

MINUTES

Regular Meeting of Ellendale Town Council

April 06, 2022

Council Chambers – 300 McCaulley Street

1. Call to Order
2. Pledge of Allegiance/Moment of Silence
3. Roll Call

Town Council Members Present:

Council Member Aaron Moore, President
Council Member Tamara Skis, Vice President
Council Member Kimberly Koukaras, Secretary
Council Member Lisa Workman, Treasurer

Town Council Members Absent:

Council Member Kim Hughes

Town Staff Present:

Craig Eliassen, Town Solicitor
Chief of Police, Bruce Van Goerres
Karen Emory Brittingham, Town Clerk

Members of the Public Present:

See Sign In Sheet, dated April 06, 2022

4. Approval of Agenda

MOTION to Remove Old Business Item 14 Town Hall Hours made by T. Skis, 2nd by L. Workman. **MOTION PASSED** unanimously.

5. Reading & Approval of Previous Minutes

MOTION to Accept the Minutes, as written made by T. Skis, 2nd by K. Koukaras. **MOTION PASSED** unanimously.

6. Treasurer's Report

A. Moore provided information for playground equipment final payment using grant funding from last year. 25% of 2022 Budget used. **MOTION** to accept reports given by A. Moore made by T. Skis, 2nd by K. Koukaras, 3 Y 1 N, L. Workman. **MOTION PASSED.**

Police Chief's Report

Report, as submitted **MOTION** to approve report as submitted made by T. Skis, 2nd by L. Workman. **MOTION CARRIED** unanimously.

Town Clerk's Report

Continuing with archiving paperwork, setting up property folders. Processing licenses and permit applications. **MOTION** to accept verbal report made by T. Skis, 2nd by K. Koukaras. **MOTION CARRIED** unanimously.

9. Old Business:

1. Committee Updates – NONE Mrs. Roxanne Moore mentioned that she is working on Holiday Lights and will provide more information at a later date.
2. War Memorial Presentation – Robert “Dale” Annis provided a written report. Discussion regarding the committee, chairperson and funding. Discussion on creating the committee including recommendation by C. Eliassen that council not appoint the chair or committee members. Mr. Annis mentioned that he will be the chairman, Roland Moore will be the Historian and Michale Burris, who’s father’s name is on the memorial, will be on the committee. He also mentioned that while it is not necessary to be a vet, veterans “...understand the custom and courtesy’s of the military and can bring duty to the ceremony.” M. Koukaras suggested the public notice(s) should include “if interested” L. Workman asked about funding. Current funding is \$1,000 from a donation given to the Town. Also mentioned a Delaware Flag is also needed. **MOTION** made by T. Skis to establish War Memorial Committee. 2nd by L. Workman. **MOTION CARRIED** unanimously. Permission was also given to move forward on a May 30, 2022 ceremony for the Town.
3. Proclamation for Annexation: Newdale Acres proclamation is currently being written and will be presented at a future meeting.
4. Shorts Property Final Annexation Proclamation: Resolution 2022-R-1 was included in the packet for review. This is the final step in the annexation process and upon approval will officially include the property as located within town limits. **MOTION** made by T. Skis to accept the Resolution as written, 2nd by K. Koukaras. **MOTION CARRIED** unanimously.
5. Forest Landing – Set Date for Annexation Election. Discussion on available dates. All Saturdays in May had potential conflict with using the Fire Hall as the voting location. Discussion on using Town Hall. **MOTION** made by K. Koukaras to set the date at May 14 with the voting location to be at Town Hall. 2nd by L. Workman **MOTION CARRIED** unanimously. Time will be included in the Public Notice.
6. Ingram Village Update: A. Moore reported he had spoken with the attorney regarding the outstanding work that needed to be done, including bonding, unpaid taxes and improvements to the property. Owner and attorney did not respond and no one was in attendance to speak on behalf of the project.
7. Town Hall License/Computer System: T. Skies will provide an update at a future meeting. Existing computers were designed for one user, not network sharing.
8. Lot Clearing Ordinance: A. Moore presented the recommendation from the Planning Commission (5/16 Planning Commission Meeting) **MOTION** made by T. Skis to accept the recommendation. 2nd by K. Koukaras. **MOTION CARRIED** unanimously. Clarification was provided that a Permit Application will be required, with a \$25 fee.
9. Employee Handbook: T. Skis provide update that review is still in progress. Also mentioned the Charter Update, which is a priority and that Brian Shupe has agreed to sponsor the changes.

10. Financial Audit: L. Workman provided and update that she has been in contact with several potential firms. She confirmed that this is NOT to be a government audit, but a general audit as there is a significant difference in the cost. She will continue getting information and quotes to present at the next meeting.
11. ARPA Water Project: A. Moore reported that the work has begun. There were some concerns on the notification and he contacted Sussex County Engineering. The business licenses have been issued and they will be connection Town Hall to the system as part of this project, including a “frost free” connection to Town Hall and a new fire hydrant. L. Workman suggested posting a picture of the progress on the town web site.
12. Police Bank Card: A. Moore reported this is sill being worked on, as there may be conflict with purchase made related to grants. Could create a head ache. L. Workman asked if another card/account could be opened to avoid the conflict. Chief Van Goerres said the exiting process works if other options create conflict.
13. Delinquent Property Taxes: A. Moore began discussion on back taxes, including an update on “...one of the top 3” being paid at settlement this month. We have been working with the County to provide and obtain information for collection at settlement. This includes lien notification and notification on the recordation of deeds. New tax bills are scheduled to go out within the next two weeks.
14. Town Hall Hours: DELETED
15. 307 Willow Street Sidewalks: A Moore reported the house is under construction and that there is no sidewalk existing on either side of the property. The Planning Commission reviewed the site an approved a payment to the Ellendale Sidewalk Fund, based on the lineal footage and prevailing cost of installation. Also included would be a sidewalk easement on the property for future installation of the sidewalk at no cost to the owner or purchase of property by the Town. **MOTION** made by T. Skis to accept the recommendation and terms made by the Planning Commission, 2nd by L. Workman. **MOTION CARRIED** unanimously.

