

MAGNOLIA COUNCIL MEETING

Minutes

Monday, April 12, 2021

6:00 PM

Magnolia Fire Hall

CALL TO ORDER

Made at 6:01 pm.

Annual Council Meeting

PLEDGE OF ALLEGIANCE

ROLL CALL

Mayor James Frazier, Vice Mayor Scott Fowler and Councilman Buck Dougherty were present. Councilwoman Barbara Adams was present virtually. Diane Cahall; Clerk, Dustan Russum; Water System Operator and Ralph Satterfield; Water assistant were present. Ryan Clark of 9 North Main was present for new council position. Guest; Rebecca Campbell of 21 North Main Street. Mayor Frazier presented Ryan Clark the Oath of Office and he was sworn in as new council member to replace Ashton McLaughlin.

ADDITIONS/DELETIONS TO PUBLISHED AGENDA

There were no additions or deletions to the published agenda.

COUNCIL MINUTES OF PREVIOUS MEETING

Buck Dougherty made a motion to accept the minutes of the last council meeting, as provided by Secretary. Scott Fowler seconded the motion. Motion carried.

TREASURER'S REPORT

Treasurer's report was presented to members by Diane Cahall. Buck Dougherty made a motion to approve the treasurer's report and pay the bills. Jim Frazier seconded the motion. Motion carried.

PUBLIC WORKS

Dustan Russum presented the following water report: The town used 1,179,000 gallons of water during March 2021. Pump 2: 672,000 gallons. Pump 3: 507,000 gallons. Pump 2 ran 34.2 hours; Pump 3 ran 48.8 hours. Chlorine average is .74 and Fluoride .5.

Dustan advised that Sheri from Delaware Rural Water Association noted the town must subscribe to Hydrocorp. It is not whether the town wants to utilize this service – it is because we have to for safety. The company was founded in 1983 by Larry LaBute to check for tainted water via cross connection etc. Their vision is to keep drinking water safe. There is a 4-minute video on the purpose of Hydrocorp on the DRWA.org website. The application fee is \$ 1,500 with a \$495 annual fee. Mayor Frazier is going to contact Larry LaBute for additional information.

Scott Fowler made a motion to purchase radios to use on the water system. The cost will be \$2,800. Mayor Frazier seconded the motion, motion approved.

Ralph Satterfield presented the following report: Water lines, tower and school flushed with no problems. DelDot cleaned the streets. The Firehall was booked for the first Tuesday of each month at 10:00 am. Until the water project is completed. Regarding the new lines; I hope the people understand this will not

improve what they get in their house unless they replace the line from the curb stop on into their home. Loose metal on SW side of water tower leg is rapping loudly and annoying nearby residents. When funds are available, we need to address pump house repairs and tree trimming. Speed sign is still not working. Councilman Buck Dougherty is in the process of laying millings on the town lot driveway.

WATER INFRASTRUCTURE IMPROVMENTS:

Mayor Frazier, Dustan Russum and Ralph Satterfield attended the Infrastructure meeting. It was noted that DeIDot is going to be very strict during the process. The Reybold group was very impressive; they will be on site 7 am to 5 pm and be actively working 9 am – 2 pm to avoid busy traffic times. The work area will be useable at the end of the day. They will have a full time Project Manager on site. The tentative date is starting May 3 and ending the end of October.

NEW BUSINESS:

- a. **New Council Member:** Ryan Clark of 9 North Main was present for new council position.
- b. **House Bill 6:** Extending the current 25-year-old Sexual Violence bill would open a pandoras box. This bill is too broad as stands; the bill will be held in committee.
- c. **American Rescue Plan Act (ARPA);** Amount will be calculated at 75% of 2020 budget, \$95,000. Carl Luft of DLLG reported Magnolia at \$147,000, as reported by Jordan Semans (State Treasurers Office. Mayor Frazier stated ‘How can the funds be allocated?) Perhaps: Curb painting, purchasing a backup generator on pump 2 using 50% during year 1 and 50% during year 2.

- d. **Town Ordinance #703:** Tabled to later date.

OLD BUSINESS:

- a. **Properties and Code Enforcement:** The Sumuri operations should begin next week. Their check for water impact fee should be received next week. Water will be distributed to the rear building on the property. The Carney property 35 South Main Street went to Sheriff's sale but did not sell. The minimum bid required was the amount owed on the property; \$249,000. Property is handled by Law firm: Orlans PC. Suggestion would be to donate property to the Town.
- 15 West Walnut had been purchased by Hannah Corp. They plan to demolish and rebuild within the two-year time period. Mayor Frazier will inform them about the time period of the infrastructure project.
- A new development has been approved: Hatteras Hills: 250 homes on Sophers Row. Mayor Frazier called in 6 streetlight outages, Ralph said there is a new one by the intersection.
- Mr. Patel has not contacted the town regarding any new information on 31/33 South Main.
- b. **Facebook:** Mayor Frazier's wife Vickie has received the administrative rights to Facebook and web page accordingly,
- c. **Mail/Package Deliveries:** A Fed Ex package was delivered to Buck Dougherty; showing Mayor Frazier's note on the town hall door worked.
- d. **Curb Painting:** no report

- e. **Traffic Assessment (Follow up):** DelDot does not support: Rest In red signal operation stating it violates motorist expectancy and never used in Delaware: Our traffic assessment which cost the town \$20,000 recommended we use Rest in Red (when no one is approaching the intersection from any direction the light remains red. The intersection has had 25 accidents in the past 5 years. Mayor Frazier contacted 12 different people including Secretary of Transportation Nicole Majeski. Christopher Sylvester will be contacting Jim regarding situation.

Guest: Rebecca Campbell: 21 North Main Street

Ms. Campbell was present to inform council of a rodent and overgrown tree situation at the residents next door to her owned by Lyelle Lu Champion; 14 North Main Street. Ms. Campbell reported there are numerous Feral cats and other animals under Ms. Champions house. A 23-pound racoon and 2 skunks have been seen. So far Ms. Campbell has spent \$160 for a trap and \$160 to a rodent removal company. She contacted DNREC who stated they don't handle this problem and the Delaware State Police who told her to shoot them. Ms. Campbell has to constantly clean up trash along the fence between their properties. The tall trees are Highway to Heaven trees and are as invasive as bamboo. Ms. Campbell wanted to know if the town could outlaw these trees. She has spent \$5,200 during the past 2 years due to damage from the trees. Mayor Frazier explained if we contact Kent County, they will not back us. Mayor Frazier did advise Ms. Campbell that he will prepare a certified letter to mail to Ms. Champion. Diane suggested Ms. Campbell contact the Cooperative Extension Office located at the University of Delaware Paradee Center to see if they can help her.

Ms. Campbell and Councilman Ryan Clark also advised council of problems from 7 North Main. Renters of this property have stolen Fed Ex, Amazon, etc. packages

from homes in town, broke a windshield in the Post Office parking lot, and they use very loud offensive language and are on house arrest. Mayor Frazier advised that they should contact the Delaware State Police and report a nuisance act, however; when Mayor Frazier contacted the State Police, they would not provide any valuable information. Diane provided the name and address of the landlord: James Lockwood, 103 Bohemian Drive, Summit Farms, Middletown, DE 19709.

ADJOURNMENT:

Scott Fowler made a motion to adjourn the meeting at 7:15 pm. 2nd by Ryan Clarke, Motion approved. Meeting was adjourned.

Respectfully submitted,

Diane P. Cahall