

Council Meeting
February 8, 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, and Burnett present with Vice Mayor Smith presiding. Recording Secretary Sue Muncey, Town Foreman Jeff Hurlock, Chief Carl Hutson, Town Solicitor Scott Chambers, Jeff Lightcap, John Pridemore, Jeff Henderson, and Brandon Pelton were also in attendance. Mayor Dias was excused.

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 01/11/21 as presented in its written form. Mr. Burnett seconded the motion. Motion carried unanimously.

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

Mr. Carrow made a motion to approve the Income and Expense Reports for January 2021 as presented in their written form. Mr. Burnett seconded the motion. Motion carried unanimously.

5. **Communications** – Mr. Smith read a thank you card from Ms. DeBenedictis.
6. **Report of the Chief of Police** – Mr. Hutson stated there were 227 calls for service, 302 traffic tickets, 16 criminal arrests, and 28 parking violations. The police had more of a presence in the developments upon the request of Council. Mr. Hutson stated the cameras on Route 300 will start next week. He thanked the Public Works department for their assistance. Mr. Hutson stated he was approached by the Delaware Police Chief Council to be the Secretary. He accepted the position.
7. **Report of the Town Foreman** – Mr. Hurlock had no report.
8. **Report of the Town Solicitor** – Mr. Chambers had no report.
9. **Report from Inspections/Enforcement** – Mr. Hurlock stated they were enforcing the removal of snow on the sidewalks. There is an increase in new house permits. Mr. Carrow asked if Mr. Hurlock would relay to Mr. Ford his appreciation for the yearly report that was submitted. He keeps the town nice.

10. Reports from Members of Council

- a. Report from Electric Committee** – Ms. DeBenedictis stated there have been no issues. She stated she received an email from DEMEC asking for a federal moratorium about disconnections.
- b. Report from Street Committee** – Mr. Smith stated a meeting is scheduled for Thursday, 02/11/21 at 6:30 p.m. at Town Hall. Mr. Hurlock stated we need to start identifying streets for blacktopping. This needs to go out to bid. Mr. Smith asked Mr. Hurlock to work up a list.
- c. Report from Water & Sewer Committee** – Mr. Burnett stated he has information for the past five (5) years that Sue pulled. Next month he stated he will call a meeting. Mr. Hurlock stated they are having a problem with shop rags clogging up the sewer. We need to educate people.
- d. Report from Equipment Committee** – Mr. Smith had no report. Mr. Hurlock stated the old dump truck failed inspection. C.T. Morris repaired and did body maintenance to it for \$4,100. The truck passed inspection. Mr. Hurlock stated he is keeping this vendor in mind when the maintenance mechanic retires.
- e. Report from Personnel Committee** – Mr. Carrow had no report.
- f. Report from Public Safety Committee** – Mr. Smith had no report.
- g. Report from Budget Committee** – Mr. Smith stated a budget meeting is scheduled for 02/17/21 at 7:00 p.m. at Town Hall.
- h. Report from Economic Development Committee** – Mr. Carrow had no report.
- i. Report from Downtown Development Rebate** – Ms. DeBenedictis stated it has been slow. A zoom conference will be scheduled.
- j. Report from DEMEC** – Ms. DeBenedictis stated Senate Bill 33 (RPS) passed legislation. She stated she has had discussions with Stephanie Hanson. There was a lawsuit against DNREC. RPS will be 40% by 2035. This is broke out into several parts. Community solar was discussed last week. Next week they will discuss wind. Mr. Burnett stated with community solar the town is excluded from the requirements. We exceed the percentage. Ms. DeBenedictis stated they are putting in two (2) charging stations at the DEMEC building. No one knows what the life expectancy of an electric vehicle is.
- 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 had no report.

11. Public Forum – Jeff Henderson wanted to introduce himself. He is the new Huntington Mills HOA president. You can reach him by email or phone. His cell phone number is 302-245-5066 and his email is udhens1@gmail.com.

John Pridemore stated he is the new president of the Clayton Fire Company. The deputy is Jeff Lightcap.

Brandon Pelton introduced himself. He will be opening a permanent restaurant at the train station. Mr. Smith told Mr. Pelton he is on the agenda to speak under new business. Mr. Smith went into New Business and had Mr. Pelton continue.

