

Town of Milton
Town Council Special Meeting Minutes
May 19, 2005

Mayor John F. Bushey called the special meeting to order at 6:30 p.m. at the Milton Fire Department, 116 Front Street, Milton DE.

Councilwoman Betts offered a moment of silence.

Mayor Bushey called the roll.

PRESENT: Mayor John Bushey
Councilman Don Post
Councilwoman Leah Betts
Councilwoman Ronda Melson
Councilman Jerry Hudson
Councilman Noble Prettyman
Councilman Gene Dvornick

Others Present: Hal Godwin, Town Manager
Stephanie Coulbourne
Bob Kerr, Cabe Associates
Scott Hoffman, Cabe Associates

USDA Grant Assistance-

Jim Waters and Denise MacLeish addressed the Council regarding the programs available to the Town through USDA. Mrs. MacLeish stated she has looked into the Town's figures and Milton does qualify for the 4.5% interest rating. The program can issue a grant and loan at the same time. The loans vary from \$200,000.00 up to \$25 million. Grants can be made to enhance or assist local businesses. The Community Facility Program can make loans for a new Town Hall, Fire Hall or Public Safety Building. Mr. Waters felt Milton would greatly benefit from the Water/Waste Program available to assist with a new treatment plant. The term would be for 40 years at a set rate with no prepayment penalties. Ms. MacLeish believes the funds from USDA will have to be combined with funds from other avenues to complete the project. USDA requires a Preliminary Engineering Report, Mayor Bushey stated the Town already had one done. Ms. MacLeish stated the agency's engineer would need to review the report and get information from the Town regarding the project.

Councilman Hudson stated the Town was looking at going on the higher end of cost in case the first option was not working for the Town, then another approach can be taken. Ms. MacLeish stated the engineer's report would need to state that information. USDA guidelines state all users must be on a fair and equitable rate. USDA does have experience with spray irrigation.

A Loan determination form will need to be done then USDA will review the Preliminary Engineering Report and send the Town a list of concerns to be addressed. Ms. MacLeish said the time frame from application to funds received could be 3 to 6 months but since

environmental studies still need to be done it would not be realistic to look for the funds this year.

Ms. MacLeish recommends separate applications for water and sewer but they can be sent at the same time.

Expenditure Limit Authorization-Town Manager

Councilman Dvornick reported that the Finance Committee recommends the Town Manager be authorized to make purchases under \$1,500.00 on a discretionary basis without prior approval of Mayor and Council provided the item being procured is included in the Approved Town Operating Budget or the purchase is the result of an emergency need.

All purchases under this authority shall be reported in the weekly Town Manager's Report to Mayor and Council.

Councilman Dvornick made a ***motion*** to approve the recommendation and added that receipts must be provided for the purchases. The motion was seconded by Councilman Hudson. All those in favor.

Motion carried – “Aye”

Out of Pocket Expense & Travel Reimbursement-

Councilman Dvornick reported that the Finance Committee recommends the Town Manager shall submit, at the end of each month, an expense report detailing Out of Pocket and Travel Expenses, including, but not limited to mileage, meals, and registration fees etc., incurred in performance of Town of Milton business such as attending meetings, workshops or professional development.

Councilman Dvornick made a ***motion*** to approve the recommendation seconded by Councilman Prettyman.

Councilman Post asked if a form is currently being used for this purpose. Councilman Dvornick stated he will have a form made up for the next meeting. All those in favor.

Motion carried – “Aye”

Old Bank Accounts-

Councilman Dvornick stated based on the information shared at the May Council meeting, he made a ***motion*** to close the old Payroll account with a balance of \$184.74, close the old Pension Account with a balance of \$3.46 and close the Tourism account with a balance of \$302.09 and have the funds placed in the General Account. The funds from those closed accounts plus \$9.71 from the General Funds will total \$500.00 to be paid to the Milton Catsnippers program as motioned in the May 2, 2005 Council meeting. The motion is to also include closing the Youth Soccer account with a balance of \$927.62 and those funds turned over to the Henlopen Soccer Club which succeeded the Milton Youth Soccer Program. This motion was seconded by Councilman Hudson. All those in favor.

Motion carried – “Aye”.

Cabe Associates Sewer Treatment Plant Design Contract-

Councilman Hudson stated Council has already received a copy of this contract. Councilman Post questioned wording of the contract and is concerned that the contract was not placed out for bid. He would like to have the Town's attorney draw up a standard contract to protect the town and the taxpayer's money; he believes the \$50,000.00 liability coverage is too low on a \$1.3 million dollar contract. Councilman Post and Councilwoman Betts would like some changes to the wording of the contract. Councilman Hudson reminded Council, per the Town's Charter, professional services do not have to be bid out. Councilman Hudson stated Council and committees have been talking heavily about this issue for the past year, sewer capacity is a necessity. A bid could cause another 3-6 month delay and a possible moratorium. Councilman Dvornick stated it would not be reasonable to bid the contract now since Cube's price has been made public.

Councilwoman Melson made a ***motion*** to accept the contract, seconded by Councilman Prettyman.

After discussion regarding wording, Councilwoman Melson ***withdrew the motion***. Councilman Post and Councilman Hudson made reference to the Town not owning the finished product; they believe the Town should own it. Councilman Post will provide a list of wording changes and the Town Manager will have Tim Willard review the contract for the June Council meeting.

