

**MILTON TOWN COUNCIL
MONDAY, JANUARY 23, 2017, 6:30PM
MILTON LIBRARY, 121 UNION STREET**

The meeting was recorded; the below minutes are a summary of the agenda items.

- 1. Call to order (6:30pm) by Mayor Kanakos**
- 2. Moment of silence was observed (6:30pm)**
- 3. Pledge of Allegiance to the Flag (6:31pm)**
- 4. Roll Call:**

Charles Fleetwood – Present

Emory West – Present

Stell Parker-Selby – Present

Ted Kanakos – Present

Kevin Kelly – Present

James ‘Sam’ Garde – Present

Michael Cote – Present

- 5. Public Participation:**

Janet – Copy of letter to everyone on the Council (letter attached). Letter read aloud to everyone. I want to thank you for the opportunity to address you tonight, I’m representing the residents of Canning House Row regarding the request by the Town of Milton to have the residents of the condominium units pay for sidewalk repairs or replacement on Chestnut Street. Our residents agree, as citizens of our town we are obligated to maintain the sidewalks that front our property, as the ordinance states. That’s why we have no issue maintaining the sidewalks in front of our property on Canning House Row. None of our units have a Chestnut Street address, none of our residents use the Chestnut Street sidewalk, and the end of our property falls several yards short of Chestnut Street. In fact, prior to the construction of our units, the sidewalk on Chestnut was in the same state of disrepair as it is in today. We’ve been told that the sidewalk repair will cost roughly \$50,000.00, although this is a large sum, we would have willingly paid it if it was earmarked for the maintenance of the sidewalks in front of our houses, as every citizen in Milton is required to do. We do feel, however, to ask the residents of Canning House Row to pay \$50,000.00 for a problem that predated the construction of our units, and for a sidewalk we neither use nor reference in our address, is unfair. We respectfully ask the Town of Milton to reconsider its decision. Thank you.

Mayor Kanakos – There are a number of issues that you brought up that can be addressed, I wish that Mr. Wingo was here, he is not here, our Public Works Supervisor, I know I had spoken with you I think on the phone.

Janet – Not me, but a representative.

Mayor Kanakos – Yes, it is a long chunk of sidewalk, I walked it, looked at it, it’s in horrible repair. Some of it has been replaced, a little further down, where the entrance to BOC is basically. Let us get back to you of that, because I am really not versed on, as far as who uses it, who’s property it is, what it abuts, what it doesn’t abut. I’m sure when you got your notification, if it was a small amount you would have fixed it. It is a big chunk of money, and I was told it would bankrupt your homeowners’ association bank account, but I also think that’s why they call things like special assessments might come into play. Your property management people, I think they should be involved in this also.

Janet – They have been.

Mayor Kanakos – Maybe next time they could come or we could have a meeting with them. Let's get together on this. Talking to you, the other young lady, property management, Greg Wingo, we'll all get together and work something out.

Janet – Ok, That's fine

Mayor Kanakos – Thank you so much.

Jeff Daily (211 Gristmill Drive) (6:34pm) – Thank you Mayor & Council for letting me speak. I am completely in the dark where we stand on Town Manager. Just asking the status. In addition, from time to time it comes up that the water commission meets in the afternoon and folks can't readily get to those meetings. Mayor made arrangements so folks could submit questions in advance. My suggestion, we all know at some point we will have to increase the water supply. Better to plan ahead. Would like it if perhaps if this Council could be a mouth piece so to speak for the water commission and share with folks here at the council meetings what it is the town is looking at. Anything that has to do with infrastructure for a small town such as ours is big.

Mayor Kanakos – I believe the Chairman of one of those committees has started having those meetings at 5:30pm or 6:00pm. No one is here from those committees to confirm that. Water infrastructure to me is more of the most important things to me. We are actively looking of land to build a new well.

Jeff Daily – Mr. Mayor, I am no fan of Artesian or Tidewater, but when we have discussed increasing water we have put on the table the possibility of a public/private partnership, looping in with one of those providers for a very low cost we could argument our water system greatly.

Steve Crawford - (6:39pm) (216 Ridge Road) – Late last summer early fall, I requested some consideration about parking going up past the stop sign going into our development as a public safety concern because we were getting parking on both sides of the road. And then I further asked since that the road is fairly narrow, to add a white strip down the middle to indicate that it's a two-way road. I have another add on to that, add reflective tape to the telephone pole here at the intersection.

