



## Mid-Month Council Meeting Minutes December 16, 2015

### 7:00 pm - Meeting

#### I. Call to Order: 7:04 pm

#### II. Opening Ceremonies

- a. Roll Call: Mayor Jermaine Hatton, CM John Ness, CW Lorraine Gorman, CM Rudy Sutton, CW Cindy Cook, TE Owen Hyne, TM Dawson Green, TC Cathy Beaver
- b. Recognition of Visitors: Mr. & Mrs. Albert, Dwain Haines
- c. Pledge of Allegiance: Pledge was said.
- d. Announcements:

- Town Hall closes at noon on Wednesday 12/23 and will reopen on Monday 12/28/15 in observance of the Christmas holiday

#### III. Additions/Deletions to Published Agenda

- a. Mayor Hatton added change order #9 for 141 Main Street under VII – b.
- b. CM Ness motioned, CW Gorman seconded with unanimous vote to approve the agenda with the

above addition.

#### IV. Council Minutes

- a. Approval of November 20, 2015 Mid-month minutes
- b. Approval of December 2, 2015 Council minutes
- c. CM Ness motioned, CW Gorman seconded with unanimous vote to approve the 11/20/15 and 12/2/15 minutes as written.

#### V. Mayor's Report

- a. Discussion/possible approval of Council stipend

- Mayor Hatton stated this subject was discussed at the last mid-month meeting. He said he would like Council to discuss this and make a decision with a vote. He added he has done some research and that out of 57 municipalities, 80% receive a small stipend. The bigger Towns receive a larger amount. In Middletown the Mayor receives \$300.00 per meeting and each Council member receives \$150.00 per meeting. Also, some Towns are paid monthly and some are paid annually. Compensation goes by population.

- CW Cook said she believes the Mayor should receive more compensation than Council; they have a heavier work load.

- CM Sutton said he believes Mayor should receive \$50.00 and Council should receive \$25.00 per Council and Mid-Month meeting.

- CW Gorman said she stated before that she is happy leaving it the way it is, likes the thought of volunteerism, does understand the Mayor puts in more time than all of us. Would be hesitant to go by a per meeting stipend, could be a bookkeeping nightmare. If we decide to do this, believe it should be a monthly or yearly figure as opposed to having to track meetings.

- CM Sutton said that is a good point, but with only 5 members it should be OK.

- CM Ness said he believes it would be a good idea to have a small stipend. Believe it shows Mayor and Council is accountable to the residents of the Town.

- CW Cook added she believes residents will feel freer to come to Council with complaints because we are now being paid and accountable.

- After more discussion, CM Sutton motioned, CM Ness seconded to pay a monthly stipend of \$50.00 for Council and \$100.00 for Mayor. Vote: Ayes – CM Ness, CM Sutton and CW Cook, Nays – CW Gorman. Motion carries.

- b. Discussion/possible approval to hire part-time administrative assistant

- We hired a part time administrative assistant in February and in March lost a staff member, which brought us back to where we were prior to hiring the admin person. Our auditor was here several weeks ago doing prep for the upcoming audit and strongly suggested we hire a new part time administrative assistant to fill the gap. Mayor Hatton said between now and moving into 141 Main Street, he would like to put an ad in the paper and start interviewing

for a new part time employee. Feel we definitely need an additional person and the employees will probably agree with me.

- TM Green said it has definitely been a learning curve for all of us from having someone doing the finances full time to me learning how to do the finances and with Melissa on board, she is learning the finances as well. Because of that, I'm so involved with the finances; my normal duties are being done at 10:00 and 11:00 at night. We really feel the crunch when someone is off for the day. If Cathy or Melissa is off, everything falls on the other one; I believe a part time person would really help.

- CM Ness asked if they would fill in to ensure we always have 2 people in the office.

- TM Green said not necessarily. Fred and I started working on the planning commission several months ago and it has stalled, also have ordinances need worked on, everything is sitting there because I'm so involved in the finances. If someone else was here to help a few hours a day...

- CW Gorman asked why Council couldn't help with "things", looking at ordinances, etc. I'm always willing to help. Right now there are so many things up in the air, feel we should wait for the dust to settle. We just got through an audit that was horrible and cost us 3 times more than it should and still haven't got through the other audit.

- TM Green says it isn't necessary immediately, if not this fiscal year, then next fiscal.

