

Town of Newport  
Regular Meeting of the Mayor and Commissioners  
September 21, 2023

Pledge of Allegiance.

Mayor Michael Spencer opened the meeting at 7:00 pm and announced that the meeting was in compliance with the Delaware Open Meeting Act.

Attendance: Mayor Michael Spencer, Commissioner Stephanie Banks, Commissioner John Joswick, Town Manager Wendy King, Police Chief Mark Wohner, and Solicitor Ben Forman. Vice Mayor Michele MacDonald and Commissioner Michael Capriglione were absent.

Minutes from the August 17, 2023, meeting could not be approved because Mayor Spencer could not approve them since he was not at the meeting. The minutes will be approved at the next meeting when Vice Mayor MacDonald and Commissioner Capriglione return since they were in attendance in August.

Mayor Spencer and Bill Lower, Harvey Hanna and Associates, mentioned that Bridge 159 was slated for completion in October, but now KCI is looking at a November, 2023, completion with the Water Street milling/paving done in Spring, 2024.

Mr. Lower also passed on a message from Ryan Kennedy about the Delaware Kids Fund Annual Campout for Kids, Friday, November 17, 2023.

Bill Lower, Harvey Hanna and Associates, did a presentation of the Downtown Development District (DDD) narrative that will appear in the town's future application. He presented a packet that showed aerial views of the parcels that would be included in the DDD and site plan that was submitted and approved by the town and recorded by New Castle County. HHA holds majority interest of the DDD area of redevelopment. The project overall aligns with the town's Comprehensive Plan. A total of 105 acres can be slated for the DDD. Comments from Commissioners would be due by the end of October because if the state opens up the application process, the town has to be ready to go so their application can be submitted. Mayor Spencer wanted to confirm that the 105 acres needed to be contiguous and it does.

Town Manager's Report - Newport River Trail funding event. FY2023 Community Reinvestment Plan funding contracts were awarded and some of the jobs were starting. Meeting with Tim Love and Hasan Joarder from Sun Chemical to discuss their future involvement with the community. Attendance at the DMA 9/11 ceremony. Kelly Jones from the Department of Labor met to inform what she does and how the DOL could assist the town in the future. Meeting with Waste Management. Fall Cleanup date is October 21, 2023. Cybersecurity grant. We had an inquiry about a marijuana dispensary opening up here. We have nothing on the books at this time as the state has not outlined sales guidelines. We have a smokeshop in town that will most likely apply to dispense when they are allowed so we would need to have something established. Establishing impact fees is something that council could and should consider as growth to the town will strain present resources. New Castle County's impact fee schedule was attached for reference. Ella Johnson Park will be closed from October 3 - 7 for the upgrade to the track.

Police Chief's Report - August, 2023, department statistics. There is a new officer in the academy. Officer Savino applied to and was accepted into the state police and is in the same academy. There was a

law passed that says if the state takes an officer from a municipality with less than four years on the books, they would owe us \$20,000 for the town's investment. We also have an injured officer.

Alderman's Report - \$17,160 court fines

Maintenance Reports and Code Report – no questions.

Solicitor's Report – Solicitor Forman worked on some items for the police department.

Commissioners – Commissioner Banks noted two Delmarva lightpoles that were out. Pole numbers were given to the town manager.

Mayor – Comprehensive Plan Update workshop. He thought that their work could be completed by November for presentation before the commission in December. Dispensaries are a way's off according to Robert Coupe, who was chosen to implement the recreational marijuana laws, so as time nears, council will open conversation. There would need to be space for it in the zoning ordinance and having it in the industrial park instead of downtown could be considered. If the town chooses not to allow them, the county certainly will and if these locations are outside of town, we have no control over them. It is obvious there are more conversations to be had. No framework has been established yet, but ultimately it would be a matter of do we want control or just let the county establish their guidelines for zoning. Commissioner Banks suggested meeting with the owner of the smokeshop in town to see what his intentions were. There was more general discussion.

Public Comment – Terry Parton, resident, E. Justis Street, asked if there would be any revenue for the town if council approved a dispensary. There would not be any revenue outside of the business license fee. She asked what the laws were surrounding marijuana – you can't be 10 feet from a public place or in a moving vehicle and the example used was front porch was less than 10 feet from the sidewalk so you can't do that. There is nothing documented about smoking around a neighbor. This is all about weight of an ounce or less. There are field tests for the drug experts who are brought in and they can determine if it's an opioid, marijuana or something else and can authorize a blood draw. Selling is still illegal. Jeff Biscoe, resident, E. Justis Street, complimented DelDOT because they came down Route 4 and swept and it looks nice.

Commissioner Banks asked how the park was going to be closed. There were signs and caution tape. With the presence of equipment, one would hope it would not be disturbed but people cut through there constantly and walk their dogs there.

Mayor Spencer made a motion to adjourn; Commissioner Banks seconded. All ayes.

Meeting adjourned at 7:38 pm.

