

## **COUNCIL MEETING**

### **August 11, 2014**

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The regular meeting of Mayor and Council was held on the above date with Council members Dias, DeBenedictis, and Letterman present with Mayor Horn presiding. Recording Secretary Melissa Knight, Town Foreman Hurlock, Chief Hill, Les Bartlett, Carol Eagle, James & Beverly Culbreth, Deborah Daugherty, and Jenn Daily were also in attendance.

#### **1. Approve Minutes:**

*Council Meeting 07/14/14 – motion made by Mr. Dias and seconded by Ms. DeBenedictis to approve the Council Meeting as presented. Motion carried unanimously.*

*Budget Committee Meeting 07/09/14 – motion made by Ms. DeBenedictis and seconded by Mr. Dias to approve the Budget Committee Meeting as presented. Motion carried unanimously.*

*Budget Committee Meeting 07/24/14 – motion made by Mr. Dias and seconded by Ms. DeBenedictis to approve the Budget Committee Meeting as presented. Motion carried unanimously.*

*Building Committee Meeting 07/28/14 – motion made by Ms. DeBenedictis and seconded by Mr. Dias to approve the Building Committee Meeting as presented. Motion carried unanimously.*

#### **2. Treasurer's Report:**

*Motion made by Ms. DeBenedictis and seconded by Mr. Dias to approve the Treasurer's Report as presented.*

#### **3. Communication:**

- Chief Hill stated myself, Mayor Horn, and Lt. Hutson attended the ground breaking of the new Smyrna Police Station.

#### **4. Inspections/Enforcement:**

- Mr. Hurlock – stated to Council more permits have been issued in Providence Crossing which opened another street. Permits for swimming pools. At the current time, we do have a resident who is in violation of the swimming pool permit. The problem is the resident hasn't had it's finally inspection. This could be dangerous. Mr. Hurlock stated last week someone was electrocuted in Philadelphia in a pool. I just want to ensure this does not happen. Mr. Hurlock stated to Council if the resident does not comply I will be disconnecting the electric. The Town of Clayton has made several attempts to get this matter resolved.

#### **5. Electric:**

- Mr. Hurlock stated the grounding is complete. When installing the grounding we did notice some problems with trees that need to be addressed.

**6. Street:**

- Mr. Letterman addressed the issue on Bassett Street. Power Electronic's had a shipment leaving the facility which scrapped the newly proved road. Mr. Hurlock is in the process of repairing the street. Mr. Letterman stated he is working with Mr. Hurlock to see which streets in the developments are in need of repaving.

**7. Personnel:**

- Ms. DeBeneictis asked Sue to make a copy of the Personnel Handbook and to give a copy to Council for review and suggest changes.

**8. Budget:**

- Mr. Letterman in the next month the Town will start meeting and reviewing the 2015 budget.

**9. Board of Adjustments:**

- Mr. Hurlock stated the committee met last week regarding a side yard variance which was approved by the committee.

**10. Planning & Zoning:**

- Mr. Hurlock said the Comp. Plan is being reviewed by Linda Rhabb. The Source Water Protection has been submitted to DNREC for review.

**11. Unfinished Business:**

- Second reading and vote on the Dog Ordinance - Ms. DeBenedictis read the Dog Ordinance.

*Motion was made by Mr. Letterman to accept the amended Dog Ordinance in its written form and seconded by Mr. Dias. Motion carried unanimously.*

- Second reading and vote on the Ordinance to Confirm Boundaries – Ms. DeBenedictis read the Ordinance to Confirm Boundaries.

*Motion was made by Mr. Letterman to accept the Ordinance to Confirm Boundaries and seconded by Ms. DeBenedictis. Motion carried unanimously.*

**12. New Business:**

- Request Solicitation Application of ARM Security (Vivint) - No representative was present for the application. Council did not take action.
- Changing the September Yard Sale Date - Ms. DeBenedictis suggested the September yard sale date be changed to September 13th. The change is because recycle and trash pick-up will be September 6th due to the Labor Day (holiday).
- Sandy DeLane – Refunding utility deposit, senior discount for trash pick-up, and issues of rental homes in developments - Ms. DeLane stated that she would like the Town of Clayton to refund the utility deposit back to the homeowner after 24 months of good standing with their utility bills. Mr. Horn stated we can discuss this with the Electric Committee and as of right now the utility deposit is refunded

to the resident when he or she has moved and their account is paid in full. Ms. DeLane would like for the senior citizens to receive a discount on their trash bill. Mr. Hurlock stated the Town of Clayton has a contract with the trash company and would not be able to negotiate until the current contract is fulfilled. Ms. DeLane in Huntington Mills we are having problems with the rental homes. The renters are opening businesses which is restricted by the HOA, new tenants in and out all the time, nothing in the homes, and no checks on the tenants. I would like to see the homeowner held responsible for the issues at the residence. Mr. Horn stated it would be hard to mandate anything.

- Discussion on Town lot Bassett Street and Smyrna Avenue - This item was scratched.

**14. Executive Session/Personnel-Legal:**

- **Motion was made by Mr. Dias to go into an executive session and seconded by Ms. DeBenedictis.**
- **Motion was made by Ms. DeBenedictis to go close the executive session and seconded by Ms. Dias**

**15. Adjournment:**

*Motion made by Mr. Dias and seconded by Ms. DeBenedictis to adjourn.  
Motion carried unanimously.*

Recording Secretary,

Melissa J. Knight

***Public Forum***  
***August 11, 2014***

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Les Bartlett – Has concerns with the establishment located on Route 300. Spice on 300 had gun shots fired last week and he feels this establishment is a nuisance and dangerous. He would like to see Spice on 300 closed.

James Culbreth - Spoke about the basketball hoops in the neighborhoods. He has a basketball hoop and was fined because of the Town of Clayton ordinance prohibiting basketball hoops in the streets. He stated this is the only town that he knows of that has such an ordinance and he would like to see it changed. I live in a cul-de-sac so the traffic is very limited. Chief Hill stated the street sweeper gets caught in the net and the HOA has a deed restriction regarding the basketball hoops. Mr. Dias said the problems with the basketball hoops in the development are the children playing do not respect the vehicles driving in the developments and bad language. Ms. DeBenedictis said this issue has been addressed multiply times. Mr. Horn stated if he could get more residents involved we can discuss this further and schedule a Street Committee Meeting.