

Meeting Minutes
DAGSBORO TOWN COUNCIL
Bethel Center
Monday, November 17, 2025

I. CALL MEETING TO ORDER

The 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, Cpl. Anthony Valenti, Town Solicitor Greg Morris, and Engineering Consultant Kyle Gulbranson. See sign in sheet for others in attendance.

II. PUBLIC COMMENT

There was no public comment.

III. APPROVAL OF MINUTES

Approval Town Council Meeting Minutes October 20, 2025

Approval Executive Session Town Council Meeting Minutes October 20, 2025

Councilwoman Thompson made a motion to approve both of the above minutes. Vice-Mayor Russell seconded the motion. All were in favor. The vote was 5-0.

IV. CONSENT AGENDA

a. Police Department Report

Chief Disciullo stated that October was an eventful month with several arrests including a 7th offense DUI that was led to a collision investigation along with other felony offensive touching charges, a vehicle pursuit which was turned over to Homeland Security for potentially involving human trafficking, and several fugitive arrests. In addition to that, they assisted Bridgeville, Rehoboth Beach, and Ocean View and supplemental patrols for Halloween. Chief Disciullo stated that the high school camera on Armory Rd that was installed by the State was destroyed in the collision. Mayor Chandler stated to Chief Disciullo that he did contact the individuals that he mentioned to him and that they are going to look into the camera near the soybean field and its placement since it is so close to an active farming operation. Chief Disciullo stated that they are finalizing accreditation and has a pre-walk through scheduled this Wednesday with the accreditation manager and that they are still on track for December 3rd. He stated that they did transition to Millsboro PD at the beginning of November.

Chief Disciullo stated that he saw a State Trooper working a paid job within our limits at the intersection of Iron Branch Rd. and Main St. which prompted him to email DelDOT and update the contacts with them. He stated that their response was vague, but he did let them know that we are not authorizing any other agencies to work any construction besides Dagsboro PD within our limits.

Chief Disciullo stated that he and Cpl. Valenti are working on establishing a Municipal Regional Crash Reconstruction Team for Sussex County. He stated that they have been in talks with the Office of Highway Safety for some funding for that but basically the State Police have said that they are going to be limiting their assistance with fatal collisions for municipalities therefore we need to come up with a way to handle this type of situation. If we do get the funding, Cpl. Valenti will be in charge of it. He stated that he has had interest from other agencies as well.

Chief Disciullo stated to Councilman Marvel that if the fire department needs assistance on calls outside of the corporate limits, they could let dispatch know that they need their help. It would help with the policies and liabilities, and they would be more than happy to assist.

Chief Disciullo stated that they have increased the collision report fees from \$15 to \$50 to cover administration costs. The fatal collision report increased as well.

Mayor Chandler asked Chief Disciullo if his stat report was public information or if there was a reason it should not be. Chief Disciullo stated that his monthly stat report could be public, but that it is not posted anywhere. Mayor Chandler stated that he felt it should be published to educate the public because he gets the occasional question of why Dagsboro needs six police officers. Town Administrator Brought stated that it did use to be published. Chief Disciullo stated that he got Selbyville's stats from the newspaper and in October they had 326 calls of service, 94 traffic citations, and 8 arrests. For comparison, Dagsboro PD had 13 arrests and 382 traffic citations, and the Town of Selbyville is double the size of Dagsboro.

- b. Treasurer's Report**
- c. Administrative Report**
- d. Cemetery Report**
- e. Code Enforcement Report**
- f. Water Department Report**
- g. Correspondence**

Town Administrator Brought stated that she neglected to put the Christmas bonuses on the agenda and needs approval from Town Council, and she proposed going down \$100, from \$400 to \$300, due to the tight budget. Vice-Mayor Russell stated that he didn't want to decrease the amount because the town staff does a lot for the town. Councilwoman Thompson agreed with not decreasing the amount. Vice-Mayor Russell made a motion to approve the Christmas bonuses at \$400. Councilwoman Thompson seconded the motion. All were in favor. The vote was 5-0.

