

Town of Milton
Town Council Meeting Minutes
February 7, 2005

Public Hearing: The public hearing was opened at 7:05 p.m. by Mayor Bushey.

Sachs Rezoning- Mrs. Sachs showed the preliminary drawings from Coast Survey. It showed eight lots. A wetlands study has been completed and no lot is less than 4,000 square feet. The area will contain 24,000 square feet. According to the state guidelines, they may build up to but not within the wetland area. There were no comments from the public regarding the project.

Historical Preservation Ordinance- Stephanie Parker gave a brief overview of the proposed ordinance. There were a few public comments and questions regarding why houses have to be within the district if they do not want to be. Council members addressed the public's comments.

The public hearings were closed.

OPEN FLOOR: Alton Bowden who owns a barber shop on Front Street feels he is being harassed by a neighbor who keeps complaining about his property. He runs a respectable business and does not allow loitering. He wanted direction from the Council on how to address the issue. The council asked Eric Evans if the complaints have been addressed and Eric stated Mr. Bowden has complied with everything asked of him and states the complaints are no longer an issue.

Paul Law from Wagamon's West Shore addressed the Council regarding parts that have been ordered for the pump station that services the development. The parts are not yet available. Mr. Law would like to obtain certificates of occupancy within the next three weeks. The parts will not be available within that time frame. He has contacted DNREC and gave the council a signed letter from DNREC stating they approve the issuing of the Certificates of Occupancy (possibly 5). The pump station is to be up and running by March 30th. There will be weekly pumping to eliminate any gas and odors. They will also install a strobe light to alert of a backup.

Mayor John F. Bushey called the meeting to order at 7:35 p.m. at the Fire Hall at 116 Front Street.

Councilwoman Betts offered the opening prayer. The Pledge of Allegiance was said.

Mayor Bushey called the roll.

PRESENT: Mayor John Bushey
Councilwoman Leah Betts

Councilman Charles Fleetwood
Councilman Noble Prettyman
Councilman Gene Dvornick
Councilwoman Ronda Melson
Councilman Jerry Hudson

Others Present: Hal Godwin, Town Manager
Stephanie Coulbourne, Finance Clerk
Tim Willard, Town Attorney
Bob Kerr, Cabe Assoc.
Scott Hoffman, Cabe Assoc.

Those Absent: Eric Evans, Code Enforcer
Allen Atkins, Sewer Supervisor
Robin Davis, Water Supervisor

Presentation and Approval of Minutes

The minutes from the December 2004 council meeting were presented. Councilman Dvornick made a motion to approve the minutes, seconded by Councilman Prettyman.

The minutes from the January 2005 council meeting were presented. Councilman Dvornick stated there needed to be a correction regarding the Carey Community Project; the minutes should read “There will be a right of way for future use of the Carey Community Property to the school property.” A deed will be prepared. Councilman Fleetwood made a motion to approve the minutes with the noted correction, seconded by Councilwoman Betts.

Motion carried – “Aye”

Committee Reports

Sewer & Water –

Councilwoman Melson stated Cabe Associates is currently working on a bid outline regarding the sewer plant.

Streets & Sidewalks-Councilwoman Betts stated the committee would like to request that a permanent truck route be established using Route 5 to limit the number of tractor trailers that come through town. Signs should be posted stating the downtown is a business route and for local delivery and state the truck route should be used.

Personnel– Councilman Hudson stated the employee of quarter (4th Qtr.) will be presented to Eric Evans. Councilman Hudson also introduced Hal Godwin as the new Town Manager and thanked the committee that assisted through the process of establishing and filling the position. Mr. Godwin gave a brief introduction to the audience.

Parks & Recreation – Councilman Fleetwood stated he has secured a full slate of concerts for the summer. The first concert will coincide with the Horseshoe Crab Festival and run weekly through the end of August. Sponsors have been very generous.

Economic Development – No report.

Historic Preservation– Councilman Hudson stated based on the public hearing of the new ordinance given before the meeting, we will need to vote on the proposed ordinance under new business.

Land Acquisition Committee – Councilman Dvornick stated an executive session will be needed to address some issues.

Planning & Zoning –No report.

Board of Adjustment – No report.

Milton Development Corporation – Councilwoman Betts stated there will be shows presented in April.

Finance/Risk Management – Councilman Dvornick presented a list of Capital items that will be addressed in a tier format. A meeting was held with Les Guthorn regarding the information he requested to advise the Town on its financial status. All information requested has been given to Mr. Guthorn for his review.

200th Anniversary- Councilman Fleetwood stated that the committee will have a commemorative 200th Anniversary license plate made and they will be available by the March meeting. The next committee meeting will be February 16, 2005 at the library.

Police Building: The committee is waiting to hear from the Land Acquisition Committee for their input.

Written Reports

Maintenance Report

Allen Atkins stated any property that showed it had a problem during the smoke testing will receive a letter and the property owner would have 30 days to fix the problem. Councilman Dvornick made a motion to approve the report, seconded by Councilman Prettyman.

Motion carried – “Aye”

Code Enforcer Report

Councilman Prettyman made a motion to report as written, seconded by Councilwoman Betts.

Motion carried – “Aye”

Police Department Report

Councilman Fleetwood made a motion to approve the report as it is written, seconded by Councilwoman Melson.

