



MINUTES

**Town of Smyrna
Council Meeting
Bi-Monthly Meeting
Tuesday, September 5, 2023, 7:00 pm - 8:00 pm
Hybrid**

In Attendance

Dr. Corrine Upshur; Gerald Brown; Jason McNatt; Mary Bowers-Johnson;
Michael Rasmussen; Robert Johnson; Sheldon Hudson; Tabitha Gott; Torrie
James; Valerie Forbes; William Pressley

Not In Attendance

Danielle Pope

1. 6:45 pm - Public Hearing:
 - a. A Preliminary Category A Site Plan from the State of Delaware to construct a three-story 119,271 sq. ft. in-patient hospital and nursing home on a vacant portion of a 58.04-acre parcel with multiple buildings and institutional-related uses.
2. 7:00 PM - Call to order – regular meeting
Meeting way called to order by Mayor Johnson at 7:00 PM
3. Pledge of Allegiance
Pledge of Allegiance led by Mayor Johnson
4. Roll call
Roll Call was taken by Council Clerk Mary Bowers-Johnson
5. Additions/deletions to published agenda
No additions or deletions to the agenda
6. Consent agenda:
Move: Tabitha Gott Second: Michael Rasmussen Status: Passed
 - a. Council minutes of 08/21/2023
Move: Michael Rasmussen Second: Gerald Brown Status: Passed
 - b. Executive session minutes of 08/21/2023
Move: Michael Rasmussen Second: Gerald Brown Status: Passed
 - c. Police Department Report
Move: Michael Rasmussen Second: Gerald Brown Status: Passed
7. Non-agenda Items:

No non-agenda items

a. Mayor & Council Members

Mayor Johnson stated that he had visited the new sporting goods store. He said they are a very nice couple. Thanked everyone for thoughts and prayers. He spoke about developing a strategic plan for the Town. He asked Sheldon if they could get together and talk about it. There was a plan in 2012 and 2013. He understands staff is very busy right now with the audit. He thanked Chief James and stated he has not heard any complaints. Thanked PW for what they do for the Town. Thanked Barrett for his services. He thanked Council members for getting things done for the Town. Thanks to everybody.

Councilwoman Gott stated school is back in session, 9/11 ceremony will be at the Citizens' Hose Co., 11/14 Veterans Day event.

Councilwoman Forbes had nothing.

Councilman Rasmussen spoke about the next Main Street Coordinating Board Meeting on 9/6. Also, Pension Review Committee met to go over the resources and timeline how the committee will organize and collect information to address pension concerns from the last several audits. Pension Review Committee will be meeting monthly.

Mayor Johnson urged everyone to take a look at the actuarial report and audit report. It has a lot of interesting information.

Councilman Pressley had nothing.

Councilwoman Upshur talked about the success of the Huck-a-buck Farms event. Powerhouse Ministries from 11 am to 3 pm back to school event on 9/30.

Councilman Brown has nothing.

Mayor Johnson stated that he would like to give some of his time to listen to the department heads about what they are doing, things that they would like to do. He spoke to Town Manager about having Department Heads attend regular meeting.

b. Police Chief

Chief James spoke about new recruits graduating and 2 officers coming into the Town PD. One officer has left SPD to go to the State Police. He also thanked Jason and Doug for the First Friday success.

c. Town Manager

Sheldon Hudson reminded everyone about the recycling program starting on 9/11.

8. Old business, including Discussions & Possible Action on the following items:

a. Digitizing of Town Files

Doug Burns spoke about having an FRP done. He spoke with Barrett about piggybacking off of the state. He's just waiting for a response back from the State. He went over the numbers to have staff do all the achieving but the cost was getting higher.

He stated he has staff run a test file to achieve but the timing was extensive and he was worried about staff burnout. It would be a 14 month project. Councilwoman Gott called on a past experience, there was a pocket of time when they could start but a defined completion date. Mayor Johnson left it up to Doug Burns to make a decision.

b. Residential and Non-residential Vacant Property Fees (RDA)

Tabled

c. Reclassification of existing human resources position

Councilwoman Gott stated to rename the position. Do not call it a payroll generalist. Wanda Allison spoke about the title of HR Generalist. Thinking this was an all encompassing title. She asked Council for suggestions with the title. Councilwoman Upshur stated to look on Indeed for title ideas. Sheldon stated to add a payroll title. However, the Mayor asked Councilwoman Gott what she would call the position and she said she would like Payroll Generalist.

Reclassified to Payroll Generalist.

Move: Michael Rasmussen Second: William Pressley Status: Passed

Yes: Robert Johnson, William Pressley, Tabitha Gott, Michael Rasmussen, Gerald Brown, Dr. Corrine Upshur

No: Valerie Forbes

9. New Business, Including Discussion & Possible Action on the following Items:

a. Council Travel Policy

Presentation of the new Council Travel Policy

Revised edition of the Council Travel Policy.

