

Town of Milton
115 Federal Street
Milton, DE 19968



www.milton.delaware.gov
Phone: 302-684-4110
Fax: 302-684-8999

Milton Town Council Meeting
Milton Library, 121 Union Street
Monday, October 1, 2018

5:00pm Executive Session; 6:30pm Regular Meeting

1. Call to Order by Mayor Kanakos
2. Roll Call – all present except Councilman Fleetwood
3. Additions or corrections to the Agenda - none
4. Agenda Approval – Motion to approve by Councilman West; second by Councilman Garde. Motion passed unanimously.
5. Executive Session:
 - a. Strategy sessions, involving legal advice or opinion from an attorney-at-law, with the 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. Discussion of the content of documents, excluded from the definition of “public record” in 10002 of the title where such discussion would disclose the contents of such documents.
 - c. Personnel matters in which the names and abilities of an individual employee are discussed.
 - d. Preliminary land acquisition.
6. Discussion and vote on Executive Session Items

Councilman Garde – Motion to give the employee discussed in Executive Session the increase that was discussed.
Councilman West – Second. All in Favor. Motion passed unanimously.

Councilman Garde – On the motion to authorize the Town Manager and the Town Solicitor to work together to make an offer in respect to preliminary land acquisition as discussed in Executive Session.

Councilman West – Second. All in Favor. Motion passed unanimously.
7. Moment of Silence
8. Pledge of Allegiance to the Flag
9. Donation to the Milton Fire Department

Councilman West made the presentation. There are people you can count on to be there. When they are needed, they are always there to lend a helping hand and to share the load with you

when the need is there. It is second nature for them. Milton Fire Department members are built that way. They are always there when we need them anytime the call goes out. The response is automatic. No thought of being too busy even if raining or late at night. We expect our fire department to respond to fires, accidents, rescue cats in trees, but our fire department shares more. They also share the building that houses all the equipment that cost the local taxpayers zero dollars. The door will always be open. For over 20 summers, whenever rain threatened to wash out one of the park concerts, one call to the department causes the equipment bays and floors to be emptied for the bands and for folks looking to have a good time rain or shine. Because of Milton Fire Department's willingness to share all they have, the beat goes on, rain or shine. For many years coming to concert rescue, we wish to formally thank the members and the staff of the Milton Fire Department for always providing a safe and dry place for the bands to go and make music. On behalf of Councilman West, the Town of Milton government, many bands, and music lovers who came to listen to their favorite band on a rainy night, we thank you for all your service and willingness to share your time and space with us. Thank you and we are most grateful. On behalf Councilman Fleetwood and myself, we present this check.

Johnny Hopkins: Thank you, Town Council, Mayor and Town of Milton. We appreciate your generous support throughout the year and look forward to another strong year in 2019.

Councilman West: On behalf of Councilman Fleetwood and myself, I thank you for allowing me to make this presentation.

10. Donation to the Milton Garden Club

Mayor: Read the Proclamation commemorating the Twentieth Anniversary of the Milton Garden Club and presented the annual contribution.

11. Public Participation

Katherine Greg – 326 Union Street – As a citizen, I wanted to thank the men who were out on her sidewalk today fixing the sidewalk that was broken by the electrical pole. Thanks to Town Manager K. Rogers, they were fixing them all and up down Union Street. Mine was really bad because even the curb was broken. I am also representing the Garden Club, we appreciate what you have done for us tonight and all through the year. We are coming to the close of our 20th anniversary. We are happy to commemorate the 20th anniversary of giving the Town the two sculptures in the park. We have received many, many compliments from the people because they are not the norm that you would see and that is good because we are not taking them back. We have just ended our 18th garden tour last Sunday. It was a miserable day. We had about a 1/3 of the amount of people we would normally have, but when you sit back and look at what the people in South Carolina have been through, then it doesn't seem like a rained out garden tour is very much. Our next event will be the Holly Fest at the Fire Hall on Dec. 8th and that is when we draw the winner of the dessert of the month raffle. Those tickets are still available. \$1 each or 6 for \$5. A number of people say they don't eat sweets, but if you win, you can donate to Town Manager or to the Police Chief.

Police Chief Longo: Introduced people who worked with MPD for the K-9 they donated, Zoey, and we were able to purchase Zena through them. On behalf of the Milton Police Department, presented certificate of appreciate to K-9 Kennels for their unwavering support of the Milton Police Department and our K-9 teams.

K-9 Kennels Representative: Loves working with Milton Police Department and thanked them for the opportunity to work with them.

12. Requests for Removal of Items from the Consent Agenda

Councilman Garde: I do not wish to remove anything from the Consent Agenda. However, in order to expedite things, I would just like the Town Manager to mention to the rest of the public attending to give some attention to the last bullet in her entire report and to also explain the first bullet in John Collier's report. So that the rest of the Town can understand some of the work you have been able to accomplish.

Town Manager – K. Rogers – It is pleasure to announce that the Town was successful in receiving a USDA grant for the preparation of a planning an engineer's report for our next water infrastructure project. This was a 5- to 7-year plan the Water Committee sent to Council a couple of years ago. This project is for main replacement on Atlantic Avenue and a portion of Chestnut Street. It is just for funding the engineering report at this time, but hopefully we will be successful in looking to fund the project once that is completed.

Addressing the first bullet of the Project Coordinator's Report –
The Comprehensive Plan on September 13, 2018, was delivered. We have two Comp Plans in front of us and I hope they receive our comments well and we will have a certified plan in the upcoming months.

