

**Town of Milton  
Town Council Meeting Minutes  
September 2, 2003**

**6:30 to 7:23 p.m. – Public Hearing Regarding Comprehensive Plan**

Mayor Bushey was absent. Councilwoman Betts called the public hearing to order, but due to a potential conflict of interest (she owns property on Broad Street), she excused herself, and asked that Secretary Melson chair the meeting.

Ann Marie Townsend of the State Planning Office reported that the Comprehensive Plan was reviewed in May by the State. The State comments have been addressed and changes have been made to the map. With regard to an Adequate Public Facilities Ordinance, Council has a draft of that. It is also being reviewed by the Attorney and the Engineer. When Town Council adopts the Comprehensive Plan, the zoning has to be consistent with the map within 18 months.

Mr. Evans read the draft Town Center description and boundaries. A question was about whether the people affected have been notified. Mr. Evans stated that they have not.

Rich Moonblatt spoke on behalf of Brian Logan, stating that Mr. Logan wants to see all of Broad Street made Town Center or none of it.

Councilman Fleetwood noted the difference between Town Center and Commercial.

Don Post stated that the map is not well-defined. This is the chance to do the Comprehensive Plan and do it right. More light Commercial is needed, not spot zoning. He would like to see the Town make downtown Milton a walking atmosphere.

Lester Radke, property owner on Broad Street stated that he has signatures of 11 of the 16 property owners on Broad Street in favor of Town Center zoning.

Councilman Fleetwood made a ***motion*** to defer a decision regarding Town Center boundaries until October and notify property owners within 200 feet of the proposed Town Center boundaries and a copy of the proposed Town Center ordinance go with the letter. Councilman Wright seconded the motion.

Motion carried – “Aye”

Roseanne Pack of the Cape Gazette asked what this does to the Town Center boundaries adopted at the last meeting. It was noted that at the last meeting, Town Council voted to accept the recommendations of Planning & Zoning regarding Town Center boundaries. No official adoption of boundaries has taken place.

**7:23 to 7:25 p.m. - OPEN FLOOR:**

Ed Harris stated that citizens need to support the Police Department. The Police Department is getting a bum rap over a few incidents that have been blown out of

proportion. Also, he asked that the tall letter at the corner of Route 16 and Union Street be addressed. It is a disgrace. Mr. Evans will address this.

Mayor John F. Bushey called the meeting to order at 7:30 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: Stephanie Coulbourne, Finance Clerk  
Dawn Johnson, Administrative Assistant  
William Phillips, Chief of Police  
Allen Atkins, Town Maintenance  
Eric Evans, Code Enforcer  
Robin Davis, Maintenance  
Tim Willard, Town Attorney  
Bob Kerr, Town Engineer

#### **Presentation and Approval of Minutes**

Councilman Fleetwood made a *motion* to approve the minutes of the August 4, 2003 regular meeting, seconded by Councilman Wright.

Motion carried – “Aye”

Councilman Fleetwood made a *motion* to approve the minutes of the special meeting held on June 19, 2003. The motion was seconded by Councilman Wright.

Motion carried – “Aye”

#### **Approval of Treasurer’s Report**

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

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 Councilman Hudson.

Motion carried – “Aye”

## **Committee Reports**

### Sewer & Water Committee – Councilwoman Melson

Councilman Melson reported that she, Councilman Hudson, and Mayor Bushey met with Bob Stickels of the County regarding future options for water and sewer. Further research is needed regarding land application.

### Streets & Sidewalks Committee – Councilman Wright

Councilman Wright reported that no response has been received from Senator Adams regarding the request for money for Bay Avenue. The estimates for the handicapped curbing are about \$1,000 to \$1,500 per cut. With regard to Frederick Street, the water is in. The sewer laterals are not; once they are in, they will start on the street. He is looking into funds for sidewalks on Chestnut Street. With regard to sidewalks needing repair, he is looking into trying to get grant money.

### Personnel Committee – Councilwoman Parker

Nothing to report.

### Pension Committee – Councilwoman Betts

Councilwoman Betts reported that Town employees are being polled regarding going with the State Pension Plan.

### Parks & Recreation Committee – Councilman Fleetwood

Councilman Fleetwood noted that the concerts are complete. He thanked the sponsors, the Fire Department, and the Milton Development Corporation. The concerts were very successful and well-attended. The pilings at the boat dock have been replaced. The rip rap will be done this month.

Senator Adams and Representative Carey have committed monies to sidewalks from the boat dock to the parking lot.

### Economic Development Committee – Councilman Fleetwood

Nothing to report.

### Finance Committee

The Committee will meet two or three more times before the September 11, 2003 meeting.

### Planning & Zoning Committee – Linda Rogers

Linda Rogers reported that they are working on reviewing the Zoning ordinances and the Subdivision ordinances. She noted that Planning & Zoning asks that Council consider revisiting the moratorium deadline.

Risk Management Committee – Councilman Fleetwood  
Nothing to report.

Milton Development Corporation – Councilwoman Betts  
Councilwoman Betts reported that a \$14,000 was made on the canoe and 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.

