

Minutes
DAGSBORO TOWN COUNCIL
Bethel Center
Monday, December 16, 2024

I. CALL MEETING TO ORDER

Meeting was called to order by Mayor Chandler at 6:00 p.m.

In attendance were: Mayor William Chandler, Vice-Mayor Jason Russell, Councilwoman Carol Thompson, Councilman CJ Shortridge, Councilman John Marvel, Town Administrator Cynthia Brought, Chief Nicholas Disciullo, Town Solicitor Greg Morris and Engineering Consultant Kyle Gulbronson. See sign in sheet for others in attendance.

II. PUBLIC COMMENT

Councilman Russell congratulated William Chandler and John Marvel on being elected to Town Council.

Councilman Russell expressed his appreciation for all who were involved in making the 11th Annual Christmas Parade a success especially Town Administrator Brought, Town Clerk Stacy West, Finance Clerk Wendy Rayne, Town Maintenance Joe Quinn, Chief Disciullo, Chief Marvel and Brian Baull for all their hard work.

Mayor Chandler recognized outgoing Council member, Norwood Truitt, for his time and dedication to the Town Council. He stated that Norwood was born and raised in Dagsboro and has been active in town his whole life. Norwood Truitt served on the Dagsboro Town Council for 16 years, served on the Prince George's Chapel Committee and is the Representative for the Chapel on the Prince George's Cemetery Committee, extremely active with the Bethel Church and can be found at any event that the town sponsors. He added that he is the definition of a public-spirited volunteer. Mayor Chandler stated that on behalf of the Town and Town Council, he thanked Norwood Truitt for all his years of service and presented him with a plaque as a small token of their gratitude.

III. OATH OF OFFICE

William Chandler and John Marvel

Town Solicitor Greg Morris delivered the Oath of Office to William Chandler and John Marvel.

IV. REORGANIZATION OF COUNCIL

a. Mayor

Councilman Russell made a motion to nominate William Chandler for Mayor. Councilman Shortridge seconded the motion. All were in favor.

Mayor Chandler stated that a year ago, he made the statement that he believed that the position of mayor should be rotated annually among the Council members, and he still believes that. He added that he was persuaded by others that have recently joined the Council and wanted more time to learn all the functions of the Town Council before stepping into the mayor's position and he agreed to serve one additional year as mayor.

b. Vice-Mayor

Councilman Marvel made a motion to nominate Jason Russell as Vice-Mayor. Councilwoman Thompson seconded the motion. All were in favor.

c. Secretary/Treasurer

Vice-Mayor Russell made a motion to nominate John Marvel as Secretary/Treasurer. Councilman Shortridge seconded the motion. All were in favor.

d. Assistant Secretary

Councilman Shortridge made a motion to nominate Carol Thompson as Assistant Secretary. Vice-Mayor Russell seconded the motion. All were in favor.

V. APPROVAL OF MINUTES

Approval Town Council Meeting Minutes November 18, 2024

Vice-Mayor Russell made a motion to approve the Town Council Meeting Minutes as presented. Councilman Marvel seconded the motion. All were in favor.

VI. CONSENT AGENDA

a. Police Department Report

Sr. Cpl. Wechtenhiser stated that earlier that month, he went to Camp Barnes for Tactical Medicine Training class with K-9 Buzz that was hosted by trainers from NC and was sponsored by DEMA for every officer. He added that it was a 2-day course with a lot of equipment and learned about major issues that affect dogs including bloating, where their stomach blows up and how to fix it, cuts, blunt force trauma and gunshot wounds. He also added that this was the best training he has had so far in his 12-year career. He stated that he reached out to the fire department to see if they could assist with any supplies that would be needed, and they agreed to help them.

Vice-Mayor Russell stated that on behalf of the Dagsboro Fire Department, Councilman Marvel and himself they presented to Sr. Cpl. Wechtenhiser a med kit that included all the trauma dressings that would be needed.

Chief Disciullo stated that the November stats were presented and there had been a lot of end-of-the-year training and the administrative hours were heavy due to that. He added that the Lexipol policy manual is 70% completed and the PowerDMS program, which is the accreditation program that is funded by the State, would cover the fees for Chief Disciullo's online training program later that week.

