

Council Meeting

August 9, 2021

7:00 p.m.

The council meeting of Mayor and Council was held on the above date and time with Council members Carrow, DeBenedictis, Valentine, and Burnett present with Mayor Smith presiding. Recording Secretary Sue Muncey, Town Foreman Jeff Hurlock, Chief Carl Hutson, Town Solicitor Scott Chambers, Alex Dias, Joanne Masten, Terry Pepper, Lara Jackson, Lane Carter, Jeff Lightcap, Christopher Jackson, and Linda Parkowski were also in attendance.

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

Mr. Carrow made a motion to accept the Council Meeting minutes of 07/12/21 and the Personnel Committee Meeting minutes of 07/22/21 as presented in their written form. Ms. DeBenedictis seconded the motion. Motion carried unanimously.

4. **Approval of Income and Expense Report** – Mr. Smith mentioned the amendment at the bottom of the report showing the property tax and public safety tax collected. The report only shows the amounts billed out.

Mr. Burnett made a motion to approve the Income and Expense Reports for July 2021 as presented in the email sent out. Mr. Valentine seconded the motion. Motion carried unanimously.

5. **Communications** – Ms. DeBenedictis read the thank you note from Roland Timmons.
6. **Report of the Chief of Police** – Mr. Hutson stated they had 374 calls for service. This is continuing to go up. There were 45 parking tickets issued. There were 10 criminal arrests. The LESO audit was performed on 7/1/21. This is for military surplus. We passed the audit. Lt. Scott helped Byrd's AME Church with cameras. Chief Hutson led the July 4th Parade in Smyrna on 7/3/21. Lt. Scott helped with fireworks in Rehoboth Beach on 7/3/21. Most of the department assisted with the fireworks on 7/4/21 in Smyrna. Lt. Scott met with Providence Crossing's HOA to discuss a neighborhood watch on 7/22/21. Mr. Hutson stated they are starting their yearly grant cycle. Violent Crime Fund will be this month. EDIE and SALLE will be in September. The police department will be upgrading their tasers with the Violent Crime Fund. There are issues with the batteries and functionality.
7. **Report of the Town Foreman** – Mr. Hurlock stated the contractor doing the sewer line cleaning and video had a camera get stuck in the sewer line on Main Street. The street had to be excavated to remove the camera. The daily average pumping is around 500,000 gallons per day for drinking

water. We are taking 125-130,000 gallons from Artesian daily. The maximum the town can hold is 385,000 gallons. Mr. Hurlock stated he met with the contractor to review and prepare plans to upgrade the older sewer lift stations. Mr. Hurlock stated he was going to ask the Mayor if we could move forward during budget and use ARPA funds. Mr. Hurlock will be meeting with the electrical contractor to request an estimate to bury the remaining aerial line in Old Country Farm on Villa Drive. We could use the Electric Capital Reserve money for the Old Country Farm transformer. We've had one (1) small electric outage from a blown fuse and two (2) secondary underground faults. In Grain Mill Station a line has faulted three (3) times. It will cost about \$5,000 to fix. Mr. Burnett asked the location. Mr. Hurlock stated the townhouses. Mr. Hurlock stated transformers and electric meters have extended delivery dates which is causing us to bulk order. Mr. Hurlock stated we are out of solar meters. We will be out for approximately four (4) months. Mr. Burnett asked if there was an issue getting water meters. Mr. Hurlock stated yes. Mr. Smith asked if we had any in stock. Mr. Hurlock stated we have plenty of water meters in stock right now. Mr. Smith asked about the electric meters. Mr. Hurlock stated the same. Mr. Hurlock stated 90% use more electric that they produce on solar.

8. Report of the Town Solicitor – Mr. Chambers 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. Mr. Smith stated we received a document notifying the town of their Municipal Street Aid Fund grant.

c. Report from Water & Sewer Committee – Mr. Burnett stated the request for bid proposals is being prepared.

d. Report from Equipment Committee – Mr. Valentine had no report.

e. Report from Personnel Committee – Mr. Carrow stated they are in the process for interviewing for a Town Manager. The first interview will be via zoom. Mr. Carrow stated he sent out questions for feedback. The final interview will be in person. There will be a new set of questions. Two (2) council members will attend the zoom interviews. These recordings will be sent out to all council members for review. Mr. Carrow asked Mr. Hurlock if they are still searching for a part time person. Mr. Hurlock stated yes.

