



Public

**TOWN OF GREENWOOD
TOWN COUNCIL MEETING
100 W. Market St. Greenwood De 19950
Wed. Dec. 13, 2023 6:00 p.m.**

CALL TO ORDER: Pledge of Allegiance

APPROVAL OF MINUTES :

1. Town Council Meeting Minutes Nov. 8, 2023 Council Meeting

PUBLIC COMMENT

The Public Comment portion of the Town Council Meeting affords members of the public the opportunity to share with the Town Council questions, thoughts, comments, concerns, and/or complaints regarding the Town. Anyone interested in addressing the Town Council will be given three (3) minutes to do so. The Town Council is sincerely interested in hearing from the public, but the purpose of public comment is for Council to listen to comments, and the Town Council is not required to answer questions or provide immediate responses to concerns raised during public comment. Council may take action on items only when duly noticed on an agenda.

POLICE

1. Verbal Report-Chief Thomas
2. Discussion of electric vehicles
3. Sale of surplus vehicle

TOWN MANAGER REPORT

1. Verbal Report – Janet Todd

OLD BUSINESS:

- Discussion of 2024 budget possible amendments
- Second reading of Ordinance 2023-02 An Ordinance Respecting the Issuing of Business Licenses within the Town of Greenwood.

NEW BUSINESS:

- Discussion of Town Holidays for the year 2024
- Appoint 3 persons to the Board of Elections for the January 20, 2024 election.

1. **EXECUTIVE SESSION:** Executive session to discuss potential sales or leases of real property and strategy sessions including legal advice from an attorney at law, regarding pending or potential litigation and to discuss personnel matters in which the names, competency and abilities of individual employees will be discussed. 29 Del.C. §10004(b)(9).

RETURN TO OPEN SESSION:

Discussion of possible action on matters discussed in executive session

ADJOURNMENT

NOTES:

AGENDA MAY BE SUBJECT TO CHANGE TO INCLUDE ADDITIONAL ITEMS (INCLUDING EXECUTIVE SESSIONS) OR THE DELETION OF ITEMS (INCLUDING EXECUTIVE SESSIONS), WHICH ARISE AT THE TIME OF THE MEETING. [29 Del. C. Sec.10004 (e)(3)].

Posted 12/6/2023

Town of Greenwood
Town Council Meeting Minutes
Wednesday, November 8, 2023

COUNCIL and STAFF PRESENT:

Mayor Donald Torbert, Vice-Mayor Norman Reed, Councilwoman Dee Jones,
Councilman Marshall Kemp, Town Manager Janet Todd, Sergeant William Thomas,
Town Clerk Carolyn Chisenhall, Town Solicitor Stephani Ballard

CALL TO ORDER:

Mayor Torbert opened the meeting with the Pledge of Allegiance at 6:00p.m.

APPROVAL OF MINUTES:

Motion to approve the October 11, 2023, Town Council Meeting minutes made by Vice-Mayor Reed, Seconded by Councilwoman Jones. APPROVED Unanimously.

PUBLIC COMMENT:

The comment was made that the meetings are a little hard to hear on Facebook. There was a suggestion that Council speak with the managers of the marijuana dispensary in Seaford and the grow-op in Milford.

POLICE REPORT:

Sergeant Thomas reported on some of the police department's activities for October, including firearms qualifications in Clayton, participating in the Woodbridge High School Homecoming Parade, and Trunks for Treats at Greenwood United Methodist Church. Several arrests were made last month.

TOWN MANAGER REPORT:

Manager Todd stated that the Bond bill items are done, and the funds were received from the state. The sale of property to the County is completed. Codification of the Town's code has begun, and a lot of Ordinances need work. Letters to owners of property that need Conditional Use have been mailed out. We've received a response from 8 out of 14 property owners. We've had a resignation from the Planning Commission. One person has expressed interest. It will be on the December agenda to appoint someone. We'd like to thank Queena Mast for the mural here at Town Hall. Queena said there were about 40 people who painted on this project.

OLD BUSINESS:

None

NEW BUSINESS:

1. Discussion of proposed Ordinance 2023-01 An Ordinance amending Ordinance A-1 ("Zoning Ordinance") to Prohibit the Operation of Marijuana Cultivation Facilities, Marijuana Product Manufacturing Facilities, Marijuana Test Facilities, and Retail Marijuana Stores in the Town of Greenwood.
Ms. Ballard explained that because this would be amending the Zoning Ordinance, it must go to the Planning Commission first for a recommendation, then come back to Council for a first and second reading. The purpose of tonight is to make sure that this Ordinance says what the Council wants to send to the Planning Commission for their recommendation and is based on what was said at the last meeting. It is essentially a ban on all the different types of facilities.