New Business:

1. Open Space Zoning Ordinance: A. Moore reported this is the “Agricultural” Ordinance, not Open Space as listed. This was reviewed by the Planning Commission and is comparable to the County Ordinance. The difference is the distance required for setbacks of agricultural use within Town Limits. **MOTION** made by K. Koukaras to accept the recommendation from the Planning Commission and approve the Agricultural Ordinance, 2nd by T. Skis. **MOTION CARRIED** unanimously.
2. Quickbooks: T. Skie reported that the town is currently using Version 2019. Quickbooks is discontinuing all support, effective May 31, 2022. This affect our payroll. The fee is \$249 for one user/one year. **MOTION** made by T. Skis to approve the purchase of the update for one user, 2nd by K. Koukaras. **MOTION CARRIED** unanimously.
3. Sussex County RTT Funds: A. Moore provided information on the funds, derived for Sussex County Transfer Tax. \$100,000.00 will be given to the Town,

however, the funds cannot be used for anything already in the budget. Best use for a portion of the funds is to upgrade the police vehicle and related equipment at a cost not to exceed \$55,000. This will include the purchase of a 2022 Dodge Durango, radar, lights, electronics, camera and magnets/signs. The old cars will be sold, reducing insurance and maintenance costs. L. Workman asked if the vehicle came with a warrant. A. Moore confirmed there is a 36 month warranty. L. Workman also mentioned using additional funds for a protective area for the vehicle. A. Moore wanted to make sure that the use of residual funds was equitable for the town. T. Skis mentioned sidewalks, sports equipment, and general community add ons. L. Workman provided a list of possible improvements and repairs. Decision for further discussion on the potential other uses will be discussed in a workshop/public hearing. **MOTION** by T. Skis to approve spending \$55,000 for the purchase of the police vehicle and related equipment 2nd by L. Workman. **MOTION CARRIED** unanimously. Clarification was provided that taxes, tags, transfer, etc. were included in the purchase price.

4. Willow Street Speed Concerns: A. Moore reported complaints from citizens for the speeding on Willow Street. It was suggested to move the mobile speed sign to the site, which apparently has helped in the past. Reference and discussion on a sign similar to the one in Milford that has additional lights, etc. Additional comment(s) were heard from the public. It was decided to move the sign as soon as possible.
5. West Ellendale Annexation: A. Moore provided information on a proposed area for annexation that includes five property owners, and potentially more. He recommended addressing the requests as one unit to save time and funds. The area, consisting of 500 acres or more, still needs to go through the State PLUS process, receive comment from various agencies and departments. Currently included are Garey Farm, Weller, Fernandes, White Drilling, and potentially others who may be interested after being advised of the application/request. **MOTION** by T. Skis to send the information to the Planning Commission for review and comment. 2nd by L. Workman. **MOTION CARRIED** unanimously.
6. Town Wide Cleanup : A. Moore presented information regarding the Annual Town Wide Clean Up which is scheduled for June 4. Dumpsters and disposal have been donated and a drivers license will be required to utilize the service which is restricted to town residents. **MOTION** made by T. Skis to schedule the Town Wide Clean Up, 2nd by K. Koukaras. **MOTION CARRIED** unanimously.
7. Spring Maintenance Needs: L. Workman provided a list of maintenance items that she has noticed or has received from residents., including the lights on McCaulley Street have the gloves missing, park fence zip ties failing, screen, etc. A. Moore mentioned there are seven lights and they are connected to Town Hall and have to be manually turned on and off. T. Skis advised that all maintenance needs to stay within budget. It was suggested to use the work shop/public hearing for public input, prioritize the projects and address the funding. Reminder: Cutting trees has risks regarding property ownership. C. Eliassen also

mentioned that the cost for work done on a property can be passed on to the property owner, including attaching the fee to the tax bill. General discussion on “Code Enforcement” and fees through fines vs. court process. Mrs. Roxanne Moore mentioned that once the needs are identified, volunteers may be able to assist.

8. FOIA Filing: General Discussion of the FOIA process and past compliance, as well as what qualifies (i.e personnel, medical, trade, criminal, litigation....) as well as fifteen (15) days to respond and cost is involved.
9. Town Council Member Job Description: General discussion to make sure job descriptions are clearly defined. T. Skis stated that minor changes, to the Clerk Position, were made when the Charter was being reviewed/revised. C. Eliassen mentioned that changes can also be made by ordinance to define the responsibilities and duties. It is cumbersome to revise the Charter. Discussion on filling a position if a certain number of meetings are missed. C. Eliassen mentioned that steps to remove a member must be covered in the Charter and recommended looking at “Mason’s Rules of Order” which is very clear in process and procedure.
10. Bonding Employees and Council Members: Discussion on who is bonded and who needs to be bonded. Anyone with access to financial information should be bonded.
11. Review of ByLaws for Town of Ellendale: The town does not have By-Laws
10. Correspondence: NONE
11. Recognition of Visitors: Bill Sebastian brought the cat problem to the attention of council. Other towns have come up with ordinances and he would like the town to consider municipal guidelines for cats within Town Limits. General discussion from the public and council regarding the programs, past history and moving forward. Council will look into what other municipalities are using, including programs and possible grant options.
12. Executive Session: None

ADJOURNMENT: **MOTION** made by T. Skis at 9:25 pm to adjourn, 2nd by K. Koukaras. **MOTION CARRIED** unanimously.