public Hearing. Motion seconded by Councilman Steffen and carried by all. Councilman Snader made a motion to annex Tax Map and Parcel No. 533-18.00-18.00 and 533-18.00-11.00 into town and to amend the zoning map and zoning ordinance of the Town of Selbyville as presented. Motion seconded by Councilman Steffen and carried by all.

F. Organization Meeting:

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- 1.a. Motion by Councilman Steffen to rehire Deborah L. McCabe as Secretary/Treasurer. Motion seconded by Councilman Snader and carried by all.

- 1.b. Motion by Councilwoman Dr. Cary to rehire Lisa Michaels as Assistant Secretary/Treasurer. Motion seconded by Councilman Hudson and carried by all.

- G. Motion made by Councilman Hudson to reappoint Brian Wilson as the Chief of Police. Motion seconded by Councilman Steffen and carried by all.

- H. Appointment of Department Commissioners:
 - (1) Water & Public Works: Councilman Gary Steffen
 - (2) Parks & Recreation: Councilman Gary Steffen
 - (3) Wastewater: Councilman Chris Snader
 - (4) Police: Councilman Monroe Hudson
 - (5) Administration: Councilwoman Dr. Carol Cary

- I. Appointment of Planning & Zoning Commissioners
 - 1. Motion made by Councilman Snader to reappoint Mike Doyle to a 3-year term expiring March 13, 2027. Motion seconded by Councilman Hudson and carried by all.

 - 2. Town Administrator Long explained that Planning & Zoning Commissioner Mike West submitted a letter of resignation effective March 31, 2024. She explained that the Planning & Zoning Commission must have 5-7 members. After Commissioner West's resignation, they have the minimum number of members that is required (5). Mayor Duncan stated that if anyone is interested in fulfilling the vacancy, they may reach out to him or the Town Administrator.

- J. Presentation of the Minutes of the February 5, 2024, meeting by Mayor Duncan. Councilman Hudson made a motion to dispense with the reading of the Minutes and to approve them as presented. Motion seconded by Councilwoman Dr. Cary and carried by all.

- K. Presentation of the February 29, 2024, bills by Mayor Duncan. Councilman Hudson inquired about the payments made to Zack's Excavating. Town Administrator Long explained that it was part of the Southeast Wastewater Expansion Project which is almost completed. She added that two other large expenses this month were payment for the playground equipment and payments for the Headworks Building repairs. Councilman Snader made a motion to pay all bills as presented. Motion seconded by Councilman Steffen and carried by all.

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2. Mayor's Report & Comments:

Mayor Duncan reported that the Public Works Department has completed painting downstairs at Town Hall. He added that all the new meeting technology in the Council Chambers has been installed and is live for the first time today.

Mayor Duncan previously attended the Selbyville Volunteer Fire Department Banquet. He stated that some of the members were recognized for their length of service with a proclamation and suggested the Town provide a proclamation as well.

Mayor Duncan concluded his report by stating that he, Councilman Steffen, Town Administrator Long, and Chief Wilson attended the Joshua M. Freeman First Responders Awards where School Resource Officer PFC Tyler Bare was recognized as Officer of the Year.

3. Reports

A. Police Report – M. Hudson

Chief Wilson reported there were 223 calls for service, 34 tickets issued, and 14 criminal arrests for the month of February. He added that two officers are still out due to injuries, and they still have one vacant position, so they continue to operate short staffed. They are currently conducting interviews for the vacancy. Chief Wilson concluded his report by congratulating School Resource Officer PFC Tyler Bare who was recognized as Officer of the Year Joshua M. Freeman First Responders Awards.

Mayor Duncan addressed the recent accident between a tractor-trailer truck and an electric pole and requested additional "No Trucks" signage to prevent similar accidents in the future. Chief Wilson stated they will contact DeIDOT and request new signage.

B. Code Enforcement – A. Merollini

See report for the month of February. Inspector Merollini reported that 49 building permits were issued in February and 110 inspections were conducted for various permits. They continue to issue Licensed Contractor Tags as well.