f. Report from Public Safety Committee – Mr. Smith stated a meeting is scheduled for August 17, 2021.

g. Report from Budget Committee – Mr. Valentine stated a meeting is scheduled for September 16, 2021 at 6:30 p.m. at town hall to review the 2022 budget.

h. Report from Economic Development Committee – Mr. Carrow stated Movie Night is scheduled for August 28, 2021. They will be playing “Field of Dreams”. There will be

another Movie Night in October. The Open House Fire Prevention will be October 4, 2021 from 6:00 – 8:00 p.m. Ms. DeBenedictis asked about having a vaccination table set up.

- i. Report from Downtown Development Rebate** – Ms. DeBenedictis stated we submitted the yearly report. It has been a slow year.
- j. Report from DEMEC** – Ms. DeBenedictis stated the first round of solar with Senator Hansen passed. The next meeting is net metering via zoon on Friday. APPA is discussing climate change. They asked for input and to serve on a committee.
- 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 and Legislature Committee** – Mr. Smith stated a meeting is scheduled for August 19, 2021 to begin the process of reviewing the town charter. This will be a long process. It will probably be about eight (8) months.

11. Public Forum – No response from the public.

12. Unfinished Business – No unfinished business.

13. New Business

a. Discuss Draft RPF to Town from Duffield Associates (NS)

Mr. Smith stated all council members received a packet. He asked that they all review and give any questions they might have by Thursday, August 12.

**b. Request to be put on the Town Council Agenda – Lara Jackson reference
Providence Crossing**

Mrs. Jackson stated she wanted to discuss some concerns she had about the development she lives in. She wanted to discuss starting crime prevention or a town watch. She stated there is a problem with speeders on Coldwater Drive from 5:00 – 6:30 p.m. and 6:00 – 7:00 a.m. There is a parking issue. Cars are parked the wrong way. At Old Creek and Chesapeake Lane they are parked all over. There is also a problem with the park. Drug paraphernalia was found and cars are out there after midnight. Mrs. Jackson stated communication with residents is a good idea. The town is growing. There are not enough officers. Officers need to be used for community policing. The playground is dark on the street side. A camera needs to be put up. Mr. Hutson stated speeding is an issue. We have officers out there. There is a huge influx coming from other areas. Parking tickets are up. Mr. Hutson stated they are taking steps. Mr. Hutson stated he got a proposal for the camera. All the cameras that were installed in the town came from a grant. That cost was about \$60,000. They were put on public roadways – Main

Street and Route 300. It is used for crime deterrence and used for traffic. Currently there is no grant money available. The quote from ERP for the camera and to install it was \$5,374.00. This does not include installing the electric or the pole. Mr. Hurlock stated you would just double that cost. Mr. Hutson stated now that the lighting sign is posted we can enforce it. Mr. Hutson stated his door is always open if something needs to be discussed. Mr. Carrow stated with the lighting and camera, you would need to ask your HOA to take on some of the cost. Mr. Hutson stated that is a council decision. Mr. Smith stated if you put in for one, you would have to put in for all. He stated as far as the lighting, your HOA would have to install. The street is predetermined with the design of the development. Mr. Carrow stated for the speeding we could put an officer in the developments. Mr. Hutson stated more SRO's have been out and targeting the developments. Mrs. Jackson stated individuals think they own the place. The stereo is very loud. A shift in attitude is seen. Mr. Hutson stated a lot of people are from out of state. There will be an adjustment. Mrs. Jackson stated she is being harassed by a neighbor. What exactly is a nuisance ordinance? Mr. Hutson stated he will get it for her. Mrs. Jackson stated the Town Council needs to be more proactive instead of reactive. Mr. Smith stated as far as districting, we are having a problem with people volunteering. If we divide the districts, we will be even more limited. The council is diverse. We can look into street lighting. Mr. Burnett stated cameras are not a deterrent. Who would watch them 24 hours? They are used for enforcement. The key is police presence. Mrs. Jackson stated during 4th of July there is a fireworks issue. Can Providence Crossing request patrol checks from July 4 through July 6. Mr. Smith stated if you call town hall, I get the message within two (2) hours. As far as communication with developments, I will put something on the agenda. Mrs. Jackson asked how do you shut down the road. Mr. Hutson stated you need to complete a form and he would have to sign off on it. Mrs. Jackson asked about trash collection. Can we get a trash can for the park? Mr. Smith stated he would have to talk to the vendor. They might charge for it. Ms. DeBenedictis stated we had a community watch in the past. No one wanted to do it.

