

**Town of Felton
Town Council Meeting
January 11, 2010
7:00pm**

Mayor Kelley called the Town Council of Felton Meeting to order at 7:00pm on Monday, January 11,2010. Present at the meeting were:

Council Members: Mayor David Kelley, Joe Yapsuga Jr., Joanne Clendaniel, Kevin Fletcher and Mike Routh.

Staff: Town Manager, Rebecca Greene; Chief of Police, Levi Brown; Town Clerk, Sarah Ferguson.

Public: Arthur "Gene" Carlisle, Resident

Citizen's Concerns:
There were no citizens present.

Police Report:
Chief Brown reviewed the December 2009 Police Report. He stated that last month Rebecca added the number of SEU (Special Enforcement Unit) tickets and he will add Highway Safety tickets next month. The tickets for December 2009 were:

Officer	Regular Tickets	SEU Tickets	Total Tickets
9451	89	57	146
9452	88	133	221
9453	36	0	36
9454	22	0	22
9455	75	0	75

Chief Brown stated that he had received the SLEAF grant check in the amount of \$12,030.00 which will pay for the digital video recorders in the last two vehicles.

Councilman Yapsuga asked where the Police pension check came from and Chief stated that the check comes from the Delaware Insurance Commission. He explained that each time a Police Officer writes an accident report a percentage of any tickets written goes toward the Police pension.

Mayor Kelley asked about the changes in CCP (Court of Common Plea) and the JP Court (Justice of the Peace). Chief Brown explained that if someone makes a plea agreement at JP Court you can no longer go to CCP Court to get a better deal.

Motion: Councilman Routh made a motion to accept the Police Report. Councilman Fletcher seconded the motion. The motion passed unanimously.

Budget Report:

Rebecca presented the December 2009 Budget Report to Council and asked if there were any questions.

Councilman Routh asked why there was an amount of \$5.25 under Municipal Street Aid and Rebecca explained that it was the interest on that bank account.

Councilman Yapsuga asked about turning down the heat at the Community Center and Rebecca said that there was a lockbox on the thermostat and that there were groups in there almost every night. Councilman Routh suggested putting in a programmable thermostat.

Councilman Routh asked why the training line on the Police budget was so far over budget and Chief responded that the cost of weapons qualifications has increased due to the Delaware Police Accreditation Commission (DPAC) changing the requirement to shooting twice a year instead of only one. Also the expense has gone up.

Councilman Fletcher asked what the Public Works repairs were and Rebecca said that it was street repairs. Councilman Routh stated that they knew there would be an overage on the Snow & Ice Removal line item. Mayor Kelley explained that due to issues with the snow removal Carl Deputy was hired to help get the snow off the streets. Rebecca added that because it was declared a State of Emergency they thought there would be a 75% reimbursement but FEMA changed the reimbursement that it had to be within 75% of a record snow fall and we were off by two inches.

Motion: Councilman Yapsuga made a motion to accept the Budget Report. Councilman Fletcher seconded the motion. The motion passed unanimously.

Minutes:

Mayor Kelley presented the December 14, 2009 Town Council Meeting Minutes and asked if there were any corrections. Councilman Yapsuga and Councilman Routh stated that they had reviewed the minutes and did not have any comments or corrections.

Motion: Councilman Yapsuga made a motion to accept the December 14, 2009 Town Council Meeting Minutes. Councilwoman Fletcher seconded the motion. The motion passed unanimously.

Mayor Kelley presented the January 5, 2010 Planning & Zoning Meeting Minutes. Rebecca used a map to show the location of the property discussed in the minutes and stated that there was some disagreement by Mr. Parnell about putting up a buffer zone if the property is used for car sales. She continued that Planning & Zoning voted to

send it to Council with a recommendation of approval and if he does not want to put in a buffer zone later he can go to the Board of Adjustment for a variance.

Motion: Councilman Fletcher made a motion to schedule a Public Hearing for the Zoning Change for Monday February 8th at 6:45pm before the regularly scheduled Council Meeting and to accept the January 5, 2010 Planning & Zoning Minutes. Councilman Yapsuga seconded the motion. The motion passed unanimously.

Board of Adjustment Meeting Minutes:

Rebecca told the Council that they were to review these minutes but that there will not be a vote. Mayor Kelley stated that the Board of Adjustment Chairperson's name was David Wood not Woods. Rebecca stated that she would have the corrections made.

Update on Home at 221 Fan Branch Ave

Rebecca explained that she had planned on getting an estimate of the cost to repair the house than putting it up for Sheriff's Sale but the attorney has said that the costs collected at Sheriff's Sale must be an incurred debt and that the Town does not have the money to do that. Mayor Kelley suggested that he talk to Kent County about having the home condemned and torn down. Council agreed that was a good idea and Mayor Kelley said that he would report back to Council at the next meeting.

EXECUTIVE SESSION

Councilman Routh made a motion to recess the Council Meeting for an Executive Session at 7:40pm. Councilwoman Clendaniel seconded the motion. The motion passed unanimously.

Motion: Councilman Routh made a motion to reconvene the Council Meeting at 8:55pm. Councilwoman Clendaniel seconded the motion. The motion passed unanimously.

Motion: Councilwoman Clendaniel made a motion that the Town Council authorized Ms. Greene to take the six actions the Town Council discussed as potential ways to address the issues the Town Council discussed at the January 11, 2010 Executive Session. Councilman Fletcher seconded the motion. A roll call was taken: Mayor Kelley – yes; Vice Mayor Clendaniel – yes; Councilman Fletcher – yes; Councilman Routh –yes and Councilman Yapsuga – yes. The motion passed unanimously.

Motion: Councilwoman Clendaniel made a motion to adjourn the meeting. Councilman Yapsuga seconded the motion. The motion passed unanimously.

Sarah Ferguson, Town Clerk prepared these minutes.

Sarah Ferguson

Date