Mayor Kanakos – We will talk to Greg, it's a good idea.

Robert Weed – We liked to take on the project of building a bus stop shelter for the kids on Route 16. Here asking town what is needed to proceed.

Mayor Kanakos – I have talked to several businesses and they are not willing to give up land to allow the building of a bus stop because it is a liability. Would have to seek permission from the private owners.

Discussion with council in regard to other locations that also have bus stops and no shelter and options.

Richard Rueben (6:48pm)– From Employers Support of the Garden Reserve, part of the Department of Defense. Here to present two awards to Mayor Kanakos and Kristy Rogers. Nominated by Chief Longo.

6. ~~Proclamation Recognizing School Choice Week~~

7. Requests for Removal of Items from the Consent Agenda (6:51pm) –

Councilman Garde would like to remove the HPC report from the committee report, question on project coordinator report and there is no public works report, so request public works report be deleted form the consent agenda. Councilman Cote would like the finance report removed as well, the program is not running the reports correctly.

8. **Approval of the Consent Agenda: (6:53pm)** Councilman Garde made a motion to approve the balance of the Consent agenda as submitted, second by Councilman Kelly. All in favor. None opposed.
- 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. **Resolution 2017-001 appointing additional members to the Emergency Preparedness Committee**
 - e. **Appointment of members to the Board of Elections**
 - f. **Appointment of Election Officers**

9. **Discussion and Possible vote on items removed from the Consent Agenda (6:53pm)**

Councilman Garde – Discuss Historic Preservation Report – are these minutes to be used as advice to change the fee schedule or wait for something else.

Discussion about procedure and how to change the fee schedule. Would be brought up during the fee schedule discussion.

HPC minutes were most detailed and comprehensive minutes.

BOA minutes were approved but don't say approved. The reason they don't is because the agenda and minutes do not indicate the actual items discussed or approved. Would appreciate it if BOA could put more information on the agenda so public and council knows what is being done and voted on.

Councilman Garde – Two questions for Project Coordinator. First is on 4th item on the back page, under other activities. It's say completing work schedule and arranging meeting dates for grant project. I am not certain which project that is referring to.

John Collier – On HPC, you had received the detailed information in a previous set of minutes. But will start attaching the resolutions.

Councilman Garde – Question on research and prepared reports for the mayor in regard to emergency notification system and feral cats.

Mayor Kanakos – Working on Robo dialing for emergencies and water outages. Feral cats getting worse asked John to do some research and supplied a report. DNREC also seems to be doing something.

Councilman Garde made motion to approve HPC and Project Coordinators reports as submitted. Second by Councilman Kelly. All in favor. None opposed

10. **Additions or Corrections to the Agenda:**

11. **Agenda Approval:** Motion to accept the reamended agenda by Councilman Garde. Second by Vice Mayor Parker-Selby. All in favor. None opposed.

Janet – Have no issue maintaining the sidewalks on Canning House Row and that none of our addresses have a Chestnut Street. Asking town to reconsider their decision to ask us to be responsible for Chestnut Street sidewalks.

Mayor Kanakos – Councilman West would like to discuss 8d appointing additional members to Emergency Preparedness Committee.

Councilman West – Chief Longo, Kristy and myself have been working on a plan. Overview of Smart 911 system.

Kristy Rogers – Smart 911 app is on the town website and you can register and enter your information.

12. Old Business - Discussion and possible vote on the following item: (7:07pm)

a. Ordinance 2016-009 to amend Town Code Chapter 167 entitled “Security Systems and Protective Services”

Kristy Rogers – What you received was a draft of what Chief Longo and Mr. Collier have worked on together. Back in October it was brought to attention of Mayor and Council that we needed to look at the Ordinance and amendments that directly reflected that as stated was not directly enforceable by our staff. After you have a chance to review we can further comments and discussion to the next meeting if you wish.

13. New Business – Discussion and possible vote on the following items: (7:08pm)

a. Appointment to Planning and Zoning Commission

Mayor Kanakos – Appoint Lynn Eckland. Motion by Councilman Garde to approve appointment of Lynn Eckland. Second by Councilman Kelly. All in favor. None opposed.

b. Citizen of the Year

Councilman Fleetwood – Someone who has gone out of their way to make Milton a better place to live as a volunteer. Would like Mayor to appoint 3 people to review applications and select the citizen. Would like council to take on this project.

