

**MINUTES OF THE REGULAR MEETING**  
**SMYRNA TOWN COUNCIL**  
**06/20/2023**

**PUBLIC HEARING**

The public hearing was opened at 6:45 PM by Vice Mayor Rasmussen

- a. A Concept Major Subdivision and Concept Category A Site Plan application from Goldsborough Road Development, LLC to subdivide an existing 57.28-acre vacant parcel into 118 parcels to accommodate 110 proposed townhouses and 324 apartment dwelling units and accompanying streets, parking areas, and open spaces and recreational amenities. The property is located at 1705 Joe Goldsborough Road (TM 28-001.00-003) and is currently zoned R-3 Residential.

Jeremy spoke about the new subdivision addressing roadway upgrades (Goldsborough Road Project), number of apartments and townhomes, open spaces and pocket parks.

**REGULAR MEETING**

The meeting was called to order by Vice Mayor Rasmussen at 7:03 PM. Council members present were Vice Mayor Michael Rasmussen, Councilwoman Gott, Councilwoman Forbes, Councilwoman Upshur and Councilman Pressley.

Absent were Mayor Johnson and Councilman Brown.

Also present were Sheldon P. Hudson, Jason McNatt, Travis Stewart, Mary Bowers-Johnson, Jeremy Rothwell.

Vice Mayor Rasmussen led the Pledge of Allegiance and Moment of Silence.

**ADDITIONS/DELETIONS TO PUBLISHED AGENDA**

Police Department Monthly Report will only be on the first meeting of the month agenda.

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

**CONSENT AGENDA**

- a. Council minutes 06/20/2023
- b. Executive session minutes of 06/20/2023
- c. Treasury report
- d. Police Department monthly report

Treasury Report will be moved to the Work Session

Councilwoman Forbes made a motion to approve the consent agenda after removal of the Police Department Monthly Report. The motion was seconded by Councilwoman Gott and carried unanimously.

### **NON-AGENDA ITEMS (3 MINUTES)**

#### **A. Mayor and Councilmembers**

Vice Mayor Rasmussen stated that Mayor Johnson is home and recovering, got out of bed and walked around. He thanked everyone who did an awesome job at Smyrna @ Night. He said it was a fantastic event for the community. He thanked Councilwoman Upshur for her work at the Juneteenth Celebration. Main Street Coordinating Board Meeting is July 11 @ 9:00 AM. July 3<sup>rd</sup> M&C meeting is cancelled. Fire Fly is coming back in June to Dover and may cause a conflict with Smyrna@Night.

Councilwoman Gott stated Parks and Rec meeting is pending. 4th of July activities, September 9<sup>th</sup> is Town of Smyrna Family Fun Day at Municipal Park.

Councilwoman Forbes stated Shade Tree Commission Meeting is cancelled for June and also, thanked everyone for their work at Smyrna@Night.

Councilman Pressley has nothing.

Councilwoman Upshur had nothing.

#### **B. Police Chief**

Chief James spoke about Smyrna@Night and how successful it was and thanked everyone for the support and work. By far the most successful event so far with 6 months of hard work.

#### **C. Town Manager**

Sheldon Hudson spoke about the Cherry Tree that is slated to be cut down. Councilwoman Forbes and the post office is aware. Councilwoman Forbes wanted to know if a certified Arborist was consulted before the decision was made to remove it. The tree has outgrown its

area. Mayor Rasmussen agreed about consulting with an Arborist. Sheldon Hudson thanked the Chief and Walt Ruth for helping out on their day off.

### **PUBLIC PRESENTATIONS AND COMMENTS (AGENDA ITEMS – 3 minutes)**

Irene Strozeski questioned Jeremy about the new subdivision, how many units, bedrooms, children and the impact on the school system. She doesn't think the project will come to fruition. Vice Mayor Rasmussen cut her off and asked to present in public comments. She stated that she thinks the developer should donate a brand new fire truck to the fire department.

### **OLD BUSINESS**

- a. An Ordinance amending the Town Code of the Town of Smyrna and the "Standard Specifications and Details for Water mains, Sanitary Sewers, Storm Drains, Streets, Roads, and Electric" to reduce the wastewater calculations for equivalent dwelling units (EDU) to 250 gallons per day

Councilwoman Forbes made a motion to approve the ordinance. The motion was seconded by Councilwoman Gott and carried unanimously.

- b. An Ordinance amending the Town Code of the Town of Smyrna to clarify the standards for waste containers enclosures

Councilwoman Forbes made a motion to approve the ordinance. The motion was seconded by Councilwoman Gott and carried unanimously.

- c. Locust Street sewer-related concern – Jason McNatt stated the carbon filters have been placed under the manhole covers with no problems reported as of yet.