Town Administrator Brought stated that the snowplow bid needs approval. We only received one bid from David Gray, and the price did not change. Councilman Marvel made a motion to accept the bid. Vice-Mayor Russell seconded the motion. All were in favor. The vote was 5-0.

Town Administrator Brought stated that the administrative computers are outdated and will not download Microsoft Windows 11 as it is only supported for 2018 and newer. She stated that Christine has been trying to get a quote from the State but has not received a response. Solutions Plus said we need to purchase through the State. Ms. Brought just wanted everyone to know that she is going to start getting quotes for new computers because the three current computers are refurbished and will not support Microsoft Windows 11. Town Administrator Brought has spoken to Chief Disciullo who has a contact with Dell Computers and felt it might be \$1k per computer. She is not sure which account the funds for the computers could come from because Public Safety or Real Estate Transfer accounts cannot be used for them. Mayor Chandler stated that if you refer to Chapter 126-6 of the Code it's called the Capital Improvement and Replacement Fund which has an excess of \$25K in it which came from transfer taxes and other things, but if you read the definition of Capital Improvement it includes technology systems. Ms. Brought stated that the account was turned into a CD because we weren't able to add money to the account and as a CD it would at least gain interest, but she will check on the maturity date as well as penalty for withdrawing on the CD.

Town Administrator Brought stated that eProcessing stopped supporting us suddenly and changed to an improved system and the rate increased from \$6 a month to \$18.50 a month. She stated that she is working with our Clearent representative to explore other options that might not cost as much. The option to collect the extra fee would be to do a \$7.00 convenience fee on every charge whether it is \$35 or \$350. Currently the town charges 3.99% convenience fee which is the highest amount allowed to be charged on a service fee. She stated that the Clearent representative mentioned PayBright and stated that her commission is much higher so she could cover the fees for us and there would not be any third-party fees.

Town Administrator Brought stated that the tree that Joe decorates in the park at Christmas with the assistance of Morse's bucket truck has gotten too big to decorate. Tom Morse stated that the power line is becoming a problem to even get the bucket truck in the air. Ms. Brought was wondering if we could ask for donations to purchase a new tree. Mayor Chandler stated he wondered what a 20-foot pre-lite tree would cost. Ms. Brought stated that they vary in price anywhere from \$700 to thousands. Mayor Chandler and Councilwoman Thompson stated for Ms. Brought to try and get sponsors. Engineering Consultant Gulbranson asked that if the tree is getting too big for that location, could it be cut down and relocated as the Town Christmas tree. He suggested seeing if a local tree company would be willing to volunteer their time and relocate the tree for the town.

Mayor Chandler asked Ms. Brought if she had any idea what the cost was for the water used for the B&E fire. Vice-Mayor Russell stated that it was a lot of water. Councilman Marvel guessed about 80,000 gallons. Ms. Brought stated that we haven't received a bill from Artesian to date. She stated that when she receives the bill, she was going to compare them. Mayor Chandler stated that the reason he asked is because if the Town has to absorb that cost that is an enormous hit to the budget. Vice-Mayor Russell stated that they did bill Royal Farms. Ms. Brought stated that they never paid it.

Councilwoman Thompson made a motion to approve the consent agenda. Councilman Shortridge seconded the motion. All were in favor. The vote was 5-0.

V. NEW BUSINESS

a. Qualify Candidates Town Council Election – December 6, 2025

Mayor Chandler stated that there are four candidates for the three spots. There are three incumbents and one new applicant.

Councilman Marvel made a motion to approve the candidates. Councilwoman Thompson seconded the motion. All were in favor. The vote was 5-0.

b. Approve Board of Elections for the Election on December 6, 2025

Mayor Chandler asked if Town Administrator Brought had gotten three judges for the election. She stated that she has and they would be Marjorie Eckerd, Holly Stiles, and Rosemary Barmore.