Motion carried – “Aye”

Code Enforcer Report

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

Motion carried – “Aye”

Police

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

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 DNREC (Soil & Hazardous Waste) regarding a recycling workshop to be held on September 24 and 25. This workshop is free to town officials.
2. Letter from Delaware State Housing Authority stating that applications for Emergency Shelter funds must be received by October 7, 2003.
3. Letter from Sussex County advising of a Memorial Service for 9-11 victims on September 11, 2003 at 10:00 a.m.
4. Letter from Delaware Forest Service advising of a Community Forestry Workshop on September 30, 2003 from 10:00 a.m. to 2:00 p.m.

**Old Business**

Boat Dock Update

Electric at the boat docks will be discussed next month. Locks will be put on the spigots.

**New Business**

Resident and Migratory Geese - Thomas Whittendale, DNREC

Mr. Whittendale gave a presentation on resident geese and several options available to the Town to control the resident geese population.

Nora Martin asked if we really have a problem with resident geese in Milton. Mayor Bushey noted that this was brought up at the last meeting.

There was additional discussion. This item will be taken under advisement.

Cannery Village Entrance

Gene Dvornick stated that the request is for brick pavers at the entrance.

Councilman Fleetwood made a **motion** to accept the plan contingent on Engineer approval and recommendations. Councilwoman Betts seconded the motion.

The question was called on the motion.

Motion carried – “Aye”

Partitioning of 201 Collins Street

Charlie Coffman was present on behalf of Mr. Churchill and Mr. Layton. He noted that it meets the specifications. It will add to the flavor and character of the neighborhood.

Councilman Fleetwood noted that he has no problem with the request. It is a good size lot for that area.

Councilman Fleetwood made a **motion** to permit the partitioning, seconded by Councilman Hudson.

Motion carried – “Aye”

Minor Subdivision of Food Lion Property

Ken Christenberry was present. He noted that they are proposing to make four parcels out of two.

Councilman Fleetwood made a **motion** to approve the minor subdivision pending the Town engineers notes regarding the measurements being adjusted. Councilman Wright seconded the motion.

Motion carried – “Aye”

Dedication of Streets in Shipbuilders Village from Shipbuilders Boulevard to South Spinnaker Lane (Bay Ct, Rudder Ln, South Spinnaker Ln to west side of Rudder Ln)  
Mr. Evans noted that these are streets that the Town is currently getting Municipal Street Aid for in Phase I.

Councilwoman Betts made a ***motion*** to accept them and have Mayor Bushey sign the map, seconded by Councilwoman Melson.

Motion carried – “Aye”

Mulberry Street Lot (2-35 14.00 564) – S. Frabizzio, B. Warren, F. Capano  
Mayor Bushey stated that the title company verified that the Town owns the parcel.

Councilman Wright made a ***motion*** that the town keep the property, refund the building permit fees, and that the title company put the lot back to its original condition and bear the expenses and pay the Town’s attorney fees. Councilwoman Parker seconded the motion.

Motion carried – “Aye”

DEMA Briefing – Allen Jackson/Eric Evans  
Committee compiled five items to be sent to DEMA to be included in the County’s Mitigation Plan. (1. Secure the water tower; 2. Relocate wastewater treatment plant; 3. Emergency Shelter Information for public education; 4. Identification cards for key personnel during a disaster situation; 5. Community Rating System for floods.)

Councilwoman Betts made a motion that the Committee go ahead with the plan and present it to DEMA. Councilman Hudson seconded the motion.

Motion carried – “Aye”

Streets & Sidewalks Projects – Mayor  
It was reported that Mr. Hayward of the Highway Department says the project is moving forward. \$80,000 was rolled over.

Mayor Bushey will investigate where funding will come from to install sidewalks on Chestnut.

Committee Roles and Responsibilities - Mayor  
Councilwoman Betts, Councilman Hudson, and Councilwoman Parker will work with Jocelyn to work out any concerns.

Presentation of Adequate Public Facilities Ordinance  
Mr. Evans reported that the ordinance is being reviewed by the Town Engineer. It will need to be adopted at a later date once in final draft.

Presentation of Building Permit Ordinance

Mr. Evans noted that this ordinance went through the Ordinance Committee. He asked that Town Council review, comment and/or adopt.

This item will be on the October agenda.

Presentation of Business License Ordinance

This item will be on the October agenda.

Presentation of Housing Ordinance

Mr. Evans stated that it is being reviewed by LUPA.

This item will be on the October agenda.

Councilmanic Salaries

A vote is taken every year to pay the councilmanic salaries.

Councilman Wright made a ***motion*** to pay these salaries two times a year; in September and March. Councilwoman Melson seconded the motion.

Motion carried – “Aye”

Councilman Wright invited everyone to St. John’s for Memorial Service honoring fire, state and local police who lost their lives.

Councilwoman Betts made a ***motion*** to allow the Church to close the street on September 13, 2003 for the yard sale, seconded by Councilwoman Melson.

Motion carried – “Aye”

Councilman Hudson made a motion that the Town draft a letter to DNREC to clean the deadfall out of the River as soon as possible. Councilman Fleetwood seconded the motion.

Motion carried – “Aye”

Mr. Evans noted that the Governor will be at Goshen Church on September 21, 2003 and invited everyone to attend.

Everyone was reminded that the Town Yard Sales are September 13, 2003 from 9:00 a.m. to 3:00 p.m.

**Executive Session**

Councilwoman Parker made a *motion* to go into Executive Session at 9:35 p.m., seconded by Councilman Wright.

Motion carried – “Aye”

Respectfully submitted,

Dawn Johnson  
Administrative Assistant

dmbj:10/3/03