

Clayton Town Council Meeting

November 8, 2021

7:00 p.m.

The council meeting of Mayor and Council was held on the above day and time with Council members Sean Valentine, Mary Ellen DeBenedictis, Skip Carrow, and Jonathan Burnett present with Mayor Nick Smith presiding. Chief Carl Hutson, Town Foreman Jeff Hurlock, Town Solicitor Gary Junge, William Spence, Lynn Knowles, Junior Lightcap, and Christine Letterman were also in attendance.

- 1. Call to Order** - Mr. Smith called the meeting to order at 7:00 p.m.

- 2. Pledge of Allegiance** – Mr. Smith led the Pledge of Allegiance.

- 3. Approval of Minutes** –

Mr. Carrow made a motion to accept the Council Meeting minutes of October 11, 2021, the Street Committee Meeting minutes of October 14, 2021, and the Budget Committee Meeting minutes of October 27, 2021 as presented in their written form. Mr. Valentine seconded the motion. The motion carried unanimously.

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

Mr. Valentine made a motion to accept the October 2021 Income and Expense Reports as presented in their written form. Mr. Burnett seconded the motion. The motion carried unanimously.

- 5. Communications** – No communications.

- 6. Report of the Chief of Police** – Mr. Hutson stated there were 374 calls for service and 142 traffic arrests. A couple weeks ago, we sent one officer to the weeklong Homicide Conference in Rehoboth Beach. Two Lieutenants and the Chief attended the Delaware Police Chiefs Seminar, so they have their training in for the year. Last week the whole department qualified for firearms. So, we're good for another 6 months. Tomorrow is the SALLE and EDIE Meeting. Hopefully the grants will be approved.

- 7. Report of the Town Foreman** – Mr. Hurlock stated his report was submitted in writing so if you have any questions, please let me know. There were no questions.

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

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

- 10. Reports from Members of Council:**

- a. **Report from Electric Committee** – Ms. DeBenedictis had no report.
- b. **Report from Street Committee** – Mr. Valentine had no report unless Mr. Hurlock had something. Mr. Hurlock printed out a copy of an email from a resident that wanted a study done on signs. There will be a Street Committee Meeting scheduled.
- c. **Report from Water & Sewer Committee** – Mr. Burnett did request a bid for the water system. They just started the Media exchange today. Therefore, if everything goes all right it will be complete tomorrow. We still don't have an answer why the Media went so quick. Some raw water samples were sent out to the engineer to be analyzed. The last one was switched out in January, so it lasted about 10 months. Duffield is still reviewing the bids and it will be on December's agenda.
- d. **Report from Equipment Committee** – Mr. Valentine had no report.
- e. **Report from Personnel Committee** – Mr. Carrow stated that the final interviews would take place Thursday, December 2nd starting at 4:00, then every 45 minutes. There are three people to interview. Sue will call and set it up and get the agenda out when she gets back on Wednesday.
- f. **Report from Public Safety Committee** – Mr. Smith had no report. The Chief covered it.
- g. **Report from Budget Committee** – Mr. Valentine had no report.
- h. **Report from Economic Development Committee** – Mr. Carrow stated that December 5th Christmas in Clayton will be a busy day. It starts with breakfast with Santa at Clayton Fire House and there will be tree sales at the tree lot. The Historical Society will have vendors in the afternoon on Railroad Avenue. They will also take care of getting porta-potties for the event. The parade will begin at 5:00 and the Tree Lighting Memorial Service will begin at 6:00 near the gazebo.
- i. **Report from Downtown Development District Rebate** – Ms. DeBenedictis stated they contacted the house down on Main Street. They never got back to us and it is for sale.
- j. **Report from DEMEC** – Ms. DeBenedictis had no report.
- k. **Report from Board of Adjustments** – Mr. Hurlock had no report.
- l. **Report from Planning & Zoning Committee** – Mr. Hurlock had no report.
- m. **Appeals Board** – Mr. Hurlock had no report.
- n. **Law & Legislature Committee** – Mr. Smith stated that it's suspended until January. We will have to have a meeting for the Charter.
There is a committee not listed, however there will be an ARPA Committee Meeting on November 17th @ 6:30.

11. Public Forum - Any resident that wants to speak at this time and you are not on the agenda you have 3 minutes. For the people on the agenda, we will give you all the time you need.

