

MINUTES of the REGULAR
TOWN COUNCIL MEETING
32 WEST AVENUE
October 10, 2023 @ 3:00PM

1. CALL TO ORDER

Mayor Reddington called the meeting to order at 3:00 p.m. with the **Pledge of Allegiance**.

Present: Council Members Colleen Twardzik, Don Walsh, and Steve Cobb, Police Chief Ken McLaughlin, Finance Director Dawn Parks, Planning, Zoning & Development Director Ken Cimino, Town Manager Carol Houck, Town Solicitor Veronica Faust, and Town Clerk Donna Schwartz were also present. Council Member Tyminski was absent.

2. PUBLIC HEARING

Mayor Reddington read a statement regarding the following ordinances. Town Solicitor Faust offered a synopsis for each ordinance below.

A. Discussion, Consideration and Possible Voting on an Ordinance amending the Town of Ocean View Code relating to use Regulations as set out in Chapter 140, Land Use and Development.

Synopsis: The purpose of this ordinance is to prohibit marijuana cultivation facilities, marijuana product manufacturing facilities, marijuana testing facilities, retail marijuana stores or marijuana smoking lounges as a permitted use in any zoning districts within the Town of Ocean View.

Public Comments:

Brian Warnock, the Estuary, stated if they allowed marijuana, it would not bring the boogie man to Ocean View. If you don't allow marijuana, you will be inconveniencing your neighbor. Nothing bad is going to happen to the Town.

Alexandra Miller, West Avenue, commented that marijuana is safer than alcohol. She noted the Ocean View She noted that she also sent emails to the Council Members. Ms. Miller stated cannabis saved her life. She said the benefits to mental health and children from tax dollars are great. Ms. Miller offered to discuss it one on one with Council, or the Chief, if they are interested.

Jene Duffy, Milton, noted that she is with the Cannabis Advocacy Group, and she wants the Council to allow marijuana in the town. She is against the ban in Ocean View, and said cannabis is safer than tobacco and alcohol.

Lizzie Golob, Millsboro, stated she has been opiate free since 2016. She said she is using cannabis edibles instead, which work very well for her. She asked the Council not to ban marijuana, she said it could boost sales of all other businesses in town.

Mayor Reddington noted that the Council received emails from Alexandra Miller and Dawn Lentz.

Brian Warnock noted that he did not see a crowd of people in opposition to the ordinance, so he says the Council should approve the use of cannabis. Council Member Cobb asked

Mr. Warnock why all the towns in Sussex County are against marijuana sales and use. Mr. Warnock answered he did not know the answer, but he thought was just ignorance.

A motion was made by Council Member Cobb, seconded by Council Member Walsh, to approve the ordinance to prohibit marijuana cultivation facilities, marijuana product manufacturing facilities, marijuana testing facilities, retail marijuana stores or marijuana smoking lounges as a permitted use in any zoning districts within the Town of Ocean View. The motion was carried unanimously 4/0.

B. Discussion, Consideration and Possible Voting on an Ordinance amending the Town of Ocean View Code relating to Licenses as set out in Chapter 93.

No Comment from Council or the Public.

Synopsis: The purpose of this ordinance is to prohibit the issuance of licenses to operate various marijuana related businesses in the Town of Ocean View.

No comments from the Council or the public.

A motion was made by Council Member Walsh, seconded by Council Member Twardzik, to pass an Ordinance amending the Town of Ocean View Code relating to marijuana related Licenses as set out in Chapter 93. The motion was carried 4/0.

C. Discussion, Consideration, and Possible Voting on an Ordinance amending the Town of Ocean View Code relating to Property Maintenance as set out in Chapter 169.

Synopsis: This ordinance amends Chapter 169 to include additional and revise established nuisances and to include requirements for building and yard maintenance.

Mr. Cimino offered some explanation to the Council about the ordinance. No Comment from Council or the public.

A motion was made by Council Member Twardzik, seconded by Council Member Cobb, to approve the Ordinance amending the Town of Ocean View Code relating to Property Maintenance as set out in Chapter 169. The motion was carried 4/0.

3. ADOPTION of Agenda

A motion was made by Council Member Twardzik, seconded by Council Member Cobb, to adopt the agenda as presented. The motion was carried unanimously 4/0.

4. APPROVAL of the Town Council Minutes

A motion was made by Council Member Walsh, seconded by Council Member Twardzik, to approve the minutes of the Regular Meeting held on September 12, 2023. The motion was carried unanimously 4/0.

A motion was made by Council Member Cobb, seconded by Council Member Walsh, to approve the minutes of the Special Meeting on September 21, 2023. The motion was carried 4/0.

5. COMMUNICATIONS AND PRESENTATIONS

Mayor Reddington read an email from the South Coastal Village Volunteers regarding Sergeant Russ Carter and his appearance at a meeting they held on how to avoid scams.

6. REPORTS

- A. Financial (Dawn Parks)**
Report received and filed.
- B. Public Safety (Chief McLaughlin)**
Report received and filed.
- C. Planning, Zoning and Development (Ken Cimino)**
Report received and filed.
- D. Town Manager (Carol Houck)**
Report received and filed.
- E. Public Works (Carol Houck)**
Report received and filed.
- F. MVFC Report (Mayor Reddington)**
Report received and filed.

7. CITIZEN'S PRIVILEGE ON AGENDA ITEMS - None

8. NEW BUSINESS

- A. Introduction of Ordinance(s)**
- B. Discussion, Consideration, and Possible Voting on a Recommendation to Authorize a 15-year Lease extension to the Ocean View Historic Society for 39 Central Avenue to the year 2040 with additional 5-year option, the location of the Tunnel-West House.**
Mr. Phil Shockley, Treasurer for OVHS, spoke to Council about the requested extension and thanked them for their support.
A motion was made by Council Member Cobb, seconded by Council Member Walsh, to approve the lease extension for 39 Central Avenue to the Historic Society. The motion was carried 4/0.
- C. Discussion, Consideration, and Possible Voting on Recommendation to Award Open End Engineering Services for Town Engineer.**
A motion was made by Council Member Cobb, seconded by Council Member Walsh, to approve the 3-year contract with KCI with the option for two 1-year extensions. The motion was carried 4/0.
- D. Discussion, Consideration, and Possible Voting on a Recommendation to Appoint Ron Galey to the Board of Adjustment to fill the seat vacated by Bob Lawless to 5/25.**

A motion was made by Council Member Twardzik, seconded by Council Member Cobb, to appoint Ron Galey to the Board of Adjustment to fill the vacancy of Bob Lawless. The motion was carried 4/0.

- E. Discussion, Consideration, and Possible Voting on Entering into a MOA with the State of Delaware Department of Technology and Information (DTI).
A motion was made by Council Member Twardzik, seconded by Council Member Walsh, to approve the MOA with DTI. The motion was carried 4/0.

9. CITIZEN'S PRIVILEGE - None

10. ADJOURNMENT

A motion was made by Council Member Walsh, seconded by Council Member Twardzik, to adjourn the meeting at 4:01pm. The motion was carried unanimously 4/0.

Respectfully submitted,
Donna M. Schwartz, MMC,
Town Clerk