

Town of Milton
Town Council Meeting Minutes
December 6, 2004

7:00 – PUBLIC HEARING:

PUBLIC HEARING in cooperation with Sussex County Council and the Delaware State Housing Authority to allow citizens an opportunity to participate in the development of an application to the State of Delaware Community Development Block Grant Program. The primary objective of the Community Development Program is to develop viable urban communities.

Bill LeCates, Director of Community Development and Housing for Sussex County talked about grants for low and moderate incomes. He went over the criteria and reviewed the handouts.

Mr. LeCates answered questions from residents regarding the application process. He invited the public to attend a meeting between the Sussex County Council and the Delaware State Housing Authority.

OPEN FLOOR: There was no one present to speak during this portion of the meeting.

Mayor John F. Bushey called the meeting to order at 7:30 p.m. at the Fire Hall at 116 Front Street.

Councilwoman Betts offered the opening prayer.

Mayor Bushey called the roll.

PRESENT: Mayor John Bushey
Councilwoman Leah Betts
Councilman Jerry Hudson
Councilman Gene Dvornick
Councilwoman Ronda Melson

Those Absent: Councilman Charles Fleetwood
Councilman Noble Prettyman

Others Present: Jocelyn Jenkins, Town Clerk
Eric Evans, Code Enforcer
Stephanie Coulbourne, Finance Clerk
Chief William Phillips, Police Dept.
Allen Atkins, Town Maintenance
Tim Willard, Town Attorney
Bob Kerr, Engineer

Presentation and Approval of Minutes

Councilwoman Betts made a *motion* to accept the minutes of the November 1, 2004 meeting, seconded by Councilman Hudson.

Motion carried – “Aye”

Committee Reports

Sewer & Water – Councilwoman Melson reported there needs to be a change order for repairs to the roof on the wastewater treatment plant. The estimated cost is approx. \$8,000.00 that includes a 10 year warranty.

Councilwoman Melson also let those in attendance know about the changes for the 4th quarter sewer/water/trash billing. Those changes were approved during the 2005 budget process in September.

The bids for Frederick Street came in too high at \$86,000.00 and \$97,340.00. Does the Council wants to accept the bids? Mayor Bushey asked for a breakdown of the costs. Scott Hoffman of Cabe Associates gave council the breakdown.

Cabe Associates is currently working on a bid outline for the new wastewater treatment plant.

Ordinance – Mr. Evans reported that the street ordinance is complete and is being reviewed by the Streets & Sidewalks Committee.

Personnel/Pension – Councilman Hudson reported that a short executive session is needed regarding personnel. The town will sponsor a Christmas party on 12/21 at the Mulberry Street Café for the town employees. Any guest of the employee and any council member that wishes to attend will need to pay for themselves.

The town would like to ask community members to help in the interviews for the Town Manager position. Mayor Bushey asked Dr. Richard Greig, Tony DeFazio and Estella Parker-Selby to assist the Personnel Committee. The committee will meet on 12/9 at 7:00 P.M. to review the 18 applications.

Motion made by Councilman Dvornick to approve the addition of the community members, seconded by Councilman Hudson.

Motion carried – “Aye”

Councilman Hudson noted that under new business the committee would be adding a Family Medical Leave Act (FMLA) policy that will be separate from the Employee Handbook.

Parks & Recreation – No Report.

Economic Development – No report.

Historic Preservation/200th Anniversary –The committee would like to have start up funds from the Town for the 200th Anniversary to purchase T-shirts etc. Councilman Hudson made a **motion** to approve \$1,000.00 in start up funds. Councilman Dvornick seconded the motion.

Motion carried – “Aye”

Councilman Hudson made a ***motion*** to extend the moratorium on demolition within the historical district until the end of February, seconded by Councilman Dvornick.

Motion carried – “Aye”

Land Acquisition Committee –The committee met with a property owner on 12/3. The committee will send a letter to that owner for the purchase of the property in question. Councilwoman Betts made a ***motion*** to go into executive session at 7:43 P.M. to discuss the purchase price, seconded by Councilman Hudson.

Motion carried – “Aye”

Councilwoman Betts made a ***motion*** to come out of the executive session at 7:50 P.M. seconded by councilman Hudson.

Motion carried – “Aye”

Councilman Dvornick made a ***motion*** to proceed in securing land for a new wastewater treatment plant as discussed in the executive session, seconded by Jerry Hudson.

Motion carried – “Aye”

Planning & Zoning –No report.

Board of Adjustment – No report.

Milton Development Corporation –Councilwoman Betts stated the two plays held last weekend raised over \$5,000.00,

Finance/Risk Management – Councilman Dvornick stated the administration staff is currently working on the 2004 audit.

New Police Building- Councilwoman Betts stated they are looking into a new building.

Written Reports

Maintenance Report-Councilman Hudson made a ***motion*** to accept the maintenance report, seconded by Councilwoman Betts. Allen Atkins stated the smoke testing would begin on Union and Federal Streets on 1/4/05 and 1/5/05.

Code Enforcer Report

Councilman Hudson made a ***motion*** to accept the report as written, seconded by Councilwoman Melson.

Motion carried – “Aye”

Police Department Report

Councilman Dvornick made a motion to accept the report as written, seconded by Councilwoman Betts.

Motion carried – “Aye”

Town Clerk Report

Councilwoman Melson made a motion to accept the report as written, seconded by Councilman Dvornick. Mayor Bushey asked how many employees were carrying over vacation hours into 2005. The Personnel Committee gave one employee the approval to carry over the hours.

