MINUTES OF THE MEETING
SMYRNA TOWN COUNCIL
March 19, 2012

PRESENTATION

The presentation was opened at 7:00 p.m. by Mayor Patricia A. Stombaugh. Council members present were Regina I. Brown, Valerie M. White, Joanne Masten, Robert Riddagh, Jeff Flairty, and Anthony H. DeFeo.

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

Chief Bordley started the presentation by introducing Ken Fern, Wade Clendaniel, and Ed Ide who have been working with Chief Bordley on the feasibility project; he explained that this is a brief 30 minute presentation and there will be a more in depth presentation on April 21st at the JBM Intermediate School. Chief Bordley began the PowerPoint presentation.

Once the presentation was done Chief Bordley asked if there were any questions.

Mayor Stombaugh explained that they needed to open the regular Council meeting and then would return to the presentation.

REGULAR MEETING

The meeting was called to order by Mayor Patricia A. Stombaugh at 7:29 p.m. Council members present were Regina I. Brown, Valerie M. White, Joanne Masten, Robert Riddagh, Jeff Flairty, and Anthony H. DeFeo.

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

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

ADDITIONS/DELETIONS TO PUBLISHED AGENDA

Mr. Hugg asked that item 9(b) be postponed until the next meeting; and asked that item 9(c) be deferred until after the next Finance Committee meeting.

Councilwoman White made the motion to accept the agenda as amended. Motion was seconded by Councilwoman Masten and carried unanimously.
MINUTES OF PREVIOUS MEETING

Councilman DeFeo made the motion to approve the minutes of January 3, February 6, February 21, and March 5, 2012 as presented. Motion was seconded by Councilwoman Masten and carried unanimously.

REPORTS

A. Bills & financial statement – Mr. Hugg said Council received the PNC Bank balances and he had nothing to add.

B. Presiding officer – Mayor Stombaugh reviewed basic meeting procedures.

C. Town attorney – Mr. Edwards said he had nothing at this time.

D. Police chief – Chief Bordley reported on the events of the past two week.

E. Town manager – Mr. Hugg said Council has his report; he quickly highlighted a couple of things from the report.

F. Committees – Councilman DeFeo said the Utility Committee will meet April 4th.

Councilman Flairty said the Long Range Planning Committee will meet April 2nd.

Councilman Riddagh said the Personnel Committee met on the 13th and the next meeting will be April 10th; the Police Building Review Committee will meet Wednesday night; the Public Safety Committee will meet April 12th.

Mayor Stombaugh said the Finance Committee met on the 14th.

Councilwoman Masten said the Tree Commission will meet on the 21st.

Councilwoman Brown said the Charter Review Committee has essentially finished its mission; the Smyrna Public Library Board met March 13th.

Mayor Stombaugh reopened the presentation part of the meeting. Chief Bordley asked if there were any questions. Councilman Flairty suggested emailing comments to Chief Bordley in an effort to save time, given the long agenda tonight.

Melaine Minear, 41 South Main Street, came forward to speak. Ms. Minear asked how long this proposed police building square footage would work. Chief Bordley said it will work for more than double the current staff.
Cindy Cogar, 123 West Hamilton Lane, came forward to speak. Ms. Cogar asked if this proposed new building will require new hires. Chief Bordley said no. Ms. Cogar asked about the referendum. Chief Bordley said it will be April 30th.

There were no other questions.

**RECOGNITION OF VISITORS**


Cindy Cogar, 123 West Hamilton Lane, came forward to speak. Ms. Cogar said it would be beneficial to give the police building presentation with all of the donations, etc. included; she spoke about how she can’t afford another tax increase this year; and yard waste.

Lisa Corridori, 117 North Lincoln Street, came forward to speak. Ms. Corridori spoke about being required to purchase a collar for her electric meter. It was suggested that she attend the April 4th Utility Committee meeting to work this out.

Melaine Minear, 41 South Main Street, came forward to speak. Ms. Minear thanked Council for the opportunity to speak; she spoke about the bee extermination at Belmont Hall; supporting safe streets; and transparency in government.

P. Brooks Banta, Levy Court Commissioner, came forward to speak. Mr. Banta commended Council for their public service and also Chief Bordley. Mr. Banta was present tonight to present the Town of Smyrna on behalf of the regional library – marked on the check for the capital library campaign. Mr. Banta presented Mr. Hugg with a check in the amount of $15,000.

**OLD BUSINESS**

A. **Consideration for internet video streaming of all committee meetings** – Councilman DeFeo made the motion to stream our committee meetings, we maintain the video recordings for the record, and we open this up to our citizens in our town so they can watch what we do. Motion was seconded by Councilwoman White. Motion failed with Councilwoman White, and Councilmen Flairty and DeFeo voting for; and Mayor Stombaugh, Councilwomen Brown and Masten, and Councilman Riddagh voting against.

B. **Accept street dedications, Huntfield subdivision** – this item was postponed until the next meeting.
C. Second reading: Ord. No. 003-12, an ordinance to create a mobile home placement permit exception for persons 65 years of age or older – this item was postponed until after the Finance Committee meets.

NEW BUSINESS

A. Request from American Legion Ambulance – Councilman Flairty made the motion to approve the waiver. Motion was seconded by Councilman DeFeo and carried unanimously.

B. Release of County funds held by the Town to Duck Creek Library Build for down payment towards purchase of 37 East Commerce Street and 41 East Commerce Street parcels in downtown Smyrna for the new regional library – Councilman Flairty made the motion to release the $45,000 held for capital improvements to the Duck Creek Library Guild for down payment and purchase of that land. Motion was seconded by Councilman Riddagh and carried unanimously.