12. Unfinished Business – No unfinished business.

13. New Business –

- a. **Request to be put on the Town Council Agenda – Lynn Knowles**

Lynn Knowles requested to be put on the agenda to collaborate about a dog park in our community. Mr. Smith was at the Mayor's Prayer Breakfast and sat with the Mayor of Smyrna and also talked with Joanne Masten from Levy Court. Smyrna already has a

tentative plan and we would be happy to help with it since we do not have a lot of property. Mrs. Masten also would help to get Levy Court involved. Ms. Knowles would walk her dog around town but some kids antagonized him so much that he goes nuts when there is a bike or skateboard around. She then took him to Big Oak Park to walk, but he needs to run. They tried the ball fields but it wasn't secure. She reached out to Kent County Parks and Recreation and Levy Court. She was scheduled to attend a zoom meeting with Kent County Parks and Recreation but it was rescheduled. Mrs. Masten told her to put a post on a local page to see the outcome. 433 people wanted a dog park while 14 did not. We would definitely need a big dog side and a small dog side with a place for a watering area. The Town of Clayton is at a disadvantage for land but would be happy to partner with Smyrna.

b. Request to be put on the Town Council Agenda – William Spence

William Spence, President of Wheatleys Pond HOA requested to be put on the agenda because of his concern about speeders in his development and faded stop signs coming out of the cul-de-sacs. He would also like to request a no outlet sign. He felt that he needed to report the speeders as a public nuisance according to the town's ordinance. It's more for a house or a specific person. However, the traffic issue can be handled under Delaware Law. Mr. Spence wanted to know if the town can put up a camera, but an officer has to witness the traffic offense in order to give them a ticket. During the last 4 years, the population has changed and now there are many kids. He is concerned the kids will get hit by the speeders. He is also concerned about the cars that are parked perpendicular in the cul-de-sac and parked in front of driveways. The police department will check the parking situation and take care of it. They will also enforce the speed limit with extra patrols. The town can replace the faded stop signs, but will have to address the no outlet sign in a street committee meeting.

c. Discuss and Vote on Approval of the Council Resolution – Approval of the FY'22 General Fund Budget and Property Tax Rate

Ms. DeBenedictis read the council resolution. (See attached)

Mr. Valentine made a motion to approve. Mr. Burnett seconded the motion. The motion carried unanimously.

d. Discuss (and vote) on Authorized Postings to the Town's Facebook Page.

Mr. Carrow started the project and Mr. Burnett helped put it together. Originally, Facebook posts would have to be approved by Town Manager, Chief of Police, or a council member. However, 15 items on a list are pre-approved to be put on Facebook by staff in the office. These items are already on our website or sent out on Code Red. The last item is monthly blurb, which would be something from our website to keep the Facebook page fresh. These items would include contractor's license, business license, permit policy, etc. The Facebook page would only include town business. We will not promote civic organizations since there are plenty of community pages for them to use.

e. Discuss (and vote) on Employee Holiday Schedule.

Christmas and New Year's holiday schedule was originally listed as a Monday holiday. That's not how the handbook was written. It states Friday as the holiday if it falls on Saturday. If the holiday falls on Sunday, then Monday is the holiday. It's a Friday

holiday this year and that's how it will be enforced. Does anyone have an objection? There were no objections.

f. Discuss (and vote) on Utility Disconnection Guidelines.

Mr. Smith stated that the bills go out on the 1st, they are due on the 20th, and late notices go out on the 21st. The ordinance says disconnection will occur 10 days after notification. Are we in compliance? Mr. Hurlock was certain we follow the ordinance but, will check with the girls in the office. The concern is that when people are disconnected they call their representative. The representative asks if we are following the public utility commission guidelines but we are not governed by it. It states that you will be disconnected after 14 days of notification. The only thing we don't do is to attempt to call after 6:00 p.m. We are now calling during business hours 24 hours prior. If we cannot reach anyone then we use door hangers to make them aware the day before. Another idea would be send them a red alert after hours to call the town in reference to their electric bill. You can send a notification to an individual house, or a whole street or the whole town. You can also do sections of town. Not everyone is signed up for red alerts. The alerts can also be scheduled. We do not have to change the ordinance since we are exceeding it.

14. Adjournment -

Mr. Carrow made a motion to adjourn. Mr. Burnett seconded the motion. The motion carried unanimously. The meeting adjourned at 7:45.

Respectfully submitted,

Christine Letterman, CMC