Motion carried – “Aye”

Town Clerk Report

Councilman Fleetwood made a motion to approve the report as it was written, seconded by Councilman Prettyman.

Motion carried – “Aye”

Correspondence

Councilwoman Melson read letters from:

- 1) Milton Horseshoe Crab Festival Committee requesting use of the Milton Memorial Park for its festivities on May 28, 2005.
- 2) Sussex County Engineering Department inviting Eric Evans, the Mayor and Council to a meeting February 15, 2005 regarding the North Coastal Planning Area Feasibility Study.
- 3) A notice of the annual town election and all the requirements regarding voting and filing was read to those in attendance.

Old Business

Bond Counsel- Councilman Dvornick made a motion to accept the terms of the agreement once they are received and reviewed by the Town’s attorney. The motion was seconded by Councilman Hudson.

Shipbuilders, LLC- Planning and Zoning denied the request from Shipbuilders, LLC to build seven single family homes in the area where the pool and clubhouse are currently located. Planning and Zoning stated the space should stay a pool or as open space which is what was originally approved.

Councilman Dvornick made a motion to accept Planning and Zoning’s recommendation seconded by Councilman Hudson. The Mayor requested a roll call on the vote.

Councilman Hudson- Denied. Reason: Should remain as originally approved open space.
Councilman Dvornick-Denied. Reason: Should remain as originally approved open space.
Councilwoman Melson-Denied. Reason: Should remain as originally approved open space.
Councilwoman Betts- Denied. Reason: Should stay a pool or as open space.
Councilman Fleetwood- Denied. Reason: Should remain as a pool or open space.
Councilman Prettyman- Denied. Reason: Should remain a community pool or as open space.
Mayor Bushey-Denied. Reason: Should remain as originally approved open space.

Motion carried – “Aye”

Governors Walk- Councilman Fleetwood has received a bid of \$13, 400.00 to complete the brick walkway in the alleyway by the hardware store from Union Street to the bridge in the park. Councilman Fleetwood made a motion to approve the bid and pay for the work with funds in the Governors Walk account, seconded by Councilman Dvornick.

Councilman Fleetwood stated that the Bicentennial garden is a capital project and made a motion that the Town applies for a grant to complete the project. \$10,000.00 of the project will come from the Governors Walk account and be reimbursed by the grant monies. The motion was seconded by Councilman Hudson.

Councilman Fleetwood allocated \$5,000.00 from the Governors Walk account to the Garden Club for the Downtown Beautification Project, seconded by Councilman Dvornick.

Motion carried – “Aye”

Frederick Street- Councilwoman Melson made a motion to pay the bid received from A.P. Croll in the amount of \$86,417.00 to complete the project. The funds are to be taken from the transfer tax account. The motion was seconded by Councilman Fleetwood.

Motion carried – “Aye”

Pretreatment Ordinance- Cabe Associates gave a proposal to complete the ordinance given to the sewer and water committee. The cost to revise the whole ordinance will be \$17,000.00. Councilwoman Melson made a motion to approve the rewrite, seconded by Councilman Hudson.

Motion carried – “Aye”

Rails to Trails-Councilman Dvornick made a motion to approve the two contracts to expense funds to complete the projects. The funds will be recouped with grant monies. The motion was seconded by councilwoman Melson.

Motion carried – “Aye”

New Business

Chesapeake Utilities- An agreement has been forwarded to the Town’s attorney for review. Councilman Hudson questioned if the Fire Department is equipped to handle any potential problem or would they need to acquire special equipment. Our attorney will review the agreement and the council will need to set up a workshop.

Motion carried – “Aye”

State Mosquito Contract- Councilman Prettyman made a motion to accept the contract and spray the Town for the 2005 season, seconded by Councilman Hudson.

Motion carried – “Aye”

Sachs Rezoning- Planning and Zoning recommended the approval of the rezoning. Councilman Fleetwood made a motion to accept Planning and Zoning's recommendation and accept the outlines, seconded by Councilman Prettyman.

Motion carried – "Aye"

Historical Preservation Ordinance-Councilman Hudson made a motion to adopt the new ordinance, seconded by Councilman Dvornick.

Motion carried – "Aye"

Chestnut Street Improvements-Councilman Dvornick made a motion to accept the contract from Cabe Associates to design the improvements at the cost of \$47,000.00 and recoup the funds from a grant application. Councilman Fleetwood seconded the motion.

Motion carried – "Aye"

Duties of the Board of Adjustment Committee- Council Hudson made a motion to amend the duties of the committee, seconded by Councilman Prettyman.

Motion carried – "Aye"

Wagamon's West Shore C.O. Request- Councilman Prettyman made a motion to grant a 60 day approval, seconded by Councilman Fleetwood.

Motion carried – "Aye"

Capital Improvements- Councilman Dvornick made a motion to accept the Finance Committee's recommendation and use the tier approach in completing the projects, seconded by Councilwoman Melson.

Motion carried – "Aye"

Executive Session-Councilwoman Betts made a motion to go into executive session, seconded by Councilman Prettyman. Executive session started at 8:24 p.m.

Respectfully submitted,

Stephanie Coulbourne

slc: 03/03/05