c. Presentation – Joanne Masten and Terry Pepper from Kent County Levy Court to present Clayton Police Department with a Check (CH)

Mr. Pepper thanked the Council for allowing them to come. He stated Mrs. Masten is doing a great job. Mr. Pepper is the President of Levy Court and the Councilman-at-Large. Funds have gone to local law and the State Police. We tried to divide it to make it fair. Each municipality is being given \$10,000 plus an amount for each officer. Mrs. Masten presented a check to Mr. Hutson for \$13,568.07. She stated this is to be spent in the police department. They would just like a note to be sent to them on how it was spent. Mr. Hutson thanked Mr. Pepper, Mrs. Masten, and the Levy Court. He stated Mrs. Masten is very supportive to the community and Mr. Pepper is a former police officer. Mr. Pepper stated they will try to do this every year. They discussed recovery funds. They are interested in doing a municipal project each year as a joint venture. Mr. Carrow thanked Commissioner Pepper and Masten. They have helped us in the past. We are very appreciative of all that they do.

d. Linda Parkowski – Kent County Partnership – Give Council Update (WC)

Mr. Carrow introduced Linda Parkowski. She is with the Kent Economic Partnership. They find businesses in Kent County and find a location for them. Mr. Carrow stated he receives about 4-5 emails a month looking for properties. Ms. Parkowski stated their website is choosecentraldelaware.com. What is KEP? It is a public and private partnership including Kent County Levy Court, municipalities in Kent County, Greater Kent Committee, and business leaders. Their services include sending leads, site selection assistance, site selection tours, business outreach programs, sites available on the website, capital and financing programs, business incentives, workforce and higher education resources, and regulatory assistance. Their target industries are small to medium manufacturers, distribution-logistics, and healthcare. They target through the website – complete rebuild with identified ready sites, targeted marketing, and site selectors. Marketing is accomplished through trade shows, site selector magazine, and regional and national advertising. Ms. Parkowski stated the website brings results. They are on Facebook, Instagram, Twitter, LinkedIn, and YouTube. Marketing materials for the website and in print are available. For business retention and expansion they plan site visits to existing companies, assess needs, and identify potential suppliers as targets. Leads are sent to municipalities and local real estate brokers and they evaluate submitted sites for potential projects. They have Town Managers/Brokers Meetings to assist brokers in marketing central Delaware. Kent Economic Partnership has the following incentives and tools: strategic funds (State and County), Kent County tax abatement, Site Readiness Fund, Transportation Infrastructure Investment Fund, Tax credits, Workforce Training Grant, Downtown Development District County Match, Opportunity Zones, Energize Delaware, and State Small Business Credit. Ms. Parkowski stated they can track labor data for Clayton on their website. They have helped the following businesses: Independent Metal Strap, NVP/Shoreline, USA Fulfillment, NKS, Avalon, and Delmarva Corrugated Packaging. They have 17 projects in the cue. Future projects include: transportation study, Dover freight study, Kent County rail study 2018, Civil Air Terminal, and Rockport 2.0. Ms. Parkowski discussed the Kent County Broadband Committee. Affordability and accessibility recommendations: expand fiber infrastructure to rural areas, review State strategy, review Federal stimulus package, funding for fiber expansion, Federal, State, and County funding combination to expand broadband, propose County-phased funding plan, review County policies to include broadband expansion, explore broadband districts, and identify landowners within underserved areas for co-op infrastructure. Mr. Carrow asked for business parks are people looking for shovel-ready areas? Ms. Parkowski stated you only have to have 10% for a match with transportation for MPO. Mr. Carrow asked are they looking for shovel-ready properties. Ms. Parkowski stated they are, but developers have looked for something to work with. Mr. Carrow asked if people were on staff to help for a step by step process. Ms. Parkowski stated yes.

14. Adjournment

Mr. Smith asked for a motion to adjourn.

Mr. Valentine made a motion to adjourn the meeting. Mr. Burnett seconded the motion. Motion carried unanimously. Meeting adjourned at 8:18 p.m.

Recording Secretary,

Sue Muncey