The consensus of the Council was to send the document as is to the Planning Commission for their recommendation.

2. First reading of Ordinance 2023-02 An Ordinance Respecting the Issuing of Business Licenses within the Town of Greenwood. This Ordinance would replace Ordinance C-11.

Solicitor Ballard advises removing the requirement for a certificate of insurance. Ms. Ballard stated that the State of Delaware only requires that for some professions, and since the Town requires a State of Delaware license, if State law requires insurance, then the business will already have it by virtue of having a State license. The Town shouldn't require more than the State.

The Ordinance was discussed and will return next month for the second reading.

Motion to adjourn to executive session made by Councilwoman Jones, Seconded by Vice-Mayor Reed at 6:20pm.

EXECUTIVE SESSION:

No action taken.

ADJOURNMENT:

Meeting adjourned at 8:04p.m.

Attested _____, Town Manager

ORDINANCE# 2023-02

AN ORDINANCE AMENDING ORDINANCE C-11 REGARDING THE ISSUING OF BUSINESS LICENSES WITHIN THE TOWN OF GREENWOOD

Whereas, the Town Council of the Town of Greenwood is authorized by Section 29(A)(33) of the Town Charter of the Town of Greenwood to require a license for the conduct of any business, profession or occupation within the limits of the Town; and has previously enacted Ordinance C-11 to address this issue; and

Whereas, the Town Council for the Town of Greenwood believes that it is in the best interests of the citizens of the Town to update and improve the Town's ordinances; and

Whereas, the Town Council finds that the Ordinance C-11 should be amended as shown herein¹, and that provisions of this ordinance are rationally and reasonably related to legitimate government interests including but not limited to the protection and preservation of the health, safety, prosperity, general welfare, and quality of life.

BE IT HEREBY ENACTED by the Town Council of the Town of Greenwood, a majority thereof concurring in Council duly met, that Ordinance C-11 should be amended as follows:

ORDINANCE # C-11 AN ORDINANCE TO REQUIRE THE LICENSING OF ALL BUSINESSES AND CONDUCT OF BUSINESS WITHIN THE TOWN OF GREENWOOD

Section 1. Definitions.

As used in this ordinance, the following terms shall have the meanings indicated:

GENERAL BUSINESS - persons, firms, partnerships, or corporations, whether located within or outside the legal limits of the Town of Greenwood, engage in for-profit sales of any and all merchandise and/or commodities; providing facilities for use, entertainment, or enjoyment; providing services for use, food service; door-to-door solicitation; manufacturing, industrial or otherwise; and any person, firm, partnership, or corporation providing services not specifically enumerated by this ordinance.

PERSON OR PERSONS - individuals, partnerships, firms, companies, associations, and corporations.

Section 2. Compliance.

It shall be unlawful for any person, either directly or indirectly, to conduct any business or to use in connection therewith any vehicle, premises, machine or device, in whole or in

¹ Additions to the current Ordinance C-11 are shown in underline, and deletions are shown in ~~strikethrough~~.

part for which a license or permit is required by this ordinance, without a license or permit therefore being first procured and kept in effect at all times required.

Section 3. Issuance of License.

A. Application, Applications for licenses shall be submitted to the Town Hall, in writing. Every application shall include:

1. the name and business address of the licensee. If the licensee is a partnership the names and addresses of the partnership members shall be included and if the licensee is a corporation or LLC, the names and addresses of the ~~principles~~ principals shall be included.
2. a full description of the nature of the trade, business or occupation for which a license is requested.
3. the physical location of the business, occupation, or activity.
4. the application shall be verified by the ~~oath or affirmation~~ certification of the individual licensee or of one member of a partnership, firm or association, or of the president, secretary or a director or a corporation applying for a license.

~~5, — the application shall include an affidavit which shall be sworn to by the applicant before a notary public of the state.~~

- ~~5~~ 6. the proper license fee shall accompany the application.

B. Issuance of License. The Town Clerk shall issue such license upon payment of the fee designated by the Town Council provided:

1. the location of the business is allowed under the Town of Greenwood Zoning Ordinance.
2. the applicant has no past due taxes, bills, assessments or charges owing to the Town of Greenwood; ~~and~~
3. the applicant has ~~the required~~ provided copies of any State or County licenses or certificates required for the conduct of their trade, profession or business. ~~÷ and~~

~~4. the applicant provides proof of liability insurance.~~

Section 4. License fees.