Vice-Mayor Russell made a motion to approve the Board of Elections. Councilman Marvel seconded the motion. All were in favor. The vote was 5-0.

c. Traffic Ordinance Proposal Dagsboro PD

Chief Disciullo stated that Cpl. Valenti presented this to him a couple of weeks ago, they have reviewed and refined it and are proposing to Town Council tonight. Chief Disciullo stated that what they are proposing is to adopt Title 21 of the Delaware Code into the Town of Dagsboro Code. Title 21 is all the traffic violations for the State of Delaware. He stated that the reason for proposing this is because he felt it coincides with the changes that the Town is going through currently. He stated that the Ordinances themselves would be citations that they would write through the Code and would essentially give different fine amounts as opposed what they are paying to the State. He stated that for the same amount of work that they are doing, they could write Ordinances and essentially increase the amount of money that they are getting by giving less to the State. The State takes a tremendous amount of fees out of every citation that they write. Sometimes they don't even receive a fifth of what they are writing. Chief Disciullo stated that costs have increased and things are getting passed down by the State that they are not getting reimbursed for. He stated that for accreditation this year alone he estimates that it has cost \$30K just to become an accredited department and that has to be renewed every three years to maintain accreditation. He stated that the State is passing down new standards to them and it is costing the town time and money to get the needed stuff done. Vice-Mayor Russell asked if this was going to be for traffic violations only. Chief Disciullo stated that the proposal is for all of Title 21 minus the DUI Code.

Chief Disciullo presented an example of a cell phone citation through the State system versus through an Ordinance. A cell phone citation fine through the State system Title 21 is \$205, and the Town of Dagsboro receives \$100 from that citation, and the State receives \$105 for that citation. A Rehoboth Beach cell phone citation fine amount is \$100 but the total ticket cost is \$125 because they were able to lower the State expenses and use just the Ordinance. Chief Disciullo stated that this is not an exact example because he is proposing increasing the cell phone citation here because they get so many.

Chief Disciullo presented examples of speeding tickets through the State system versus an Ordinance. A speeding ticket for nine over the posted speed limit total fine amount is \$109.50 the Town of Dagsboro receives \$29 from that while the State receives \$80.50. Newport PD through an Ordinance for 1-9 over the posted speed limit the fine amount is \$75, and the total ticket is \$155.50 therefore they were able to increase their ticket revenue by about \$45.

Chief Disciullo stated that cell phones and speeding are the two main citations that they write. He felt that this would be a way to offset some of the costs that the Town is incurring. He stated that their budget has taken a tremendous hit due to the number of things that they have to do which is in addition to what they already do. If this were to be implemented in an Ordinance, we could recover what we have been losing. Chief Disciullo stated that the State is taking a step back in assisting the Town in almost every aspect.

Town Solicitor Morris asked Chief Disciullo out of all the municipalities how many have implemented this, he is aware that Bethany Beach, Newark, and Rehoboth Beach have but is it still common that the other municipalities implement this. Cpl. Valenti stated that "yes any Town that has their own Alderman Court assigned has their own Traffic Code." He stated that they would adopt Title 21 and would then add in certain Town specific offenses, for example how the Town has no passing on Main Street for the entirety of Main Street, which would be incorporated in the Ordinances. He stated that other towns that don't have Alderman Courts specifically Camden, Wyoming, and Harrington have implemented it. Even DNREC as a State agency has implemented not an Ordinance, but administrative sanctions, they are collecting off the fine.

