

MINUTES OF THE REGULAR MEETING
SMYRNA TOWN COUNCIL
August 21, 2017

PUBLIC HEARING

The public hearing was opened at 6:45 p.m. by Mayor John L. Embert III. Council members present were Alvin C. Pope, Peter M. Retzlaff, and William D. Pressley Sr.

Also present were Acting Town Manager Gary F. Stulir and Recording Secretary Valerie L. Heritage.

Mayor Embert said the purpose of the public hearing is to consider an ordinance to amend Appendix A, Zoning, of the Town Code of the Town of Smyrna to include a maximum impervious lot coverage requirement in the Central Commercial, CC, District.

Mayor Embert asked if there was anyone present to speak for this item. No one came forward. Mayor Embert asked if there was anyone present to speak against this item. No one came forward.

Mayor Embert closed the public hearing at 6:46 p.m.

REGULAR MEETING

The meeting was called to order by Mayor John L. Embert III at 7:00 p.m. Council members present were Alvin C. Pope, Peter M. Retzlaff, Robert C. Johnson, and William D. Pressley Sr. Council members Valerie M. White and Anthony H. DeFeo were excused.

Also present were Acting Town Manager Gary F. Stulir, Lieutenant Torrie James, Attorney D. Barrett Edwards, and Recording Secretary Valerie L. Heritage.

Mayor Embert asked everyone to rise for the Pledge of Allegiance.

ADDITIONS/DELETIONS TO PUBLISHED AGENDA

Councilman Pope made the motion to approve the agenda as presented. Motion was seconded by Councilman Johnson.

Councilman Pressley made the friendly amendment to table agenda item 9(c). Motion was seconded by Councilman Retzlaff and carried unanimously.

The original motion with the friendly amendment carried unanimously.

MINUTES OF PREVIOUS MEETING

Councilman Johnson made the motion to approve the regular minutes of August 7, 2017 as presented. Motion was seconded by Councilman Pope and carried unanimously.

REPORTS

- A. Bills & financial statement** – Mr. Stulir said Council was sent draft financials for Council's review.
- B. Presiding Officer** – Mayor Embert spoke about attending the Delaware State Police Municipal class graduation; September 1st the Town of Smyrna is Turning The Town Teal for Ovarian Cancer Awareness Month.
- C. Town Attorney** – Mr. Edwards said he had nothing.
- D. Police Chief** – Lieutenant James said the new officer started.
- E. Town Manager** – Mr. Stulir said indeed we will Turn The Town Teal for Ovarian Cancer Awareness Month; he spoke about the pocket park; sponsoring the high school fall/winter season sports programs by putting an ad in their program and also a banner at their athletic fields.
- F. Committees** – Mr. Stulir said the Economic Development Committee will meet on September 7th; the Smyrna Slum Clearance and Redevelopment Authority will meet September 13th.

Chairman Larry Thornton said the Public Safety Committee met August 10th and the next meeting will be September 14th.

Councilman Johnson said the Utility Committee will meet September 12th.

Councilman Retzlaff said the Finance Committee met August 16th and 17th, and the next meeting will be September 14th.

Councilman Pope said the IT Committee will meet August 22nd; and the Personnel Committee will meet September 12th.

Mayor Embert said the 250th Anniversary Committee will meet August 29th.

RECOGNITION OF VISITORS

Visitors present were Bill Evans, Don & Sharon Loyer, Walter King, Michael & Cindy Atallian, Larry Thornton, Conrad Hebert, and Win Abbott.

- A. Presentation of Draft FY2016 Audit by Barbacane, Thornton & Company LLP** – this item was removed until the next council meeting.

Michael Atallian came forward to speak about issues with his address and emergency services. Lieutenant James would be investigating this.

Don & Sharon Loyer came forward to speak. Mr. & Mrs. Loyer stated they had concerns with needing a stop sign in the area near their home and other concerns with their development.

Officer Jessica Weller came forward to speak about holding a town wide trunk or treat event for Halloween this year.

NEW BUSINESS

A. Discussion and acceptance of FY2016 Audit Report – this item was removed until the next council meeting.

B. Discussion and possible action on appointment of Richard Pratt to the Shade Tree Commission – Councilman Johnson made the motion to appoint Richard Pratt to the Shade Tree Commission. Motion was seconded by Councilman Pope and carried unanimously.

C. Discussion and possible action on buildings at the four corners – this item was removed from the agenda.

D. Discussion and possible action on taking possible legal action on properties that are not making attempt to repair – Councilman Johnson made the motion for discussion and possible action on taking possible legal action on properties that are not making attempt to repair. Motion was seconded by Councilman Pope for discussion. After discussion the motion was withdrawn.

E. Discussion and possible action on results of public hearing re: Ord. No. 005-17, an ordinance to amend Appendix A (“Zoning”) of the Town Code of the Town of Smyrna to include a maximum impervious lot coverage requirement in the Central Commercial (CC) District – Councilman Pope made the motion to approve Ord. No. 005-17, an ordinance to amend Appendix A (“Zoning”) of the Town Code of the Town of Smyrna to include a maximum impervious lot coverage requirement in the Central Commercial (CC) District. Motion was seconded by Councilman Retzlaff and carried unanimously.

F. Discussion and possible action on Comprehensive Plan amendment re: potential annexation and commercial development in north Smyrna – Councilman Pope made the motion to give Mr. Abbott the green light to move forward with this for Planning & Zoning. Motion was seconded by Councilman Retzlaff and carried unanimously.

OTHER COUNCIL BUSINESS

There was none.

EXECUTIVE SESSION

A. Executive session for preliminary discussions involving the acquisition of real property - Councilman Pope made the motion to go into executive session for preliminary

discussions involving the acquisition of real property. Motion was seconded by Councilman Johnson and carried unanimously. Council went into executive session at 7:47 p.m.

Councilman Pope made the motion to come out of executive session. Motion was seconded by Councilman Johnson and carried unanimously. Council came out of Executive session at 8:18 p.m.

B. Discussion and possible vote on matter discussed in executive session involving the acquisition of real property - Councilman Pope made the motion to proceed with the two recommendations of the town attorney on property discussed in executive session.

ADJOURNMENT

Mayor Embert adjourned the meeting at 8:18 p.m.

vlh