

**Town of Milton**  
**Town Council Meeting Minutes**  
**August 4, 2003**

**6:30 to 7:15 p.m. - Workshop with Planning & Zoning Regarding Town Center Boundaries**

Planning & Zoning Members present were: Linda Rogers, Dennis Hughes, Dean Sherman, and Noble Prettyman.

Linda Rogers gave an overview of the Town Center as proposed.

Councilwoman Parker asked if there were any comments from the public hearing? Mrs. Rogers noted that the only comment was to do all of Broad Street (both sides) or not at all.

There was discussion among the members of Town Council.

Councilman Fleetwood made a *motion* to accept Planning and Zoning's recommendations on Town Center boundaries, seconded by Councilman Wright.

Motion carried – "Aye"

Mr. Eric asked if what should happen now is that Ann Marie Townsend will conform the map and that will be the map for the Comprehensive Plan? Town Council agreed.

Councilman Wright made a *motion* to close the workshop at 6:45 p.m., seconded by Councilman Fleetwood.

Motion carried – "Aye"

**7:15 to 7:21 p.m. - OPEN FLOOR:**

1. Bob Blayney –
  - \*\* Stated that the geese are a real issue. He asked that Council back some DNREC way of getting rid of them. It was noted that something is in the works.
  - \*\* Stated that the maintenance yard is atrocious. He suggested that the Town put up a nice wooden fence and some landscaping at the entrance.

Mayor John F. Bushey called the meeting to order at 7:33 p.m. at the Fire Hall on Front Street.

Councilwoman Betts offered the opening prayer.

Mayor Bushey called the roll.

PRESENT: Mayor John Bushey (arrived at 7:30 p.m.)  
Councilman Charles Fleetwood  
Councilwoman Leah Betts  
Councilwoman Ronda Melson  
Councilwoman Stephanie Parker  
Councilman Jerry Hudson  
Councilman Wright

Others Present: Jocelyn Jenkins, Town Clerk  
Stephanie Coulbourne, Finance Clerk  
Dawn Johnson, Administrative Assistant  
William Phillips, Chief of Police  
Allen Atkins, Town Maintenance  
Eric Evans, Code Enforcer  
Tim Willard, Town Attorney

**Presentation and Approval of Minutes**

Councilman Fleetwood made a *motion* to approve the minutes of the July 7, 2003 regular meeting, seconded by Councilman Wright.

Motion carried – “Aye”

**Approval of Treasurer’s Report**

Councilman Hudson made a *motion* to approve the treasurer’s report, seconded by Councilwoman Melson.

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 Councilwoman Parker.

Councilwoman Parker asked a question about the refund of taxes for the Bennett Street property. Mrs. Coulbourne noted that it was an overpayment (both the bank and the Sheriff’s Office paid it).

Motion carried – “Aye”

**Committee Reports**

Sewer & Water Committee – Councilwoman Melson

Nothing to report.

Streets & Sidewalks Committee – Councilman Wright

Nothing to report.

Ordinance Revision – Mayor Bushey

Mr. Evans noted that the subdivision ordinance is being reviewed by Planning & Zoning. They are to get comments to him by August 19. It is tentatively scheduled to go before Council on September 2.

The building permit and housing ordinances are ready to go to the Ordinance Committee.

The next one he works on will be the business license ordinance.

An Ordinance Committee meeting will be scheduled.

Personnel Committee – Councilwoman Parker

An executive session is needed.

Pension Committee – Councilwoman Betts

Councilwoman Betts reported that she has the figures to change from Hartford to the State. She will get the figures to Council.

Parks & Recreation Committee – Councilman Fleetwood

Councilman Fleetwood noted that the concerts are going well. He thanked the Fire Department and the MDC for allowing the bands to use the Fire Hall and the Theater for the concerts on night when it rained. There have been 3 concerts held at the Fire Hall and 3 at the Theater. National Night is scheduled of August 6, 2003. The band will be the Honeycombs sponsored by Comcast Cable. The following week the concert will be held on Tuesday and not Wednesday.

Economic Development Committee – Councilman Fleetwood

Nothing to report.

Finance Committee

Dennis Hughes reported that the Finance Committee has held meetings. A rough draft of the budget was given to Council tonight.

Planning & Zoning Committee – Linda Rogers

Nothing to report.

Risk Management Committee – Councilman Fleetwood

Nothing to report.

Milton Development Corporation – Councilwoman Betts

Councilwoman Betts reported that a \$11,000 was made on the Comedy Club. Bargains on the Broadkill, The Kayak Race, and the Great Duck Race will take place on August 23, 2003. Jack Hudson has offered to lend us a boat for the Kayak Race.

Board of Adjustment

Nothing to report.

## **Written Reports**

### Maintenance Report

Councilman Fleetwood made a **motion** to approve the maintenance report as written, seconded by Councilman Wright.

