

CITY OF MILFORD
CITY COUNCIL WORKSHOP MINUTES
November 20, 2024

The City Council of the City of Milford met in the Joseph Ronnie Rogers Council Chambers in a Workshop on Wednesday, November 20, 2024.

PRESIDING: Mayor Todd Culotta

IN ATTENDANCE: Councilmembers Daniel Marabello, Madula Kalesis, Nadia Zychal, Lori Connor, Michael Stewart, Nirmala Samaroo, and Katrina Wilson

STAFF: Captain David Wells, City Clerk Katrina White, City Manager Mark Whitfield

ABSENT: Councilmember Jason James, Police Chief Cecilia Ashe

COUNSEL: Solicitor David Rutt

PUBLIC COMMENT

The Public Comment period commenced at 6:00 p.m. after which Solicitor Rutt read the public comment rules into record.

Joe Palermo, 5 Misty Vale Court, Milford, DE 19963, was present and spoke in opposition to the recreational use of marijuana. He stated that a number of towns in Sussex County have banned the use of recreational use of marijuana and is hoping that is what happens in Milford also.

Vinay Patel, 3 Misty Vale Court, Milford, DE 19963, was present and spoke in opposition to the recreational use of marijuana. He stated that he is a retailer and approving it will create more problems for his business. It will be very hard to handle the people. He explained that in the past he has had to call the police and they were not able to handle the situation. He said that the last three times he has had to call the police, no one showed up to his business.

Bindesh Patel, 1 W. Bullrush Drive, Milford, DE 19963, was present and spoke in opposition to the recreational use of marijuana. He stated that approving it will create more problems for the town because people from all over will come. It will make life harder for everyone in Milford and also for the kids.

Sandip Patel, 2 W. Thrush Drive, Milford, DE 19963, was present and spoke in opposition to the recreational use of marijuana. He stated that he has been to places where this was approved and it is unbearable. He stated that this has had a bad effect on his two-year-old and hopes that this will be taken into account.

Yogin Patel, 6 W. Thrush Drive, Milford, DE 19963, was present and spoke in opposition to the recreational use of marijuana. He stated that he represented the Comfort Inn Hotel in Milford and recreational marijuana will create a lot of issues for the hotel industry. He explained that many things could go wrong when they come visit the hotel or in the room. The smell is hard to get out of the lobby and the rooms. Outside guests

come and then don't want to stay because of the marijuana smell. He said they don't want to stay in a place where this is legal in the area.

Howard Webb, 5536 Cedar Neck Road, Milford, DE 19963, was present and spoke in opposition to the recreational use of marijuana. He stated that Milford does not need to be a drug town. When one is impaired, they will do stupid things, are a danger to themselves and a danger to everyone around them.

CALL TO ORDER

Mayor Culotta called the workshop to order at 6:10 p.m. Roll Call showed that there were eight members present.

City Manager Recruitment

City Manager Whitfield introduced Rick Ginex, MGT Impact Solutions, LLC, who will be conducting the city manager recruitment.

Mr. Ginex stated that the city manager recruitment is a six step process and the first step is getting stakeholder information. He explained that they are looking to find out what the council is looking for in terms of leadership abilities, challenges, opportunities, things they going to be faced with short term in the next few years, and then long term. Council will be asked to fill out the questionnaire that was included in the packet and return it.

He then stated that the second part will be doing the brochure development and information will be obtained from the City to put into the brochure in the job announcement. Anything that goes out will be vetted by Council or the contact manager before it is sent out.

He said that the third step would be doing the advertising and the job will be advertised in areas that will be agreed upon by the city. He stated that they have about 50,000 LinkedIn contacts and get a big draw from the LinkedIn involvement. They have a target audience and have members who will reach out, including himself. He explained that if he knows someone who he thinks meets the criteria, he will make a phone call to see if they are interested. Once individuals start applying, they all go into the system and they will be reviewed for criteria and qualifications to see if they meet what the city wants. Then for the individuals who will be chosen for an interview, the staff will begin doing reference checks, background checks, google searches and social media searches. Following that, a digital book will be put together, sent to Council and he will present to the ones who he feels Council should interview.

He stated that the final steps would be putting the interview questions together, setting up the interviews, inviting the candidates, and then meet with Council. Council can then decide how they want to conduct the interviews. Once an individual has been selected, MGT can assist with making any negotiations on an offer.

Mr. Ginex explained that the proposed cost for the total recruitment is \$24,000. The recruitment fee is \$20,500, \$1,500 is for recruitment expenses for background checks and any other due diligence that is needed on the applicants and the cost of advertising is \$2,000.