Chief Disciullo stated that once the Town Council approves it, it would then go to DELJIS, which is a state agency, and they would have to move it into the Town of Dagsboro's ticketing system, which would take time. Mayor Chandler asked

Chief Disciullo if he had reviewed Title 21 and identified the subsections of Title 21 that shouldn't be included. Chief Disciullo stated that the proposal is to implement all of Title 21 and add the ones on the chart presented. He felt that if they did the entirety of Title 21 then they could go back later and add instead of amending the Ordinance itself. Cpl. Valenti stated that we would be amending the fine amounts for those specific offenses but would have all of the offenses available to write as an Ordinance. Chief Disciullo stated that if they forgot one, they wouldn't have to come back to the table and add it in. Mayor Chandler asked once the Council has adopted this, would it be then initiated with DELJIS. Chief Disciullo stated that once Council adopted it, they would work out all the fine amounts and then send DELJIS the new proposed fines and DELJIS would have to manually enter them. Mayor Chandler stated that you wouldn't be able to write tickets until that was done. Chief Disciullo stated "no, we would still write through the State system." Vice-Mayor Russell stated that it sounded like a good idea, but he is unfamiliar with it, he can't imagine that the State is going to like losing money. Town Solicitor Morris stated that "he doesn't think that the State would have any say and it is a financial benefit to the Town." Chief Disciullo stated that DELJIS does have mandatory fees, but he is not sure what they are, but he estimated about \$30-\$40 per ticket therefore they will be getting something from us. Vice-Mayor Russell stated that if they are processing the payments they are going to want something. Cpl. Valenti stated that there is a list of fees that we would have to pay, but then some that we wouldn't. For example, court costs would still need to be paid for them to use JP Court 3. Chief Disciullo stated that they reviewed OHS and since 2019 they have done over \$200k funding in the last six years. He stated that every OHS citation that they write they get reimbursed their hourly rate at time and half, but do not get paid to go to court or vehicle expenses or vehicle maintenance. He stated that they are out there doing this work for OHS, getting \$29 fines which are barely covering a set of tires therefore they are definitely losing money.

Mayor Chandler stated that it seemed logical to him and just needed Town Solicitor Morris to work with Chief Disciullo about the language for the draft Ordinance. Mayor Chandler stated that it would require a Public Hearing and advertising therefore put it on next month's agenda.

d. Re-appoint to a three-year term Norwood Truitt and Ryan Stuckey P&Z January 2026 to January 2028

Mayor Chandler stated that Ryan Stuckey and Norwood Truitt have been appointed to the P&Z Commission for a three-year term.

Vice-Mayor Russell made a motion to approve both to a three-year term. Councilman Marvel seconded the motion. All were in favor. The vote was 5-0.

e. PLUS Meeting DuPont Properties (See email Dorothy Morris)

Engineering Consultant Gulbranson stated that the last PLUS meeting held by the State was in October and a project that was on the agenda was DuPont Properties, LLC which is not exactly contiguous to Town but is one parcel away from Town limits on the northbound side of Rt. 113, just on the south side of Town. Mr. Gulbranson stated that in the application submitted to the State it states that Tidewater Utilities is providing the water. Mr. Gulbranson stated that the property is in the growth and annexation area for Dagsboro therefore we were invited to the meeting, however he wasn't able to log in, but Town Administrator Brought was. Mr. Gulbranson did send an email to them after the meeting to bring up some concerns since he was not able to attend due to their technical issues. In the email to the Office of State Planning he let them know that to his knowledge Tidewater Utilities doesn't have any facilities in this area and that Dagsboro serves the properties to the North of the project. It would be logical that Dagsboro or Artesian would be the water provider for the site. The State compiled a report, which they have 30 days to do, and they were going to include the Town of Dagsboro information in the report for the developer. Mr. Gulbranson stated that the project is a

warehouse office flex base type development consisting of eleven 5,000 sq foot buildings. Mayor Chandler asked if Mr. Gulbranson knew how large the parcel was. Mr. Gulbranson stated that it is about nine acres. Vice-Mayor Russell asked what zoning it was with Sussex County. Mr. Gulbranson stated that it is zoned GB and some type of Highway Commercial, the property is split down the middle. Mayor Chandler asked Mr. Gulbranson if they would ask the Town for input. Mr. Gulbranson stated that he gave input to Dorothy and she was going to include that information in the letter to the developer. He stated that they would probably recommend that the applicant talk to the Town of Dagsboro.