Chief Disciullo stated that it was his understanding that they had jurisdiction over three schools, JMC, Lighthouse Christian School and IRHS. It was brought to his attention that they do not have jurisdiction over IRHS and have partial jurisdiction over JMC, but the address falls under Town of Frankford limits. He stated that he wrote up an MOU and gave a copy to Frankford, which they revised and sent back to him. He added that he reached out to Mayor Chandler and Town Solicitor Greg Morris about the issue and felt they needed to get this signed because they have been operating at JMC for years. He stated that he reminded Frankford's Chief that it is their school not Dagsboro's, but he thought it was Dagsboro's. Chief Disciullo stated that he felt it was disservice to the school if they don't figure this issue out.

Chief Disciullo stated that he had the revised MOU from Frankford's Chief, and he would like to get approval to have it signed after Mayor Chandler and Town Solicitor Morris review it. He added that then they would be able to operate at JMC without worrying about any type of liability.

Engineering Consultant Gulbranson stated that the Town's boundary line goes right through the center of the school. Chief Disciullo stated that the 911 address comes up under Frankford. He added that he has copies of his MOU and copies of Frankford's revised MOU for review.

Mayor Chandler stated that it looked like in one draft that the Frankford Police Department would be sworn in to have jurisdiction in the Town of Dagsboro but wasn't sure if that was correct or not. Chief Disciullo stated that he wasn't sure what copy Mayor Chandler looked at but the one he received back from Frankford stated specifically for duties at JMC. The main difference in the MOU that was revised by Frankford was that they removed all language out of it that gives them jurisdiction anywhere but JMC. Mayor Chandler asked for confirmation that the Town of Dagsboro would have no jurisdiction in the Town of Frankford except at JMC. Chief Disciullo replied, "That is correct." Mayor Chandler stated that he wanted to be sure that the Frankford Police Department would not have any jurisdiction in the Town of Dagsboro. Chief Disciullo stated that with the revised MOU, Frankford would not have any jurisdiction in Dagsboro. Mayor Chandler stated that he felt they would need to have their insurance carrier look at this also. Town Solicitor Morris stated that he agreed. Chief Disciullo stated that he wanted them to be covered prior to having a major incident at JMC so they would not be deciding who has jurisdiction at that time. Mayor Chandler stated that he would not want any officer or any Council member in that position either. He added that the Town has an insurance policy on everyone if they were to get sued and also a provision in the Town Charter that states in the event that insurance isn't adequate, the

Town's good faith and credit would indemnify any Officer, any Councilman, or any employee of the town, as long as they are acting in good faith and in the best interest of the town. He stated that he would like to have their insurance carrier look at the paperwork before it is signed. Town Solicitor Morris recommended that both Town Mayors sign off on the document also and not just the Police Departments.

Engineering Consultant Gulbranson asked for confirmation that the IRHS building is within town limits and the athletic field fields are in Frankford. Chief Disciullo replied, "No." He added that the school address shows up as Armory Road, which is in their jurisdiction and that means they have the roadway in front of the school. He added that the school does not pay water to the Town, therefore they technically aren't entitled to police services. At one time, the school was paying for water to the Town of Frankford and then to Tidewater. Chief Disciullo stated that he spoke with the Town of Frankford, and they do not want anything to do with the school and Dagsboro has been operating the school, assists DSP with complaints if they are busy and assists with the school's traffic. He questioned if they need to have an MOU with the State Police to be at IRHS.

Vice-Mayor Russell stated that he spoke with Sgt. Glaeser a few weeks prior, and he mentioned that they do not have any MOUs with surrounding towns as far as being able to monitor radio frequencies and being able to communicate with them. He asked if that is something that they should look into in case at some point there is an issue where they need to assist/have assistance. Chief Disciullo stated that they all operate off the same radio channel and there is a section in the Delaware Code that does provide mutual aid requests and if the Town of Millsboro asked them to assist and vice versa, they are covered under the Delaware Code. He added that JMC was different because they work regular events there and the Town of Frankford isn't asking them to go, the school is asking. Vice-Mayor Russell stated that Sgt. Glaeser's concern was that they don't have a direct monitor of other town's radio channels and must go through SUSCOM. Chief Disciullo replied, "That is correct and could be as simple as getting their radios to the shop and have other town's channels added." Vice-Mayor Russell asked for confirmation that an MOU would not be needed. Chief Disciullo replied, "No, not according to State law but it is a good idea."

Councilwoman Thompson asked if they have an MOU for Lighthouse Christian School. Chief Disciullo stated that they don't need one because they are within town limits.

Chief Disciullo stated that he would send the information to Mayor Chandler and after speaking to the insurance company, they can address the IRHS issue because it would be more involved. Mayor Chandler stated that he would work with Chief Disciullo on the issues.