- CW Gorman said she feels it is pre-mature. Before we do that, feel the job descriptions for the current employees need to be revised. We have a financial officer job description! What would the new person be assigned to do? What will Melissa be assigned to do? Before an ad goes in the paper, feel many other things need addressed.

- CW Cook said the office has become extremely busy. When she walks in Cathy and Melissa are jumping around. It's wrong that TM Green works until 11:00 at night. As we grow, agree we need clarity for the Town positions but clearly feel we need the help in the office. Will this person fill in to do finances or be TM Green's assistant or someone to help Cathy and Melissa?

- CW Gorman stated we are trying to straighten out the mess that went on for years, that is the problem and why everyone is jumping through hoops. Also, right now we have vacations that employees weren't able to take earlier in the year and now they have to use it or lose it. Not saying an additional person may not be required but think it is the wrong time to consider it. We need to get more in order before moving forward with this and we need to know what this person is specifically going to do.

- Mayor Hatton asked TM Green what he would use a part time administrative assistant for.

- TM Green said would have them working on admin stuff he needs, not necessarily finances. Melissa is doing the finances, would rather keep her doing that. She can also step in when Cathy is out. I would rather have the new person help me get some things in place that have been sitting out there like the fee schedules, land development schedule, etc. I get the emails forwarded to me that used to go to Azure. There are a lot of reports that have to be done that I have never seen, takes me a little more time to do them.

- Mayor Hatton said he got notification today for a past due report from the County.

- TM Green said they sent it to him but it wasn't a priority. As for hiring a new person, not saying it has to happen today or as soon as we get into the new building, but come budget time would like it to be considered. There is a lot more administrative work to do now, a lot more homes being built, a lot of things going on in Town.

- CM Sutton asked if hiring Melissa filled the void of Azure or not?

- TM Green said the purpose of hiring Melissa wasn't to fill Azure's position. She was still here. The reason she was hired was to help me and at the same time to learn all the different functions in case Cathy was out. Initially there were no plans for Melissa to get inside the finances.

- CM Sutton said before Melissa TM Green and Cathy carried the burden so Melissa could help fill a void. Did her presence fill the void of Azure not being here because you have more knowledge of the finances?

- TM Green said they were both here a month together. Once Azure left, I took it upon myself to learn all the finances and keep things going.

- CM Ness said it is the holiday season and at his work many people are on vacation. If we put an ad in the paper tomorrow it will take a while to get this process done. In the meantime, feel we need job descriptions and the employees need to know what they are doing. We also need to know the role of the new person and are roles going to overlap.

- After more discussion, Mayor Hatton asked TM Green to write a job description for Melissa and the new position and the titles for both. Once this is done, it will be discussed at a future meeting.

c. Discussion regarding possible opportunities for Finley Street property

- The property is in our possession, is 3.7 acres. Would like to discuss potential ideas for the property.
- CW Gorman asked if the wetlands come into play with discussing solar fields.
- Mayor Hatton said no, according to the people who put solar fields in they don't affect the wetlands. When we cut trees down, we leave stumps and we aren't messing with the soil. Solar panels can be put over the top of the stumps. Solar will also cut back on our electric bills and we could possibly partner with a solar company and possibly make money.
- CW Gorman asked where the wetlands are on the property and will there be enough room for our public works on the property with solar fields.
- Mayor Hatton said the wetlands are throughout the property. If we put our public works there it will be to the right of the old school. Mayor Hatton added he spoke to Mr. Carter who said we can leave our Konox boxes here until whenever. They are going to be our biggest issue. We need to figure out what to do with them in case this property sells soon.
- There was more discussion about mapping the property.
- TE Hyne said he recommends having someone certified flag and map the wetlands on the property. He added there are still some solar grants available.
- d. Streetscape Phase 2
  - Moving forward, Representative Spiegelman and Senator Ennis have both pledged \$50,000 to the project. It is a million dollar project and the Town is responsible for 20%. Need a letter from the Town stating we will pay the difference of 20%. The letter goes to the engineering firm to give to DelDot.
  - The price of the project will probably come down once the mill and overlay comes off as it is a state road.
  - The application had to be in by March and went in 2 weeks ago; we are the first in line for money.
  - CM Ness motioned, CM Sutton seconded with unanimous vote to draft letter to complete the application for the Streetscape Phase II project.