A. License fees shall be determined by the Town Council of the Town of Greenwood, The license fees may be amended by the Town Council by adoption of a simple resolution. License fees shall not be prorated.

~~B. Annual License fees for the following types of business are:~~

Nonresident General Contractors	\$100.00
Peddlers/Solicitors	\$75.00

~~C. Annual License fees for all other types of businesses, operating within the Town of Greenwood, shall be \$50.00;~~

- B. Businesses with more than one fixed location, within the limits of the Town of Greenwood, shall pay a business license fee for each location.

Section 5. Term of license and renewal.

Each license shall be valid for one year beginning January 1 and expiring on December 31 of any given year. Yearly application and payment of the license fee is required on or before the date of expiration of the license for a renewal license to be granted.

Section 6. Display of license required.

Each license shall be conspicuously displayed on the licensed premises, or as the case may be, shall be carried upon the person or vehicle of the licensee.

Section 7. License restriction; revocation,

It shall be a condition to the issuance of any and all licenses under this chapter that the business licensed shall be used and operated only for lawful purposes. The right of the Town Manager or the designee of the Town Manager, in his or her discretion to refuse to grant any license and to revoke any license previously granted for failure to comply with the requirements of this ordinance is hereby specifically reserved.

Section 8. Charitable organizations,

No license fee shall be charged for a license issued to a charitable or public service institution, body, or club not organized or conducted for private gain, nor shall the Town of Greenwood be charged for said licenses. Documentation of tax exemption status must be submitted with the required application by each organization seeking exemption from the license fee,

Section 9. Violations and penalties.

- A. Any person violating any part of this ordinance shall, on conviction, be punished for each offense by a civil penalty fine of \$100.00 per day. ~~not less than \$50.00 nor more than \$500.00. Each day in~~

~~responsible for the violation for the purpose of ordering that person to restrain from any act in violation of these licensing provisions.~~

Section 10. Exception.

Nothing herein shall be so construed as to ~~require make it mandatory upon~~ any resident of the State to apply for a license in order to sell in the Town any farm produce or products grown upon a farm owned by the vendor. ~~or any member of his family with whom he resides.~~

Section 11. Severability.

Should any subsection, sentence, clause or phrase of this ordinance be declared invalid by a court of competent jurisdiction, such decision shall not affect this ordinance in its entirety or any part thereof other than that so declared to be invalid.

Section 12. After adoption by the Town Council, this ordinance, amending Town Ordinance C-11, shall become effective immediately.

APPROVED by a majority of the elected Council members of the Town of Greenwood Delaware
This _____ day of _____ 2023.

By: _____
Mayor

Attest: _____
Secretary of Council

First Reading: Nov. 9, 2023

Second Reading: _____

Adopted: _____



TOWN HOLIDAYS FY 2024

NEW YEARS DAY	MONDAY JAN. 1, 2024
MARTIN LUTHER KING DAY	MONDAY JAN. 15, 2024
PRESIDENTS DAY	MONDAY FEB. 19, 2024
GOOD FRIDAY	FRIDAY MARCH 29, 2024
MEMORIAL DAY	MONDAY MAY 27, 2024
JUNETEENTH	WEDNESDAY JUNE 19, 2024
INDEPENDENCE DAY	THURSDAY JULY 4, 2024
LABOR DAY	MONDAY SEPT. 2, 2024
VETERANS DAY	MONDAY NOV. 11, 2024
THANKSGIVING/DAY AFTER	THURSDAY NOV. 28, 2024 & FRIDAY NOV. 29, 2024
CHRISTMAS & DAY AFTER	WED. DEC. 25, 2024 & THURSDAY DEC. 26, 2024

TOWN OF GREENWOOD FY 2024 OPERATING BUDGET

INCOME

ADMINISTRATIVE DEPARTMENT	\$600,950.00
POLICE DEPARTMENT	\$358,300.00
INCOME TOTAL	\$959,250.00

EXPENSE

ADMINISTRATIVE DEPARTMENT	\$544,669.50
POLICE DEPARTMENT	\$462,381.95
EXPENSE TOTAL	\$1,007,051.45

END OF YEAR NET	\$47,801.45
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Proposed 2024 Budget-Version B