Chief Disciullo stated that they had a department involved collision last month. He added that there was very minor property damage done and they handled everything through the insurance company and then handled it on their end with the officer that was involved. Vice-Mayor Russell asked if there were any injuries. Chief Disciullo replied, "No injuries."

Chief Disciullo stated that he received notification about the work on the Armory Rd. bridge that would begin in February and traffic would be rerouted through Dagsboro and Frankford. He added that he reached out to the Town of Frankford and the SRO at IRHS because traffic is going to be messy for about 5-6 months.

He also stated that he spoke to OHS about the speed cameras and did not receive the response he was hoping for and feels like it would be more work than it is worth. He added that he thinks it will be too big of a project for them with no real benefit for the Town.

Mayor Chandler stated that 2-3 residents asked him about the light at the bottom of the hill when you are coming west and want to go south to Frankford. They were complaining that they must wait a long time to get a green light and were wondering if DelDOT would agree to have a flashing red light that would allow a driver, when there are no cars coming, to make a left-hand turn. He asked Chief Disciullo if he felt that DelDOT would allow that. Chief Disciullo stated that he hoped with the bridge project coming up that they would consider it. He added that they are having issues with all their lights because drivers aren't stopping on the pressure pads, and the lights don't change. He added that the lines on the road are worn out. He stated that he would reach out to his DelDOT contact person to ask when the bridge project is started, if they could permanently add the red blinking light.

- b. Treasurer's Report**
- c. Administrative Report**
- d. Building Official Report**
- e. Code Enforcement Report**
- f. Meeting Reports**
- g. Water Department Report**
- h. Prince George's Chapel Cemetery Report**
- i. Correspondence**

Mayor Chandler asked if there was a remedy to the water reading problem. Town Administrator Brought stated that they are trying to move everything from the laptop that is in the box to her laptop, but they are waiting for a special part to come in that is needed. She hopes the program will work from her laptop so they can get through this budget year but if not, they may need a whole new system.

Mayor Chandler stated that he wanted to highlight a couple topics that he spoke to Town Administrator Brought about but it would be discussed later since it is not on the agenda. He stated that Sussex County had reassessed property values and they need to decide if they want to go to a system where they adopt the County's assessment values since they are more current or do they want to continue with their own assessment process where they currently hire a private company to complete assessments on newly built structures, but they don't reassess structures that were built decades ago. If they stay with the private company, they will need to pay to have all the properties in Dagsboro reassessed or they can choose to take the County's new assessment values.

Mayor Chandler stated that another topic that needed to be discussed with hopefully some help from volunteers, is that there are some serious issues with the Town's Charter and Code. He stated that the Charter is their constitution that defines their rules that they need to operate by, defines their powers and duties and doing something that is inconsistent with their Charter is called ultra vires, acting without power. He stated several discrepancies with the Charter and hopes they can come up with a committee that would go through the Charter/Ordinances and decide where they need to update sections of the Charter. He added that any changes to the Charter would need to be approved by the legislature and they would need their local representatives/senators to sponsor it. Mayor Chandler stated that he would like them to discuss this issue at their next meeting and see if they can find any volunteers willing to help them revise the Charter.

He also stated that the Town website is very inadequate for giving people notice about what the Town has coming up such as the election and who was running for Town Council. Town Administrator Brought stated that it was added to the website, but the information wasn't showing up and that it is seen on their end but no one else is seeing it. Mayor Chandler stated that they needed to get the website fixed and possibly think about a webmaster, who could input the information on website for the town and keep it current. He added that this could be a volunteer in the community who has those skills, or they may need to pay someone to do it.

Mayor Chandler stated that he realized that it's a lot, but he would like to add the three issues to the January agenda.

VII. PLANNING & ZONING REPORT

Planning & Zoning Commission held their meeting on Thursday, December 5th, 2024. The Commission voted to recommend Preliminary Approval of the Morse/Vines Creek Project. A recommendation was also made to go with AECOM's suggestion of sending the Office of State Planning a letter stating that we are not making any changes to the Plan this year, along with a copy of the Community Survey, and P & Z will work on looking at the demographics and goals throughout the next five (5) years, which is when the Plan will need to be looked at again for any changes. There were no significant changes in the Community Survey regarding what the people in town are looking for in their community, but we had a much larger response than previously.

Engineering Consultant Gulbranson stated that there were 2 recommendations from the P&Z Commission to the Town Council from the December meeting. He added that the first one was for Morse Mixed-Use Project on Vines Creek Rd. and after reviewing the preliminary plans for the project, the P&Z Commission made a recommendation to the Town Council to approve the plans.