In closing, he stated that MGT would give a one-year guarantee to the city. For instance, if a candidate did not work out, they would do another recruitment free of charge. The only thing that would be charged is the advertising fees.

City Manager Whitfield ask Council if they wanted to get input from the Chamber of Commerce, DMI, Milford School District or any other community organizations.

Mayor Culotta answered that it was his opinion that the process was controlled by Mayor and Council and any input from those organizations can be directed to council members or the mayor who can bring that back as part of the discussions. Councilmember Wilson stated that she agreed.

Proposed Charter Changes

Councilmember Wilson reviewed the Charter Review Changes that were included in the packet.

2.01 Elections -Consideration to possibly change the charter to limit voting to residents only and eliminate non-residents owning property from voting. The committee was split 2 -2.

Every person who resides within the City of Milford boundaries for at least 30 days prior to the registration deadline or natural persons owning property within the City of Milford at least 30 days prior to the registration deadline, and who are over the age of 18 years, shall be entitled to 1 vote at said annual municipal election or special election; provided, however, that the City Council may, by ordinance, establish a reasonable procedure for the registration of voters and, in such event, compliance therewith may be a prerequisite to voting at the annual election. A Corporation, Partnership, Limited Partnership or other legally created entity is prohibited from registering and voting as a non-resident property owner unless property within the City is titled in an individual name.

Councilmember Zychal stated that it is a horrendous complication because if you can register multiple LLC's, it will dilute the vote of actual residents.

Councilmember Kalesis stated that if a business owner's livelihood is with the city, what right does Council have to tell them they have no right or say on who is making decisions about their businesses.

Councilmember Wilson stated that her position was if a person has property in the city, they should be able to vote in the city.

City Manager Whitfield added that with charter changes it will have to be a super majority of council that votes for the charter changes. So there needs to be 6 of the 8 people of council voting in favor of any charter change. The change would then go to the State and they would vote on it.

Solicitor Rutt stated that it would be introduced by a representative and a senator in the respective chambers. Then it would go to a committee, the committee will hold a committee hearing, and someone from the city will be there to present the charter change and explain why. The committee then will vote to either recommend or not, and typically they vote to recommend that one of the reps wants it. Then it goes to the full chamber where they will have it presented to them. They'll debate it, vote on it, and it's highly unusual that they will not pass a charter change. He said that there is a process, then it goes to the governor and he signs the bill.

3.01 Enumerated Power (j) Recommend adding language to limit the use of eminent domain to exclude property outside the City for recreational purposes and (k) Add language for council's authority to make proclamations. Presently there is no language restricting use of eminent domain and the City follows the State statute. Additionally, the charter does not address who has the authority to make proclamations, however it is clear that the Mayor receives authority to sign documents as approved by Council, therefore the recommendation is that Council makes proclamations by majority vote and Mayor signs them.

(i) The City Council may provide for the organization of a fire department and the control and government thereof, establish fire limits and do all things necessary for the prevention or extinguishment of fires; and, in their discretion, contribute, donate or give such amounts of money as they may deem appropriate unto any Volunteer Fire Company or Companies incorporated under the laws of Delaware, or any firefighting equipment and providing service to the City; provided that any such contribution, donation or gift may be made subject to such conditions and stipulations as to the use thereof as the City Council shall deem advisable

(j) The City Council shall have the power to exercise eminent domain for the purpose of property acquisition as outlined in Titel 29, Chapter 95 of the Delaware State Code with the exception of land outside City limits for recreational purposes.

(k) The City Council, by a majority vote, shall have the power to make proclamations to recognize achievements, historical events, special days or months for civic and social purposes, etc.

Mayor Culotta explained that there's really nothing in the Charter that addresses eminent domain and currently council may want to add language that says the city does not have the right to use eminent domain outside of city limits for recreational purposes. He said that this is basically what he would like to be changed in the charter.

Solicitor Rutt stated that it was his recollection that it was supposed to say, "with the exception of land outside, solely for recreation". He explained it is for joint use, one of the uses is recreation and one is, for instance, acquisition to put in sewer easements or something like that.

Mayor Culotta added because what we don't want to do is limit ourselves from eminent domain completely, not that we want to use it. It's a last resort, but it's often used.

Councilmember Zychal stated that since Milford was singled out on this particular issue, it's best to be extremely surgical with the precision of the language, so that future councils are not limited in what they're able to do.

