

MINUTES OF THE MEETING
SMYRNA TOWN COUNCIL
August 19, 2013

REGULAR MEETING

The meeting was called to order by Mayor Joanne Masten at 7:30 p.m. Council members present were Andrea C. Rodriguez, Valerie M. White, Regina I. Brown, Robert C. Johnson, Jeff Flairty, and John L. Embert III.

Also present were Town Manager David S. Hugg III, Chief Wilbert R. Bordley, Attorney D. Barrett Edwards, and Recording Secretary Valerie L. Heritage.

Mayor Masten asked everyone to rise for the Pledge of Allegiance. Mayor Masten asked for everyone to remain standing for a moment of silence.

ADDITIONS/DELETIONS TO PUBLISHED AGENDA

Councilwoman White made the motion to accept the agenda as presented. Motion was seconded by Councilman Embert and carried unanimously.

MINUTES OF PREVIOUS MEETING

Councilwoman White made the motion to approve the Executive session minutes and the regular Council minutes of August 5, 2013. Motion was seconded by Councilwoman Brown and carried unanimously.

REPORTS

A. Bills & financial statement – Mr. Hugg did not have any statements to bring to Council this evening.

B. Presiding officer – Mayor Masten reminded everyone that National Night out is tomorrow night; and read a letter from Janet Bratten into the record. Mayor Masten asked Mr. Hugg for an update on the Robocall system. Mr. Hugg explained we have been using the Robocall system which is an automated calling system similar to the one the school district uses – we started in January. We recently switched to a different service called Dial My Calls, which allows greater flexibility. Mayor Masten asked for an update on the status of the repair of the monument for George Wright. Mr. Hugg did not have that information.

C. Town attorney – Mr. Edwards said he did not have anything at this time.

D. Police chief – Chief Bordley reviewed statistics and his report with Council; he reminded everyone of National Night Out tomorrow night; and let everyone know there will be a bike auction on September 3rd.

E. Town manager – this was inadvertently skipped.

F. Committees – Councilman Flairty said the Utility Committee met August 7th and the next meeting will be September 4th; and the Economic Development Committee met August 8th and the next meeting will be September 5th.

Councilman Johnson said the Finance Committee met August 14th.

Councilwoman Rodriguez said the Personnel Committee met August 13th, but there was no quorum.

Public Safety Committee Chairman Larry Thornton said the Public Safety Committee met August 8th and the next meeting will be September 12th.

RECOGNITION OF VISITORS

Visitors present were Anna Marie Hanna, Brian Hanna, Dottie Rettinger, Rick Rettinger, Amy Retzlaff, Jeff Horvat, Deb Wicks, Peter M. Retzlaff, Evelyn Graham, Niarties Graham, Kevin Dinsmore, Angelina Calvarese, Charlene B. Rainer, George C. Adams, Robert Leverich, Rusti D. Naylor, Angela Birney, Daryl Jester, Charles Cianci, A. Beck, Jason Thomas, Sheree Thomas, Christine Morris, James Morris, George E. Shogan, Timothy Shields, Larry Thornton, Joe Sheridan, Shirley A. Sheridan, Chris Dolfi, Nat Wolfe, Jill Wolfe, Jenn Dailey, Stephanie Greim, John A. Greim, Adrienne Turner, and Lebert Buchanan.

A. Presentation by Smyrna Craft Beer, Wine & Food Festival Committee – Joe Sheridan, Shirley Sheridan, Nat Wolfe, Jill Wolfe, and Chris Dolfi of the Smyrna Craft Beer, Wine & Food Festival Committee came forward to make the presentations. The Committee presented \$500 to the Smyrna/Clayton July Fourth Association, \$500 to the Smyrna Public Library Guild, \$500 to the Citizens' Hose Company, two \$500 donations to Ambulance 64, \$2,500 to the Boys & Girls Club, and \$2,500 to the Food Pantry.

Councilwoman White made the motion to allow the preparations for next year's Smyrna Craft Beer, Wine & Food Festival to move forward. Motion was seconded by Councilwoman Brown and carried unanimously.