ADMIN INC			
Acct#	Description	Budgeted 2023	Proposed 2024 Budget
4005	Real Estate Taxes	\$120,000.00	\$130,000.00
4007	Realty Transfer Taxes	\$35,000.00	\$20,000.00
4010	Banking Interest	\$4,000.00	\$8,000.00
4012	Finance Charges (WST)	\$400.00	\$250.00
4014	Penalty fees (taxes)	\$3,500.00	\$1,000.00
4018	Returned Check Charges	\$0.00	\$0.00
4020	State Grants MSAF	\$28,900.00	\$30,000.00
4080	Water	\$200,000.00	\$220,000.00
4080.1	Water Reserves	\$0.00	\$0.00
4001	Water/Sewer Impact Fees	\$10,000.00	\$5,000.00
4100	Trash	\$75,000.00	\$80,000.00
4002	Rental Income	\$9,000.00	\$9,000.00
4003	Variance App Fee	\$1,000.00	\$700.00
	Building, Sewer, CO, Sign permit	\$5,000.00	\$5,000.00
	Rental Licenses	\$5,000.00	\$4,500.00
	Business Licenses	\$10,000.00	\$12,000.00
	Combining Lot Application Fee	\$1,000.00	\$250.00
	Property Violation Fees		\$250.00
4000	Meters and MXU breakage	\$1,000.00	\$0.00
4150	Capital Works Grants	\$0.00	\$75,000.00
	TOTAL ADMINISTRATIVE INCOME	\$508,800.00	600,950.00
ADMIN EXP		Budgeted 2023	Proposed 2024 Budget
	PAYROLL ADMIN		
5175	General Govt Staff Overtime	\$3,000.00	\$500.00
5180	General Govt Staff Regular	\$160,000.00	\$168,000.00
5180.1	Day Labor	\$300.00	\$200.00
4080.2	Water Expense	\$5,000.00	\$5,000.00
5112	State Revolving Fund Loan Pmts	\$60,000.00	\$60,000.00
5116	Bank Service Charges	\$0.00	\$0.00
5020.1	Computer IT support	\$3,000.00	\$2,500.00
5138	Office/Computer Supplies	\$2,000.00	\$1,200.00
5129	Water Cooler Rental	\$100.00	\$25.00
5130	Copier Lease	\$1,500.00	\$1,300.00
5135	Postage	\$2,500.00	\$3,000.00
5137	Janitorial Supplies	\$75.00	\$75.00
5223	Equipment (new mxus)	\$5,000.00	\$2,500.00
5224	Small Tools	\$200.00	\$100.00
5230	Repairs/Maintenance Building	\$2,000.00	\$750.00
5235	Repairs/Maint Equipment	\$10,000.00	\$1,200.00
1421	Capital Improvements	\$0.00	\$30,000.00
5240	Mowing and Lawn Care	\$1,000.00	\$500.00
5245	Streets	\$5,000.00	\$2,500.00
5255	Supplies	\$1,200.00	\$500.00
		Budgeted 2023	Proposed 2024 Budget

Acct#	Description		
5005	Advertising	\$500.00	\$500.00
5010	Gasoline Fuel	\$2,000.00	\$1,200.00
5015	Auto and Truck Maintenance	\$1,000.00	\$500.00
5030	Dues and Subscriptions	\$500.00	\$1,500.00
5040.3	Uniforms	\$100.00	\$100.00
5040	Criminal Background Reimb	\$0.00	\$0.00
5091.1	Public Relations	\$500.00	\$250.00
5035	Education & Training	\$200.00	\$200.00
5295	Trash Collection	\$65,000.00	\$75,000.00
5305	Electric	\$35,000.00	\$35,000.00
5340	Propane	\$900.00	\$750.00
5335	Fuel Oil	\$1,500.00	\$1,500.00
5345	Telephone	\$7,500.00	\$7,500.00
5050A	Dental Insurance	\$600.00	\$600.00
5060A	Life Insurance	\$500.00	\$500.00
5065A	Medical Insurance	\$0.00	\$0.00
5070A	Pension	\$12,000.00	\$13,500.00
5080A	Insurance (auto, liability etc.)	\$25,000.00	\$34,919.50
5080.1A	Workers Comp Admin	\$4,000.00	\$4,000.00
5280A	Medicare,Soc Sec	\$12,000.00	\$13,000.00
5285A	State Unemployment Taxes	\$2,500.00	\$2,500.00
5260	Taxes (tax ditch)	\$1,800.00	\$1,900.00
5190	Auditing Prof Svcs	\$9,500.00	\$9,500.00
5195	Engineering Prof. Svcs	\$15,000.00	\$15,000.00
5200	Legal Professional Svcs	\$25,000.00	\$25,000.00
5185	Professional Services		\$17,000.00
5210	Testing Prof Svcs	\$1,000.00	\$500.00
5215	Monitoring Svcs	\$600.00	\$100.00
5216	Honorium Fees	\$2,800.00	\$2,800.00
	TOTAL ADMINISTRATIVE EXPENSES	\$488,875.00	\$544,669.50
POLICE INC		Budgeted 2023	Proposed 2024 Budget
4004.1	Donations/Special Comm Event	\$6,000.00	\$6,000.00
4030P	Highway Safety/DUI	\$7,800.00	\$7,800.00
4050P	PD FINES	\$160,000.00	\$170,000.00
4050.4	Accident Reports/fingerptnts	\$500.00	\$2,000.00
4070P	Police Grants	\$130,500.00	\$162,500.00
4075P	State pension grant Police	\$10,000.00	\$10,000.00
	Vehicle/Equip Sale	0.00	\$0.00
	POLICE INCOME TOTAL	314,800.00	\$358,300.00
POLICE EXP	POLICE EXPENSE		
5160P	Officers Overtime(holiday only)	\$5,000.00	\$5,000.00
5160PG	Officers OT GRANT reimb	\$18,492.03	\$25,000.00
	SEU	\$27,811.25	\$30,000.00
5165P	Officers Regular Rate	\$160,000.00	\$221,575.45
5280P	Medicare,Soc Sec	\$15,000.00	\$22,000.00
5285P	State Unemployment Taxes	\$3,000.00	\$3,600.00