3.07 Power of the Mayor -add language to make it clear that the mayor is the executive of City council and add proclamations to the documents that he/she must sign, as authorized by City Council. Also, add language the Mayor may establish committees and appoint committee members, with Council consent, thereby giving Council the final authority to approve the appointments.

Mayor Culotta stated that as the mayor the only issue that he had with this is language should be added to say "Mayor may establish committees and appoint committee members". He explained that is the mayor's responsibility and has the ability to do that. He does not think it is necessary to add language to say that he needs Council approval. He stated that is a luxury he believes the mayor should have to create committees based on the makeup of council.

Councilmember Zychal stated that this is with a larger view. Previous history of this town and potentially avoiding future history of any kind of favoritism, nepotism, or any kind of corruption, it's always good to have an extra layer of the council's advisory.

Councilmember Wilson stated that in the past, councilmembers would be interested in certain committees and were not considered based on the mayor's like or dislike.

4.01 Composition of Government -add language to change the term of Mayor and Councilperson to 3 year terms.

The government of the city and the exercise of all powers conferred by this charter except as otherwise provided herein, shall be vested in an elective body called the City Council, consisting of a Mayor and 8 Council members. Whenever the word "Mayor" is used, it shall refer solely to the Mayor. Whenever the words "City Council" are used they shall refer to the 8 duly-elected or appointed Councilmembers. The government of the City of Milford and the exercise of all powers conferred by this Charter, except as otherwise provided herein shall be vested in a Mayor and a City Council. The City Council shall consist of not more than 8 members. Two of the members of the City Council shall reside in that portion of the City known and described as the First Ward, 2 in that portion known as the Second Ward, 2 in that portion known as the Third Ward and 2 in that portion known as the Fourth Ward. The Mayor and City Councilmembers shall each serve for a term of 2 years. After January 1, 2026, any newly elected/appointed Mayors for the 2026 election shall serve for a term of 3 years. After January 1, 2027, any newly elected/appointed Councilmember for the 2027 and 2028 elections respectively, shall serve for a term of 3 years.

[Res. No. 2017-02, adpt. 3-27-2017, eff. 7-10-2017]

Councilmember Wilson stated that during the last election this topic came up a lot, changing the terms of Mayor and Councilmembers from two years to three years.

Mayor Culotta stated that he likes to joke that the two year term keeps one honest and active, but does see the value in a three year term.

City Manager Whitfield explained because everyone that is sitting now was elected for a specific term that can't be changed. So, they must finish out their term before any changes can be made in terms of the term length. If this were to go into effect before July 1st of this coming year the stagger is shown below. It would take until 2028 to actually have everybody that would be on 3-year terms.

Elections would be as follows:

2025 - 4 Council persons - 2-year term

2026 - 1 Mayor - 3-year term

4 Councilpersons - 2-year term

2027 - 4 Councilpersons - 3-year term

2028 - 4 Councilpersons - 3-year term

2029 - 1 Mayor - 3-year term

Councilmember Kalesis stated that she likes the three-year terms because the first year for new councilmembers is a learning curve and the first six months they are trying to catch up.

City Manager Whitfield stated that this will also allow a council person to run for mayor without giving up their seat

4.02 Annual Organizational Meeting -change language to make 6pm the time for the meeting.

Councilmember Wilson stated that the change needed to be an administrative change in the language to make the time start time 6:00 pm instead of 7:00 PM.

4.06 Qualification for Mayor and City Council - add language to require City Council persons and Mayor must not owe the City money to run for or stay in office.

(d) If a Council member files and runs for Mayor, and is elected before his or her Council term has expired, the elected Mayor's City Council seat shall be considered vacant when the elected Mayor is sworn in on the second Monday following the date of the election.

(e) Persons in arrears and owing the City funds for taxes, special assessments, utility bills, etc. shall be ineligible for election as Mayor or Councilperson. Additionally, any sitting Mayor or Councilperson who becomes in arrears more than two months and owing the City funds for taxes, special assessments, utility bills, etc shall be disqualified to serve the remainder of the term and the seat shall be declared vacant.

Councilmember Wilson stated that language was added that said that City Council persons and mayor must not owe the city money to run for or stay in office.

Mayor stated that it must be better defined and should be decided by Council. Councilmember Wilson stated that if it is defined in black and white Council will not have to address it.

5.05 Powers and Duties of the City Manager - add language to require City Council consent of the appointment of Department Directors.

