

**Town of Milton  
Town Council Meeting Minutes  
March 7, 2005**

**OPEN FLOOR: 7:15 p.m.**

Kathryn Greig, President of the Garden Club addressed the council. Mrs. Greig stated the annual Garden Tour will be June 4, 2005 with a rain date of June 5<sup>th</sup>. The group would like to have 10 gardens on the tour. Several residents have agreed to open their gardens to the public. Lavender Farms, off of Route 9, is working with the group to coordinate a joint event for June 4<sup>th</sup>. Mrs. Greig stated the group had a meeting with landscapers to spruce up Magnolia Square.

Norman Lester congratulated the election winners and the new Town Manager. He noted he was not pleased with the Planning and Zoning and Board of Adjustment committees. He would like a term for the members on those committees. Mayor Bushey addressed the issue and gave Mr. Lester the term dates for the members.

Joanne Mattoni told the council she has been looking for commercial property within the town. She stated the properties look empty and unappealing. She feels that new businesses are discouraged instead of encouraged to come to town. Ms. Mattoni would like to start a business here and also become a resident.

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  
Councilman Jerry Hudson

Those Absent: Councilwoman Ronda Melson

Others Present: Hal Godwin, Town Manager  
Stephanie Coulbourne, Finance Clerk  
Tim Willard, Town Attorney  
Bob Kerr, Cabe Assoc.  
Scott Hoffman, Cabe Assoc.  
Eric Evans, Code Enforcer  
Allen Atkins, Sewer Supervisor

Robin Davis, Water Supervisor

**Presentation and Approval of Minutes**

Councilman Dvornick made a motion to accept the minutes from the February meeting with the following correction brought up by Councilman Hudson. Under new business the minutes should read *Duties of the Board of Adjustment* not Planning and Zoning. Motion was seconded by Councilman Prettyman.

Motion carried – “Aye”

**Committee Reports**

Sewer & Water –Councilman Hudson reported that a topographical survey and budget for the wastewater treatment plant is being worked on by Cabe Associates. However, an aerial photographic is needed for mapping and the Town needs to get on the flight schedule before the trees start to bloom.

A resolution for Certificate of Public Convenience and Necessity (CPCN) for the water system is complete and the committee would like the Mayor to sign that resolution. Cabe Associates will award bids for the Frederick Street services and there is a new change order for repairs to the wastewater treatment plant. The sweep arm in the claragester needs to be repaired. The change order is for \$7,212.69 to complete the repair.

Streets & Sidewalks- There will be a meeting with Del Dot regarding the delay on the Mulberry Street project. Councilwoman Betts reported that she would like an update on the request for a delayed light at Routes 16 & 5. There has also been a request for a sign on Route 16 to direct people to turn onto Route 5 to access the shopping center. Councilman Prettyman asked for the Town to contact Conectiv regarding the globes on the Granville poles downtown. The globes are different and need to be uniformed.

Ordinance Revision- Hal Godwin, Eric Evans and Robin Davis have been working on a water ordinance. The ordinance should be complete soon and will be forwarded to Council. The Mayor would like the council to look at the hours of construction. He directed the committee to rewrite the ordinance and shorten the hours and bring the revision back to the council. Chapter 5 Section 8.

Personnel–Councilman Hudson awarded Eric Evans with the Employee of the Quarter for the 4<sup>th</sup> quarter of 2004.

When the issue of the 2004 Christmas dinner was first discussed, it was agreed that the employees would pay for their spouses. Councilman Hudson made a motion to refund the expense to the employees, seconded by Councilman Dvornick. All those in favor.

Motion carried – “Aye”

Parks & Recreation –Concerts in the Park will start on May 28<sup>th</sup> and continue every week until August 31, 2005. The concerts are mainly on Wednesdays with some Tuesday and Thursday concerts. Schedules will be available soon.

Regarding the Riprap project, DNREC has received approval from the Army Corp of Engineers. They are looking for a contractor right now and hope that Sussex County Soil and

Conservation will do the project, if not, it will be put out for bid. Councilman Fleetwood stated if they did could not complete the project by Memorial Day then to wait until after Labor Day to start so they would not interfere with any events. The town's portion of that project has been spent to renovate the boat docks.

Councilman Fleetwood stated there is grant money from the Greenways Program for 50% of a project to put a brick walkway from the boat dock area to the road by Governor's Walk by the library. Senator Adams has agreed to put up the other 50% of the project.

Representative Carey has agreed to cover the cost to pave the area in front of the boat docks out to Chandler Street.

Economic Development – There is a new art guild in Milton, they have held meetings at the Federal Street Espresso Bar and Gallery. The next meeting will be on March 15<sup>th</sup>.

Historic Preservation–The mayor stated this committee will be disbanded.

Planning & Zoning –Nothing to report.