12. Unfinished Business – No business

13. New Business

a. **Brandon Pelton – The Clayton Whistle Stop Train Station – Opening up Restaurant (JB)**. Mr. Pelton stated they will be using a shipping container as a usable structure for the kitchen with seating inside and outside. He just wanted to make sure there would be no objections. Mr. Smith asked what size the container would be. Mr. Pelton stated it will be L-shaped 15' x 25' with a 6' privacy fence along the length. He stated there would be live entertainment on the patio on Friday and Saturday night until 9:00 p.m. He would like to transfer his liquor license to have an eight (8) seat bar. Mr. Smith stated he would have to check with the town for compliance. Mr. Hurlock stated we would need a formal application. The property is zoned properly. Mr. Carrow stated welcome from the Economic Development Committee. Mr. Carrow stated what Mr. Pelton has done so far is great. The food is great. Mr. Carrow stated Mr. Hurlock and the town will assist in what is needed.

b. **Discuss and Vote – Delaware Mutual Aid & Assistance Agreement for Intrastate Water/Wastewater Agency Response Network (WARN). (JH)** Mr. Hurlock stated this is mutual aid. This is for Artesian. Mr. Hurlock stated he met with Artesian and they can step in and operate the plant if needed. This is an agreement that protects both parties. They will work together. Mr. Hurlock stated he forgot to follow up with the Town Solicitor. Mr. Chambers stated he is fine with it. Mr. Carrow stated if we request help, they can step in. It looks standard.

Mr. Carrow made a motion to adopt the Delaware Mutual Aid & Assistance Agreement for Intrastate Water/Wastewater Agency Response Network (WARN). Ms. DeBenedictis seconded the motion. Motion carried unanimously.

c. **Discuss and Vote – Move Current Police Garage Across the Street to Old Public Works Garage on West Street (CH)**. This has been removed from the agenda.

- d. Discuss and Vote – Motion to Relevelize the PCA for the 2021 Fiscal Year. (JH)** Mr. Smith stated this would change the PCA rate from \$0.0064 per kilowatt-hour to \$0.0059 per kilowatt hour.

Mr. Burnett made a motion to relevelize the PCA for the 2021 fiscal year. The current PCA rate of power cost collection be decreased from a charge of \$0.0064 per kilowatt-hour to a charge of \$0.0059 per kilowatt-hour to be billed beginning with the billing cycle at the end of January 2021. Even though the DEMEC rate for 2021 is slightly higher than the Town's wholesale rate for 2020, the 2021 PCA must be decreased to refund the over collection of power costs that has occurred over the 2020 PCA period. The impact from this action represents an approximate 0.4% retail rate decrease for Town electric customers. Mr. Carrow seconded the motion. Motion carried unanimously.

- e. Discuss and Vote – Participation in the State of Delaware Vision Plan Effective 07/01/21. (AD)** Mr. Smith read the vision breakdown. The division of rate is the same as the health and dental. Mr. Carrow asked what the difference was from the low and high and is it budgeted for. Mrs. Muncey stated the low and high is the difference type of coverage that is being offered. She stated she always over budgets her health insurance line item. Mr. Smith asked what the total cost to the town would be. Mrs. Muncey stated that depends on what type of coverage the employee chooses. She stated she did not want to say anything to the employees until it was approved. Mr. Burnett stated he encourages this. If each employee chose the family plan on the higher plan, the cost would be approximately \$3,000 yearly for the town. He stated your employees are your best assets.

Mr. Burnett made a motion to accept the high vision insurance plan for the employees. Mr. Carrow seconded the motion. Motion carried unanimously.

14. Adjournment

Mr. Smith asked for a motion to adjourn the meeting. Ms. DeBenedictis stated she forgot to mention that AMP has a product for economic development. It is a regional national product under the Delaware Prosperity website. There is no cost. Do we want to participate? Mr. Smith stated if there is no cost or obligation a tentative decision could be made. You can put out to committee. Mr. Chambers told Mr. Smith they were getting off agenda. Mr. Smith told Ms. DeBenedictis to put on next month's agenda. Ms. DeBenedictis apologized.

Mr. Carrow made a motion to adjourn the meeting. Mr. Burnett seconded the motion. Motion carried unanimously. Meeting adjourned at 7:34 p.m.

Recording Secretary,

Sue Muncey