

Council Meeting
March 13, 2023
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, David Ross, Austin L. Moorhead, Jeff Lightcap, Gary Faulkner, Tammy Faulkner, Kelly Brown, Wayne Stover, and Kathryn Messer were also in attendance. Mr. Smith stated Ms. DeBenedictis was excused from the meeting.

1. **Call to Order** - Mr. Smith called the meeting to order at 7:00 p.m.
2. **Pledge to the Flag** – Mr. Smith led the Pledge of Allegiance.
3. **Presentation – Donation to Lillian Smith Senior Center** - Mayor Smith and Mr. Cote presented Wayne Stover with a donation check to the Lillian Smith Senior Center.
4. **Presentation – Donation to the Smyrna/Clayton Little League** – The recipient did not come to the meeting. The check was mailed.
5. **Presentation – Employee of the 4th Quarter 2022** – Mr. Cote stated this person noticed a customer had a large water usage which was unusual. They reached out to the maintenance department of Clayton Courts to have the water turned off. The resident had a broken pipe. The resident was hospitalized at the time. This individual walked a customer through the Contractor's License application due to a language barrier. This person also took the lead in sponsoring a family for Christmas through the Smyrna School District. Extra compassion was taken into consideration since this was the first Christmas for the children and spouse without the father due to him passing away unexpectedly. Mr. Cote was very proud to announce the Employee of the 4th Quarter 2022 is the Administration Department's Kelly Brown. Mr. Smith and Mr. Cote did the presentation to Mrs. Brown.
6. **Presentation – Employee of the Year 2022** – Mr. Cote stated the Employee of the Year had to have seven bullet points. This employee handled all the tasks associated with the expiration of the water media. A total of 79 utility inspections were completed. These are completed for every new home built. This individual did all the mapping of underground utilities. On 10/31/22 there was an electric outage in Wheatley's Pond. This person had a map of the area, who was affected, and how many residents were impacted by the time the Director of Public Works was on the scene. A total of 1,759 Miss Utility requests were completed in 2022. During the acquisition of the water system from Artesian, this individual presented excellent water recordkeeping making the transition go smoothly. On 12/18/22 in the early morning a car hit a pole. Approximately 250 residents were affected. This person was on the scene providing assistance to the Director of Public Works. This individual has worked for the town for 34 years. The town wouldn't be what it is without this person's hard work. Mr. Cote stated he was proud to announce the first Employee of the Year as Gary Faulkner. While Mr. Cote and Mr. Smith were presenting this to

Mr. Faulkner, Mr. Smith spoke about the water acquisition. He stated Artesian was amazed and took pictures of how well maintained the system was due to Mr. Faulkner.

7. Approval of Minutes –

Mr. Carrow made a motion to accept the Council Meeting minutes of 02/13/23, the Special Council Meeting minutes of 02/27/23, and the Law & Legislature Committee Meeting minutes of 02/27/23 as presented in their written form. Mr. Flatter seconded the motion. Motion carried unanimously.

8. Approval of Income and Expense Report – Mr. Smith suspended the approval of the Income and Expense Report for February 2023 due to a mis-entry. This report will be approved next month.

9. Communications – No communications

10. Report of the Chief of Police – Mr. Hutson stated there were 370 calls for service, 210 traffic arrests, and 16 parking tickets for the month of February. All the officers received their CPR certification on 02/10/23. All officers attended Axon Training on 2/22/23. Axon is paying the cost of the cameras and storage to the cloud – a total cost of \$75,000. The system is working well. Mr. Hutson stated he is working on the Energize Delaware Grant. The pricing has not been released by Hertrich. It is estimated at \$146,800. The grant will be finished and submitted once Hertrich submits the quote. There is a six (6) week waiting time. Mr. Carrow asked about the charging. Mr. Hutson stated there will be two (2) charges per pedestal. One will be for Code Enforcement and the other for the School Resource Officer. Mr. Hutson stated he reached out the Clayton Intermediate School. Mr. Paisley thanked the Chief.

11. Report of the Town Manager – Mr. Cote stated he stands by the report in its written form.

12. Report of the Town Solicitor – Mr. Chambers stated he will review the proposed charter changes. He requested a meeting with Mr. Paisley. This will be ready for the next Council Meeting.