He also stated that the second recommendation was regarding the Comp Plan and from the results of the Community Survey, they found that the community sentiment was the same from the survey they did 5 years ago. P&Z Commission felt that the current plan was still relevant and that they do not need to make any changes at this time. He added that the Town would need to write a letter to the Office of

State Planning stating that they reviewed the plan, explain the process that they went through, the survey results and that they feel they do not need to make any changes at this time. He stated that the Town would need to create a new Comp Plan in 5 years.

Mayor Chandler stated that based on some of the short/long-term goals that are in their Comp Plan, he felt that some of them need to be changed. Engineering Consultant Gulbranson stated that if they tell the State that they are not going to update the plan at this time, there is no reason why the P&Z and Town Council can't be actively working on the plan and then in 5 years they would be ready to make the changes in the Comp Plan. He recommended that they continue to review the plan and come up with suggested changes.

Councilwoman Thompson stated that she felt they should review it and look at what they have implemented into it and what they have not. Engineering Consultant Gulbranson stated that the State wants to see that they are implementing the goals of the Comp Plan. He added that Town Administrator Brought must send a report in each year and they have implemented some things.

VIII. NEW BUSINESS

a. Preliminary Approval Morse Project Vines Creek Discussion/Vote

Alan Decktor, Engineer for Pennoni, stated that the proposed project is located on Vines Creek Rd. and included four properties that would be consolidated into one. The project would include 20K sq. ft. of commercial space in the front and 20 duplex residential units would be in the back. They have been moving forward by submitting applications to SCD, DelDOT, Fire Marshal, County sewer and the Town and have received some approvals and some requests for approvals. He added that there would be a single entrance off Vines Creek Rd. and with roadway improvements it would generate a short left and right turn lane into the site and there would be a sidewalk along the frontage, all of which has been submitted to DelDOT. He added that from the center of the Vines Creek Rd towards the project, the road would be widened but there would be no impact on the other side of the road.

Alan Decktor stated that they have gone through the process with County sewer and would tap into an existing manhole in front of the entrance and bring it into the site to service all the buildings. He added that there is an existing main across the street for water and would use that to service all the units. For storm water purposes, there is an existing ditch that runs along the perimeter on the western and southern sides and under the parking lot on the commercial side and they are proposing an underground chamber system to be installed to handle the runoff. He showed on the plans where the surface detention pond and surface infiltration basin would be located and that all those facilities would collect and convey the runoff to the existing ditch and would match predevelopment status. He stated that this was all being reviewed and approved by SCD. Mr. Decktor stated that they have received approval from the Fire Marshal and DelDOT had requested finals for the record plan.

Mr. Decktor referred to the buildings along the frontage and stated that the goal for the final layout is to have no individual connections from the roadside. He added that there would be sidewalks going in

between the buildings and along the entrance with all the doors on the inside side of the buildings and on the side to provide the most usable space inside the buildings. He added that the back of buildings that would face the road would not look like a traditional back of a building and would look like part of the community. This design would be shown at final approval.

Councilwoman Thompson asked how many phases there would be for the project. Alan Decktor stated that there would be 2 phases with this commercial part as Phase 1 and residential as Phase 2.

Councilman Shortridge asked if there was an expected timeframe. Mr. Decktor stated that they would like to start Phase 1 as soon as they receive final approval. Councilman Shortridge asked how long it would take it to get to Phase 1. Mr. Decktor stated that they hope to start Phase 1 before summer.

Councilman Shortridge asked how long it would take to finish Phase 1. Mr. Decktor stated that it could take 6-12 months to complete the first phase. Tom Morse, 33334 Main Street, stated that by the time they have the lateral lines moved on that side of the road and 5 telephone poles, it could take up to 12-16 months to complete the first phase.

Vice-Mayor Russell asked for confirmation that they would be doing 1-2 buildings at a time in the beginning. Tom Morse stated that their goal is to complete the front part of the project all at once. He added that they want to design it to look like, old school Dagsboro, and decided to open the concept of how a lot of Dagsboro's sidewalks go nowhere. He shows on the plans that there are 19,960 sq ft and plans to split the first building, which is 5600 sq. ft. in half so they have sidewalk to sidewalk in between the buildings. The 2nd building is 3000 sq ft and they want to leave that building whole, and the third building is also 5600 sq. ft. and plan to split that building in half with a sidewalk in between the buildings so it brings you back to the parking lot. He added that they want to have all their mechanicals enclosed on the roof so it would look like a nice place to shop. He added that they aren't sure what types of retail or professional buildings they would attract but hope to be able to bring some medical services in. They want to diversify it enough not to become a medical complex.

