

**Town of Milton
Town Council Meeting Minutes
January 6, 2003**

7:15 – 7:30 p.m. – OPEN FLOOR: No one present to speak during open floor.

Mayor John F. Bushey called the regular meeting to order at 7:30 p.m. at the Fire Hall on Front Street.

Councilwoman Betts offered the opening prayer.

Mayor Bushey called the roll.

PRESENT: Mayor John Bushey
Councilman Charles Fleetwood
Councilwoman Leah Betts
Councilman Robert Blayney
Councilman Jerry Hudson
Councilman William Wright
Councilwoman Stephanie Parker

Others Present: Jocelyn Jenkins, Town Clerk
Dawn Johnson, Town Secretary
Eric Evans, Code Enforcer
Stephanie Coulbourne, Finance Clerk
Allen Atkins, Town Maintenance
Bob Kerr, Engineer
Tim Willard, Town Attorney

Presentation and Approval of Minutes

September 19, 2002 special meeting minutes

Councilwoman Betts made a ***motion***, seconded by Councilman Wright to approve the minutes of the September 19, 2002 special meeting.

Motion carried – “Aye”

October 24, 2002 special meeting minutes

Councilwoman Betts made a ***motion*** to approve the minutes of the October 24, 2002 special meeting, seconded by Councilman Wright.

Motion carried – “Aye”

December 2, 2002 regular meeting minutes

Councilman Fleetwood made a ***motion*** to approve the December 2, 2002 minutes with the following amendment regarding the CDBG portion of the meeting: “...that Council move forward to explore the potential of CDBG money being used to extend water from

the Town limits to Sam Lucas if it doesn't cost the town money (and that that the town seek other funding for their share)." Councilwoman Betts seconded the motion to approve the minutes as amended.

Motion carried – "Aye"

Approval of Treasurer's Report

Councilman Wright made a ***motion*** to approve the treasurer's report in printed form, seconded by Councilman Hudson.

Motion carried – "Aye"

Presentation and Approval of Monthly Bills

Councilman Fleetwood made a ***motion*** to pay the monthly bills as money becomes available, seconded by Councilman Wright.

Motion carried – "Aye"

Committee Reports

Sewer & Water – Regarding the UV system, Bob Kerr is still trying to contact Jim Fuqua.

Streets & Sidewalks – Councilman Wright stated that we have a price for Bay Avenue and Marshall Street. Marshall Street still has to be surveyed. He hopes there will be money left to do Frederick Street.

Councilman Blayney also noted that he, Gene Dvornick and Eric Evans began an inventory of Town sidewalks in disrepair in Town. They did three or four streets in December. More streets will be done this month. A letter will then be done to the homeowners.

Councilman Wright stated that he has been approached about water in the parking lot downtown during high tide. This was given to the Engineer three (3) years ago. He asked what the status is? He also asked the status of the driveway on Walnut Street?

Ordinance – Mayor Bushey stated that there are a couple of things pending: definition of new construction and sunshine clause.

Personnel – Nothing to report.

Pension – Mayor Bushey asked that Councilwoman Betts look into 401K vs. County/Municipal Plan. He asked that she pull together some information regarding the different plans.

Parks & Recreation – Councilman Fleetwood stated that he will be scheduling a meeting in the next month or so. There will be a meeting about Erosion Control Park in February to show the public rip rap, etc. A grant has been approved by DNREC regarding the

Magnolia Street “wetlands”. This should help keep the parking lot from flooding, as well.

Economic Development – Nothing to report.

Planning & Zoning – Planning & Zoning will have a meeting with David Nutter on January 7, 2003 at 7:00 p.m. at the Fire Hall.

Risk Management – Nothing to report.

Tourism – Nothing to report.

Milton Development Corporation – Councilwoman Betts reported that the House Tour was a success. She thanked everyone. Councilman Blayney stated that they made approximately \$4,000.

Written Reports

Maintenance Report

Councilman Fleetwood made a ***motion*** to approve the report from the Maintenance Department, seconded by Councilman Wright.