Inspector Merollini presented a request to the Mayor and Council for the creation of Citizen Reporter. A portal would be put on the town website which would allow citizens to submit non-emergency requests in our community such as streetlight outages, overgrown grass, etc. Citizen Reporter is a Geographic Information System (GIS) and is fully compatible with iPads and laptops. When a request is submitted the status can be updated by staff and monitored by the public at any time. Councilman Hudson expressed concerns regarding the possibility of false allegations. Inspector Merollini stated it would be promptly addressed as that does not align with the purpose of this system. Inspector Merollini provided a quote of \$1,375 for the annual

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software cost for licensing ArcGIS Online for five users and a quote of \$7,000 to set up and implement Citizen Reporter. Councilwoman Dr. Cary made a motion to accept the \$1,375 quote for the annual software cost for licensing ArcGIS Online for five users and the \$7,000 quote to set up and implement Citizen Reporter as presented. Motion seconded by Councilman Steffen and carried by all.

C. Hazard Inspection Committee – C. Snader

The Hazard Inspection Committee did not meet in February. Inspector Merollini stated he spoke with the owners of 3 Lighthouse Road, and he will be meeting with them later this month.

Mayor Duncan inquired about the status of 58 W Church Street after experiencing a structure fire in January. Inspector Merollini stated that he had spoken with the property owner about the process to repair the building.

D. Water – G. Steffen

See report for the month of February. Councilman Steffen reported that the water plant produced 2,419,558 gallons of water. We continue to purchase water from Artesian to supplement the water pressure on the eastern side of town. We continue to meet all State and Federal testing requirements. The Water Department continues to read meters, repair meters as necessary, and mark water lines for Miss Utility locate requests. Councilman Steffen stated that hydrant flushing, a twice-annual process that helps to keep the water clean, fresh, and safe, will take place the week of April 8, 2024. Residents and businesses are advised to check for discolored water, especially in their washing machines. If you observe discolored water, let your faucet run for a few minutes to see if it clears up. If it doesn't, contact the water department at 436-8349. For more information, call Town Hall at 436-8314.

E. Public Works – G. Steffen

Councilman Steffen reported that the Public Works Department has completed painting downstairs at Town Hall. Additionally, they are checking and cleaning out storm drains and getting the mowers ready for grass-cutting season.

F. Recreation – G. Steffen

Councilman Steffen reported that new 2-5 year old playground equipment is scheduled to be installed this month. They plan to de-winterize the park bathrooms as well. Repairs to the pickleball courts are still weather permitting.

G. Sewer Report – C. Snader

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See report for the month of February. Councilman Snader reported the plant had an average daily flow of 1,052,600 gallons and a peak flow of 1,288,000 gallons. The plant performed within all required permit parameters for the month. Councilman Snader added that Whayland Construction has completed the roof repairs, and Diamond Electric is continuing to work on the electrical repairs at the Headworks Building. They also received 160 Miss Utility locate requests in February. Additionally, Town Engineer Loar reported that they received funding from the State of Delaware to complete the Wastewater Facilities Plan. Town Engineer Loar concluded by stating that he and Councilman Snader will meet soon to discuss budget items and capital projects that need to be completed.

H. Planning & Zoning – C. Snader

See Minutes of the February 13, 2024, and the February 27, 2024, meetings.

Councilman Snader reported the only item on the agenda for the February 13, 2024, meeting was to review and discuss the draft Mixed Use Zoning District and Map presented by AECOM. The next step is for AECOM to prepare a draft ordinance for the commission to review and then it will come before the Mayor and Council.

Councilman Snader reported the first item on the agenda for the February 27, 2024, meeting was to review a site plan for a 5-lot subdivision on Lynch Road Tax Map and Parcel No. 533-17.00-156.04, owned by Lighthouse Oakes North, LLC. It is the recommendation of the Planning & Zoning Commission to table the request until there has been a meeting with Town Engineer Loar regarding the availability of water and sewer.

Councilman Snader reported the second item on the agenda for the February 27, 2024, meeting was to review plans for a speech therapy center located at 38070 DuPont Blvd., Tax Map and Parcel No. 533-16.00-38.00, owned by Billy Banning Enterprises, LLC. Town Administrator Long explained that it is a New Business in an Existing Building request. She confirmed that it is allowed in the General Commercial Zoning District. It is the recommendation of the Planning & Zoning Commission to approve the conversion of the farmhouse into a speech therapy center. Town Administrator Long stated that it will go through the building inspector for the permitting process.

I. Industrial Park Report – S. Long

The Industrial Park Committee did not meet in February. At the February Town Council Meeting, the Mayor and Council approved the variance request for two additional warehouses at 9 Mason Drive pending final approval from the Board of Adjustment. The Board of Adjustment met on February 21, 2024, and approved the variance request.

