

**Town of Milton  
Town Council Meeting Minutes  
July 3, 2006**

**Milton Town Council Meeting was held in the Milton Town Hall, 101 Federal Street.**

**Open Floor**

Dick Greig: The Garden tour went well. This was one of the best garden tours. The town looks so much better than it did.

Anne Yarborough: Passed out walking tour pamphlet and rat cards. We have a new walking tour with four loops. At 10:00 on July 15th, John Swain, master boat builder, will be at the museum about building a small replica ship. We will be exploring the cost of a replica.

John Collier: I would like to thank town council for the block party. There was an agenda asking for a tree ordinance. We have no tree ordinances yet. (John gave our a packet to council about "Greening America") With the tree ordinance you will need to meet a few points you have to meet one, you have to have a tree board, tree care ordinance, a community forest program with a annual budget of at least \$3,400 dollars. Surrounding towns have this ordinance. There are \$100,000 available in grants to help process. There is a Sample tree ordinance that will help with clear cutting of trees.

Nancy Davis: I am concerned about lack of lights on shipbuilders Blvd. I also have concern with the flooding on South Spinnaker. One year we had a problem and I want to know what's being done about fixing that problem. Councilwoman states: The town has addressed that problem and we haven't heard back from them. The town was to send a letter to Conectiv or developer. We have to find out who should put them in or if lights even where supposed to be there. Other wise we will enforce the developer to put lights there.

Marion Jones: This is a follow up on the walk through Milton. (Marion shows council pictures) There is new damage to Governors Walk. The pavers are damaged from water and construction trucks. The ally way is littered and smells and I think that the town maintenance should be keeping up with this. Again the ally way is stained with residue. Town Council states: We have talked to the owners in the ally and they should have been cleaning up the ally. Robin will be going out and addressing the washing machines behind the Bodies. We are also replacing the pavers in certain locations.

Jim Welu: I am here for clarification. Is there a land acquisition for town hall? I would like to know do citizens have a chance to comment?

Mayor Post called the regular Council meeting to order at 7:33 p.m.

Councilwoman Betts offered a moment of silence, and pledge

Mayor Post called roll.

PRESENT: Mayor Post  
Councilman Frey  
Councilman Harris  
Councilman Dvornick  
Councilwoman Betts  
Councilwoman Melson

ABSENT: Councilman Prettyman

Others Present: Stephanie Coulbourne, Town Clerk                      Allen Atkins, Public Works Director  
George Dickerson, Town Manager                                      Chief Phillips, Police Chief  
Bob Kerr, Cabe Assoc.    John Brady, Town Solicitor

Mayor Post asked for additions or corrections to the agenda?

Councilman Dvornick requested to have the town send a letter to Senator Carper, Senator Biden and Congressman Castle with respect to letting Prime Hook Wildlife Refuge maintain its own identity.

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

Mayor: There will not be a presentation of minutes to be reviewed.

Motion made by Councilman Dvornick to approve the amended agenda. Councilman Harris:  
Second as amended  
All in favor "Aye"

### **Committee Reports**

Charter Committee- Joanie Martin-Brown reported on the progress of the ordinance revision.

Ordinances Revision- Ginny Weeks reported the committee discussed uses under the Town of Milton different zonings.

Planning and Zoning- No Meeting was held in June

Board of Adjustments- Collier states a synopsis of the meeting will be delivered to council

Economic Development - Councilman Harris: We are working on packets to encourage Business development. There is a property owner interest in opening a restaurant and some condos.

Parks and Recreations- Councilman Harris reported the Bicentennial garden design has been updated with more benches, lighting and trash barrels. We want to get out and look at the areas that need work. Someone has taken picture of areas in need of repair. We will send out letters for

funding for downtown. We also need to look at the amount of people at the attendance at the park concerts for parking.

Finance- No Meeting has been held

Sewer and Water- No Meeting was held. New sewer plant committee didn't meet because they need management.

Streets and Sidewalk- With addressing the lights and drainage in the trees and the town Manager is looking into this. He will report back to us next month. The Town Manager will contact the state in regards to Church Street drainage. Town Manager was given a list of streets in need of repair, and we are getting estimates. Site plan in with the preserve includes sidewalks and the side walk repair for the home owners will receive letters that are in need of sidewalk repair.