5080.1P	Workers Comp PD	\$12,000.00	\$19,900.00
5030.1	Dues and Subscriptions	\$1,500.00	\$150.00
5025P	Vehicle Purchase		\$0.00
5032.1P	Police Equipment		\$600.00
5032.1G	Poice Equip grant reimb		\$0.00
5032.2P	Police Training	\$100.00	\$100.00
5032.2G	Police Training Grant reimb		\$0.00
5032.3P	Police Medical Testing	\$100.00	\$0.00
5032.3G	Police Medical Testing -grant		\$0.00
Acct#	Description	Budgeted 2023	Proposed 2024 Budget
5005P	Advertising	\$100.00	\$100.00
5010P	Gasoline Fuel	\$10,000.00	\$15,000.00
5335P	Fuel Oil	\$1,800.00	\$1,800.00
5340P	Propane	\$200.00	\$200.00
5091P	Charitable Donations	\$100.00	\$0.00
5091.2P	Public Relations	\$6,000.00	\$6,000.00
5040.3P	Uniforms	\$200.00	\$200.00
5040.3G	Uniforms-grant reimb	\$200.00	\$0.00
5050P	Dental Insurance	\$1,800.00	\$2,500.00
5060P	Life Insurance	\$500.00	\$700.00
5065P	Medical Insurance	\$12,000.00	\$30,000.00
5070P	Pension	\$20,000.00	\$28,500.00
5080P	Insurance (auto, liability etc.)	\$30,000.00	\$24,346.50
5120P	Office Supplies	\$300.00	\$300.00
5120PG	Office Supplies-grant reimb	\$50.00	\$0.00
5129P	Water Cooler Rental	\$120.00	\$40.00
5130P	Copier Lease	\$800.00	\$1,000.00
5135P	Postage	\$200.00	\$220.00
5137P	Janitorial Supplies	\$180.00	\$150.00
5137PG	Janitorial Supp-grant reib	\$0.00	\$0.00
5185P	Legal Professional Svcs	\$1,000.00	\$1,000.00
5190P	Auditing Prof Svcs	\$4,000.00	\$4,000.00
5215P	Monitoring Svcs	\$150.00	\$400.00
5216	Honorium Fees	\$2,800.00	\$2,800.00
5015P	Vehicle Repair Expense	\$2,500.00	\$2,000.00
5230P	Building Repairs/ Maint PD	\$500.00	\$1,000.00
5230PG	Building Rep/Main grant reimb	\$0.00	\$0.00
5235P	Equipment Repairs and Maint	\$600.00	\$300.00
5235PG	Equip Repr and Maint-grant reim	\$500.00	\$0.00
5255P	Supplies PD	\$500.00	\$300.00
5255PG	Supplies Pd-grant reimb	\$500.00	\$0.00
5305P	Electric PD	\$2,500.00	\$5,000.00
5345P	Telephone PD	\$6,000.00	\$6,600.00
	TOTAL POLICE EXPENSES	\$349,103.28	\$462,381.95

GRAND TOTALS	PROPOSED 2024
ADM INC.	\$600,950.00
ADM EXP.	\$544,669.50
POLICE INCOME	\$358,300.00
POLICE EXP.	\$462,381.95
TOTAL INCOME	\$959,250.00
TOTAL EXPENSES	\$1,007,051.45
Net Status	\$47,801.45

56,280.50

104,081.95