Election-The mayor stated the election winners were Jerry Hudson and Don Post. Swearing in will be on April 4, 2005.

Board of Adjustment – Nothing to report.

Milton Development Corporation –There will be a show on April 2, 2005 called *Lend me a Tenor* at 7pm. They would like to have two movies shown per week.

Finance/Risk Management –Councilman Dvornick stated he meet with Don Post on February 22<sup>nd</sup> regarding the Downtown Beautification project. As a result of the \$5,000 donation from the Governor's Walk fund; they have purchased two four foot benches, one five foot bench, three trash cans and one bike rack. A town standard has been prepared that outlines the type of benches, trashcans and bike poles to be utilized in the Town Center.

200<sup>th</sup> Anniversary- Councilman Fleetwood stated the next meeting will be on March 15<sup>th</sup> at the library. The anniversary plates are almost sold out, another batch of plates will be ordered.

Police Building: Hal Godwin is currently working on a presentation for the council and will have it ready for the next council meeting.

## **Written Reports**

### Maintenance Report

Councilman Fleetwood made a motion to accept the report as written, seconded by Councilwoman Betts. All those in favor.

Motion carried – “Aye”

### Code Enforcer Report

Councilman Dvornick made a motion to accept the report, seconded by Councilman Prettyman. All those in Favor.

Motion carried – “Aye”

### Police Department Report

Councilman Dvornick made a motion to accept the report, seconded by Councilman Hudson. All those in favor.

Motion carried – “Aye”

Town Manager Report- Mr. Godwin stated that a new accounting clerk, Margaret Stranix started on February 28<sup>th</sup>. He wanted to make Council aware of the approximately \$95,000.00 outstanding in delinquent accounts. Mr. Godwin would like residents to sign an agreement to make monthly payments and have the balances paid off within 12 months. The mayor stated that he believes if a property is three years in arrears, the town can put a lien on the property then sell the property.

Mr. Godwin will look into the possibility of different income streams, such as buying electric at a wholesale cost from Conectiv to resell to residents. Currently there are 8 municipalities that take advantage of this program.

As the Town Manager, he will occasionally need to make purchases and will be attending meetings to represent the Town, he would like the council to give him a spending limit.

Hal would like to have a workshop with Council where they share their ideas for the downtown so he is aware of their thoughts and vision for the town

Motion carried – “Aye”

### **Correspondence**

Councilman Hudson read a letter from:

- 1) House of Representatives- Representative Carey congratulating Hal Godwin on his appointment of Town Manager.

### **Old Business**

Mulberry Street Project- There will be a meeting with DelDot on Thursday, March 10, 2005 at 9 am at Town Hall. Del Dot will be giving an update on the project to the Hal Godwin. Councilman Prettyman expressed his great disappointment with DelDot regarding the Mulberry Street Project. He believes residents of Mulberry Street should be at the meeting on March 10<sup>th</sup> and DelDot can explain to those residents the delay in construction. He feels DelDot lied to the residents when they stated the construction would start in the Spring 2005. Councilman Prettyman wanted to know “what would it take for DelDot to wake up and see that we need those sidewalks” this is a walking community and people are walking to the shopping center and children walk to school. These people walking must jump out of the way when cars come down the street and get splashed with water. The residents have been waiting for years for this project. Councilman Prettyman is deeply upset and frustrated with

the delays. The project needs to be completed. DelDot completed the Sand Hill project and feels the Mulberry Street project is overdue! Councilman Prettyman would like to attend the meeting on March 10<sup>th</sup> to address the issue.

Councilwoman Betts stated one delay was due to the drainage problem at the Collins and Russell development. Councilman Prettyman stated that development is not within the Town limits and should not be added into the project. Councilwoman Betts stated we should tell DelDot at the meeting that they should not use the Collins and Russell development as an excuse.

Certificate of Public Convenience and Necessity (CPCN)- Cabe Associates has completed a draft copy for council's review. The new resolution will legally expand the water servicing area. The council will need to act on the resolution so that Cabe Associates may forward the application to the Public Service Commission. Councilman Hudson made a motion to allow the Mayor to sign the resolution, seconded by Councilman Dvornick. Councilman Fleetwood asked if any annexation that is not located in the map area would cause a problem. Scott Hoffman, of Cabe Associates stated that any parcels that are annexed in will automatically be added into the map. The current map does not lock us in to a certain area.

Topographically Survey- There are two quotes for the aerial picture. Bob Kerr, Cabe Associates suggests we go with the quote in the amount of \$39,405.00. This includes the entire town and any possible annexations. There will be permanent monuments set to control horizontal and vertical elevations so as the town develops in these areas, everything will already be tied together. This mapping will be available on the GIS system for Eric to access in the future. Mr. Kerr suggests the town receives a fee from any developer that may want to use this photography. The Town will need to schedule the flight as soon as possible before the trees bloom. Councilman Dvornick made a motion to accept Mr. Kerr's recommendation and proceed with the aerial photograph and once the total bill is calculated, the Town will come up with a fee for developers using the photograph. Seconded by Councilman Prettyman. All those in favor.