Councilman Dvornick asked about the Mulberry Street project. Jocelyn Jenkins stated there might be a few issues about taking a few feet of land for a right-of-way. Ms. Jenkins has a meeting next week with Del Dot.

Motion carried – “Aye”

Correspondence

Councilwoman Melson read letters from:

- 1) State of Delaware/State Planning Office regarding approval for a Livable Delaware Fund matching grant up to \$9,227.48 for a GIS system.
- 2) Comcast informing of 2005 pricing schedule
- 3) Damalier Malina of 330 Behringer Ave. regarding removal of a cherry tree
- 4) State of Delaware/DNREC stating the Flood Plain Regulations meet or exceed min. requirements of the National Flood Ins. Program.
- 5) Milton Crum visitor to the Town regarding sign in the park.
- 6) Cape Henlopen School District regarding adoption of Long-range Facilities Planning Policy.
- 7) Urquhart & Company requesting advanced notice of meetings regarding sewer

Old Business

Bicentennial Garden- Councilman Hudson stated per Councilman Fleetwood’s request, the issue is to be tabled until January.

Report to Community-Tom Draper gave a visual presentation on the process of Cannery Village. The pictures of the current structures matched the plans that were approved by Town Council. Mr. Draper stated that WBOC is growing and is now shooting live from Milton. He also gave an explanation of the recent sale of the Cannery Village Development to Colby Cox. Mr. Draper, of the newly formed Pintail Management, gave a list of the properties they still own. The group recently helped the Milton Historic Society move valuable artifacts from the current museum into storage while the building is under repairs. He stated they will continue to be active in the community.

Johnny Hopkins of Pintail Management gave an update on the Federal Street Office Park. Mr. Hopkins also gave a presentation, in his own words, to stop the negative criticism of the projects by the company. Mr. Hopkins talked about the emotional journey his family made regarding the decision to sell Hopkins Grainery. He felt Mr. Draper has done a great job in cleaning up the property where Draper King Cole and the Grainery stood. The buildings that were torn down could not be repaired due to the components that wore them down over the years. All of the antique equipment from the buildings had been removed and are being donated.

Councilwoman Melson made a motion to have a change order to repair the roof of the wastewater treatment plant. Councilman Hudson seconded the motion.

Motion carried – “Aye”

New Business

Chesapeake Utilities gave a presentation on extending natural gas service to Milton. The lines would be coming from Milford and if there was enough interest, they could possibly come on line in late 2005. Chesapeake would ask for an exclusion franchise but residents could go elsewhere for propane if they wished. Depending on the household usage, it would be possible to save 15-20%.

Financial Advisor- Lester Guthorn stated he works with governments and non-profit organizations such as City of Newark, City of Dover, City of Lewes, Georgetown and the Delaware Solid Waste Authority. His organization can help the town with the bond issue for the wastewater treatment plant. He will look at our budget and advice the council in the direction the town needs to go and work towards getting the town the lowest cost on financing available. The charge for his services would be on an hourly basis.

Councilwoman Betts made a ***motion*** to be the host for the November 2005 SCAT meeting, seconded by Councilwoman Melson. Councilwoman Betts agreed to be the chair in organizing the event.

Motion carried – “Aye”

Realignment of Parcels-Shipbuilders Village-Per the land surveyor, the original survey was incorrect and the buildings were placed in the wrong area. The survey company is notifying the lot owners by registered mail and working with a title insurance company. They are asking Council to sign off after they receive approval of those owners and have completed all the legal issues. There will be no cost to the owners and only one sale has been held up due to the issue.

Councilman Dvornick made a ***motion*** to approve once approval is received from the owners, seconded by Councilman Hudson.

Motion carried – “Aye”

Historic Preservation Building Renovation- Denny Hughes of the Historical Society wants Council to waive all fees and permit costs associated with the renovation of their current building. The Fire Marshall, Sussex County and the State Archive have waived their fees. Councilwoman Betts made a motion to waive the site plan fees and the parking requirements. Councilman Hudson seconded the motion.

Motion carried – “Aye”

Councilman Hudson made a ***motion*** to allow demolition on part of the building per the plans presented during the current moratorium, seconded by Councilman Dvornick.

Motion carried – “Aye”

Charter Revision-Tim Willard asked for permission to present the charter changes to the General Assembly in January. This will include the percentage increase to 30% for bond indebtedness. All changes can be done in one bill.

Councilman Dvornick made a ***motion*** to allow the increase and send the bill to the General Assembly. Councilwoman Melson second the motion.

Motion carried – “Aye”

Bond Counsel and Financial Advisor-Tim suggested we wait until we receive contracts from the individuals before hiring. Councilman Hudson made a ***motion*** to accept the request from Tim, seconded by Councilman Dvornick.

Motion carried – “Aye”

Block Grant Resolution- Councilman Dvornick made a ***motion*** for approval for the mayor to sign the resolution. Councilman Hudson seconded the motion.

Motion carried – “Aye”

Councilwoman Melson read the Block Grant Resolution into the minutes.

Councilman Hudson made a ***motion*** to adopt the new FMLA policy, seconded by Councilwoman Betts.

Motion carried – “Aye”

Councilman Dvornick made a ***motion*** at 9:29 P.M. to go into Executive Session, seconded by Councilman Hudson.

Motion carried – “Aye”

Return from executive session 10:19 P.M. Councilwoman Betts made a motion to adjourn the council meeting at 10:20 P.M. Seconded by Councilman Dvornick.

Motion carried – “Aye”

Respectfully submitted,

Stephanie Coulbourne

slc: 1/7/05