Tom Morse stated that Phase 2, the rear construction, would be the homes and they have decided to reduce it to 19 units because they are running out of property. He added that the ditch behind the property is not a tax ditch and only has water in it when they flush the hydrants out from behind it. The stormwater system that sits underneath the parking lot is designed to hold 10 inches of rain in a 2-hour period before water goes into the pond or ditches and feels there would be minimal impact to the street across from it.

Councilwoman Thompson asked what type of housing units they are planning to have. Tom Morse stated that they would be single family units and to be able to get the number of residential homes for the project, they needed to make them duplexes. Councilwoman Thompson asked what the parking would be like for the duplexes. Tom Morse stated that they have some free-flowing spaces outside of the front entrances of the homes. Alan Decktor stated that right now they are showing 25 spaces above the Code requirement. Councilman Shortridge asked what the Code requirement shows. Alan Decktor stated that 166 spaces are required, and they have 190 spaces. Engineering Consultant Gulbronson

stated that the Code requires 2 parking spaces per unit and the project exceeds the required parking for the commercial and residential segments.

Mayor Chandler stated that at the P&Z meeting, Engineering Consultant Gulbranson had a list of items and asked for confirmation that the items listed would be addressed at some point. Mr. Gulbranson stated that they had already been addressed, and the preliminary plan is Code compliant. He added that they had some questions about the entrances to the buildings and widths of the residential streets, but they have all been addressed.

Councilwoman Thompson asked if there would be one drainage pond. Tom Morse stated that there would be two, one on the front side for the commercial side and one for the residential side. Councilwoman Thompson asked for confirmation that they would drain into the ditch. Alan Decktor replied, "Yes they would." Tom Morse showed where the perimeter of the ditch was located on the property, and that it adjoins to Steve Parson's property. He added that the water feeds into the ditch and goes up the street, on the south side of the street, and then crosses over into the neighboring community. Mayor Chandler asked if it reaches Pepper Creek at some point. Tom Morse replied, "It does."

Councilman Shortridge asked if a traffic survey was completed. Tom Morse stated that they were not required to have a TIS but they did look back to find out what the traffic was prior to COVID. He added that at that time there were about 11,800 cars a day during off-peak season and up to 21,000 during peak season. He also stated that because they weren't required to have a TIS, the State set other requirements for them which included that they had to pay \$22,800 into a Traffic Light Revolving Fund for maintenance for the traffic lights on Clayton St. and Armory Rd. Alan Decktor stated that it was a one time fee and is part of what DelDOT refers to as a Area Wide Study Fee.

Mayor Chandler asked for confirmation that they hoped to start the project by April. Tom Morse replied, "The entrance." Mayor Chandler asked, with the bridge construction on Armory Rd. that would begin in February and last 6 months, would this make the traffic on Vines Creek Rd. better, worse or no different. Tom Morse stated that they are required to work on the entrance after hours. Alan Decktor stated that as part of the DelDOT's approval process, they dictate to them when/how they can work.

Councilwoman Thompson made a motion to approve Preliminary Plans for Morse Project on Vines Creek Rd. Councilman Marvel seconded the motion. Vote was 4-1. Councilman Shortridge was opposed.

**b. Hounds Town Letter - Request to Change Code To Allow Kennel/Boarding
Discussion and Possible Vote**

Frank Duffy, of Hounds Town, stated that based on the P&Z meeting, it was recommended that they submit a letter to Town Council asking to amend the Ordinance. He added that they have submitted a formal letter and redrafted the Ordinance to amend the Zoning Code to allow pet daycare and boarding as it pertains only to dogs and cats, in a fully enclosed, climate-controlled environment in the Highway

Commercial District. He added that they also added an attachment with questions that were asked at the P&Z meeting with the answers provided. He stated that they had just received a letter from the landlord's representative, who is in support of the new business.