Motion carried – “Aye”

### **New Business**

Award of Federal Street and Union Street water services taps- Scott Hoffman stated only one bid was received. That bid was from JJID Inc. in the amount of \$421,000.00. The bid has been reviewed and a recommendation has been forwarded to Mr. Godwin to accept the bid and move forward with the projects. Mr. Hoffman has set up a preconstruction meeting with DelDot to make sure the tapping project is complete before the roads are resurfaced.

Councilman Dvornick made a motion to except the recommendation and have the Mayor sign the documents to proceed with the project, seconded by Councilman Hudson. All those in favor.

Motion carried – “Aye”

Preserve on the Broadkill Phase II, final site plan approval- Milton Carroll, a partner in the project spoke to Council and stated most of the lots have been sold in Phase I and streets and sidewalks are in. They would like approval on Phase II. Planning and Zoning has

recommended that Council approves Phase II contingent on Preserve on the Broadkill getting final permits from the Army Corps of Engineers. Councilman Fleetwood made a motion to approve Phase II final site plan once the permits are received from the Army Corps of Engineers, seconded by Councilman Prettyman. All those in favor.

Motion carried – “Aye”

Hunnicuttt Annexation- 202 Milton-Ellendale Highway is requesting to be annexed into town. Councilman Fleetwood made a motion to forward the application to Planning and Zoning. Motion seconded by Councilman Dvornick. All those in favor.

Motion carried – “Aye”

Giovannozi Annexation- Union Street Ext. across from the Food Lion shopping center entrance. Councilman Dvornick made a motion to forward the application to Planning and Zoning for their recommendation, seconded by Councilman Fleetwood. Eric Evans stated the applicant is aware that sewer and water is not currently available and Planning Zoning will determine the zoning for the property. Ms. Giovannozi’ agent stated she is aware of the issues. All those in favor.

Motion carried – “Aye”

Burton Parcels on Hazzard Street- 2-35.20.07-6.00 and 2-35-20.07-13.00. Charles Burton, owner, currently has two lots and would like to consolidate those two lots into one lot. Councilman Dvornick made a motion to accept the request, seconded by Councilwoman Betts. All those in favor.

Motion carried – “Aye”

Administrative Subdivision Requests-Based on the previous request to consolidate lots, the Mayor wanted to know the Council’s thoughts on giving the Town Manager the authority to sign off on such requests where several lots will be consolidated into a single lot essentially removing lot lines as long as no codes or ordinances are affected. Councilman Dvornick made a motion to grant Mr. Godwin the approval to sign off on such requests, seconded by Councilman Prettyman. Mr. Godwin will check with the Town’s attorney to make sure there will not be any issues with granting the authority to him. All those in favor.

Motion carried – “Aye”

Town Manager’s spending limit/meeting allowance- Councilman Hudson would like the Finance Committee to review the request and set a spending limit. Councilman Dvornick stated the Finance Committee will report at the April meeting.

Workshop Meetings- a workshop with the Town Manager and one for Chesapeake Utilities will be announced once dates are set.

Change Order for Wastewater Treatment Plant- Councilman Hudson made a motion to approve the Mayor signing off on the \$7,212.69 change order to repair the clarigester, seconded by Councilman Dvornick. All those in favor.

Motion carried – “Aye”

Christmas Party- Councilman Dvornick made a motion for the Council to pay for the employee’s spouses at the 2004 Christmas Party. Funds to be reimbursed to the employees. Seconded by Councilman Hudson. All those in favor.

Motion carried – “Aye”

Town Standards- Councilman Dvornick asked for a status report from Cabe Associates. Mr. Kerr stated that the project is 75% complete and keeps getting pushed aside for bigger Town projects. Mr. Kerr will get back on the project.

Councilman Prettyman stated there have been numerous accidents at Route 16 and Mulberry Street. He would like to see some type of curbing along the Quick Stop property so that cars can not leave the gas pumps and cut across the lanes of Route 16. The mayor asked the Town Manager to look into the project. Councilman Fleetwood stated he would like the town to enforce the no parking signs on the sides of Route 16 especially for large trucks.

Mayor Bushey presented Councilman Fleetwood with a plaque and a gift from the other council members for his 20 years of service to the Town. Councilman Fleetwood thanked the council members and public for being so supportive all these years. He stated he has agreed to continue to sit on committees and be involved with the Town.

Executive Session- Councilman Prettyman made a motion to go into executive session, seconded by Councilman Dvornick.

Respectfully submitted,

Stephanie Coulbourne

slc: 03/31/05