

Milton Town Council Meeting July 11, 2016 Summary Minutes

Call to Order

The meeting was called to order in the Milton Public Library at approximately 6:30 PM on July 11, 2016 by Mayor Kanakos. A moment of silence was then observed, followed by the pledge of allegiance to the flag.

Roll Call:

Charles Fleetwood, present
Emory West, present
Esthelda Parker-Selby, present
Michael Cote, present
Kevin Kelly, present
Sam Garde, present
Theodore Kanakos, present

These Preliminary Minutes:

These minutes cover only the high points of the meeting. The discussions were recorded, and may be transcribed at a later date. The recording is available in Town Hall. Documents included in the Council Package are not included as attachments to these summary minutes.

Public Participation:

Jeff Dailey, 211 Grist Mill Drive, made several comments, including:

- He attended the Fourth of July event in Milton Park, and opined that everything went “perfectly.” He praised and thanked those responsible for making it such a huge success.
- He noted that part of the proceeds were apparently going to a Fireworks fund for holding a display in the future. He commended that effort and opined that a fireworks display would another excellent way for Milton to display its uniqueness.
- He indicated that he knew the Town was in need of new water infrastructure, but wanted the public to know all of the options prior to deciding on one of the options. For example, he wanted to ensure that consideration was given to intertieing with other water providers.
- He opined that Mayor and Town Council should look back on the history of the lanes in Cannery Village, and the comment made by past administrations that they would never again allow lanes unless they were in a grid pattern. He went on to opine that the Town might accept dedication of the lanes at some point in time, and that the Mayor and Town Council would have to consider how much tax payer money would be required to maintain those lanes.

Jim Wagner, 407 Federal Street, made several comments, including:

- He indicated that Ordinance 2016-005 concerning Community Events was not in the Packet available to the community, and could not opine on it.

- He offered a comment that Ordinance 2016-004 that forbids shoveling snow into the streets, but does not address plowing snow from the streets into people's driveways.
- He indicated that he had received a notice in the mail re weeds growing in his sidewalks. However, he noted that there were only a few dandelions, and they were not 8 inches in height or noxious, which he believed were the only types of weeds that were subject to such a notice. He further questioned whether such notices were sent to everyone in Town as a reminder, or if certain home owners were singled out, since the notice was addressed to "Dear Homeowner" as opposed to his name.
 - Project Coordinator Collier indicated that notices were only sent to homeowners where weeds were specifically seen growing through sidewalks. He included that such letters were essentially "generic", since the same language was used in all such letters.
 - Project Coordinator Collier further indicated that he would further research the situation and that he did not have the Code book with him at the meeting.
 - Mayor Kanakos concurred with the notion of doing further research into this issue.

Charles Fleetwood, 108 Bay Ave., made a comment that the Town had hosted a fireworks display in 2007, and that it cost ~\$12,000 then, making the point that it is an expensive undertaking.

Emory West, Chestnut Street, made several comments, including:

- The 4th of July event in Milton Park was sponsored by Irish Eyes, the Milton Community Foundation, Techno Goobers and others.
- Irish Eyes has a non-profit foundation that contributes to charitable causes and events, and is the entity trying to save for a possible fireworks display in the future.
- The only place found acceptable to the Fire Marshall in the past for a fireworks display is property behind HO Brittingham School.
- The new school to be constructed there might obviate that as a safe place for a fireworks display, making it difficult to find a safe place in Milton to conduct such a display.

James Garde, 115 Sassafras Lane, wanted to go on record with thanks and praise for all the sponsors and participants in the recent 4th of July celebration in the park. He also requested that the Town Clerk explain the purpose and intent of having a Consent Agenda.

Kristy Rogers, Town Clerk indicated that the principal reason for the Consent Agenda was make Town Council meetings more efficient. The only items to be included in a Consent Agenda are routine reports, and occasional Resolutions and other routine documents that do not necessarily require individual discussion and approval. It was also pointed out that Mayor and Town Council do approve routine reports by Town staff, Resolutions and other items on the Consent Agenda, but they only accept reports and minutes submitted by committees, boards and commissions. The minutes of those meetings are approved by the respective groups.

Requests for Removal of Items from the Consent Agenda:

Councilman Garde requested that the Code Enforcement and Project Coordinator reports be removed, and that the Police Chief brief the Mayor, Town Council and the community on the status of hiring the open positions in the Police Dep't.

Approval of the Consent Agenda on the following items:

- a. Written Committee Reports
- b. Written Department Reports: Administrative, Code Enforcement, Project Coordinator, Police, and Public Works
- c. Finance Report, and Statement of Revenues and Expenditures
- d. Minutes: March 7, 2016 and March 21, 2016

Councilman Garde made a motion to approve the Consent Agenda with the exception of the reports indicated above. Vice Mayor Parker-Selby seconded and the motion was unanimously approved.

Discussion and possible vote on items removed from the Consent Agenda:

Chief Longo made several comments, including:

- The Police Dep't had completed their interviews of applicants for the 2 open positions: Administrative Assistant and Patrolman.
- The Police Dep't had settled on the best candidate for Admin Ass't and made an offer.
- He said that they received many applications for the Patrolman position, some of whom were certified and a few of whom were not certified.
- The Police Dep't had interviewed 8 candidates, one coming from as far as New Mexico, and had narrowed the process to the top 4.
- The Police Dep't is currently doing "Comparative Compliance" to determine the specific additional training required for those not certified in Delaware.
- The Police Dep't hopes to have a candidate selected and a provisional offer made by the end of July or early August.