A question was asked about the sidewalk on Union Street in need of repair. Mr. Atkins noted that he is trying to get a contractor to do the work.

Motion carried – “Aye”

### Code Enforcer Report

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

Motion carried – “Aye”

### Police

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

Chief Phillips reported that Delaware passed a mandatory seatbelt law. It is now a primary offense.

National Night will be August 6, 2003 from 7:00 p.m. to 9:00 p.m. There will be food, a drug dog display, the Sheriff, the helicopter, and free bicycle helmets.

The question was called on them motion.

Motion carried – “Aye”

### Town Clerk

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

Motion carried – “Aye”

## **Correspondence**

1. Letter from State Planning Office stating that they accept the plan as amended.
2. Letter from Cape Henlopen School District informing Town Council of and inviting them to the Preview of Mariner Middle School on August 28, 2003 from 3:30 p.m. to 5:00 p.m.
3. Letter from Bill Moore thanking the Police Department for the recovery of his stolen utility trailer.
4. Letter stating that House Concurrent Resolution #29 was passed.

5. Letter of Appreciation for the Annual Bassmasters Youth Tournament.
6. Letter from Friends of Vance Phillips advising of the 6<sup>th</sup> annual Crab Feast & Watermelon Extravaganza.
7. Letter from Nancy Davis regarding the massage ordinance and licensing requirements.

### **Old Business**

#### Update Regarding Additional Bank Service Fees for Returned Checks

It proposed that the Town implement additional fees for returned checks. The fee for the first return would be \$10.00 and for the second \$25.00.

Councilman Wright made a ***motion*** to approve the fees, seconded by Councilman Hudson.

Motion carried – “Aye”

#### Update from Dogfish Head

Nick Benz, new CFO for Dogfish Head reported that they plan to be off the system on August 7, 2003. They are moving forward. He then distributed a copy of a letter to Town Council. They are proposing to change the valve on non-brewing days.

#### Request from Fire Department regarding more money for rental

Dennis Hughes and Councilman Fleetwood will meet when Mr. Hughes gets the paperwork ready.

#### Status of Orchard Street

Mrs. Jenkins reported that an attorney has been hired. We should hear something this week.

#### Status of Defiant Properties

It was decided that we do the work and bill the property owner or lien the property.

### **New Business**

#### Presentation on Computer System Upgrades – Scott Draper

Councilwoman Parker made a ***motion*** to purchase the 2 computers with software as presented by Mr. Draper, seconded by Councilman Hudson.

Motion carried – “Aye”

#### Presentation of 2004 Budget

Council has the draft budget. Budget sessions have been scheduled for August 14, August 21, August 28, and September 11.

Discussion of Electric Extension and Floating Dock – Councilman Fleetwood

Councilman Fleetwood reported that bigger pilings are required. Richard Ashby is willing to pay to have the electric trenched over and make it available to others to use. He is also willing to pay the electric.

Councilman Fleetwood thinks it is an added service with no financial burden on the Town.

Mrs. Jenkins will check with Gordy Insurance regarding liability.

With regard to the floating dock, it is not recommended by Precision Marine. The Town would have to get permission from the Army Corps of Engineers.

Someone mentioned that they have seen people washing their cars with Town water in the Park. The Chief was asked to “ticket” those people.

Letter from Nancy Davis regarding Massage License

An opinion would be needed from the Town Attorney on this matter.

There was discussion regarding ordinances for vicious dogs and dogs at large. It was suggested that the ordinance be written so that the offender just pays a fine, but doesn't get fingerprinted.

Geese Issue

Councilman Fleetwood suggested that for now, we ask people not to feed the waterfowl.

**Executive Session**

Councilman Fleetwood made a ***motion*** to go into Executive Session at 8:13 p.m., seconded by Councilman Wright.

Motion carried – “Aye”

Council came out of Executive Session at 8:50 p.m.

Councilwoman Parker excused herself regarding the letter from Nancy Davis.

Mr. Willard reported that there is nothing in the Code to allow for an exception. The ordinance itself would have to be changed. The Code doesn't provide for a waiver. The massage section is pretty specific. This item will be addressed at the September meeting.

Since the first portion of this meeting was held as a workshop, Mr. Willard suggested that Council approve the Town Council recommendations during the regular portion of the meeting.

Councilman Fleetwood made a *motion* to accept the Planning & Zoning recommendations regarding the Town Council, seconded by Councilman Wright.

Motion carried – “Aye”

**Adjournment**

Councilman Wright made a *motion* to adjourn the meeting at 9:00 p.m., seconded by Councilman Fleetwood.

Motion carried – “Aye”

Respectfully submitted,

Dawn Johnson  
Administrative Assistant

dmbj:8/27/03