VI. OLD BUSINESS

a. Continued Review, Discussion and Possible Voting on Building Permit Fees, Impact Fees, etc.

Mayor Chandler stated that in the packet that Council received should have the draft Ordinance that Mr. Morris put together. He stated that prefatory is that the idea was to add one additional impact fee provision which was for the police department. Currently, there are impact fees collected for the fire department and the ambulance service, and it was thought to include the police department so that there would actually be an impact fee collected for the police. Mayor Chandler stated that Town Administrator Brought did a mathematical calculation showing what the proposed fees would be based off of the building permit that was built in the Highlands on Clayton Street versus what the current fee schedule is. He stated that the only significant change is adding the police department as an impact fee recipient along with the fire and ambulance services. He stated that there would be an increase of double the revenue going to each of those departments. For example, the impact fee for the fire department and ambulance service would be \$430 on the current building permit and under the proposed that would increase to \$860 for each service plus the additional \$860 impact fee for the police department. Mayor Chandler stated that the impact fee that goes to the Town is currently \$2500 for things that include Code Enforcement, administrative fees, and governmental expenses. Therefore, it basically is there to support the operations of the Town office. The proposal is to double that fee from \$2500 to \$5000. He stated that these fees would only apply to major and minor subdivisions. He stated that someone building a home on a lot that they own in Dagsboro would be under the old system.

Councilman Shortridge asked if this was a one-time fee that is paid. Mayor Chandler stated that "yes, it is paid when they apply for the building permit." Councilman Shortridge stated that those fees are in addition to the building permit fee. Mayor Chandler stated "yes, that is correct and that those fees are one-time fees and are not recurring." The recurring would be the property tax bill.

Vice-Mayor Russell stated that he and Councilman Marvel have to abstain from this because it directly impacts funding for the fire department by the advisement of PIC. Mayor Chandler stated that he understood that, but he wasn't sure if they were forbidden from making comments. Both declined to discuss the issue.

Councilwoman Thompson confirmed that this is what the developer would pay. Mayor Chandler stated "yes, that is correct." Councilwoman Thompson stated that she felt it was long overdue. Mayor Chandler stated that it is whoever is buying the home that will ultimately pay it because the home buyer is going to incur any cost that the developer has to absorb. Mayor Chandler stated that right now the Town is absorbing part of that cost and that is what this is designed to try and ameliorate. The town absorbs the cost and goes further into debt as it does so. Mayor Chandler stated that these compare favorably to what other jurisdictions charge. This is designed to keep the town in a position where it can actually afford to provide a qualified police department, fire and rescue department that can provide the services that people want to have. Councilwoman Thompson stated that to prove Mayor Chandler's point with more people there will be more demands and would need to have the funds to take care of that. Mayor Chandler stated "yes, that is correct and eventually people will want other services besides police, fire and ambulance discussed. They will want a municipal trash service, more maintenance of the park, a larger park and in order to be able to provide those extra amenities and

services the town has to find a way to be able to do that. Mayor Chandler stated that it doesn't have to be voted on tonight if they need more time to review it. Councilwoman Thompson asked when it would become effective. Mayor Chandler stated that it becomes effective the minute it is adopted or it could be drafted to have an effective date in the future. Councilwoman Thompson stated but it has nothing to do with the moratorium. Mayor Chandler stated that "no it does not the moratorium was to by us the time to review these kinds of things. Councilwoman Thompson asked if Vice-Mayor Russell or Councilman Marvel could vote on this. Mayor Chandler stated, "no they cannot, it would just be the three, which is a quorum so the three can act and decide the issue even without John and Jason participating."

Councilwoman Thompson made a motion to approve because she doesn't know what they would wait for and if they think there should be a time when it becomes implemented which may be another discussion to transition into it. Mayor Chandler stated that if you want to impose a time when it begins that would need to be done at the same time you make the motion because if you make the motion to approve this it becomes effective tomorrow morning. Councilman Shortridge stated that he felt that it was fine for it to be effective tomorrow morning.