The City Manager shall be the chief administrative officer of the City. He or she shall be responsible to the City Council for the administration of all City affairs placed in his or her charge or under this Charter. He or she shall have the following powers and duties:

- (a) With the consent of Council, the Manager shall appoint department directors under his/her purview, such employees shall serve at the pleasure of the Manager. He or she shall appoint, and when he or she deems it necessary for the good of the City, suspend or remove City employees and appointive administrative officers provided for by or under this Charter, except as otherwise provided by law, this Charter or personnel rules adopted pursuant to this Charter. He or she may authorize any administrative officer, who is subject to his or her direction and supervision, to exercise these powers with respect to subordinates in that officer's department, office or agency.*

Councilmember Wilson stated that this adds language to require city council consent of the appointment of department directors.

Mayor Culotta stated that the police chief, the city clerk and the city manager all report to Council. They have under their purview sole hiring and firing authority and that's for obvious reasons, but they get to pick and choose their team that deliver what Council expects them to deliver. There's been some discussion in the past, particularly the city manager, and adding language that says when he picks a department head that it's reviewed or approved by city council. He stated that he sees value in it but also sees value in that Council has hired someone to do the job and Council should let them do it.

Councilmember Kalesis asked what the language is right now on the subject. City Manager Whitfield stated that right now there's no consent of counsel required for his appointment of a department director.

Councilmember Kalesis stated that if the council does not trust the city manager to do his job then he shouldn't be the city manager.

Councilmember Marabello stated that he concurred with Councilmember Kalesis and also said that when Council interviewed for city manager, they asked those type of questions, if they are experienced enough to pick a good staff. He asked why Council should hamstring them.

Councilmember Connor stated that she is reflecting back to the informational session Council had where this topic was already brought up and the presenters urged Council to not go this route. She stated that for many reasons she concurs and that she feels like when Council hires a city manager, they should be trusting them to make those good decisions on their staff. She stated that she also thinks it can create an issue where those employees may not understand who they actually work for if Council is inserting itself in that process which can make it difficult for the city manager down the road when they need to make decisions that Council may not be present for or be a part of. She explained the Council hired the city manager and those people fall under him. There should be very clear lines of levels and she doesn't think that it's smart for Council to insert themselves in that. She also stated that she also doesn't think that Council is qualified to hire any of the people that work for him.

Councilmember Kalesis stated that she is not qualified and is being honest. She stated that if she was qualified, she would have applied for the City Manager position.

Council Rules of Procedure

Add language to allow for the approval of the agenda at the beginning of the meeting, change the date for the monthly finance report (from the fourth Monday to the second Monday), and clarify the authority of the removal of agenda items.

Solicitor Rutt stated that something to consider on the Rules of Procedure is to inserted Approval of the Agenda, because sometimes the agenda might have something removed, or Council may want to rearrange, as was did tonight. For example, at the beginning there are three public hearings. One is going to be very contentious but it's first on the list. Council can say let's amend the agenda to move that one to the last of the public hearings. Let the first two that are going to be short be done first. So, it just gives some flexibility.

He stated that the other changes here are just dates for when the financial reports and the reports of the various directors would be done. There was another change that came from City Manager Whitfield on how agendas are set, who may put something on the agenda and may remove something from the agenda.

Mayor Culotta stated that as it reads now, he has the ability as Mayor to put something on the agenda as well as the City Manager and the City Clerk. He said to Council that if anyone wants something on the agenda they can just bring it to him and they can discuss putting it on there unless he simply disagrees.

City Manager Whitfield stated that he works for City Council and he gets input from them and we'll put items on the agenda. He explained that no one else should have the opportunity to take something off the agenda if

one of the three puts it on. Whoever the organizer is, that is the only person that can take the item off of the agenda. It is not clear and the reason why the language is needed.

City Clerk White asked for clarification if City Manager Whitfield puts something on the agenda, she should not have the authority to take something off that he wanted on there. City Manager Whitfield answered that was correct. He further stated that as Solicitor Rutt stated previously that Council always has the opportunity if they want to take something off the agenda, they can do so by vote.

Councilmember Kalesis stated that it says in the proposed change in the procedures that agenda items may be removed by a majority vote of Council at the beginning of the meeting. City Manager Whitfield stated that is correct.

Councilman Marabello stated that the monthly finance report is being taken out the fourth Monday meeting and added to the second Monday meeting. He asked if that would be enough time when it is on the 8th of the month.

