

**Town of Milton  
Town Council Meeting Minutes  
February 2, 2004**

**6:30 p.m. – PUBLIC HEARING on Zoning Ordinance and Map**

Councilmembers present: Mayor Bushey; Councilwoman Betts; Councilwoman Parker; and Councilwoman Melson.

Linda Rogers reported that Planning & Zoning has had several public hearings and workshops. Planning & Zoning feels they have presented a good plan for the Town. Concerns raised at the public hearings were things addressed in the plan that are already allowed, like the questions regarding Industrial/Reed Trucking.

Mr. Evans noted that the Adhoc Committee needs thanks. They put in excess of 400 hours putting this package together. It is a remarkable package. He has it on disk. The zoning map is ready also. Things are being compiled to get to CABE. After approval, the State will change the footnote in Chapter 33.

Letters will be done to the Adhoc Committee thanking them for their time.

Gene Dvornick stated that excellent effort was given. The Town should be pleased.

Bob Kerr stated that it is a good document. Council may find concerns with use over the next year.

The public hearing was closed at 6:45 p.m.

Councilwoman Betts made a *motion* to go into Executive Session, seconded by Councilwoman Melson.

Motion carried – “Aye”

Council went into Executive Session from 6:45 to 7:00 p.m.

7:20 – 7:22 p.m. OPEN FLOOR: James O. Shaffer wants to rent a house in Town. He wants Council to look at and/or change the rental requirements that say unrelated persons cannot live together.

Mayor John F. Bushey called the regular meeting to order at 7:32 p.m. at the Fire Hall on Front Street.

Councilwoman Betts offered the opening prayer.

Mayor Bushey called the roll.

PRESENT: Mayor John Bushey  
Councilwoman Leah Betts  
Councilwoman Ronda Melson  
Councilwoman Stephanie Parker

ABSENT: Councilman Charles Fleetwood  
Councilman Jerry Hudson  
Councilman Noble Prettyman

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**

January 5, 2004 regular meeting minutes

Councilwoman Betts made a ***motion***, seconded by Councilwoman Melson to approve the minutes of the January 5, 2004 regular meeting.

Motion carried – “Aye”

**Approval of Treasurer’s Report**

Councilwoman Parker made a ***motion*** to approve the treasurer’s report in printed form, seconded by Councilwoman Betts.

Motion carried – “Aye”

**Presentation and Approval of Monthly Bills**

Councilwoman Betts asked what the bill was for Hertrich’s. Mayor Bushey stated that it was for a police car repair. Chief Phillips noted that it was for gaskets (the rear main seal was leaking; the motor had to be pulled out). It was the older car of Officer Bunting.

Mayor Bushey stated that Council should consider new police cars in the next budget year.

Councilwoman Betts made a ***motion*** to pay the monthly bills as money becomes available, seconded by Councilwoman Parker.

Motion carried – “Aye”

## **Committee Reports**

Sewer & Water – No report.

Streets & Sidewalks – Councilwoman Betts reported that she left word for McBaird? to contact her with regard to the lights on Betts and Coulter Street. There were some questions among residents regarding the height and placement.

Ordinance – Mayor Bushey stated that the Committee will meet on February 12. They are looking at an Animal Ordinance.

Personnel – No report.

Pension – Councilwoman Betts reported that the pension percentage went up from 3.78 to 4.93 for municipal employees and from 11.93 to 12.36 for the police.

Parks & Recreation – Councilman Fleetwood was absent.

Economic Development – Councilman Fleetwood was absent.

Planning & Zoning – No new report.

Election – Mayor Bushey stated that later in the meeting, he needs a motion to appoint Pam Batten to replace Noble Prettyman on the Election Committee.

Milton Development Corporation – No report.

Board of Adjustment – No report. (It was noted that they got their I.D.'s.)

Finance – No report.

200<sup>th</sup> Anniversary – No report.

Horseshoe Crab Festival – Grant is being written.

Police Building – It was reported that the Committee is working on this.

## **Written Reports**

### Maintenance Report

Councilwoman Parker made a ***motion*** to approve the report from the Maintenance Department, seconded by Councilwoman Melson.

Motion carried – “Aye”

It was noted that Sam Allen passed his Wastewater Level I. Robin Davis hasn't heard anything yet. Mr. Atkins will put it in writing to the Personnel Committee to request raises for them.

Code Enforcer Report

Councilwoman Betts made a **motion**, seconded by Councilwoman Parker, to approve the Code Enforcer's Report.

Motion carried – “Aye”

Police Department Report

Councilwoman Betts made a **motion**, seconded by Councilwoman Parker, to approve the Police Department Report.