Milton Development- We had a successful one act shows and the state gave us some help with joint finance. \$250,000 was given to the theater by the legislators. Thank you to Senator Adams and Senator Simpson, and Representative Carrey.

Historic Ordinance- Stephanie reported that she spoke to a representative from Lewes. We would like Mr. Brady to attend the next meeting.

Town Manager- George reported he has given the title of acting Town Clerk to Stephanie. Council wanted the sewer impact fees to be billed out and all those bills have gone out. All those EDU's billed out equaled \$2,236,500. All the Second quarter utility bills have been mailed out. Four letters have been sent out to property owners that need major repair. I meet with Sussex County Conservation, the County inspector and Cabe Associates to learn their inspection process. I rode through the developments after flooding and noted problem areas. I also meet with our auditor to look at last years financial statements and went over issues with him. I also meet with Connie Holland, with the State Planning Office to go over the towns over all growth. I also spoke with Patty Walker from Williams Ins. Agency our Insurance office, to make assessments. Our renewal isn't until March but I wanted to meet her and what our lost history was for budget purposes. I also met with First State Inspection to handle our inspection and look at the cost if we use them. I spoke with Paul Robino and Roger Gross to change entrances and build drainage to release Shipbuilders flooding but Soil Conservation has to be on board with this also. I drafted a letter to Connie Holland in regard to reviewing the application from Darin Lockwood. Letter was passed out and read into record by George per attorney approval. Mayor stated that he wanted the public to be aware of the issues. George also met with Curt Riley for pro rated property taxes. Councilman Harris thanked George for his hard work "Worth every cent of pay." Councilman Frey also thanked George, Mayor, and Chief for investigating flooding problems.

Councilman Dvornick motioned to approve code enforcer report as presented. Councilman Harris 2<sup>nd</sup>. All approved "Aye."

Councilman Dvornick motioned to approve Maintenance report as presented.

Councilwomen Betts motioned Police report. Councilman Frey 2<sup>nd</sup> as presented.

Mayor would like Chief to have press release about reduction of crime. Chief reported domestics are up as are the DUI, and juvenile arrests. On August 2<sup>nd</sup> is the Police Departments National Night Out from 5 till 9 p.m.

#### Unfinished Business-

Councilman Harris and Ann Yarborough presented “Preserve America Resolution” Dvornick Motioned to adopt as presented. Councilman Frey 2<sup>nd</sup> the motion. All those in favor “Aye” motion carried

#### Sidewalk Repair-

Councilwoman Betts wants council to go on record to send letters to those in need of sidewalk repair and the town will pay for the curbing. Councilwoman Melson motioned to use the ordinance and have the code enforcer send out the letters. Councilman Frey 2<sup>nd</sup>. Councilman Dvornick questioned 6-8 months ago we had the same discussion if we would seek grant money. Chestnut Street has gone off grant CDBG funds started five years ago. (If someone can find grants please bring them to the table. If we aren't going to use this ordinance then we need to take it off the books.) We made a resident pay for their sidewalk last year so we are still using the ordinance. Councilwoman Melson Motioned, Councilman Frey 2<sup>nd</sup>. All in favor “Aye” all opposed “No by councilman Dvornick and Councilman Harris”

#### New Business-

Resolution to increase fees Resolution # 2006-07-02. George went through fee changes. Mayor Post stated George had done an excellent job. Councilman Dvornick asked if this needed to be kept open. John Brady stated this can be done by resolution. This new resolution was posted on the website. Councilman Dvornick motioned to adopt as presented by Town Manager. Councilman Frey 2<sup>nd</sup>. S. Parker asked for the business license fees to be read. Mayor read list of business licenses fees. All in favor “Aye”

#### Holly Lake Villa Entrance-

Mark Dunkle, attorney on behalf of applicant. Mr. Dunkle asked for 26 foot street width. Road already has swells for drainage. He wouldn't like to have to pave more area due to the negative impact in the future. The entrance to Lavinia is only 20 feet wide. By keeping the swells would assist Mr. Robino in accepting storm water from Shipbuilders. I'm sure the swells on Lavinia will have to be upgraded to catch basins. This waiver will also allow 8 feet wide multi-mobile path. Mark understands it needs 2/3<sup>rd</sup> s approval. Councilman Harris asked about dead trees and some in the need of improvement. The landscaping is currently being addressed. Councilman Harris would like to see brick sidewalks to Wagamons West Shore. With all the water running down Shipbuilders, can this amount be handled? Sussex Conservation will also have to approve this too. With the new road at 26 feet and 8 foot mobile patten. Councilman Dvornick made a motion, Councilwoman Betts 2<sup>nd</sup> to approve as requested. Councilman Harris would like the

developers to give back more to the town. All in favor “Aye” all opposed “No” by Councilman Frey.