City Manager Whitfield stated that the issue right now is that he cannot get the finance report into the packet by the Wednesday before the meeting right on the fourth. He said that what Council was going to get was October's report on the first meeting in December. Before Council always got it that month but typically it almost takes until Friday until the books are closed and gets everything in. It is almost the 20th of the month. So, it's going to be a two-week delay from what Council is getting now. He said but he could assure them that it'll be in the packet in time for Council to be able to otherwise decipher before the meeting instead of getting it the Sunday night before.

Councilmember Wilson stated that this will be brought back with any edits and changes that need to be made to Council.

Councilmember Zychal stated that she wanted to clarify why the first item on the residential voting was brought forward. She explained that she brought it forth as just a matter of principle and concern because the idea of having somebody who owns multiple properties throughout the State being able to have multiple votes in different municipalities violates the one man, one vote principle. That person already can vote where they live and then to be able to have multiple votes in other municipalities, just by virtue of ownership of property as opposed to residents, does violate one man, one vote principle. Unique to only Delaware and Connecticut, it's a very strange way to give some people more of a voice in government than others which seems fundamentally undemocratic.

Councilmember Kalesis stated that if a property owner pays taxes in the city they should have the right to a vote. Mayor Culotta agreed that they should have the right to vote. Councilmember Connor agreed that they should have the right to vote.

Marijuana Regulations

Rob Coupe, Office of Marijuana Commission, was present and reviewed the presentation that was included in the packet. (Pages 37-79)

He stated that they started accepting online applications on September 1, 2024 and did the first lottery where they had 21 drawings, so that they could assign all of the licenses, except for open retail. Those were still pending and been scheduled for December 19, 2024.

The next target to hit was November 1, 2024 to begin issuing cultivation licenses. They did 60 licenses and then they had already notified the selected 30 Manufacturing applicants, the 15 Social Equity Retail applicants and also the testing facilities, although there is still one vacancy.

The General Assembly created 60 Cultivation licenses, 30, Manufacturing, 30 Retail and 5 Testing Labs and then included in there are the Social Equity licenses. Anyone that participated in the application process, to qualify for the lottery, had to meet minimum qualifications. They also had to pay \$5,000 unless they were Social Equity. Then it was \$1000 or a Micro Business \$3,000. As they go through the supplemental process, they will have to pay their 2-year license fee, which is \$10,000 unless they're in cultivation. It's based on the size of their canopy grow and social equities are discounted. They only pay 40% of the total value. The General Assembly adopted from the alcohol code to pay an additional \$500 for a biennial license to sell on Sundays and they also said that there can be no sales on Thanksgiving, Easter or Christmas.

At the beginning stage, the applicants did not have to tell them what their plan was or where their business would be other than they had to commit to a county so no locations have actually been selected or approved by them.

The compassion centers, dispensaries, are only selling to medical patients at this time. They cannot begin to sell adult use until they have met local zoning requirements and given the go ahead, which will not be until they are able to bring on additional retailers. The target is April of 2025.

Mr. Coupe stated that when he started out, a lot of folks came out and said they did not want this in their town, or city. He told Council that is a decision that they can make, and that is under 1351 Local Control, the section of the Code that they can prohibit all of the regulated industry, meaning retail, cultivation, manufacturing and testing. You can only ban certain parts of it or you can regulate the industry.

He said he wanted to point out that marijuana use is legal under HB1. So, individuals can possess it and they can still utilize it. He stated that the active license is the final step in the process. But for him to issue that active license, it has to be in compliance with all the local laws and zoning.

Councilmember Connor asked if the funds for the Social Equity Grant are only for businesses that are marijuana in nature or if those funds will be expanded to serve other people or other businesses. Mr. Coupe answered no that they can only be used for the Social Equity Program.

Solicitor Rutt stated that what was before the Council was a land use issue so regarding licensing, he asked what the October 24th lottery was for that he mentioned in the presentation. Mr. Coupe referred to page 44 of the presentation with the exception of Open Retail License that was shown.

Cultivation - 60

Open Cultivation License: 20

Social Equity Cultivation (≥2500 ft²): 10 Microbusiness Cultivation: 20

Social Equity Micro Cultivation (≤2500 ft²): 10

Retail - 30

Open Retail License: 15

Social Equity Retail License: 15

Manufacturing - 30

Open Manufacturing: 10

Social Equity Manufacturing: 10 Microbusiness Manufacturing: 10

Testing Lab - 5

Open Testing Lab: 3

Social Equity Testing Lab: 2

Solicitor Rutt asked when they apply for a license what the application fee was. Mr. Coupe answered that it was \$5,000 unless you were Social Equity which was \$1,000, or \$3000 if Micro Business.