Frank Duffy stated that Wesley Cox letter read, "Dear Town Council, I am a Commercial Real Estate Advisor that has worked on Savannah Square for the last 10+ years and am happy to report that after taking over the property, we have been 97% occupied for the last 2 years. I have been a Commercial Real Estate Agent for 22 years based in Salisbury, Md and have completed deals in major sections and have a broad level of experience. Related to this specific matter, earlier this year I completed a lease with a 10K sq. ft. doggie daycare who also does boarding in the city of Easton. The property was within the General/Commercial Zone in a shopping center. Easton has been known as one of the strictest towns on Delmarva. They currently allow the use within their General/Commercial Zoning under a special exception. Once my tenants submitted their application, it was relatively easy to obtain the approval they opened in a large grocery anchor shopping center and the landlord was excited to have them. Similar to what is being discussed with Hounds Town, the two stipulations of approval were that they conducted a sound study and installed sound proofing within their space. As of today, we, the property management company, have not received one complaint from any of the neighbor tenants and it has been a nice addition to the center, offering a valuable service to the community. If someone were to ask how this would benefit the town, the answer would be that Dagsboro, and the surrounding areas, is a growing community and within a growing community comes the need for more services. Allowing a business such as Hounds Town to operate within the city limits would be just one example of how growing towns should adapt their zoning code to meet the need for the growing demand of more services within the community. Because of my positive experiences, I see no downside to adding boarding as an allowable use under special exemption within your General/Commercial Zoning. With the special exemption approval needed in town, it would give the right to conduct a thorough due diligence process on a case-by-case basis to determine if the subject property would be a good fit. In this case, the landlord is in full support of this application, and we would welcome Hounds Town into our facility to offer citizens a service that is not currently being offered within the community. Thank you, Wesly Cox".

Councilman Shortridge referred to the P&Z meeting where they discussed the dog waste and asked what their plan was for collecting the waste and since there would be no bedding for the dogs, what type of floor would be at the facility. Frank Duffy replied, "Tile floor." Councilman Shortridge asked what the process would be for when a dog urinates on the floor. Mr. Duffy stated that the floors would be steam cleaned every day and referred to the attachment that he prepared with answers to the questions asked at the P&Z meeting.

Vice-Mayor Russell asked Mayor Chandler why the Code was changed in 2022 to exclude boarding. Mayor Chandler stated that they reviewed potential uses but does not remember the exact reason why it was changed. Engineering Consultant Gulbranson stated that there wasn't a particular reason but that they went through all the permitted uses in all the zoning districts to see if any changes needed to be

made. He added that it was thought that boarding would cause a lot of animal noise and would not be a good fit.

Vice-Mayor Russell stated that he was under the impression that they were made aware of the Town Code when they applied. Frank Duffy stated that they were aware of Sussex County's Code but did not realize the property was within town limits. Vice-Mayor Russell asked if they had already moved forward with the rental agreement. Mr. Duffy replied, "No." He added that when they were getting ready to finalize the lease, the architect had a test fit done which was shared with the landlord and then reached out to Sussex County and the Town of Dagsboro and that's when it was brought to their attention about the Ordinance. Mayor Chandler asked if they had signed the lease. Mr. Duffy replied, "No."

Vice-Mayor Russell asked for confirmation that after hours there is no one on site and that it would be monitored through their security company. Frank Duffy replied, "Yes." Vice-Mayor Russell asked what the police and fire department would do if there was an emergency. Mr. Duffy stated that he had not experienced that situation yet, but the dogs would be in kennels and would not be running around. He added that they live in Ocean View and would be close by if there was an emergency. He also stated that he could get more information on this because he had not been in this type of situation before. Vice-Mayor Russell replied, "As long as you are prepared." He added that if they do move forward, there needs to be some type of communication between them and the police/fire department on what they need to do if a situation comes up. Councilman Shortridge asked if there was a sprinkler system in the building. Mr. Duffy replied, "Yes and it's a requirement for Hounds Town."

Councilman Shortridge asked if they are aware of the business that would be next door to them. Mr. Duffy replied, "Yes." Councilman Shortridge asked if they had any concerns with what goes on next door with the dogs/cats. Mr. Duffy stated that they are comfortable entering into the agreement with the landlord and understand that there is a restaurant/nightclub next door with weekend activity. He added that he and his wife had come to the parking lot previously and assessed the situation but with the sound proofing that they have, they feel that it would not be an issue. Councilman Shortridge asked if they ran into problems with the nightclub, would they be agreeable to hiring someone to be on duty until the nightclub closes at 2 A.M. Mr. Duffy replied, "Yes." He added that they are willing to do whatever is needed to ensure the success of the business.

