

**MINUTES OF THE REGULAR MEETING**  
**SMYRNA TOWN COUNCIL**  
**September 18, 2017**

**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, Valerie M. White, Robert C. Johnson, Anthony H. DeFeo, and William D. Pressley Sr.

Also present were Acting Town Manager Gary F. Stulir, Chief Norman E. Wood, 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 Councilwoman White and carried unanimously.

**MINUTES OF PREVIOUS MEETING**

Councilwoman White made the motion to approve the regular and executive session minutes of September 5, 2017 as presented. Motion was seconded by Councilman Retzlaff and carried unanimously.

**REPORTS**

- A. Bills & financial statement** – Mr. Stulir said staff is working on a trending report, and he does not believe is complete at this point, so that is coming forth.
- B. Presiding Officer** – Mayor Embert thanked everyone who came out for the 9/11 ceremony that was held at Citizens' Hose Company; also the SDRA he believes is going to take over the planters in front of the Library and the Opera House; and he did attend a Delaware Bushido Academy where they presented the town with a teal karate belt in honor of Ovarian Cancer Awareness Month.
- C. Town Attorney** – Mr. Edwards said he had nothing.
- D. Police Chief** – Chief Wood thanked those who came out for the reveal of the Breast Cancer Awareness Car.
- E. Town Manager** – Mr. Stulir said his report was sent out last week.

**F. Committees** – Mr. Stulir said the Economic Development Committee will meet on September 7<sup>th</sup>; the Smyrna Slum Clearance and Redevelopment Authority will meet September 13<sup>th</sup>.

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

Councilman Johnson said the Utility Committee will meet September 12<sup>th</sup>.

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

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

Mayor Embert said the 250<sup>th</sup> Anniversary Committee will meet August 29<sup>th</sup>.

### **RECOGNITION OF VISITORS**

Visitors present were Bill Evans, Jim Wolfe, Rusti D. Naylor, Don Loyer, Michael Atallian, Conrad Hebert, and Win Abbott.

Don Loyer came forward to speak. Mr. Loyer spoke about people speeding near his home, and kids being in the same spot shortly afterward.

Donald Pierce came forward to speak. Mr. Pierce spoke of drugs and speeding happening very near his home.

**A. Proclamation recognizing September as National Childhood Cancer Awareness Month** – Councilwoman White asked Alice Chastain to come forward and then read a proclamation recognizing September as National Childhood Cancer Awareness Month and also in honor of Ms. Alice Chastain.

### **NEW BUSINESS**

**A. Discussion and possible action on appointing Regina Brown to represent Smyrna on the Kent County Tourism Board of Directors** – Councilwoman White made the motion to appoint Regina Brown to represent Smyrna on the Kent County Tourism Board of Directors. Motion was seconded by Councilman Pope and carried unanimously.

### **OTHER COUNCIL BUSINESS**

Councilman Johnson said he would like to get a student from the high school involved in an ambassador program with the town.

**EXECUTIVE SESSION**

- A. Executive session to discuss personnel matters in which the names, competencies, and abilities of individual employees may be discussed;**
- B. Executive session to discuss the content of one or more documents excluded from the definition of public records under FOIA, which documents involve the investigation into allegations raised by the FOP Lodge No. 22;**
- C. Executive session to discuss a personnel matter involving the hiring of a new town manager in which the names, competencies, and abilities of an individual employee will be discussed;**
- D. Executive session to discuss pending/potential litigation involving Harry Rhodes** - Councilwoman White made the motion to go into executive session to discuss personnel matters in which the names, competencies, and abilities of individual employees may be discussed; to discuss the content of one or more documents excluded from the definition of public records under FOIA, which documents involve the investigation into allegations raised by the FOP Lodge No. 22; to discuss a personnel matter involving the hiring of a new town manager in which the names, competencies, and abilities of an individual employee will be discussed; and to discuss pending/potential litigation involving Harry Rhodes. Motion was seconded by Councilman Pope and carried unanimously. Council went into executive session at 7:24 p.m.

Councilman Pope made the motion to come out of executive session. Motion was seconded by Councilwoman White and carried unanimously. Council came out of Executive session at 8:53 p.m.

- E. Potential action on matters discussed in executive session regarding personnel matters** - no action was taken.
- F. Possible discussion and action on matters discussed in executive session involving allegations raised by the FOP Lodge No. 22** - Councilman Pope made the motion to move forward as he recommended in executive session. Motion was seconded by Councilwoman White and carried unanimously.
- G. Discussion and possible action on matter discussed in executive session involving Harry Rhodes** - Councilman Pope made the motion to move forward as he recommended in executive session. Motion was seconded by Councilwoman White and carried unanimously.

**ADJOURNMENT**

Mayor Embert adjourned the meeting at 8:54 p.m.