13. Reports from Members of Council

a. Report from Electric Committee – No Report

b. Report from Street Committee – Mr. Carrow stated there was a meeting on 03/09/23 reference parking. Twelve residents attended and had good input. Everyone was eager. There will be another meeting in April to review. He stated everyone received a notice on their door who would be affected. Mr. Cote stated letters were mailed. This was put on Facebook and the town's website.

- c. **Report from Sewer & Stormwater Committee** – Mr. Flatter had no report.
- d. **Report from Equipment Committee** – Mr. Paisley stated Public Works completed the long-term plan. He will schedule a meeting with Mr. Cote and Mr. Ross to review. Mr. Hutson stated the build date for the police Tahoe is June. It will be ready six (6) weeks from then.
- e. **Report from Personnel Committee** – Mr. Flatter had no report.
- 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 stated there was interest at the Roth building.
- i. **Report from Downtown Development Rebate** – Mr. Paisley had no report.
- j. **Report from DEMEC** – Mr. Cote had no report.
- k. **Report from Board of Adjustments** – Mr. Smith stated a meeting is scheduled for 03/30/23 at 7:00 p.m.
- l. **Report from Planning & Zoning Committee** – Mr. Smith stated a meeting is scheduled for 04/26/23 at 7:00 p.m.
- m. **Appeals Board** – Mr. Smith had no report.
- n. **Law and Legislature Committee** – Mr. Paisley stated they had a meeting on 02/27/23. The approved changes were sent to the Town Solicitor. He looks forward to his recommendations.

14. Public Forum – Mr. Stover thanked the Council for the donation.

15. Unfinished Business – N/A

16. New Business

a. Presentation – Duck Creek Library – Mrs. Kathryn Messer

Mrs. Messer stated today's library is more than just a book. Three (3) elementary schools can walk to the library. This process started 17 years ago to get the library built. This will be for residents of Smyrna, Clayton, Kenton, and Townsend. Mrs. Messer started going through the slides showing what the building would look like inside and

outside. She stated the parking lot has already been paved. She stated the proposed library will have a kitchen and a central meeting place which could accommodate 150 people. It would have a drive-thru area. The architect is Becker Morgan. Benefits of a new library would be: new business and civic partnerships; increased foot traffic for surrounding businesses; expanded book collection for children, teens, and adults; located near schools; enhanced parking; cornerstone for downtown revitalization; community meeting room and program space; new programming for children and adults; state of the art technology; more services for adults and families; adaptations to new COVID-19 community needs; Town of Smyrna will no longer be financially responsible for operations. There will be new services for children and families. A larger library will allow space for: “makerspace” for hands-on STEM activities; special needs programming; children’s computers to promote early learning; designated space for teens. New services for adults would include: computer classes, crafting classes, health checks, senior programs, cooking classes, and more. Mrs. Messer stated it has to go to Levy Court. They are hoping for a fall 2023 groundbreaking and a grand opening in 2025. A Governance Board will be created with a Board of Directors who will be responsible for: hiring of staff, financial oversight, and policies and procedures. The library operating costs will be covered by enacting a library tax district as well as through grants and annual fundraising. Mrs. Messer stated Milford has a library tax district. You pay with your county taxes. Duck Creek Regional and Harrington are going together to Levy Court to be a library tax district. Mr. Smith stated we are incorporated. We don’t pay library tax. Library Tax District – residents of Kent County in unincorporated areas already pay a library tax to the county \$0.033/\$100 of assessed value on their property. With a tax district, all residents in the Smyrna School District will pay \$0.049/\$100 of the assessed value to help cover the cost of a modern library in our community. When the reassessment occurs, the percentage of tax paid to support library operations will be reduced to keep residents from paying additional taxes due to the reassessment. Steps toward enacting the library tax district: (1) meet with Levy Court leadership. (2) meet with Community Service Commission of Levy Court. (3) draft library district ordinance. (4) public outreach campaign. (5) report to Levy Court leadership on public outreach campaign. (6) Levy Court to determine whether to proceed. (7) tax will commence on July 1 proceeding enactment. Mrs. Messer discussed scanning the QR code for library tax district FAQ’s and finding your specific proposed property tax rate. Mr. Carrow stated we are paying library tax in our county tax already. Mr. Smith asked if the Kenton fund will be redirected. Mrs. Messer stated the funding would go to the Duck Creek Regional Library. The market plan would be: January – final draft of PowerPoint for Town Meeting. February – final draft PowerPoint for civic organizations and other presentations. January/February – website updates. January-March – presentation to Smyrna, Clayton, Townsend, and Kenton. February 23 – September 24 – press releases to Smyrna papers: Smyrna Times, Smyrna Extra, Smyrna Messenger, and Delaware State News. February 23 – September 24 – social media, Next Door Digest, Facebook. February 2023 – flyer, poster, brochure at schools, HOA’s, around town, current library. One-page flyer for the public. March and April 2023 – conduct one (1) public meeting per month and email blast (library patrons). Other speaking engagements: HOA’s, civic organizations, Smyrna/Clayton ministerium, cultural diversity group, rotary, Holly’s, senior centers. Mrs. Messer

