

Council Meeting

April 8, 2019

7:00 p.m.

The council meeting of Mayor and Council was held on the above date and time with Council members Dias, Carrow, Smith and DeBenedictis present with Mayor Letterman presiding. Recording Secretary Sue Muncey, Town Foreman Jeff Hurlock, Chief Carl Hutson, Town Solicitor Gary Junge, Marvin Pedigo, Sandra DeLane, Alex Carrow, and Wayne Gladhill were also in attendance.

1. **Call to Order** - Mr. Letterman called the meeting to order at 7:00 p.m.
2. **Pledge to the Flag** – Mr. Smith led the Pledge of Allegiance.
3. **Approval of Minutes** –

Mr. Carrow made a motion to accept the Council Meeting minutes from 03/11/19, the Street Committee Meeting minutes from 03/26/19, the Economic Development Committee Meeting minutes from 03/26/19, and the Police Committee Meeting minutes from 04/04/19 in written form. Mr. Dias seconded the motion. Motion carried unanimously.

4. **Approval of Income and Expense Report** –

Mr. Dias made a motion to approve the Income and Expense Report. Mr. Smith seconded the motion. Motion carried unanimously.

5. **Communications** – No Communications

6. **Report of the Chief of Police** – Chief Hutson stated there were 264 calls for service and 171 traffic arrests. Chief Hutson, Lt. Rau, Lt. Scott, and PFC Hibbert led and directed traffic for the First State Military Academy formation run. Cpl. Robert Bishop and PFC Hume went to Opioid Training at Del Tech. Chief Hutson and Lt. Rau led the St. Patrick's Day Parade on 3/10/19 in Smyrna. Lt. Scott was the guest speaker at Lillian Smith Senior Center for the Century Club on 3/5/19. Chief Hutson gave an update on the Facebook project. Lt. Scott met with Smyrna. The groundwork is done. He will reach out to the other departments. Facebook needs to verify the page. Chief Hutson stated the AD's cost \$11,000. He has contacted Brooks Banta and Colin Faulkner for funding. They have also contacted Wal-Mart for a \$5,000 grant. They have a 60-day response. Rep. Spiegelman will provide funding along with Rep. Carson and Senator Ennis in July.

7. **Report of the Town Foreman** – Mr. Hurlock had no report.

8. **Report of the Town Solicitor** – Mr. Junge had no report.

9. Report from Inspections/Enforcement – Mr. Hurlock stated we are busy issuing permits. Code Enforcement is busy. We might need a full-time officer. Most recently we encountered a finishing permit and an egress window project that do not have a permit. Mr. Carrow asked Mr. Hurlock if he was going to speak to Mr. Ford about more hours. Mr. Hurlock stated Mr. Ford is an excellent person. He handles confrontation well.

10. Reports from Members of Council

- a. Report from Electric Committee** – Ms. DeBenedictis had no report. Mr. Hurlock stated we had an outage a couple weeks ago. There was a short in the system primary meter at Clayton Intermediate School. It went into default. In this incident, Facebook could have educated people. DP&L stated there could be a two-day outage. Mr. Hurlock had a phone conference today with them. The 4 Kv to a 25 Kv conversion needs to happen quickly. Mr. Letterman asked if this affects the East side of town. Mr. Hurlock stated yes. Sixty transformers out of 1000 left to do. They can bring in a temporary transformer while the work is being performed. Mr. Letterman stated it will not be a two-day outage.
- b. Report from Street Committee** – Mr. Smith had no report. Mr. Hurlock stated the Reed Street project will be done between April 8 through April 19. He is trying to narrow down that window. Smyrna Avenue and Cherry Alley – bids are tomorrow. Mr. Letterman asked if they were using a static roller. Mr. Hurlock stated yes. Mr. Hurlock stated the stop sign would be installed tomorrow or Wednesday.
- c. Report from Water & Sewer Committee** – Mr. Dias had no report.
- d. Report from Equipment Committee** – Mr. Smith had no report.
- e. Report from Personnel Committee** – Mr. Carrow stated two new hires will be starting on 4/15/19.
- f. Report from Public Safety Committee** – Mr. Dias had no report.
- g. Report from Budget Committee** – Mr. Smith stated a Budget Committee Meeting is scheduled for 04/18/19 at 6:30 p.m. Three new accounts have been set up on the Account Summary Form. Mr. Letterman stated this will help meet with emergencies.
- h. Report from Economic Development Committee** – Mr. Carrow wanted to thank the Council and Jeff for their input on the approval of the benefit package. The Downtown Development District administrator is being assigned. Mr. Carrow spoke with Rep. Carson for funding for the Main & Bassett Street Park and the clock. Their fiscal period begins July 1. Ms. DeBenedictis stated they submitted an application in 2014. She thanked everyone for the incentives. Questions that need to be answered are: What does the Town expect? She needs ideas to give Linda to work on for our package which is due 05/15/19. Mr. Hurlock asked if the incentives are in effect now. Mr. Carrow stated yes. Mr. Carrow stated he is working on revitalization forms for buildings. He will get with Jeff and Sue.