C. Certify list of candidates for April 30th election – Councilwoman White made the motion to certify the list of candidates for the April 30th election. Motion was seconded by Councilwoman Masten and carried unanimously.

D. Recommendations from Utility and Finance Committees
   i. Authorize the Town Manager to reset the PPCAC to $0.0126 KWh effective with April billings for March energy consumption – Councilman Riddagh made the motion to approve the resolution authorizing the Town Manager to reset the PPCAC to $0.0126 KWh effective with April billings for March energy consumption. Motion was seconded by Councilman DeFeo and carried unanimously.
   ii. Authorize the Town Manager to submit loan/grant application to USDA for $1,289,944 for North Duck Creek Water Phase I – Councilwoman Brown made the motion to authorize the Town Manager to submit loan/grant application to USDA for $1,289,944 for North Duck Creek Water Phase I. Motion was seconded by Councilwoman Masten. Motion carried with Mayor Stombaugh, Councilwomen Brown and Masten, and Councilmen Riddagh, Flairty, and DeFeo voting for and Councilwoman White voting against.
   iii. Authorize the Town Manager to submit loan application to DNREC for $1,650,000 for North Duck Creek Sewer – Councilwoman Brown made the motion to authorize the Town Manager to submit loan application to DNREC for $1,650,000 for North Duck Creek Sewer. Motion was seconded by Councilman DeFeo. Motion carried with Mayor Stombaugh, Councilwomen Brown and Masten, and Councilmen Riddagh, Flairty, and DeFeo voting for and Councilwoman White voting against.
   iv. Authorize the Town Manager to submit loan applications to the Office of Drinking Water for $1,000,000 for water system replacement on West
and East Commerce Street and to DNREC for $917,000 for sewer system replacement on West and East Commerce Street, said project to also include phase I streetscape components – Councilman DeFeo made the motion to authorize the Town Manager to submit loan applications to the Office of Drinking Water for $1,000,000 for water system replacement on West and East Commerce Street and to DNREC for $917,000 for sewer system replacement on West and East Commerce Street, said project to also include phase I streetscape components. Motion was seconded by Councilwoman Brown. Motion carried with Mayor Stombaugh, Councilwomen Brown and Masten, and Councilmen Riddagh, Flairty, and DeFeo voting for and Councilwoman White voting against.

v. Authorize the Town Manager to seek bridge financing for the water and sewer projects through PNC Bank as necessary – Councilwoman Brown made the motion to authorize the Town Manager to seek bridge financing for the water and sewer projects as necessary. Motion was seconded by Councilwoman Masten. Motion carried with Mayor Stombaugh, Councilwomen Brown and Masten, and Councilmen Flairty and DeFeo voting for, and Councilwoman White and Councilman Riddagh voting against.

vi. Authorize the Town Manager to seek an interim financing proposal not to exceed $5,000,000 from PNC Bank for design and construction of a Police Station – Councilwoman Brown made the motion to authorize the Town Manager to seek interim financing proposal not to exceed $5,000,000 for design and construction of a Police Station. Motion was seconded by Councilman Riddagh and carried unanimously.

E. Recommendations from Personnel and Finance Committees

i. Approve the promotion of PFC Brandon Dunning to Sr. PFC effective March 12, 2012 – Councilman DeFeo made the motion to approve the promotion of PFC Brandon Dunning to Sr. PFC effective March 12, 2012. Motion was seconded by Councilwoman White and carried unanimously.

ii. Authorize the Town Manager to employ a Planning intern for up to three months for purposes of assisting with updating and revising the Town Zoning Ordinance – Councilman DeFeo made the motion to authorize the Town Manager to employ a Planning intern for up to three months for purposes of assisting with updating and revising the Town Zoning Ordinance. Motion was seconded by Councilman Flairty. Motion carried with Councilwomen Brown and Masten, and Councilmen Flairty and DeFeo voting for, and Mayor Stombaugh, Councilwoman White and Councilman Riddagh voting against.

OTHER COUNCIL BUSINESS

Councilwoman White asked Chief Bordley about the false alarm ordinance to start charging for false alarms. Chief Bordley said he will bring that back up to the Public Safety Committee. Councilwoman White asked if there was any further information about the
crosswalks. Mr. Hugg updated Council on the studies and reports that he has received, but nothing recently.

Mr. Hugg said he has administrative recommendations on some property assessments that staff has been negotiating that he wanted Council to consider at the next Council meeting.

**EXECUTIVE SESSION**

A. Executive session:
   i. For consideration of property sale as recommended by the Finance Committee
   ii. To consider a personnel matter in which the name(s), competency, and abilities of an individual employee(s) will be discussed – Councilman DeFeo made the motion to go into executive session for considerations of property sale as recommended by the Finance Committee, and to consider a personnel matter in which the name(s), competency, and abilities of an individual employee(s) will be discussed. Motion was seconded by Councilwoman Masten and carried unanimously. Council went into executive session at 9:45 p.m. Councilman DeFeo made the motion to come out of executive session. Motion was seconded by Councilman Flairty and carried unanimously. Council came out of executive session at 10:28 p.m.

**POSSIBLE ACTION ON ITEM(S) DISCUSSED IN EXECUTIVE SESSION**

Councilman Flairty made the motion to move forward with both properties that were discussed in executive session, and to approve what was discussed on the personnel matter as well. Motion was seconded by Councilwoman Brown and carried unanimously.

**ADJOURNMENT**

Mayor Stombaugh adjourned the meeting at 10:30 p.m.