showed the Duck Creek Library organizational chart. The Board of Directors of the Friends of Duck Creek Regional Library are: Kathryn Messer, Pat Musto, Regina Brown, Dana Wattay, Nancy Swift, Marion Casella, Rick Horsey, Charlotte Middleton, Beverly Ratty, Jane Schneider, Darlene Sullivan, Joanne Masten, and Barbara Cauthen. Mr. Smith stated you are making a two-step request: redistrict tax and increase awareness. Mr. Carrow stated you are asking us to lend support by asking Levy Court for their support. Mr. Smith thanked Mrs. Messer for coming out and giving the presentation.

b. Discuss and Vote on Purchasing a New Grinding Unit Replacement for the Sewage Treatment Plant. Recommended to Come from the Sewer Capital Reserve

Account – Mr. Cote stated they got a quote from Freemire & Associates. The cost for a Muffin Monster will be \$21,575. The current one is still operating, but it has lost some of its teeth. The lead time is 10-12 weeks to get. Mr. Cote stated he received a verbal from the mayor to order. He recommends taking the funds of \$21,575 from Sewer Capital Funds. Mr. Paisley asked what the backup plan would be while we are waiting for it. Mr. Cote stated it would bypass the gate. It would have to be manually raked every few hours around the clock. Mr. Flatter asked if there was a grate or a band aide. Mr. Cote stated no – a new one is \$5,000 more. He stated a new one will be budgeted next year as a spare.

Mr. Carrow made a motion to direct the Town Manager to purchase the grinding unit as stipulated in the proposal. To be paid for from the Sewer Capital Reserve account. Mr. Flatter seconded the motion. Motion carried unanimously.

c. Discuss and Vote to Rename Clayton Veteran's Park to the John M. Pridemore Park Utilizing Funds from Park Expenses to Construct a Memorial and Sign.

Mr. Cote stated we just passed the one (1) year anniversary of the loss of Chief and first Town Manager John M. Pridemore. Mr. Cote humbly came before Council to rename the park to John M. Pridemore Park. He is working with Kent Signs to design a sign made of a plastic resonated material. It has a lifetime warranty. The Town logo, park name, and dedication date will be put on the 3 x 5 sign. Mr. Cote showed an example of a memorial stone. A stone with a black or gold plaque attached to the stone. It would summarize the life and service of John Pridemore. Mr. Cote suggests keeping the plaque as is on the clock and referring to it as Clayton Veteran's Memorial at Pridemore Park. The budget line for Park Expense is \$15,000. The intent is to stay well within budget. He would consult with Vice Mayor Carrow on what the stone would look like. Mr. Smith stated the budget is \$15,000 – we would need a scope. Mr. Cote stated the sign would not be more than \$3,500. A monument shouldn't be much more than that. Mr. Carrow stated the park honors veterans. He doesn't feel we are slighting them. The plaque was originally \$1,500. He thinks it would be a nice gesture for his service to the community.

Mr. Paisley made a motion to rename Clayton Veteran's Park to the John M. Pridemore Park utilizing funds from park expense to construct a memorial and sign not to exceed \$10,000. Mr. Carrow seconded the motion. Motion carried unanimously.

Mr. Smith wanted to make public record of the ACP Program (Affordable Connectivity Program). This would be a \$30 reduction on monthly internet service to anyone receiving State benefits. Mr. Smith stated he will be in DC at the National League of Cities along with the Delaware League of Local Government to speak with representatives in Delaware. Mr. Smith stated Item D under New Business of the Agenda has been stricken.

17. Adjournment

Mr. Flatter made a motion to adjourn. Mr. Paisley seconded the motion. Motion carried unanimously. Adjourned at 8:17 p.m.

Recording Secretary,

Sue Muncey