Tom Morse, of Morse Home Improvement, stated that it is a 150% increase in fees. You are doubling the fees on fire and ambulance and adding a second segment. He stated that if you take the sq footage of the building that he is building at \$15 a sq foot you think he is going that in Dagsboro. He stated that you wouldn't let this town grow forever and all of a sudden you want to mirror what Lewes is doing. Mr. Morse stated that they needed to think about it, he's going to be at \$42k a year, divide that out and it's \$3500 a month. He asked if they thought someone would rent something from him for \$3500 a month. He felt that they needed to think about it some more because they are sitting up there having a conversation and passing papers out. Mr. Morse stated that it is seriously going to affect those that have been doing this for years and now overnight you want to vote a price increase like that. Mr. Morse stated that he may as well put a sign for sale at the entrance.

Mayor Chandler stated to Mr. Morse that he didn't think it was accurate to say that we have just done this tonight without any fair warning. Mayor Chandler stated that he understood Mr. Morse's point, but we have a Town that we need to make sure is managed in a way that its budget will be able to provide what it provides for. Mayor Chandler stated that we cannot do that under our current fee structure the numbers just won't work. Mr. Morse stated to Mayor Chandler but at 150% increase. Mayor Chandler stated to Mr. Morse that according to the Ordinances these fees were supposed to be increased every year by the cost of inflation that is what the Code says shall be done. Councilman Shortridge stated that there has been no increase. Mr. Morse stated that he understood that but now he is the one that is getting penalized for it. Mayor Chandler stated that he wasn't the only one being penalized by it, every developer building homes right now will be the same things you are paying. Mayor Chandler stated that they are all going to have to do the same thing, which is to find a way to pass the cost along. Mr. Morse stated that then it's not affordable. Mayor Chandler stated that the house that they are going to be selling in the Highlands is going to have an extra \$5K added onto the price. So instead of \$385K it would be \$390K. Mayor Chandler stated that Mr. Morse seemed to be pessimistic about anyone wanting to be in Dagsboro but there must be a lot people wanting to be in Dagsboro because the Highlands is building 50 homes, right beside it someone wants to build 200 homes, Mr. Wexter wants to build 100 homes on the other side of Clayton Street, and D.R. Horton wants to build 500 homes across the highway. Therefore, he is not in agreement that no one wants to be in Dagsboro or that no one will pay what it costs to be in Dagsboro because those developers apparently think that they will. Mr. Morse stated that he understood that and they are building houses but he is building seven commercial buildings to bring business to Dagsboro and it is getting further and further out of reach. Mr. Morse stated that it cost \$880K to put a reservoir in to hold ten inches of rain for two hours. Mayor Chandler stated which is the very same thing that the Town would have to do if they want to build a police department on its property. Mayor Chandler asked what the math would be if you did a calculation of a CPI increase every year for the past 25 years. Mr. Morse stated that starting it at 3.7% today. Mayor Chandler stated so multiply that over 25 years and it

would be probably higher. Mr. Morse stated that they could afford to put the place in at 3.7% increase but not at 150% increase. Mr. Morse stated that he understands that the Town has to operate like a business but overnight. Councilman Shortridge stated that it has not been overnight, it has been for the last 25 years that it has not been increased.