Passed 6-1

Move: Michael Rasmussen Second: Tabitha Gott Status: Passed

Yes: Robert Johnson, William Pressley, Tabitha Gott, Michael Rasmussen, Gerald Brown, Dr. Corrine Upshur

No: Valerie Forbes

b. Park Hours

Sheldon Hudson talked to Councilwoman Gott. Park Closing time, Code 46:30 Park shall be open for 8:00 Am to 4:00 PM. The concern was the police department in tasked with opening and closing parks. Manpower being low, the parks may be open slightly past 8:00 AM. Dusk to Dawn closure seems to allow flexibility in getting all parks open. Chief James was only concerned about the priority of investigating police calls or opening parks, it will always be police calls. Councilman Brown made a motion to table this until the next meeting.

Item was tabled until Barrett Edwards could get more information.

Move: Gerald Brown Second: Dr. Corrine Upshur Status: Passed

c. Emergency Funding Request from Smyrna/Clayton Ministerium

Pastor Riley asked Council if it was possible to fund the Ministerium another \$10,000. He spoke about the number of individuals in the community the Ministerium helps every year. He stated last year the ministerium paid \$20,000 in past due electric bills for residents. He stated the cost of food has gone up dramatically. The U.S. Aid program has shrunk, and they no longer get food from the federal government or the Delaware Department of Budget and Management the way they did in the past. The Ministerium is paying over \$1000 per month on food (protein). He stated that he hates to have to come back to Council for additional funds. He explained how well the funds are managed and the that additional funds would go towards overdue electric bills. Pastor Riley asked if anyone had questions. Councilman Pressley asked Sheldon Hudson if there was anything the Town could do, and Mr. Hudson's response was: "it's something we can do. Travis and I will make it work".

Move: William Pressley Second: Valerie Forbes Status: Passed

d. Water Meter Deposit Revenue

Mayor Johnson wants to know how much of the revenue belongs to the Town and how much should be escheated to the State. A determination needs to make this determination. This must be done by staff and done by the year end for the accountants.

e. An ordinance to amend chapter 18 (buildings and building regulations), article XX (annual registration of vacant buildings and registration fees) to revise the vacant building registration fees and to make other housekeeping amendments

Jeremy Rothwell stated this is the first reading. Councilman Rasmussen has a question about step 5 fee's that have dropped back down. He said the verbiage was a bit confusing and needs to be edited by Barrett Edwards. This ordinance will become effective 01/01/2024. Vacant Building Fee bills will go out in October.

Ordinance will go back to Barrett Edwards to correct any and all verbiage which causes confusing.

Move: Michael Rasmussen Second: Tabitha Gott Status: Passed

Yes: Robert Johnson, Valerie Forbes, William Pressley, Tabitha Gott, Michael Rasmussen, Gerald Brown, Dr. Corrine Upshur

f. A Preliminary Category A Site Plan from the State of Delaware to construct a three-story 119,271 sq. ft. in-patient hospital and nursing home on a vacant portion of a 58.04-acre parcel with multiple buildings and institutional-related uses.

Jeremy Rothwell spoke about the aging infrastructure. The Town is asking for a consolidation of water meters and utilities to a central pit in front of the main building. The lab will keep its own utilities. The new hospital will have 2 separate systems with a loop around the back of the building then out to Sunnyside Road.

Resolution is based on staff recommendation. Fie lane #5 has been stricken.

Move: Valerie Forbes Second: Gerald Brown Status: Passed

10. Presentation and public comments (3 minutes)

Joseph Walls spoke about the property manager who mis-managed he property. He

commended code enforcement for the good job they are doing. He's concerned that contractors are coming in from other states while cutting out local businesses.

I could not understand the individuals name but she was concerned about the sign at the entrance to Hickory Hollow.

11. Other Council Business

None

12. Executive session to discuss the lease of real property. 29 Del. C. Sec. 10004(b)(2)

Council went into executive session at 7:35 PM

Move: Valerie Forbes Second: Tabitha Gott Status: Passed

13. Possible action on matters discussed in executive session regarding the lease of real property

Move: Michael Rasmussen Second: Gerald Brown Status: Passed

14. Executive session to discuss the potential acquisition of real property. 29 Del. C. Sec. 10004(b)(2)

15. Possible action on matters discussed in executive session regarding the potential acquisition of real property

Move: Valerie Forbes Second: Tabitha Gott Status: Passed

16. 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)

17. Possible action on personnel matters discussed in executive session

18. Executive session to hold a strategy session with respect to collective bargaining with a labor union. 29 Del.C Sec. 10004(b)(4)

19. Discussion and possible action on matter discussed in executive session regarding collective bargaining

20. 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)

Move: Valerie Forbes Second: Tabitha Gott Status: Passed

21. Discussion and potential action on matters discussed in executive session involving pending or potential litigation

22. Adjournment

Move: Valerie Forbes Second: Tabitha Gott Status: Passed

Posted 08/29/2023 at 4:30 PM (#1)

Posted 09/01/2023 at 2:00 PM (#2)

NOTE: This agenda as listed may not be considered in sequence. This agenda is subject to change to include additional items, including Executive Sessions, and/or deletion of items,

including Executive Sessions that arise at time of meeting.