

Council Meeting
December 12, 2022
7:00 p.m.

The Council Meeting of Mayor and Council was held on the above date and time with Council members Carrow, Flatter, and Paisley present. Mayor Smith was presiding. Recording Secretary Sue Muncey, Chief Carl Hutson, Town Manager Robert Cote, Scott Chambers, Marvin Pedigo, Alex Dias, David Ross, Sharon Cruz, and Bruce Ennis 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. Paisley led the Pledge of Allegiance.
3. **Proclamation – Senator Bruce C. Ennis** – Mr. Smith presented Senator Bruce C. Ennis a proclamation upon his retirement which was read by Mr. Paisley.
4. **Approval of Minutes** –

Mr. Carrow made a motion to accept the Council Meeting minutes of 11/14/22 and the Budget Committee Meeting minutes of 11/14/22 as presented in their written form. Mr. Paisley seconded the motion. Motion carried unanimously.

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

Mr. Paisley made a motion to accept the Income & Expense Report for November 2022 in its written form. Mr. Flatter seconded the motion. Motion carried unanimously.

6. **Communications** – No Communications.
7. **Report of the Chief of Police** – Mr. Hutson stated there were 332 calls for service, 165 traffic arrests, and 27 criminal arrests. All officers qualified with their weapons on 11/09/22. Both the SALLE and EDIE grants were approved. Cpl. P. Bishop, Cpl. Hibbert, and Christine Letterman attended the Veteran’s Day Tribute on 11/10/22 at Clayton Elementary School. Chief Hutson attended the Police Chief’s meeting in Dover on 11/15/22 where he was appointed to the Legislative Committee. Chief Hutson, Lt. Scott, Cpl. Hibbert, and Cpl. Fox helped with the First State Military Academy’s formation run on 11/18/22. Lt. Rau, Cpl. Hibbert, and Cpl. P. Bishop were present at the First State Military Academy’s lockdown on 11/30/22. Mr. Hutson stated the CJC grant was approved this week. The money will be used to outfit the new Tahoe. Barkley’s Heating & Air gave \$2,000 in \$50 dollar bills. This was to be given out along with a candy cane to people doing the right thing. Mr. Smith and Mr. Paisley rode along. Mr. Smith wanted to thank the police department for their help with Christmas in Clayton.

8. Report of the Town Manager –

Administration - Mr. Cote stated 304 late notices were mailed, 74 disconnect calls made, and 41 disconnections executed. Mr. Cote stated Phase II of the accounting project has been completed. The accounting team reconciled the trial balances in Excel, renamed, and renumbered the five (5) funds. On 11/30/22 the Town Manager and the Office Manager had a sit down with members of Horty & Horty and the Auditor from Maillie to review the spreadsheets. They received buy in from the Auditor. The 2021 audit will start the 3rd week in January 2023. This will get us back on track. Horty & Horty did a great job. They represented the town well. Employee paystubs are now being sent electronically through email.

Licensing & Inspections – A complaint form has been established so they can be addressed formally. The Code Enforcement Officer will answer all complaints concerning our policy or ordinances. Licensing & Inspections will issue three (3) newsletters a year to discuss the most common code violations. Business license renewal letters were issued 11/15/22 with a due date of 12/31/22. This was completed through iWorq.

Public Works – The crew checked all the Christmas lights. Leaves at the park were picked up. The crew wired poles to allow more light on East Street.

Mr. Smith asked if the new accounting system will be effective in 2023. Mr. Cote stated software changes need to be made in the Edmunds system (MCSJ). The accounting team had several conversations with Edmunds. We will be running a dual system for several months until all the changes have been updated in the system.

9. Report of the Town Solicitor – Mr. Chambers had no report.

10. Reports from Members of Council

- a. Report from Electric Committee** – Mr. Carrow had no report.
- b. Report from Street Committee** – Mr. Carrow apologized for not having the meeting set up yet. A meeting will be set up after the 1st of the year.
- c. Report from Sewer & Stormwater Committee** – Mr. Flatter had no report.
- d. Report from Equipment Committee** – Mr. Paisley stated the long-term plan has been given to Public Works for review and feedback.
- e. Report from Personnel Committee** – Mr. Carrow had no report. Mr. Cote stated he will be working with the Department Heads to update job descriptions and the Employee Handbook.
- f. Report from Public Safety Committee** – Mr. Smith had no report.
- g. Report from Budget Committee** – Mr. Flatter had no report.

- h. Report from Economic Development Committee** – Mr. Carrow wanted to thank the Clayton Historical Society, the Police Department, and the Public Works Department for their help with Christmas in Clayton.
- i. Report from Downtown Development Rebate** – Mr. Paisley had no report.
- j. Report from DEMEC** – Mr. Cote stated DEMEC passed their 2023 budget. Our rates will increase due to the Indian River situation. Mr. Simms is on the agenda for January. We could have a 2% increase.
- k. Report from Board of Adjustments** – Mr. Cote had no report.
- l. Report from Planning & Zoning Committee** – Mr. Cote had no report.
- m. Appeals Board** – Mr. Cote had no report.
- n. Law and Legislature Committee** – Mr. Paisley stated a red line version of the charter was sent out. Mr. Paisley stated he made secondary revisions.
- o. American Rescue Plan Act Committee** – Mr. Smith had no report.

