

MINUTES OF THE REGULAR MEETING

SMYRNA TOWN COUNCIL

May 3, 2023

REGULAR MEETING

The meeting was called to order by Mayor Robert C. Johnson at 7:00 p.m. Council members present were Tabitha J. Gott, Valerie M. Forbes, William D. Pressley Sr., Councilmen Michael A. Rasmussen, Gerald L. Brown and Councilwoman Corrine Upshur.

Also present were Town Manager Sheldon Hudson, Chief Torrie James, Attorney D. Barrett Edwards, and Recording Secretary Mary Bowers-Johnson.

Chief James led the Pledge of Allegiance (virtually). Mayor Johnson asked for a moment of silence.

ADDITIONS/DELETIONS TO PUBLISHED AGENDA

- A. Delete 8b. from Old Business.

Councilwoman Forbes made the motion to approve the agenda as presented. Motion was seconded by Councilwoman Gott and carried unanimously.

CONSENT AGENDA

- A. Council Organizational minutes of 04/17/2023
- B. Council minutes of 04/17/2023
- C. Executive session minutes of 04/17/2023
- D. Treasury Report – None – added only on 2nd meeting of the month

Councilman Rasmussen made the motion to approve the Treasury Report at the 2nd meeting of the month. Motion was seconded by Councilwoman Forbes and carried unanimously.

Councilman Rasmussen made the motion to approve the consent agenda excluding Treasury Report. Motion was seconded by Councilwoman Forbes and carried unanimously.

NON-AGENDA ITEMS

- A. **Mayor and Councilmembers –**

Mayor Johnson congratulated Chief Torrie James on his new position with the FBI – Sergeant at Arms. He turned over the meeting to Vice Mayor Rasmussen.

Councilman Brown congratulated the Vice Mayor on his new position. He spoke about minutes of the Utility Committee in Boardpaq which included Capital Projects, electric circuit upgrade, rate increase for water, sewer and electric, the need for transparency on use of deposits on accounts. The next Utility Meeting

will be on May 9, 2023 at 6:00 PM, all are welcome. Councilman Brown reminded all about a meeting with the Town Manager and his staff. He thanked the Town Manager, Finance Director Travis Stewart, PW Director Jason McNatt, and Customer Service Manager Richard Wright for their efforts to address this matter. Last meeting, it was pointed out that in July 2022, they discussed water meter charge to be seasonally. Starting April 1 and ending October 1 at a charge of \$7.25 monthly. Use all available network and social media to make residents aware. He would like to have a meeting discussing how to handle complaints from residents.

Councilman Pressley stated the Charter and Ordinance Committee and Public Safety Committee would meet quarterly or as needed. Next quarterly meetings will be in June, day unknown.

Councilwoman Gott spoke about the success of the Red Sand Project and the turn out for the Arbor Day Celebration honoring Donnie and Cathy Shaner. She spoke about Carry the Load stepping off on May 5, 2023 at 7:30 AM.

Vice Mayor Rasmussen spoke about the Proclamation for Small Business Week. He also spoke about Autumn in Smyrna, November 4th and 5th which would be an opportunity for the Town and the Businesses to work together.

Councilwoman Upshur stated she was happy to be on Council and hopes to serve Smyrna well.

B. Chief of Police –

Chief James only spoke about 1st Friday in Smyrna starting on May 5th referencing Cinco de Mayo

C. Town Manager –

Sheldon Hudson updated Council on the Municipal Clerk position and the Human Resources Department.

PUBLIC PRESENTATIONS AND COMMENTS

Mr. Brooks Keen from Citizens' Hose Company spoke about the new fire truck that was ordered at a cost of \$900,000, Fire Alarm Counts including false alarms and an upcoming project to replace the rescue truck.

Councilman Pressley asked if the fire department was allowed to charge residents for false alarms which Mr. Keen said they could not.

Councilman Brown thanked the fire department for all they do for the community.

OLD BUSINESS

A. Ordinance amending the town code of the town of Smyrna to require repayment agreements for priority utility accounts in order to prevent disconnection of electric service –

Councilman Brown reiterated his comments from A. Non-Agenda Items. Again, asking for better communication with Residents.