Solicitor Rutt asked if the Recreational license would be March 1st. Mr. Coupe replied that it goes in stages. He explained that the first stage is they are referred to as a selected applicant. So once selected in the lottery. They get notice that they are a selected applicant and now have to complete the supplemental application. This is much more in depth than the initial minimum qualification application which includes financial and criminal background checks and the plan will be scrutinized. After that is done, the supplemental applications are due December 19th and the license fee will have to be paid at that time. Then the Division of Alcohol Tobacco Enforcement will begin those backgrounds. So right now that is 109 licensees plus anyone that has a 10% financial interest in the business has to have the background done as well. He said that the target is to get some of the retailers ready by April.

Solicitor Rutt stated that Milford is going through the process and there are some proposed ordinances that likely won't be finalized until January. He stated to let's assume somebody was picked in the lottery for the open retail license in December. But then in January, Milford says, we prohibit any retail licenses. He asked if they grandfathered or will they be prohibited from getting their license.

Mr. Coupe stated that he cannot approve an active license until all of the requirements have been met. For an active license to be provided, they must produce the documents from whatever town, city or county jurisdiction that is required. So, if the city of Milford decides not to allow retail establishments there wouldn't be any approval because that would mean someone was not able to get that from the city. As far as grandfathering he thinks the only one would be about the conversion license that the city has now.

Solicitor Rutt referred to slide 48 in the packet on Conversion Licenses that showed that to go to retail it is \$100,000 and asked when that gets paid. Mr. Coupe stated that the other categories have already begun to pay so he will address those first. In the code it was established that they could pay in four installments because of the amount of money and they've already started to pay those. If the license met the requirements, it was already an active license or it was a site under development and they had approval from the medical marijuana program. They would approve it to continue through the conversion license process which meant they had to get updated zoning approval. But for retail they have not accepted any payments yet and that is by design because they don't know when that's going to go live.

Solicitor Rutt asked when the earliest would be that the conversion license for retail would be issued. Mr. Coupe answered if they believe that they can go live in April, they've committed to giving them 60 days'

notice, so they would be notified in February that they're going to allow them to go operational in April. They would be given a date and must make their payment within 30 days.

Solicitor Rutt asked if the jurisdiction prohibits it if he would agree to allow them to move to a different location or use that license. Mr. Coupe stated that they could make the request if they're not able to give the documentation by saying they're not able to proceed in this location because of this and are requesting to move that license to another location. He stated that he would be able to grant that.

Solicitor Rutt asked if it would be a new location that they designate or one that exists. Mr. Coupe said that if they already have one, that would already have been going through the conversion license process. These are individual license so it's based on a location and operation that they've already established.

Solicitor Rutt asked if they had to pay a fee to apply for the conversion license or if that was automatic. Mr. Coupe answered no they did not have to pay for the conversion license and they have started making their payments in November because approvals were just finished at the end of October.

Solicitor Rutt asked since they started making payments and because of the jurisdictional prohibition that comes after that if they will get their money back. Mr. Coupe said that they haven't seen any issues with the other licenses. They have not been made aware of anyone having any issues. They've all submitted their paperwork so it appears that retail right now seems to be the only one that, in a couple locations, is having some difficulty.

Solicitor Rutt then asked if any of the 15% tax comes back to the municipality. Mr. Coupe answered no, the money goes to the State.

Councilmember Wilson asked what the criteria for Social Equity was. Mr. Coupe referred to page 77 of the presentation. He stated that there are three criteria but you only have to meet one.

- *Criteria 1: have resided for at least 5 of the preceding 15 years in a disproportionately impacted area as defined in §1302 Definitions.*
- *Criteria 2: Was convicted of or adjudicated delinquent of a marijuana-related offense under Delaware law prior to April 23, 2023, except any of the following: • Delivery to a minor. • Any marijuana offense with a Tier 3 quantity of marijuana as defined in § 4751C of Title 16. (5000 grams of Marijuana = 11.02 pounds)*
- *Criteria 3: Had or has a parent, legal guardian, child, spouse, or dependent who was convicted of or adjudicated delinquent for any marijuana-related offense under Delaware law prior to April 23, 2023, that would qualify under Criteria 2 above.*

Councilmember Wilson stated that it is really good that this was set up like this. It makes it fair. Mr. Coupe stated that is what the legislators were trying to do.

Adjournment

Mayor Culotta adjourned the workshop at 8:10 pm.

Respectfully submitted,

Katrina L. White, MMC
City Clerk/Recorder