J. Annexation Report – C. Cary

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No report for the month of February.

K. Economic Development Committee – C. Cary

See Minutes of the February 26, 2024, Meeting.

Councilwoman Dr. Cary reported one of the focus categories is “Communication,” which has made a lot of progress since the last meeting. She stated that two of the priorities in that category were streaming the Town Council Meetings and the creation of a Town Facebook page which have been completed. The other focus categories are “Business Attraction, Retention, & Expansion” and “Downtown Improvement & Beautification.”

L. Administrative Report – C. Cary

Councilwoman Dr. Cary announced that as the new Administrative Assistant, Mackenzie Long, has begun her employment with the Town. She had previously been an intern.

M. Administrative Report – S. Long

Town Administrator Long reported that the Selbyville Pit & Pub opened today. Additionally, two new businesses are coming to town. Candy’s Consignment Shop will be located at 4 Ellis Alley, and a new tenant has applied for a business in a unit at 5 W Church Street. More information will be forthcoming.

Town Administrator Long reported that DelDOT will be starting work on Route 113 on Monday, March 11, 2024. They will be working Monday through Friday between the hours of 7:00 AM and 5:00 PM. They are estimated to complete the work in June.

Town Administrator Long stated that we received a Certificate of Appreciation presented to the Selbyville Police Department for outstanding support of the United States Marine Corps Reserve for Toys for Tots on behalf of the Ocean View, Delaware Toys for Tots Campaign and First State Detachment Marine Corps League. They submitted a letter of thanks which included the following: “In 2023 due to the outpouring of donations from the local community, over 8,300 toys were collected or purchased, and we were able to help almost 4,200 children in lower Sussex County.”

Town Administrator Long concluded her report by stating that she, Mayor Duncan, and Councilwoman Dr. Cary will be visiting some of the Phillip C. Showell Elementary School classrooms to read to the students as a part of their One Town, One Book Program this year. They are reading “Cleo Edison Oliver, Playground Millionaire” by Sundee Tucker Frazier.

At this time, Mayor Duncan announced a reminder that March is Youth Art Month, and the Art Show will take place at the Selbyville Public Library on Saturday, March 16, 2024, from 10:00

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AM to 2:00 PM. The award ceremony will begin at 2:00 PM. Mayor Duncan encouraged everyone to attend.

4. Visitors in Attendance:

Diane Schmidt of the Selbyville Community Club reiterated Mayor Duncan's announcement about the Youth Art Show. They have judged the art, tallied the scores, and will be passing out ribbons and monetary prizes at the award ceremony after the Art Show on March 16, 2024.

Doug Smith of Mountaire Farms stated they had done 96 odor checks since the last town meeting and detected 6 instances of odor. They are exploring more systems to reduce the instances of odor.

Zach Evans of Mountaire Farms stated that the Easter for Thousands Program will take place on Saturday, March 23, 2024. They are expecting approximately 175 volunteers and are going to pack 8,000 meal boxes which will feed over 30,000 people. Additionally, Mountaire Farms has partnered with the Bethany-Fenwick Area Chamber of Commerce for their Coastal Delaware Community Clean Up. Mountaire Farms will be Selbyville's designated hub location where volunteers will check-in, receive clean up supplies, and discard collected trash.

Emily Gaither, Bethany-Fenwick Area Chamber of Commerce Member Relations Manager, stated Coastal Delaware Community Clean Up will take place on Saturday, April 20, 2024. Additionally, the Chamber is hosting a shop local initiative event called "Spring Fling" from April 12, 2024, through April 20, 2024. Ms. Gaither added that registration for the Ocean to Bay Bike Tour event remains open as well. Over 1,700 cyclists have registered so far, and it will take place April 26, 2024, through April 27, 2024. She concluded by stating that they have begun planning Old Timer's Day which will take place on Saturday, June 15, 2024. More information on all these events, and more, can be found at <https://thequietresorts.com/>.

There being no further business to discuss Councilwoman Dr. Cary made a motion to adjourn the meeting. Motion seconded by Councilman Steffen and carried by all. Councilman Snader made a motion to go into Executive Session to discuss personnel matters. Motion seconded by Councilwoman Dr. Cary and carried by all.

Mayor Duncan adjourned the meeting and thanked everyone for attending.

Respectfully submitted,

Loryn Rose

Loryn Rose
Administrative Assistant

EXECUTIVE SESSION