Ginny Weeks thanks builders. If street to be dedicated who will be in charge of the maintained? John Brady stated that Mrs. Weeks has a valid concern. The site plan has to be approved by Planning and Zoning Ordinance. 17-35 motioned but this must be approved by 2/3<sup>rd</sup> vote. This has to be reduced from 32 feet to 26 feet and from sidewalks on both sides to one side. Street lights will be installed. Bob Kerr wanted to comment on the dead trees and curbing is a favorite of his. Bob is concerned about water getting in the swells from Shipbuilders. Roll call vote Motion Councilman Frey (No) Councilman Harris (Yes) Councilman Dvornick (Yes) Councilwoman Betts (Yes) Councilwoman Melson (Yes) and as Mayor I vote (Yes) Motion carried.

#### Milton Library-

Mayor Post informed “we have a waiver request from the Milton Library and what they’re requesting is a building permit for library remodeling. The purpose of this is to request a waiver for the normal permit review/ issue fees. This project entails remodeling/improvement in the original library building to improve staff work space. As the library is a non-profit community service we thought it reasonable to make this request. The fee is \$78.26. Councilman Frey makes a motion to accept and councilman Dvornick 2<sup>nd</sup>. Mayor ok to waive and but should show on the record at Town Hall the waiver and permit. All in favor “Aye”

#### Chestnut Properties-

Mayor Post reported “we have a request for private irrigation well. Anyone here on behave of this request? There is no one in attendance.” We have a motion to table the request by Councilman Frey and second by Councilman Harris, all in favor “Aye”

#### Comprehensive Plan Resolution-

Town Manager George Dickerson would like to update the comprehensive plane. We have found grants funds available through the Office of State Planning. We have applied for a \$10,000 grant, but I need Council to approve the request for this grant. I have put in an application for this \$10,000 grant with matching funds in FY2007 budget, Resolution # 2006-07-03. Councilman Dvornick approved grant request and Mayor to sign the grant application. Councilman Harris 2<sup>nd</sup>. All in favor “Aye.”

Councilman Dvornick: I make a motion to send a letter to Mr. Castle, Mr. Biden and Mr. Carpe expressing the town’s interest in the Prime Hook Wildlife remaining separate from Bombay Hook Wildlife. Councilman Harris 2<sup>nd</sup>, all in favor “Aye”

#### Out of Executive Session-

Mayor Post reported in regards to land acquisition and land litigation. We have a motion to come out of executive session Councilman Dvornick motioned out and Councilman Harris 2<sup>nd</sup>, all in

favor “Aye”. First thing to announce the land acquisition for the New Town Hall. The property acquired is Goshen Hall. It keeps it down town and keeps it close to the police department. This is under contract to settle by November.

Councilman Dvornick motioned that the Mayor to sign a letter of intent between Key Ventures LLC and Delaware Land Ventures LLC. Owners of 86 + or – acres to operate the sewer plant. Councilman Frey 2<sup>nd</sup>. Councilwoman Betts: We did keep our promise of July 1<sup>st</sup>. Mayor “very favorable that we are moving in the right direction.” All in favor “Aye.”

#### Personnel-

There will be a new finance director to start on July 5<sup>th</sup> we are almost up to full staff.

Chief: With the cars sold of a total of \$2,102. Will Town Council let me put that money towards National Night Out? Councilwoman Betts motioned, Councilman Dvornick 2<sup>nd</sup>. All in favor “Aye.”

The Part-time maintenance position is still open.

Councilman Dvornick motioned to adjourn Councilman Harris 2<sup>nd</sup> All in favor “Aye.”

Joanie Martin-Brown: In the past 12 week’s great things have happened. Meeting adjourn 9:40p.m.

Respectfully submitted,

Stephanie Coulbourne