Councilman: Eliminate 13 (a) Written Committee Reports because there are none.

13. Approval of the Consent Agenda on the following items:

- a. Written Committee Reports
- b. Written Department Reports: Administrative, Code Enforcement, Police, Project Coordinator and Public Works.
- c. Finance Report and Statement of Revenues and Expenditures
- d. Minutes: August 6, August 20 and September 10, 2018
- e. Executive Session Minutes: September 10, 2018

14. Discussion and possible vote on items removed from the Consent Agenda

Councilman Garde: A motion to approve the Consent Agenda as submitted.

Councilman West – second. All in favor. Motion passed unanimously.

Councilman Garde: Pleased that there is a transcriptionist. However, there are numerous errors and incompleteness in the transcription of the approved minutes. I volunteer to go through the recording and flush out what is missing or incorrect in one of them and that is specifically with August 6. I think someone else should assist in helping with August 20 and September 10 in that we know what we said and I think it might be useful for each member when they are quoted to make sure that is what they said. I will correct what is attributed to Mr. Garde and also work on the entire transcription. But we have already approved those minutes. So what I assume is if they get corrected, the corrections are assumed to be accepted.

Mayor: Do we re-submit those if Mr. Garde makes changes?

Solicitor: If you make subsequent changes, it should be resubmitted.

Councilman Garde: A lot of it just has words that don't make any sense. Some are attributed to me and I know it is not the word I used. I may have used a different word. Happy they are being done but I just think they need to be continuously upgraded. I don't want to un-approve them. I just want to improve them. For the next month, I will work on one. We have the recording and transcribing is one of the most difficult skills and I am guilty of not announcing my name each time and so the transcriptionist has to learn my voice unless I am kind enough to say this is Sam Garde speaking. That is something we've all been asked to do and we've gotten out of the habit.

15. Old Business – Discussion and possible vote on the following items:

a. Resolution 2018-011 Approving the issuance of (1) A general obligation bond up to \$395,000 principal amount to fund the Wagamons Water Main Extension Project and (2) A general obligation bond up to \$500,000 principal amount to fund the Shipbuilders Well and Treatment Facility Project, to the Delaware Department of Health and Social Services, Drinking Water State Revolving Fund, as registered owner; Setting forth the form and details of the bonds; determining that the bonds will be sold by private sale and authorizing execution of financing agreements in connection with each series of bonds; Pledging the full faith, credit and taxing power of the Town for the bonds; and Authorizing other necessary action.

Mayor: Read Resolution 2018-011

Councilman West: Make motion to adopt Resolution 2018-011 as Mayor just read.

Councilman Garde: I would like to request that you add to the motion authorizing the Mayor and Town Manager to fill out any of the blanks that require filling out. There are no dates filled out so it is an incomplete document. I want them to have the authority to increase the dates and to, if required, expand on Exhibit A1. And to make sure that the votes are exhibited on A1 after this vote is taken as a written record of the vote on Councilman West's motion.

Solicitor: For clarification purposes, the language in Section 3 of the Resolution, uses the term “substantially” so certainly the form of the bonds A1 if they just add the dates and fill in the blanks that would be in compliance with “substantially” in that form.

Councilman West: I amend my motion to Councilman Garde's comments to adopt this resolution.

Councilman Garde: Second the motion.

Mayor: Discussion?

Point of information. One of the documents requires the town to pay the cost originating the bonds referred to. We found out this week that the cost is approximately \$5,000-\$6,000 for each bond.

Councilman Garde: While we are still discussing the motion, there are a large number of obligations placed on the town in these documents and the Town Manager is already preparing a spreadsheet. I have made some comments to add to that spreadsheet to ensure that our subcontracts include some of the requirements of the financing documents such as compliance with the Taft-Hartley Act and also to put down what our obligations are for reporting back to the lenders and for putting in our subcontracts. So that the obligations are addressed in a format that the town knows what their obligations are without having to go through the legalese of these documents.

Vote: Councilman West – Yes. Councilman Baty – Yes. Councilman Cote' – Yes
Councilman Garde – Yes. Councilman Kelly – Yes. Mayor Kanakos – Yes. Resolution passed unanimously.

16. New Business – Discussion and possible vote on the following items:

Mayor: We have struck Item 16 (b). Not able to discuss at the present time.

a. Resolution 2018-012 to ratify the 2019 Fee Schedule

Councilman West: Made the motion to adopt the Resolution 2018-012.

There was a second by Councilman Garde.

Discussion of the motion.

Councilman Garde: One of the obligations we have in the financing documents is to have in our fee structure how we are going to pay for the fund. I recommend that we add a line to the fee structure, before the loan is closed, for the fee we intend to charge to recover the loan. It is a requirement. We don't have the choice of not putting it in. It is required by the documents. Not tonight, but I want all of us to know that this needs to be put in basically as soon as the loan closes. We have some time to consider how to put it in, and what amount it should be. There are a lot of potential items for the first two years but no options after the full principal becomes due.

Mayor: Vote on Councilman West's motion.

Councilman Garde – Second

Mayor: Any more discussion?

Solicitor: For resolutions, roll call required.

Councilman West – Yes. Councilman Baty – Yes. Councilman Cote' – Yes. Councilman Garde – Yes. Councilman Kelly – Yes. Mayor Kanakos – Yes. Resolution passed unanimously.

b. Final land acquisition – struck item – Not able to discuss at the present time.

17. Councilman West – Motion to Adjourn and seconded.

Adjourned: 7:04 PM

at 4:30pm