### **NEW BUSINESS**

- a. Retention Policy – Councilwoman Forbes talked about the need to have all historic documents Digitized. She spoke to State Archives and they stated they have a policy for municipalities to follow for town documents. An agency may be needed to retain the actual documents, meaning again, storing the documents ourselves.
- b. Main Street Coordinating Board - T-Mobile Hometown Grant Application – Vice Mayor Rasmussen spoke about the Grant that will be used to contract a painter to produce 2 murals. It will be for Arts integration downtown. One would be on the west facing side

of 2 N. Main Street (Ed Ide) and the second would be on the south side of Stokesberry House which is owned by the Town. He stated a tree will need to be removed. Michael Rosado would be the artist. The themes would be Smyrna Wildlife/Bombay Hook for birding. The Second would be Richard Allen, founder of the AME church and anti-slavery movement.

Councilwoman Gott made a motion to approve the Grant process for Arts. The motion was seconded by Councilwoman Upshur and carried unanimously.

- c. Town acceptance of Bergmont Woods streets and dedication to public use

Barrett Edwards advised Council that all the paperwork is in order to accept the streets in Bergmont Woods.

Councilwoman Forbes made a motion to approve Bergmont Woods. The motion was seconded by Councilwoman Gott and carried unanimously.

- d. A Concept Major Subdivision and Concept Category A Site Plan application from Goldsborough Road Development, LLC to subdivide an existing 57.28-acre vacant parcel into 118 parcels to accommodate 110 proposed townhouses and 324 apartment dwelling units and accompanying streets, parking areas, and open spaces and recreational amenities. The property is located at 1705 Joe Goldsborough Road (TM 28-001.00-003) and is currently zoned R-3 Residential.

Councilwoman Forbes made a motion to approve the Concept. The motion was seconded by Councilwoman Gott and carried unanimously.

- e. U.S. Department of Transportation to complete a Safe Streets for All Action Plan

Councilwoman Forbes made a motion to approve moving forward with the Safe Streets Plan. The motion was seconded by Councilwoman Gott and carried unanimously.

- f. Stop signs at Dorchester Court and Fayetteville Street in the Village of Lake Shore

Historically, adding stop signs were stop signs have not been placed in the past has always been an issue. Council wants a resolution with all the details and location of stop sign to get a true request to consider. Add this item to the July 17<sup>th</sup> M&C Meeting. James Taylor of Verdantas will conduct a study to determine if a stop sign is required to be installed at said intersection.

- g. Traffic signs for Hickory Hollow

Councilwoman Upshur spoke about the need for a stop sign on Bluegrass Boulevard and Pebble Creek Street for safety issues. She would like James Taylor of Verdantas to conduct a study to determine if a stop sign is needed at the intersection.

- h. Artisan Drive - Road Restoration bid award

Town recommendation to accept the low bid with available funding.

Councilwoman Gott made a motion to approve the project. The motion was seconded by Councilwoman Forbes and carried unanimously.

#### **OTHER COUNCIL BUSINESS**

Larry Strozeski spoke about the work in Ashland that has not been completed in 6 months. Vice Mayor stated the work is on track to finish by the fall.

#### **PUBLIC COMMENTS – NON-AGENDA ITEMS (3 MINUTES)**

Mrs. Fred Schaber came to Mayor and Council with concerns about his utility deposit \$200 which has not been refunded to her. She stated she has had service with the Town for 3 years, has never paid a utility bill late and was told by Customer Service and, based on the above, she would be refunded the deposit. Councilman Brown stated that this matter is going to Charter Review and as soon as he knows something, he will make sure Mrs. Schaber receives a response as to whether the deposit will be refunded or credited to her utility account. Mrs. Schaber was not happy with Councilman Brown's explanation but is willing to wait until Charter Review has met. Mrs. Schaber also stated that if she did not receive her deposit, she would contact her attorney as well as stating she will have to give a synopsis of this meeting to said attorney.

#### **EXECUTIVE SESSION**

Councilwoman Forbes made a motion to go into Executive Session. The motion was seconded by Councilman Rasmussen and carried unanimously. Went into Executive Session at 8:13 PM

13. Executive session to discuss personnel matters in which the names, competency, and abilities of individual employees will be discussed. 29 Del. C. § 10004(b)(9)
14. Discussion and possible action on personnel matters discussed in executive session
15. Executive session to hold a strategy session involving legal advice or an opinion from an attorney-at-law, with respect to pending or potential litigation 29 Del. C. § 10004(b)(4)
16. Discussion and potential action on matters discussed in executive session involving pending or potential litigation

Councilman Rasmussen made a motion to come out of Executive Session. The motion was seconded by Councilwoman Forbes and carried unanimously. Came out of Executive Session at 8:43 PM

#### **ADJOURNMENT**

Councilwoman Gott motioned to adjourn, Councilwoman Mann seconded the motion and it was carried unanimously. Meeting adjourned at 8:44 PM

MBJ