Motion carried – “Aye”

Code Enforcer Report

Councilman Fleetwood made a ***motion***, seconded by Councilman Hudson, to approve the Code Enforcer’s Report.

Motion carried – “Aye”

Police Department Report

Councilman Fleetwood made a ***motion***, seconded by Councilman Wright, to approve the Police Department Report.

Motion carried – “Aye”

Councilman Blayney noted that the two (2) recruits have graduated and are completing their field training now. Their names are Ismael Torres and Derrick Richardson.

Town Clerk Report

Councilman Fleetwood made a ***motion*** to approve the Town Clerk’s report, seconded by Councilman Hudson.

Motion carried – “Aye”

Mention was made of a Mulberry Street “match”.

Correspondence

Councilman Blayney read letters from:

1. Delaware League of Local Governments – Regarding an upcoming meeting.
2. Milton Chamber of Commerce – Regarding renewal of membership.

Mention was made of a letter read last month from William and Deborah Post. This has been researched over the last month and is still being researched.

Old Business

Update Regarding Dogfish Head Brewery

Councilman Hudson read a letter from Kevin Burdette of McCrone, Inc.(copy attached to official minutes).

New Business

Discussion Regarding Moratorium (imposed at December meeting) on Annexations and Change of Zone Requests

Councilman Hudson stated that this item is on the agenda for clarification purposes. The moratorium is just for annexations and change of zone. Attorney Tim Willard stated that he believes that Council just needs to reconfirm their past action.

Councilman Hudson made a ***motion*** to impose a moratorium on re-zonings and annexations until the June 2, 2003 meeting and revisit the issue then to modify, extend, or lift the moratorium at that time. Councilman Blayney seconded the motion.

Motion carried – “Aye”

Wagamon’s West Shores Change of Site Plan – Preliminary Review

Greg Pettinaro present owner of Wagamon’s West Shores was present. He stated that there were some stormwater issues with Sussex County Soil Conservation that have been considered. Chuck Adams was also present. He stated that the original site plan was done in 1992. It was revised in 2002.

Councilman Blayney asked if there will be a buffer along Lavinia Street. Mr. Adams stated that a berm will be planted and the existing trees will be incorporated into the development.

Paul Law and L.D. Schank, contract purchasers were present. Mayor Bushey asked the price range. Mr. Law and Mr. Schank stated that the price range will be from \$170,000 to \$350,000.

Councilman Fleetwood asked if it will be done in phases? Mr. Law stated that they are considering two (2) phases: front and back.

This was item was referred to Planning & Zoning for their recommendations. Then Town Council will hold Public Hearings.

Request from Milton Park, LLC for Sidewalk Exclusion along Route 22B

Ken Christenbury stated that Milton Park, LLC was approved by Planning & Zoning and DelDOT with no sidewalk on 22B. They are requesting that Town Council also approve the sidewalk exclusion.

Councilman Fleetwood made a ***motion*** to accept the waiver for Milton Park, LLC of the sidewalk along Route 22B, seconded by Councilman Blayney.

Motion carried – “Aye”

Conceptual Sketch Plan for Major Subdivision on Tax Map Parcel 2-35 20.08 59 & 60

Phoebe Sachs, owner of the parcel and Jessica Nichols of Meridian were present on behalf of the conceptual plan. Eight (8) lots are proposed. It is zoned R-1 and no change in zone is necessary. They are expecting to have three (3) styles of houses: a bungalow, a farmhouse, a victorian in the price range of \$200,000 to \$300,000.

Councilman Blayney asked if there would be covenants, restrictions, and/or size limits? Mrs. Sachs stated that there will be covenants, restrictions, and size limits.

Council wished Mrs. Sachs good luck.

Adjournment

A ***motion*** was made and seconded to go into Executive Session.

Motion carried – “Aye”

Council went into Executive Session at 8:20 p.m.

Respectfully submitted,

Dawn Johnson
Administrative Assistant

:1/28/03