Councilman Pressley stated the water meter maintenance charge was not made clear to residents. But he feels that 90% of residence would not mind paying a season charge of \$7.25 to offset charges incurred by the Town to maintain water flow to said yard water meters. Councilwoman Forbes does not agree with charging a fee for yard water meters.

Councilman Brown made the motion to approve the charge of \$7.25 administration fee to be charged seasonally on resident's monthly bill from April to October. Motion was seconded by Councilman Rasmussen, Councilwoman Forbes voted No.

NEW BUSINESS

A. National Foundation for Women Legislators Annual Conference –

Councilwoman Forbes spoke about the conference and what it involves. It will be a 2.5 days conference that is reimbursable.

Councilwoman Pressley made the motion to approve Councilwoman Forbes' request to attend the conference. Motion was seconded by Councilman Brown and carried unanimously.

B. Waste Water Design Change –

Moved to a future agenda.

C. Fire Department/American Legion Ambulance Impact Fees –

George DeBenedictis explained how Impact Fee's are calculated. Jeremy Rothwell agreed that a \$3750 impact fee be paid to the fire department based on new construction costs.

Councilman Pressley moved to address impact fee's to the 05/15/2023 Meeting.

No motion was carried.

D. Discussion on Landlord notifications and their responsibilities -

Councilman Pressley suggested a letter go out to all landlords outlining what they are responsible for as of July 1st.

Vice Mayor Rasmussen asked Sheldon Hudson to draft a letter which should include a list of requirements for landlords only. Said letter should be sent out every year here after.

Councilwoman Pressley made the motion to approve a letter of requirements to landlords yearly. Motion was seconded by Councilman Brown and carried unanimously.

E. Senate Bill SB99 –

Chief Torrie James vehemently opposes this Bill citing its limitations/undermining of Municipal Policing.

Councilwoman Forbes made a motion to vote NO to SB99. Motion was seconded by Councilman Brown and carried unanimously.

Presentation and public comments for non-agenda items (3 minutes)

Resident Tracy Johnson voiced her concerns about annexation and expansion of the Town limits to the northeast. Ms. Johnson owns a farm in the area of Paddock Road and does not want to be incorporated into Town Limits. Council assured her that she has “nothing to worry about”.

Irene Strozeski spoke about impact fees for the fire department. She feels that the Town should give the fire department everything they need. She informed Council that all firemen in Smyrna are volunteers, how much it would cost the Town so much it would go under.

Ms. Strozeski voiced her opinion about the cost to build and maintain the new library.

Councilman Brown and Councilman Pressley explained how the county will pay for the needs of the library and that money would come from a raise in the property taxes.

Ms. Strozeski made reference to the statue in front of Town Hall and that she would rather see a statue of a Police Officer, a Fireman or even a family

because Symra is “big on family”. She also stated that there were other Mayors in this town beside Mayor Wright.

Councilwoman Upshur asked Ms. Strozeski if she could speak to her for a minute. She informed Ms. Strozeski that she was located within her district. Councilwoman Upshur told Ms. Strozeski to do her homework on the history of the Mayor Wright and informed Ms. Strozeski that Mayor Wrights daughter was seated n the back row of council chambers. Ms. Strozeski said that was wonderful but she still would rather see a Police Officer, a Fireman or a family. Councilwoman Upshur stated that Mayor Wright was pivotal, not only to Smyrna but, across the State of Delaware. Ms. Strozeski stated she understood but still would have rather seen a Police Officer or a Fireman because they are the protection.

OTHER COUNCIL BUSINESS

There was none.

There were none.

EXECUTIVE SESSION

Councilwoman Forbes made a motion to go into Executive Session. Motion was seconded by Councilwoman Gott and carried unanimously.

Councilwoman Gott made a motion to come out of Executive Session. Motion Was seconded by Councilwoman Forbes and carried unanimously.

Councilwoman Gott made a motion to move forward with item #1 as discussed in Executive Session. Motion was seconded by Councilwoman Forbes and carried unanimously.

Councilwoman Gott made a motion to move forward with item #2 as discussed in Executive Session. Motion was seconded by Councilwoman Forbes and carried unanimously.

ADJOURNMENT

Vice Mayor Rasmussen adjourned the meeting at 8:34 p.m.