

## Council Meeting

March 9, 2020

7:00 p.m.

The council meeting of Vice Mayor and Council was held on the above date and time with Council members Carrow, Smith, Brockenbrough, and DeBenedictis present with Vice Mayor Dias presiding. Recording Secretary Sue Muncey, Chief Carl Hutson, Town Solicitor Gary Junge, Whit Davis, Greg Barlage, Jonathan Burnett, Nigel Scott and Mark Moore were also in attendance. Town Foreman Jeff Hurlock was excused from the meeting.

1. **Call to Order** - Mr. Dias called the meeting to order at 7:00 p.m.
2. **Pledge to the Flag** – Mr. Burnett led the Pledge of Allegiance.

Mr. Dias turned the meeting over to the new owners of the biodiesel plant on School Lane. Greg Barlage and Whit Davis from Attis Innovations introduced themselves. Mr. Barlage stated they own an ethanol plant in New York. They have been in the industry for 15 years and the company has 30 years of experience. They use distilled corn oil, feed stock, and used cooking oils. The infrastructure is ready at this location. The company headquarters is in Milton, GA. They run lower grade feed stock. Currently the plant can produce 7-1/2 million gallons per year. They want to upgrade to 15 million gallons per year. Biodiesel is a blended feed stock. It increases fuel efficiency. We are looking into the permits required now. It will take us about three to four months for engineering and permitting. Construction will take about three to five months. We will be doing cleanup of the site. They will be hiring 11 positions of skilled labor. We will be hiring from within the area. We want to upgrade the rail spur. They are in contact with the railroad. The feed stock will be railed in. The finished product will be trucked out. This will be a 24/7 operation when fully operational. Mr. Brockenbrough asked about hazardous chemicals. Mr. Barlage stated they add about 10% methanol, 5% sodium methoxide, and sulfuric acid. Mr. Davis stated they are using the same ingredients as was used before. Mr. Carrow asked if this was all done through DNREC. Mr. Barlage stated yes. Mr. Smith stated we will set up an electric committee meeting to look at our options. Ms. DeBenedictis stated a DEMEC member will attend. Mr. Carrow asked if they would be up and running by the end of the year. Mr. Barlage stated yes.

3. **Approval of Minutes** –

*Ms. DeBenedictis made a motion to accept the Public Hearing minutes from 02/04/20, the Council Meeting minutes from 02/10/20, the Law & Legislature Committee Meeting minutes from 02/18/20, the Economic Development Committee Meeting minutes from 02/19/20, and the Budget Committee Meeting minutes from 02/24/20 in written form. Mr. Brockenbrough seconded the motion. Motion carried unanimously.*

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

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

**5. Communications – No Communications**

**6. Report of the Chief of Police –** Mr. Hutson stated they had 222 calls for service, 135 traffic arrests, 18 parking tickets, and 7 criminal arrests. Chief Hutson, Lt. Scott, Lt. Rau, Cpl. Graham, and PFC Tull helped with the round-up in Smyrna on 2/12/20. Chief Hutson, Lt. Scott, Cpl. P. Bishop, PFC Hume, and Christine Letterman attended the “I Love Smyrna School District” Day on 2/22/20. Mr. Carrow asked about the DeIDOT meeting. Is this a done deal? Mr. Brockenbrough stated they need to approach the MPO. Mr. Hutson stated they see a need for a designated turn lane at School Lane and Bassett Street. Mr. Brockenbrough stated they met with the traffic section. This requires a DeIDOT capital project. It needs to be included as a project in the MPO’s Metropolitan Transportation Plan. Mr. Hutson stated he spoke with both Representative Bush and Representative Carson and both are in agreement. Mr. Hutson stated the State changed the speed limit to 45 mph on Route 300 from Kenton to Smyrna.

**7. Report of the Town Foreman –** Mr. Dias stated there was no report.

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

**9. Report from Inspections/Enforcement –** Mr. Dias had no report.

**10. Reports from Members of Council**

**a. Report from Electric Committee –** Ms. DeBenedictis had no report. She will set up a meeting to discuss the biodiesel plant.

**b. Report from Street Committee –** Mr. Smith stated a meeting is scheduled for 3/18/20.

**c. Report from Water & Sewer Committee –** Mr. Brockenbrough had no report.

**d. Report from Equipment Committee –** Mr. Smith had no report.

**e. Report from Personnel Committee –** Mr. Carrow had no report.

**f. Report from Public Safety Committee –** Mr. Dias had no report

**g. Report from Budget Committee –** Mr. Smith had no report.

**h. Report from Economic Development Committee –** Mr. Carrow stated they recently had a meeting. A street meeting is scheduled to discuss parking.

- i. Report from Downtown Development Rebate** – Ms. DeBenedictis stated she met with Rick Ferrell. She, Tom, and Mr. Ferrell are working on an empty building ordinance. Mr. Dias asked if the church was eligible for the rebate. Ms. DeBenedictis stated no.
  - j. Report from DEMEC** – Ms. DeBenedictis stated she spoke with Pat about the biodiesel plant. The natural gas outlook – very low. We have had a very mild winter. Ms. DeBenedictis stated in the paper it stated commercial customers of DP&L were paying 19% extra for renewable energy. A bill to raise the rate for renewable energy is in legislation.
  - k. Report from Board of Adjustments** – Mr. Dias had no report.
  - l. Report from Planning & Zoning Committee** – Mr. Dias had no report
  - m. Appeals Board** – Mr. Dias had no report.
  - n. Charter Committee** – Mr. Dias stated council is reviewing the charter. We will call a meeting soon.
- 11. Public Forum** – Mr. Burnett stated the train station is rented out for a meet and greet on 3/13/20 for Joanne Masten.

Nigel Scott – He has environmental concerns for Providence Crossing. He would like to meet with Jeff and Tom. There is a rusted oil barrel behind Massey Branch Road. There is a silt fence and trash left behind. He asked if the punch list that was sent from Kent County – is it finalized. Mr. Dias stated yes. He stated he would speak to Jeff. Mr. Dias stated he would like to attend this meeting.

**12. Unfinished Business** – No unfinished business.

**13. New Business** –

- a. Discuss and Vote – Transfer of Streets within the Providence Crossing Subdivision to the Town of Clayton.** Mr. Dias stated we would need to make a formal motion.

*Ms. DeBenedictis made a motion to transfer the streets within the Providence Crossing Subdivision to the Town of Clayton. Mr. Smith seconded the motion. Mr. Carrow has concerns in reference to the environmental issues. Is this something for the developer? Mr. Smith asked if the topcoat was done. Mr. Dias stated yes. Mr. Brockenbrough stated the storm water passes through the ponds. This was passed by Kent County. Mr. Smith stated the Mayor can address with Kent County. Motion was carried unanimously.*

**b. Discuss the Parking of Vehicles in any Residential District** – Mr. Dias stated this came from our Code Enforcement Officer. A copy has been given to all the Council Members. This discusses the parking of vehicles in the residential zoning district and the parking of construction vehicles. He stated there was an issue with cars parking in front and side yards. We have no recourse or ordinance. Mr. Dias read part of this ordinance. Mr. Smith asked if he wanted to turn this over to the Street Committee. Mr. Dias stated yes. Mr. Smith stated the HOA and the Council are separate. We also have to look at the old and new part of town. We will put onto the agenda for next week's meeting.

### **Adjournment**

*Mr. Carrow made a motion to adjourn the meeting. Mr. Smith seconded the motion. Motion carried unanimously. Meeting was adjourned at 7:39 p.m.*

Recording Secretary,

Sue Muncey