## **VI. Reports**

- a. Fred Townsend III, Town Attorney - not here
- b. Owen Hyne, Town Engineer
  - TE Hyne presented the final record/property plan for 141 Main Street to Council.
  - Working on the punch list inside 141 Main Street.
  - TE Hyne also presented Council with the final plans for the fire escape stairs which have to be approved by Dave Naples.
    - CM Sutton verified the stairs are not weight bearing on the roof. TE Hyne said the stairs go over the roof, doesn't rest on it. There are posts and beams that come down to bear the weight.
    - Had a pre-construction meeting with DelDot for the site work this week. There will be another change order for the handicap ramp. Curbs, sidewalks and the handicap ramp have to be installed before we can get the CO for the building and occupy it. Should be able to move into the building in January.
    - CM Sutton asked TE Hyne to set a time for all of Council to do a walk through. Council may have additional punch list items for ascetics once the painting and flooring is done. TE Hyne said he will do that.
    - Mr. Haines asked what the thickness of the parking lot would be.
    - TE Hyne stated it will be 4" of blacktop on top of 6" of stone.
    - TE Hyne stated he has a letter from Rob Allen saying he has posted financial security for phase 3a in TVI. They posted a separate bond for the pump station for this section. It has been done and functioning for months but still had some punch list items before NCC will approve and accept it. The county approved the 1<sup>st</sup> draft of the as-built plan and it is back at the county now with 2 corrections.
      - Handler is trying to change banks and asked that they not be required to post additional security on the pump station so they can complete the bank change. TE Hyne said he believes the county will approve the pump station very soon. TE Hyne stated the Town has several options; could waive the bond or require a smaller portion until it is approved by the county.
      - CW Gorman stated she isn't comfortable waiving the bond. The county could take forever to approve this pump station and if Handler had a bond they may pressure the county to get the approval through. We have waived a lot for them in the past.

- Mayor Hatton clarified the pump station has been working for 6 months; they are waiting on the as-builts to be approved. It is nothing to the Town, once approved, the county takes it over.

- After a long discussion, CM Ness motioned, CM Sutton seconded with unanimous vote to have Handler provide a \$10,000 bond and the Town will release the letter of credit on the pump station in TVI on Edgar Road.

c. Dawson Green, Town Manager

- Christmas tree pick up will be Monday 1/4/16. Please cut the tree in 6' sections or less and put at the curb. We will also put this on the website tomorrow and post flyers.

- The Town still has a snow removal contract with Austin & Bednash.

- The crab signs were removed.

- CM Ness thanked TM Green for helping with getting the curb work done around the storm drains. He asked TM Green to have the contractor clean up the nails all around the drains. He also asked TM Green to provide Mountaire with the information to get rid of the vultures.

- Mayor Hatton asked TM Green to get several bids to fix the sinking storm drain on South Street between the school district property and the property at 301 Main Street.

## **VII. Committee Reports**

a. Finance: Chair – Mayor Jermaine Hatton

- Audit – Debbie coming back 1/11/16, believes she will then be ready to start the audit at the end of January. Will be much cleaner audit because of the pre-work, something that has never been done in the past. Since working with Debbie, Melissa is using the entire finance system now and understands it.

- TM Green and I met with Terri DeSanto last week about a self-insured insurance policy through the DLLG. Same type of model as we have for workman's compensation. We should get another reduction with a self-insured policy and the more the Town owns, the bigger the reduction. 38 of the 57 municipalities are now part of the workman's comp plan.

b. Public Works: Chair - CM Rudy Sutton

- Nothing to report.

- CW Gorman asked about the furniture being ordered for 141 Main Street.

- CM Sutton stated he heard from TM Green that it had been done but he wasn't part of it.

- TM Green said he wasn't here when it was ordered however he knows it is dark wood and cost \$12 - \$14,000.

- CW Gorman asked about the sign at 141 Main Street. She added she would like an illuminated sign to advertise meetings and Town events. It may encourage more people to attend. Nothing too big, something to fit into the character of the property.

- TE Hyne stated he has contacted the contractor 3 times about the price of a sign and still hasn't heard back. He will contact him again tomorrow.

- CW Cook said she isn't sure she wants an illuminated sign; it may ruin the character of the building.

- CM Sutton said he will look into it; there are many different signs available.

- Mayor Hatton stated we will have to be very careful on the illumination of the sign so it doesn't affect the neighbors.