Kristy Rogers – Believe Councilman Fleetwood is looking for a committee to be appointed and maybe some criteria set up for selection.

c. Donation to the Lions Club

Mayor Kanakos – would like the Lions Club to be recognized because they brought down trailer and served hot cocoa during the tree lighting at their expense. Motion by Councilman Fleetwood to donate \$100.00 to the Lion’s Club. Second by Councilman Fleetwood.

Councilman Garde – Question, whether funds are in the budget to make a donation.

Kristy Rogers – Yes

All in favor. None opposed.

d. Requests from Fernmoor Homes, relating to bond reduction of Heritage Creek Phase 4B and development agreement

Ben Gordy – Requesting bond reduction for Phase 4B of Heritage Creek. Current bond \$490,922.56. Since bond originally posted we have completed earthwork, sewer, water, storm drain, curbing, base asphalt and submitted preliminary as built. We have completed about 72% of the work but due to the development agreement the maximum reduction allowed is 70%. Requesting 70% reduction to new amount of \$147,276.77.

Councilman Garde – On page 3 of development agreement, article 6B talks about a list of stuff we are supposed to have. My question is, did the Town get the list referred to page 3 item 6B. Next question is on the status of the as built, which remain open in the only document I was able to look at. Third question is the status on the water main testing referred to in the Pennoni report, it’s signed by two entities and only needs the Town’s signature. Forth question is the status of the sewer system testing. Fifth question for the Town’s attorney is the status of the title search.

Seth Thompson – We don’t do the title search until it’s a bond release as opposed to a bond reduction.

Kristy Rogers – The items you mentioned are for bond release and this is just a reduction. Read letter from Mr. Savage on behalf of Pennoni giving recommendation for the bond reduction.

Motion by Councilman West to grant Heritage Creek request to reduce their bond and approve the development agreement. Second by Councilman Fleetwood. All in favor. None opposed.

e. Ordinance 2017-001 amending Town Code Chapter 183-1 entitled: Street and Sidewalks”

Mayor Kanakos – Changing Ordinance to include certified mail notification instead of just registered mail.

Seth Thompson – Only language that is being added is ‘or certified mail’, but this only applies to properties that are vacant.

Kristy Rogers – Judge is saying need to stick to only 90 days and will need to start the process again.

Councilman Garde – Only comment is that the date reflects the 23rd not the 9th.

Motion by Councilman Garde to approve Ordinance 2017-001 amending Town Code Chapter 183-1entitled: Streets and Sidewalks with the provision of the certification at the bottom indicates this meeting on the 23rd of January. Second by Councilman Kelly.

Roll Call Yes – Charles Fleetwood, Emory West, Stell Parker-Selby, Michael Cote, Sam Garde, Kevin Kelly, and Ted Kanakos.

f. Ordinance 2017-002 amending Town Code Chapter 209 entitled “Vehicles and Traffic”

Mayor Kanakos – Ordinance relates to parking on Clifton Street, specifically expands the no parking on both sides from Mulberry Street to Union Street.

Councilman Fleetwood – Seems like a permanent change for a temporary problem.

Motion by Councilman Fleetwood to approve the Ordinance. Second by Councilman Garde. Roll call vote – Charles Fleetwood -no, Emory West-no, Stell Parker-Selby-no, Michael Cote-no, Sam Garde-yes, Kevin Kelly-yes, Ted Kanakos-yes.

Seth Thompson- It doesn’t pass.

14. Executive Session: (7:33pm) – Motion to enter Executive Session made by Councilman Garde. Second by Councilman Kelly. All in favor. None opposed.

- a. Strategy sessions, involving legal advice or opinion from an attorney-at-law, with respect to collective bargaining or pending or potential litigation, when an open meeting would have an adverse effect on the bargaining or litigation position of the public body
- b. Personnel matters in which the names, competency and abilities of individual employees or students are discussed
- c. Discussion of the content of documents, excluded from the definition of "public record" in § 10002 of this title where such discussion would disclose the contents of such documents

Recorder not on to caption motion or second to return to regular session.

15. Discussion and possible vote on Executive Session items – (8:46pm) Motion by Councilman Cote to approve hiring an individual to take and prepare minutes for our council meetings, time as needed. Second by Councilman West. All in favor. None opposed.

Motion by Councilman Garde to approve the contract for hiring a Town Manager as discussed in Executive Session. Second by Councilman Kelly. All in favor. None opposed

16. Adjournment: (8:46pm) Motion to adjourn by Councilman West. Second by Councilman Kelly. All in favor. None opposed.