Motion carried – “Aye”

Town Clerk Report

Councilwoman Parker made a **motion** to approve the Town Clerk's report, seconded by Councilwoman Melson.

It was noted that a report has been received with the status of Mulberry Street.

Motion carried – “Aye”

**Correspondence**

Councilwoman Melson read letters from:

- 1.) Charlie Fleetwood regarding a logo contest for the 200<sup>th</sup> anniversary;
- 2.) Delaware League regarding a luncheon on March 9 at 10 a.m.
- 3.) Bassmasters stating they will be cleaning up the Park on March 21.
- 4.) Barbara Stellar regarding agendas and 2 weeks advance notice of meetings. It was noted that she needs to attend Council meetings.

**Old Business**

Memorandum of Understanding with Cannery Village Regarding EDU's

Councilwoman Melson made a **motion** to approve the memorandum of understanding, seconded by Councilwoman Betts.

Councilwoman Betts asked if Mr. Willard has written or drafted letters to the other developers. Mr. Willard stated that he has.

Copies of the draft letters were given to Council for their comments prior to the next meeting.

The question was called on the motion.

Motion carried – “Aye”

## **New Business**

### Request from Phoebe Sachs for realignment of lot lines on Atlantic Street property

Mrs. Sachs noted that the request is for 302 Atlantic Street.

Councilwoman Parker asked if the access is paved. Mrs. Sachs stated that it is.

Councilwoman Parker asked if it is marked for Emergency Access. Mrs. Sachs answered that it is.

Mayor Bushey stated that it came to Council because it is just a lot variance.

Councilwoman Parker made a ***motion*** to grant the request as proposed in Plan A. Councilwoman Melson seconded the motion.

Motion carried – “Aye”

### Adoption of Zoning Map & Ordinance

Mr. Willard noted that we can't confirm that it was published 15 days prior. He proposed that Section 14.3.1 be changed from 10 days to 15 days to comply with State Law. It would be a good improvement and clean things up.

Councilwoman Betts made a ***motion*** to make the following amendments: Page 41, Section 4.8.16 “recommendation for approval shall be forwarded to Town Council for consideration and final approval, denial, or modification”; and Page 97, Section 14.3.1 change 10 days to 15 days. Councilwoman Melson seconded the motion.

Motion carried – “Aye”

**Adoption of the Zoning Map and Ordinance (with the above amendments) will take place at the March meeting.**

### Removal of Chapter 3, Advertising from Town Ordinances

March meeting agenda item.

### Moratorium Update

March meeting agenda item.

### Fees – Eric Evans

Mr. Evans recommended that the Conditional Use fee be raised to \$400, the same as Board of Adjustment. The fee for a demolition permit is \$25; the assessor charges \$30. Mr. Evans recommended that the fee be increased to \$50 to cover the assessor's expenses.

Councilwoman Betts made a **motion** to increase the Conditional Use fee to \$400 and the fee for a demolition permit to \$50, seconded by Councilwoman Melson.

Motion carried – “Aye”

Mosquito Control 2004

Councilwoman Betts made a **motion** to authorize Mosquito Control to spray. She suggested notifying residents if possible. Councilwoman Parker seconded the motion.

Motion carried – “Aye”

Recommend Appointment of Pam Batten to Election Committee

Councilwoman Betts made a **motion** to approve the appointment of Pam Batten to the Election Committee, seconded by Councilwoman Melson.

Motion carried – “Aye”

It was noted that a thank you letter should be sent to the Bassmasters.

Councilwoman Betts made a motion for the Mayor to sign the Memorandum of Understanding with Cannery Village. Councilwoman Melson seconded the motion.

It was noted that this money be reserved in an account to put on the plant we desperately need.

Motion carried – “Aye”

Councilwoman Melson read the letter from Cannery Village. Mayor Bushey signed the copies and Councilwoman Melson attested. Mr. Dvornick presented the check to Mayor Bushey.

Mayor Bushey noted that the Town Attorney has already been directed to draft letters to others. The intent is good to make sure the money is invested to insure upgrade to the plant.

Stephanie Coulbourne reported that the tax bills went out on Wednesday. They have a new look

Councilwoman Betts made a **motion** to authorize Mayor Bushey to sign the contract with CABE for the study and the issue brought up in Executive Session. The motion was seconded by Councilwoman Melson.

Motion carried – “Aye”

**Adjournment**

Councilwoman Betts made a **motion** to adjourn the meeting, seconded by Councilwoman Melson.

Motion carried – “Aye”

The meeting was adjourned at 8:30 p.m.

Respectfully submitted,

Dawn Johnson  
Administrative Assistant

:3/1/04