Sherine High, 29182 Shady Creek Lane, asked if there were financial projections as to what Council deems this increase would offer to the Town and maybe they are not entitled to see the financials. She stated that without any information the conversation does feel like papers passing without the financial backing to say if this is done then this meets the projection of services that are supposed to be of "x" value for the next seven years. She stated that from their perspective it doesn't feel like the projection and the cost of the fees are either not transparent for whatever reason or they are not there. Vice-Mayor Russell stated that the town has a balanced budget. She stated that maybe there needs to be a Public Hearing. Mayor Chandler confirmed with Council that a Public Hearing was held in October and it was tabled to the next meeting. Mayor Chandler stated to the two council members that can vote he doesn't know what their preference is, will there still be a motion or do you want to table it for this evening and have a discussion and vote at the next meeting. Councilwoman Thompson confirmed that it was tabled last time with information given to have more time for review and to think about it. Mayor Chandler stated "yes, that is correct." Councilwoman Thompson stated that this was part of that thought process that is being reviewed tonight. Mayor Chandler stated yes, that is correct and you now have more input because he doesn't believe anyone was at the Public Hearing last month. Mayor Chandler stated to Mr. Morse that one of his comments was that it is going into effect all at once and he's not sure if you are suggesting something that is phased in over time or whether you are saying it is 150%, why not try raising it 75% or 50% rather than 150% and phasing it in over a period of time. Mayor Chandler stated that the Council could think about doing a phased in effect, where it takes effect over a period of months or years, and that the increase is only 50% one year, 50% another year or two. Town Solicitor Morris stated that could absolutely be done. Councilwoman Thompson stated that a phased in fee schedule should be discussed.

Holly Stiles, 1005 Cea Dag Circle, asked if the discussion gets tabled are you at least adding the impact fee for the police at what the fire and ambulance receive because they have already gone years with nothing. Mayor Chandler stated that he agreed with her and that they could be brought in at the current rate rather than the stepped-up rate. He stated that it could be done so that you could at least provide them with the resources that they need and have not got for the past 25 years.

Ms. High asked Mayor Chandler if the numbers were available for the projections or is that something that only the Council sees. Mayor Chandler stated that the projections that he went through tonight will be available because he has said them and they will be recorded in the minutes.

Karen Hurst, 29197 Shady Creek Lane, asked if there was a specific reason why the increase wasn't fulfilled for the past 25 years. Mayor Chandler stated that unfortunately he doesn't have an answer to that question. He stated that he has been on the Council for ten years and that Chapter 130 subsection eight of the Code states clearly that the fees that are in section 130-5 shall be increased by the CPI annually. He stated that he was not here when that was adopted or implemented and neither was anyone on the Council currently. He stated that no one has paid attention to the fact that they should have been recalculating that every year. Mayor Chandler stated that for decades the formula that provides the revenue to the fire department and the ambulance service was based on an \$85 per sq foot cost of construction. He stated that he doesn't know how far back you would have to go to get to that cost of construction, but every builder that he knows today tells him that the formula doesn't come close. Mayor Chandler stated that recently Engineering Consultant Gulbranson helped with the adoption of the International Building Code which keeps an updated average cost of construction and now that number is used to apply the formula to determine the impact fee that is given to the fire department and ambulance service. Mayor Chandler apologized for not having a better answer and he would just

attribute it to inertia where things were always set at a certain amount and people just applied and no one paid attention to the Code. Mrs. Hurst stated that hopefully that is the only one. Mayor Chandler stated that he feared it was not the only one.

Councilwoman Thompson made a motion to delay this for further discussion with the additional input that has now been given and if a phase in is possible. Councilman Shortridge seconded the motion. Vice-Mayor Russell and Councilman Marvel abstained. The vote was 3-0.

VII. EXECUTIVE SESSION

Strategy session to discuss potential litigation and to discuss site acquisitions for publicly funded capital improvements, all in accordance with 29 Del. Code Section 10004 (b) (2)

Councilwoman Thompson made a motion to move into Executive Session. Councilman Marvel seconded the motion. All were in favor. The vote was 5-0.

VIII. RETURN TO PUBLIC SESSION

Mayor Chandler stated that Town Council met in executive session and discussed various plans and strategies moving forward with respect to capital asset issues and personnel issues.

IX. ADJOURNMENT

Councilman Marvel made a motion to adjourn. Councilwoman Thompson seconded the motion. All were in favor. The vote was 5-0.

Meeting adjourned at 7:15 p.m.

Respectfully Submitted,

Stacy West, Finance Clerk