B. Bombay Woods Maintenance Association issues – Rick Rettinger came forward to speak. Mr. Rettinger spoke on behalf of a group of his neighbors. He explained some of the concerns they had. Charlene Rainer, Anna Marie Hanna, and Adrienne Turner each came forward and commented on what has been going on.

Andrea Beck came forward to speak. Ms. Beck gave her perspective of what has been happening.

After discussion Council asked Ms. Beck to appoint two members to the Board of

Directors. Ms. Beck appointed Jeff Horvat and John Greim to the Board of Directors.

Councilman Johnson left at 9:00 p.m.

NEW BUSINESS

A. Discussion and possible vote on “A Corrective and Confirmatory Resolution Approving the Inclusion of an Area Within the Limits of the Town of Smyrna” to correct an error involving the zoning designation in the original annexation resolution for 18 Myrtle Street and 316 Myrtle Street, Tax Map No. 1-00-00920-01-0101-00001, owned by Brian A. & Denise D. Fletcher – Councilwoman White made the motion to approve the modified corrective and confirmatory resolution. Motion was seconded by Councilman Embert and carried unanimously.

B. Discussion and vote on appointment of Alan Robinson to the Ethics Commission – Councilwoman Brown made the motion to appoint Alan Robinson to the Ethics Commission. Motion was seconded by Councilwoman White and carried unanimously.

C. Discussion and possible vote on ordinance to amend Chapter 74, Vegetation, relating to charge for mowing by the town – Councilman Embert made the motion to waive the three reading rule. Motion was seconded by Councilwoman White and carried unanimously.

Councilman Embert made the motion to adopt Ord. No. 005-13, an ordinance to amend Section 74-30, Vegetation, Article II (“Grass and Weeds”) of the Town Code of the Town of Smyrna relating to the charge for mowing by town. Motion was seconded by Councilwoman White and carried unanimously.

D. Discussion and possible vote on resolution adding the charge for mowing to the fee schedule – Councilwoman White made the motion to approve the resolution authorizing and directing the Town Manager to include certain fees and charges into the existing fee schedule. Motion was seconded by Councilman Embert. After discussion the motion was withdrawn.

Councilman Flairty made the motion to authorize the Town Manager to set the charges and fees within the existing fee schedule. Motion was seconded by Councilwoman Brown and carried unanimously.

E. Consideration and possible vote on request from Kent County Department of Planning Services re: Manufactured Home for Roxanne Dorrell – Councilwoman Brown made the motion to approve the request to allow for replacement of the mobile home at 614 Lexington Avenue with a much newer mobile home with the exception that once Mrs. Dorrell leaves this property the mobile home must be removed – once it is no

longer her primary residence. Motion was seconded by Councilman Embert and carried unanimously.

OTHER COUNCIL BUSINESS

There was none.

EXECUTIVE SESSION

A. Executive session for the purposes of holding a strategy session for collective bargaining where an open meeting would have an adverse effect on the bargaining position of the town; and

B. Executive session for the purpose of holding a strategy session for pending or potential litigation where an open meeting would have an adverse effect on the bargaining position of the town - Councilwoman White made the motion to go into executive session for the purposes of holding a strategy session for collective bargaining where an open meeting would have an adverse effect on the bargaining position of the town, and for the purpose of holding a strategy session for pending or potential litigation where an open meeting would have an adverse effect on the bargaining position of the town. Motion was seconded by Councilwoman Brown and carried unanimously. Council went into executive session at 9:14 p.m.

Councilwoman White made the motion to come out of executive session. Motion was seconded by Councilwoman Rodriguez and carried unanimously. Council came out of executive session at 9:38 p.m.

C. Possible discussion and action on collective bargaining where an open meeting would have an adverse effect on the bargaining position of the town discussed in executive session - Councilman Flairty made the motion to approve the request of the Chair of the Negotiation Committee regarding professional services. Motion was seconded by Councilwoman Brown and carried unanimously.

D. Possible discussion and action on pending or potential litigation where an open meeting would have an adverse effect on the bargaining position of the town - no action taken.

ADJOURNMENT

Councilman Flairty made the motion to adjourn. Motion was seconded by Councilman Embert. Meeting was adjourned at 9:39 p.m. by unanimous vote.