- Change-order #9 – 141 Main Street

- a) This change order reflects adjustments to the scope of work as follows: The bathrooms will receive ceramic wall tiling, select areas will receive commercial carpeting upgrades, an additional 100 amp electrical subpanel will be installed to supplement the 200 amp main electrical panel already installed.

- b) CM Sutton motioned, CM Ness seconded with unanimous vote to accept change-order #9 in the amount of \$9,670.00.

c. Land Use & Development: Chair – Mayor Jermaine Hatton

- Received comments from the PLUS committee; spoke to IPA about the comments for a rebuttal. We have to address an open item which is the land use and zoning change on Cannery Lane, need to schedule a public hearing prior to February 3, 2016 Council meeting.

- Mayor Hatton stated TE Hyne sent a letter to Suppi Construction stating they are in violation storing machinery and material on Cannery Lane as it hasn't yet been re-zoned. They also need to do some site work so sediment doesn't run off on neighboring properties.

- TE Hyne said he wants to ensure Suppi follows the Town laws and processes.

- Mrs. Albert said he has done some fine grading and is getting very comfy – yet is in violation.
- Mayor Hatton said the car lot on Route 71 and Main Street has sold and is supposed to go to settlement on Friday.
- DelDot called yesterday, tubular markings have been ordered and should be installed next week at Main and 71 and Pine Tree. Traffic light has been adjusted and is doing better.
- Mayor Hatton asked TM Green what happened to the money the developer put up for a traffic light at the entrance to TVII West.
- TM Green said Pettinaro put the money up but DelDot said the light won't be installed until improvements are done in front of the development.
- Mayor Hatton said he will call Pao tomorrow.
- d. Public Safety: Chair – CM John Ness
  - Gave a list of Council and resident concerns to Lt. Hudak. Am meeting with him the 1<sup>st</sup> week of January and we will drive around Town.
  - Mayor Hatton asked to add the open air drug trade at Walgreens, Dollar General and Little Italy Pizza to the list of concerns. Also, we have someone from the oldest profession in the country walking the streets of Townsend.
- e. Community Relations: Chair – CW Cindy Cook
  - Spoke with Representative Spiegelman for information on addiction services to post on facebook. Kay Wilson also sent me lots of links. There was a major but in Wilmington earlier in the week, this is a national problem.
  - Lifehouse Church has requested use of the park pavilion for a Christmas Eve candlelight service again this year. They would also like to use the park electric.
  - Mayor Hatton stated the electric is for Town use only; we would be setting a precedent if we permitted Lifehouse to use it. We had an issue this summer that could come back and haunt us if we permit this.
  - CW Cook agreed but thinks this should be looked into for the future.
  - CW Cook motioned, CM Ness seconded with unanimous vote to permit Lifehouse Church to use the park pavilion Christmas Eve for a candlelight ceremony.
  - CW Cook asked how Council would feel about doing a Happy, Healthy New Year ad in the Transcript again this year. It will cost \$200.00
  - After a short discussion, CW Cook motioned, CM Ness seconded with unanimous vote to run the Holiday ad in the Middletown Transcript.
  - Mayor Hatton said the Town got a bill from excel for going over our permitted amount of copies. With our contract we are permitted 10,000 black and white copies and 3,000 color copies semi-annually. The additional bill is \$1,000.00.
  - CW Cook announced the MACC gala is scheduled for 1/22/16 at the Middletown Fire Hall, black tie is optional. Price is \$75.00 per member.
- f. Parks & Recreation: Chair – CW Lorraine Gorman
  - Tree lighting/Christmas Caroling in the Park was a great success. Thanked TM Green for getting the lights on the tree and thanked former CW Sturgis for decorating the tree in memory of Mike Jester. Immanuel led the caroling. Thanked CM Ness and CW Cook for their help at the event. Santa came, had about 150 people attend.

**VIII. Citizens Comments & Participation:**

- a. Mrs. Albert thanked TE Hyne for sending the letter to Suppi for the violation.
- b. TE Hyne stated the credit goes to Dave Naples, Town Inspector.
- c. TM Green notified Council that after the first of the year we need to put a limit on the amount of copies a person can make per day or possibly raise the price. A resident came in and needed 96 copies from a book. Cathy was off, we were busy and it was very time consuming to make these copies.

**IX. Adjournment:** 9:10 pm, CM Ness motioned, CM Sutton seconded with unanimous vote.

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