Coulter Street-Reduction of speed limit/Convex mirror-

Councilwoman Betts asked the Council what they wish to do regarding the request for a speed limit reduction on Coulter Street.

Councilman Dvornick made a ***motion*** to place a 15 mph speed limit sign at each end of Coulter within one week and place a convex mirror at the intersection of Collins Street and Coulter Street, seconded by Councilman Post. All those in favor.

Motion carried – “Aye”

Abandonment of Alleyways-

Councilwoman Betts requested direction from Council as to what they would like done with the alleyways in question. Councilman Dvornick requested the Council address each alleyway individually. Concerning the alleyway from Behringer to Chandler, he would like to see that alleyway open for a pedestrian walkway. Councilman Post suggested the Council open them all up for pedestrian traffic. Councilman Hudson stated he did not wish to have the alleyway behind his house open to pedestrian traffic since that would become a safety issue at night. Councilman Post suggested having the Town clean up the alleyways and maintain them.

Mayor Bushey stated he has an issue abandoning Wharf Alley since there is a written agreement on that alley with Wilmington Trust and the Milton Fire Department. That alleyway has a forced main in it.

Councilman Prettyman asked why we should have the alleyways cleaned up but not let anyone use them. Councilman Hudson stated they could be cleaned up but not lay down asphalt or stone.

Councilman Hudson made a ***motion*** to have the Town clean up the alleyways as necessary, seconded by Councilman Prettyman. All those in favor.

Motion carried – “Aye”

Sidewalk Repairs-

Councilwoman Betts asked Council how they wanted to address the sidewalk repair issue. Does Council want to look for grant money or follow the Town ordinance that requires the homeowners to repair the sidewalk in front of their house? Hal Godwin stated the Town staff is very limited right now and does not have a lot of time available to apply for grants. Councilman Post does not think all the grant money should go to Chestnut Street; he feels it should be split between the areas. Discussion was brought up in reference to Board Street, the Mayor and Councilwoman Betts stated there were grants funds left over when the water repairs were done on Broad and Council decided to repair the damaged sidewalks on Broad instead of returning the grant funds.

Councilwoman Melson made a ***motion*** to try and get grants for sidewalk repairs, seconded by Councilman Post. All those in favor.

Motion carried – “Aye”

Preserve on the Broadkill/Entrance and Lights-

Councilwoman Betts stated Mr. Blayney would like the Town to pay for the street lighting on Preserve on the Broadkill. Councilwoman Betts stated she tried to visit the area and there is a no trespassing sign posted. She does not believe the Town should pay for lighting on streets that are not dedicated to the Town. There was discussion regarding which streets in Shipbuilder’s Village were dedicated to the Town and which streets the Town pays lighting for. Councilman Dvornick could not find deeds filed at the Recorder of Deeds for the Shipbuilder’s Village Streets. He stated if the streets were added to the Municipal Street Aid report, it would bring additional revenue to the Town.

The Mayor noted if the streets fall under the Municipal Street Aid guidelines then we need to add them to our report and start collecting the funds. Councilman Dvornick read the Municipal Street Aid guidelines. Hal Godwin informed Council that Eric Evans had sent a letter to the State this past week reporting the current mileage and population.

Councilman Dvornick informed Council it would benefit the Town to add Preserve on the Broadkill streets before public services are really needed.

Councilman Dvornick also informed the Council that according to the Subdivision Ordinance, the developer is required to have a Performance Bond. If they fail to construct to the requirements they have the bond to go back on.

Bob Kerr, Town Engineer stated council did not have to remove snow from streets that are not dedicated to the Town. Mr. Blayney stated the No Trespassing sign was removed today, it was in place due to the large piles of bricks that were in different areas of the

project and they were concerned about safety of those coming into the development while the bricks were there.

The Mayor asked the Council what they wanted to do about the request. No response was given so the Mayor moved on.

Bob Kerr stated he had been contacted by Del Dot concerning Mulberry Street and a water main that was installed several years ago is in the way of where Del Dot needs to put the storm sewer. Del Dot is requesting the whole pipe line and all the water laterals be moved. Del Dot would like Cabe Associates to do the design and the Town will be reimbursed for the additional engineering costs by Del Dot. Basically the Town will be getting a new 10” water main to the Mulberry Street area at no cost to the town. The issue will be put on the June agenda.

Councilwoman Betts questioned what the final decision was for the Preserve on the Broadkill lighting request. The Mayor stated the Council did not make a motion so he moved on.

Councilman Dvornick made a motion to investigate adding the Preserve on the Broadkill streets to the Municipal Street Aid report and if they can be added, then the Town should go ahead and pay for the street lights, seconded by Councilman Post. All those in favor.

Motion carried – “Aye”

Councilwoman Betts asked about the USDA grant assistance. Councilman Dvornick stated he hoped the Town would go ahead and make the application but there is information that is needed from the Town’s engineer to proceed.

Councilman Dvornick made a motion to have the Finance Committee follow up and begin the process for a preliminary application, seconded by Councilman Hudson. All those in favor.

Motion carried – “Aye”

Executive Session

Councilman Prettyman made a *motion* to go into Executive Session, seconded by Councilwoman Betts. Councilwoman Melson stated since she was the Council Secretary and the Personnel Chair she would like the tape recorder in the executive session.

Council went into Executive Session 8:37 pm.

Motion carried – “Aye”

Respectfully submitted,

Stephanie Coulbourne

:5/20/05