- i. **Report from DEMEC** – Ms. DeBenedictis had no report.
- j. **Report from Board of Adjustments** – Mr. Hurlock had no report.
- k. **Report from Planning & Zoning Committee** – Mr. Hurlock stated the permits were obtained from DelDOT for Grain Mill Station. The storm water will go across Main Street, down to the ditch to the creek. They will have to excavate down the street. Mr. Hurlock stated Ovarions will be breaking ground any day. He also stated that Linda Raab is retiring. She has agreed to stay on until after the Downtown Development District application has been filed. She wrote our Planning & Zoning Ordinance. Mr. Letterman stated she has recommended someone.
- l. **Appeals Board** – Mr. Hurlock had no report.

11. Unfinished Business

- a. **Discuss and Vote – Second Reading – An Act to Amend the Town of Clayton Ordinances to Create a New Section 3.3-1.14 Entitled Miscellaneous Parking and to Renumber the Existing Section 3.3-1.14 – Scope/Enforcement as Section 3.3-1.15 – Scope/Enforcement.** Ms. DeBenedictis read this ordinance in its entirety.

Ms. DeBenedictis made a motion to approve the Town Ordinance Section 3.3-1.14 entitled Miscellaneous Parking and to renumber the existing Section 3.3-1.14 – Scope/Enforcement to Section 3.3-1.15 – Scope/Enforcement. Mr. Dias seconded the motion. Motion carried unanimously.

12. New Business –

- a. **Discuss and Vote – Insurance Accident Settlement Waiver.** Mr. Letterman stated the accident occurred on 02/11/19 on Bassett Street. The person knocked the pole down and we were out of power. The repair cost was \$15,000. The person only has a \$10,000 policy. The Mayor stated he was agreeable to take the \$10,000. The other \$5,000 would end up being legal fees. Mr. Smith asked does it have to go to Council. Mr. Letterman stated yes I recommend signing. Ms. DeBenedictis stated it is not worth fighting for the other \$5,000.

Mr. Dias made a motion to accept the Insurance Accident Settlement Waiver for \$10,000. Mr. Carrow seconded the motion. Motion carried unanimously.

- b. **Discuss and Vote – Resolution for Downtown Development District Administrator.** Mr. Letterman stated Ms. DeBenedictis graciously decided to take this on.

Mr. Carrow made a motion to submit Mary Ellen DeBenedictis to be the Downtown Development District Administrator. Mr. Smith seconded the motion. Motion carried unanimously.

Mr. Carrow stated Ms. DeBenedictis will be our voice. The Council will still have a say.

- c. **Request to be put on the Town Council Agenda – Sandra DeLane.** Ms. DeLane stated when you call the police department you cannot get ahold of anyone. She stated you need to have coverage at lunch. About three weeks ago her sister called and left a message for the Chief. She did not get a call back. Chief Hutson stated he did not receive the message. He stated he checked with his assistant and there was no message on his voicemail or the department voicemail. Mr. Letterman stated Public Works has people in the office all the time. Public Safety only has one person. If it is an emergency, call 911. Mr. Letterman stated he spoke with her over the weekend. Chief Hutson asked Ms. DeLane for her phone number and he would call her tomorrow.

13. Public Forum –

Mr. Letterman stated starting in June he would like to move the Public Forum section before the Unfinished section of the meeting. He would like to have this stated on the next agenda, and he would like to have it notated on the May and June utility bills.

Wayne Gladhill – Mr. Gladhill stated on Clayton Avenue there are cars on both sides parked. This is too close to the highway. There have been many close calls for accidents when you turn onto Clayton Avenue. Something needs to be done.

Alex Carrow – Mr. Carrow wanted to thank Officer Hume for his assistance in the trailer fire. Mr. Hume pulled a male subject out of the trailer and helped with a female subject. He also helped administer first aid.

Adjournment

Mr. Carrow made a motion to adjourn the meeting. Mr. Dias seconded the motion. Motion carried unanimously. Meeting was adjourned at 7:38 p.m.

Recording Secretary,

Sue Muncey