Re the Code Enforcement Report, Councilman Garde wanted more information about the comment that the Code Enforcement Officer had "met with residents concerning sidewalk repairs". Project Coordinator Collier indicated that either Mr Trotta or Wingo had specifically sighted the sidewalks that needed repair, and that a log is being kept re who, when and where such sightings are taking place.

Re the Project Coordinator Report, Councilman Garde indicated that he had this removed from the Consent Agenda only so as to publicly acknowledge and give kudos to Mr. Collier and others on the Town staff for completing the Coastal Management Grant program and obtaining the money from the State.

Councilman Garde then made a motion to approve the Code Enforcement and Project Coordinator Reports. Councilman Kelly seconded and the motion was unanimously approved.

Additions or Corrections to the Agenda:

None.

Agenda Approval:

Councilman Garde made a motion to approve the Agenda as submitted. Vice Mayor Parker-Selby seconded and the motion was unanimously approved.

New Business - Discussion and possible vote on the following items:

a. Ordinance 2016-004 to amend Town Code Chapter 183-55, entitled "Snow on Sidewalks"

Mayor Kanakos indicated that in the past, the Code Enforcement Officer was given off after a snow storm as a "non-essential" employee, and further that the Streets and Sidewalks Committee became responsible for enforcement of the ordinance. The Ordinance under consideration corrects that situation and assigns the responsibility to the Code Enforcement Officer. Town Solicitor Thompson agreed that it was better to assign this responsibility to a Town employee with knowledge of the Code and responsibility for its enforcement rather than a committee.

Councilman Garde made a motion to approve Ordinance 2016-004 to amend Town Code Chapter 183-55 entitled "Snow on Sidewalks" as presented. Councilman West seconded and the motion was unanimously approved.

b. Ordinance 2016-005 to create a new chapter in Town Code entitled "Community Events; Community Events Request Form; and establishing the fee(s) on the FY2016 Fee Schedule"

There was vigorous discussion of this issue and the proposed Ordinance, with the following highlights:

- Anyone doing business in Milton is required to have a business license.
- When we decided to enforce that on the Truckin' Tuesday vendors, folks brought up that others selling food at the Farmers Market or other Town events such as Bargains on the Broadkill should also be charged.
- The Town is seeking a way to be equitable and consistent to all vendors at all events.
- The draft ordinance provides that the event sponsor be responsible for preparing a list of participants and collecting a fee from each one, and then providing the Town with a single check.
- The Town does not want to make it impossible for small vendors to participate in events by establishing fees that are too high.
- Comments were allowed from the public and comments included:
 - Steve Crawford, Ridge Road:
 - Mayor Kanakos did a good job of canvassing other Sussex County towns about food trucks, and suggested that a similar undertaking might be beneficial.
 - Jeff Dailey, Grist Mill Drive:
 - Why not consider the "flip side" and indicate that Milton does not charge vendors coming into Town for specific events. That might be more attractive and indicate that we are business friendly.
- Project Coordinator Collier indicated that he had done considerable research on the subject, principally in Sussex County and found that many towns had codified their fees, and that most did charge to participate in town events. For example, Rehoboth

charges \$12.00 for anyone exhibiting at their Convention Center, and \$100 annually for any participants in their Farmers' Market.

- Councilman Garde made the point that this Ordinance is **not** a fund raiser for Milton. Rather it is an attempt to be equitable and consistent.
- Councilman Kelly made the point not to conflate business licenses with event fees.
- Councilman Kelly indicated concern for safety and food safety and the competence of Town officials and event sponsors to make such determinations.
- Vice mayor Parker-Selby indicated that the Town will want to hold some form of celebration and recognition of Bryan Stevenson, renown founder of the Equal Justice Initiative and native of Milton, and how this Ordinance, if in effect, would apply to such an event.
- Councilman Kelly made a motion to table further discussion of Ordinance 2016-005. Councilman West seconded and the motion was unanimously approved.

c. Police Administrative Assistant job description

Chief Longo indicated that he was satisfied with the Job Description as presented and that the newly hired person met the requirements.

Councilman Fleetwood made the motion to approve the Police Administrative Assistant Job Description as submitted. Councilman West seconded and the motion was unanimously approved.

Executive Session

A motion was made by Councilman West to go into Executive Session. Councilman Kelly seconded, and the motion was unanimously approved.

At the end of the Executive Session, a motion was made by Councilman Garde, seconded by Councilman Fleetwood and unanimously approved to come out of Executive Session.

Discussion and Possible Vote on Executive Session Items:

A motion was made, seconded and unanimously approved to go into Regular Session. None of the items discussed in Executive Session required a vote in the regular session.

Adjournment

A motion was made, seconded and unanimously approved to adjourn.

Approval

These minutes were approved as part of the Consent Agenda at the Town Council meeting held on March 3, 2017.

Very Respectfully submitted,
James C. ("Sam") Garde,
Secretary of the Town Council