11. Public Forum – N/A

12. Unfinished Business – N/A

13. New Business

- a. Discuss and Vote on Paying Sewer Engineering Fees from the Impact Fee Account** - Mr. Smith stated sewer fees have been paid out of the ARPA account. Engineering fees cannot be paid through ARPA. Updates to the town can be paid for through Impact Fees. Mr. Paisley asked if this is going forward. Mr. Smith stated yes.

Mr. Paisley made a motion to pay sewer engineering fees from the Impact Fee account. Mr. Flatter seconded the motion. Motion carried unanimously.

- b. Discuss and Vote on the 2023 Budget** – Mr. Smith stated a lot of hard work went into this from the Town Manager and Department Heads. \$235,000 x 2 from the transfer fees and \$330,000 from the Artesian payment (1 out of 5) was used to balance the budget. Mr. Smith stated we need to wean ourselves off from using the transfer taxes. Mr. Carrow stated he wanted to thank the Town Manager and the Department Heads for their hard work on this. The work is outstanding and the answers to the questions asked were outstanding. Mr. Paisley read the Council Resolution Approval of the FY'23 General Fund Budget and Property Tax Rate in its entirety.

Mr. Carrow made a motion to accept the 2023 Budget as presented in its written form. Mr. Paisley seconded the motion. Motion carried unanimously.

- c. Discuss and Vote on Increasing the 2022 Donations for Clayton Fire Company from \$10,000 to \$20,000 and Ambulance 64 from \$5,000 to \$10,000** – Mr. Smith stated this was approved in the Budget Meeting. Mr. Paisley stated they put their lives on the line for the community.

Mr. Flatter made a motion to increase the donation to the Clayton Fire Company from \$10,000 to \$20,000 and the donation to Ambulance 64 from \$5,000 to \$10,000. Mr. Paisley seconded the motion. Motion approved by Mr. Smith. Mr. Carrow abstained from the motion.

- d. Discuss and Vote on Paying an Extra \$300,000 Towards the 2022 Post-Employment Contribution** – Mr. Smith stated if we increase the capital that we have, it will decrease the liability. Currently the unfunded amount is \$433,000. The town currently contributes \$50,000 yearly. To get caught up, we would have to pay \$64,000 for 30 years. We would pay \$50,000 a year for 10 years if we paid the extra \$300,000. As of December 31, we have \$260,000 in cash and \$449,000 in investments. Mr. Carrow stated it wouldn't erase the deficit, but it would decrease it. Mr. Smith stated we will have a more on-point report after the audit is conducted and we are caught up.

Mr. Carrow made a motion to pay an extra \$300,000 from the General Fund toward the 2022 Post-Employment Contribution. Mr. Flatter seconded the motion. Motion carried unanimously.

- e. Discuss and Vote on the Police Contract** – Mr. Smith stated this was approved at the Budget Meeting. Mr. Carrow stated he appreciates the Chief's leadership and work with the contract.

Mr. Carrow made a motion to accept the 2023 – 2025 Police Contract as submitted. Mr. Paisley seconded the motion. Motion carried unanimously.

- f. Discuss and Vote to Approve Verdantas LLC to Apply for and Submit a Grant Funding Application through the Delaware Emergency Management Agency (DEMA) on Behalf of the Town, as well as to Provide Engineering and Technical Services to Develop an Interactive Geographic Information System (GIS) Map for the Town's Electric Distribution System** – Mr. Cote stated our consultant, Sharon Cruz, was here to explain the town's portion and the benefit to the electric system. Ms. Cruz stated this is a DEMA grant. It is an unparalleled opportunity. It is a Planning COVID Grant – 90/10. It only requires a 10% match from the town. This can be paid for in goods or services. Ms. Cruz stated the electric system is on paper only. We need

to take the paper and move it electronically to a GIS application. The crew would have access to this at any time, everything on the system. It is a good planning tool for Public Works. It would include fund training on how to use it and a web application of their choice. You could show outages with exact times. Mr. Flatter asked if this was through FEMA. Ms. Cruz stated DEMA manages this for FEMA. This is resiliency. The cost to the town would be \$3,000 to prepare and coordinate the application. Mr. Paisley asked if the citizens could access the web application. How would you use it? Ms. Cruz stated that is determined through the town of what they want for the app. Mr. Flatter stated this would be to apply and submit. Will there be a continual maintenance fee? Ms. Cruz stated \$3,000 to submit for funding. Mr. Cote stated he has a breakdown. The mapping would cost \$46,000, the training would be \$2,600 and the grant administration would be \$5,500. Mr. Smith asked if this was a reimbursement grant. Ms. Cruz said yes, it is reimbursement. Mr. Cote stated many things are on paper. The path to digitization started when he started. We need to get out of the paper age. This was brought before Council because it is important. Mr. Carrow stated this is a huge benefit to the town. Ms. Cruz stated this will save on power outage phone calls. This frees people up. Mr. Paisley stated it is a benefit for the residents.

Mr. Paisley made a motion to approve Verdantas LLC to apply for and submit a grant funding application through the Delaware Emergency Management Agency on behalf of the town as well as to provide engineering and technical services to develop an interactive geographic information system map for the town's electric distribution system. Mr. Flatter seconded the motion. Motion carried unanimously.

14. Adjournment

Mr. Flatter made a motion to adjourn. Mr. Paisley seconded the motion. Motion carried unanimously. The meeting adjourned at 7:50 pm.

Recording Secretary,

Sue Muncey