Councilwoman Thompson asked if they have managed a facility like this before. Frank Duffy stated that he has not, but his wife has 25+ years of commercial real estate experience. He added that he was in sales for 35+ years and had dealt with a lot of business situations and felt that between the two of them, they have the necessary skills to be successful. Councilwoman Thompson asked for confirmation that Hounds Town is a franchise. Mr. Duffy replied, "Correct." Councilwoman Thompson asked how many employees would be hired. Mr. Duffy stated that they would probably hire 12 employees to begin with and would average out to 6-8 employees once they get settled in which would include employees on site at any given time. Councilwoman Thompson asked what their projection was for their clientele. Mr. Duffy stated that he felt they will have seasonal clients but anticipated older local clients that need to go out of town for the weekend for various reasons.

Councilman Shortridge asked how many animals they would be boarding. Mr. Duffy stated that right now they plan to have up to 37 animals. Councilman Shortridge asked if that was the maximum for daycare and boarding together. Mr. Duffy stated that there could be up to 50 dogs for doggie daycare and up to 37 for boarding.

Vice-Mayor Russell asked for confirmation that the dogs would be checked for temperament and immunizations. Mr. Duffy stated that dogs would be curated by size, energy level, and age.

Councilwoman Thompson asked for confirmation that the animals would always stay indoors. Mr. Duffy replied, "That is correct. The only time they would be outside is when the owners drop them off or pick them up." Councilwoman Thompson stated that there is a place in Millville for dogs and asked if he felt that would be competition for them. Mr. Duffy stated that he had personally tried to take his dog there and each time he called, they were booked.

Mayor Chandler asked Mr. Duffy if he was familiar with Chapter 30 of Title 16, the Delaware Laws of Animal Welfare. Mr. Duffy replied, "I am not." Mayor Chandler suggested that he get familiar with it, but he wasn't sure if it specifically applied to what he would be doing but it sets out standards for the protection of animals. He stated that one of his concerns would be the noise from the nightclub disturbing the dogs. He added that a dog's hearing (and sense of smell) is far more sensitive than humans and when dogs hear a lot of noise, it can cause distress, and behavioral problems can arise from it. He stated that there are residents that can hear the music from the nightclub when they go to bed at night, and good sound proofing would be needed so that the dogs aren't agitated. He stated that his other concern is that the dogs would not be able to go outside and doesn't know if there is enough space behind the shopping center. Mr. Duffy stated that when letting dogs outside, there are issues that could come up such as the dogs escaping, getting dirty, catching fleas/ticks and deciding how to keep the dogs separated while outdoors.

Mayor Chandler referred to the P&Z meeting where they discussed adding restrictions/conditions if they decided to amend the Town's Code and had asked Engineering Consultant Gulbranson to come up with some thoughts on how they could allow boarding with limitations. He added that he also looked up suggestions from the AKC about what was optimal for boarding animals. He stated that some of the issues he felt they needed to be addressed were: (1) having an outdoor area for the dogs which they had just discussed but felt that would not be doable with Hounds Town; (2) making sure all sounds originated would not in some way be heard by the animals and being next door to a night club, he felt that was a major issue; (3) the issue with animal waste was discussed and it was stated that it would be put in a locked dumpster that is picked 2-3 times a week but the recommendation would be more frequently especially in the summer months because it could create some odor problems; (4) making sure all the animals are current with their vaccinations and free of rabies, etc., which he felt would be agreed with; (5) having at least one staff member present at the facility, outside of standard operating hours when animals are boarded overnight because this would ensure the safety of the animals.

Frank Duffy stated that everything mentioned would be open for discussion and requested something formally written and sent to them for further discussion and was interested in the next step forward on the issues. Mayor Chandler stated that the next step would be for them to draft an Ordinance that would set some of the parameters that he mentioned and send them to Mr. Duffy to see if he was agreeable and if so, they would move forward with advertising for the Public Hearing, scheduling the Public Hearing, and vote on the Ordinance.

Councilman Marvel/Dagsboro Fire Chief stated that he would be responsible if something went wrong at the facility. He added that if no one was present at the facility and a fire broke out, what would happen to all the dogs that were boarded. He stated that if there was no plan in place, they would only have one choice and it would be important to have someone there to take control of the animal, because it would not be the fire company's responsibility. He stated that their responsibility would be to put the fire out and asked for them to have a plan in place. Frank Duffy stated that he would speak with Hounds Town to find out what the protocol would be in an emergency.

Mayor Chandler stated that the Town was willing to work with them and requested that he get in touch with Hounds Town about the emergency plan and they would work on an Ordinance for him to review.

c. Snow Plowing Bid for 24-25 Winter Season

Town Administrator Brought stated that they received one bid on snow plowing and the rates have increased but Gray's Creative Touch have added more equipment and staff, which means they can work quicker.

Mayor Chandler asked for confirmation that the Police Department would be in contact with Gray's to decide when/if plowing would be needed. Town Administrator Brought stated that she would contact the Police Department and then call Gray's to let them know when the town would be ready to be plowed.

Vice-Mayor Russell made a motion to accept Gray's Creative Touch's bid for snow plowing for the Town of Dagsboro for the 2024-2025 winter season. Councilman Marvel seconded the motion. All were in favor.

d. Christmas Bonus Town Administrative/Police

Mayor Chandler recommended that they approve a \$400 Christmas bonus to each employee and Police Officer as recognition for the service they have rendered to the Town.

Councilman Marvel made a motion to approve a \$400 Christmas bonus to the Administrative Department and Police Department for 2024. Councilwoman Thompson seconded the motion. All were in favor.

e. Discussion/Vote on Salary Increases Administrative Staff

Mayor Chandler stated that the Administrative Staff have been loyal and hardworking and felt that it would raise the morale of the staff if they looked at giving them a salary increase since the Police Department had just gotten raises and promotions. He added that the raises would not take affect until July 1, 2025 but recommended approving it that evening because it would help Town Administrator Brought with the budget and it gives the staff something to look forward to. He stated that Town Maintenance, Joe Quinn, has worked for the Town for 5 years without any type of pay increase and is paid far below what other maintenance workers make and wanted to show him how much the Town appreciates his hard work.

Vice-Mayor Russell made a motion to approve salary increases for the Administrative Staff beginning July 1, 2025. Councilwoman Thompson seconded the motion. All were in favor.

f. Town Council Approvals Holiday, Town Council Meetings, Planning & Zoning Meetings

Town Administrator Brought stated that there would be one change to the P&Z Meeting dates for the month of January. She added that she took a poll from the P&Z Commission and everyone agreed to change the date from January 2nd to January 9th.

Councilwoman Thompson made a motion to approve the Holidays, Town Council Meeting dates and Planning & Zoning meeting dates for 2025. Vice-Mayor Russell seconded the motion. All were in favor.

g. Royal Farms Bond Release for Water Improvements From 2019

Engineering Consultant Gulbranson stated that Royal Farms had been in business for 6 years and had an outstanding bond in the amount of \$32,825.00 with the Town of Dagsboro for water improvements. He stated that Royal Farms asked for the Town to release the bond.

Councilwoman Thompson made a motion to release the bond to Royal Farms from 2019 for water improvement. Councilman Marvel seconded the motion. All were in favor.

IX. OLD BUSINESS

There was no old business.

X. PUBLIC COMMENT

Norwood Truitt asked when the property assessments are reevaluated, would the tax be adjusted so there would not be a burden on the town taxpayer. Mayor Chandler stated that his understanding was that the County property tax assessment would not result in a change on what was already being charged and that they would adjust it by a metric so there would not be a dramatic increase. He added

that if they are to follow the County's assessments, he suggested that they follow that part of the analysis also. He stated that if there is a tax increase based on the new assessment that it would not be a dramatic difference.

Sherine High, of 29182 Shady Creek Lane, stated that she would like to read something from the Humane Society Guidance in reference to the Hounds Town zoning change. She read: "Kennels should not leave dogs alone for more than 12 hours. Most experts recommend not leaving dogs alone for more than 8 hours without a chance to go outside for a bathroom break and that is considered the maximum for a well-adjusted dog. Factors like age, breed and temperament can affect how long a dog can be left alone." She stated that if the business model is to have no staff on duty from 8 p.m.-8 a.m., every dog would have different needs and asked for this to be considered when reviewing the request for Hounds Town and the dogs being left alone because the Humane Society does not recommend it.

Tom Morse, of 33334 Main Street, stated that they own multiple properties and had found the new County's tax assessment to be inaccurate and have challenged them. He suggested using caution when relying on the County's assessments. He also stated that he was not aware of the snow removal but would like to offer their services. Mr. Morse added that they have a 10 ft. thick snow blade on a rubber tire machine and a commercial snowblower that would blow snow about 46 ft. and would be willing to dedicate some resources to the Town if needed. He stated that he wanted to thank everyone who voted in favor of their project that evening and appreciated the Mayor and Town Council.

XI. ADJOURNMENT

Vice-Mayor Russell made a motion to adjourn. Councilman Shortridge seconded the motion. All were in favor.

Meeting adjourned at 7:45 p.m.

Respectfully Submitted,
Wendy Rayne, Finance Clerk