

Town of Milton

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Milton Town Council Meeting
Milton Library, 121 Union Street
Monday, August 6, 2018

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

1. Call to Order by Mayor Kanakos at 5:00 pm

2. Roll Call

Charlie Fleetwood
Emory West
Rich Baty
Mike Cote
Sam Garde
Kevin Kelly
Ted Kanakos

3. Additions or Corrections to the Agenda - none

4. Agenda Approval – motion made by Councilman West to approve the agenda; second by ViceMayor Kelly. Motion carried unanimously.

5. Executive Session: Motion made by Councilman West to enter into Executive Session; second by ViceMayor Kelly. Motion carried unanimously.

- 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. 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
- c. Personnel matters in which the names and abilities of an individual employees are discussed

Motion made by Councilman West to come out of Executive Session; second by Councilman Garde. Motion carried unanimously.

6. Discussion and possible vote on Executive Session items

Councilman Garde made a motion to approve the land agreement discussed in Executive Session. Second. All in favor. Motion passed unanimously.

7. Moment of Silence

8. Pledge of Allegiance to the Flag

9. Certificate of Appreciation presented by the Milton Police Department

A Certificate of Appreciation will be presented to donors of the new K9 at future meeting. Introduced newly-hired officer, Brian Chavez.

10. Public Participation

Steve Crawford– Praised the results of the water referendum.

Michela Coffaro: Sustainability Committee thanked Council for sustainability efforts such as drinking straws, doggy bags and will present a resolution in the future. Presented sample at the meeting.

Lee Revis-Plank: Discussed the frustration of the situation regarding the lack of parking in the lot and its effects on businesses. Asked that possible solutions to be considered in the future.

Hans Medlarz: Sussex County Engineer gave a brief update on the library project. The steel delivery was delayed by 48 hours. Unfortunately, this will aggravate the parking situation longer than necessary. The area is needed for staging.

Councilman Fleetwood: Would like to form a working group that would rank the community as senior-citizen friendly. Maybe a magazine once a month that ranks the community's walkability, livability, medium cost of housing, things like that.

Paxton Barker: Would like the Town to consider a dog park in the Tidewater area after the facility is moved. Residents would pay an annual fee for maintenance.

Mary Lee: Concerned about the fiscal responsibility of the code violation notifications. The postage alone is \$6.70 to send out notifications. Thinks there is a better way. Possibly regular mail. As a citizen, has concerns about the cost of the postage and the manner of the letter. Felt it was somewhat threatening. On Mulberry St. there was an electrical outage when they were putting in lines. About five houses affected when the gas company hit the electric line. The gas company offered the subcontractors a backhoe to expedite getting the electricity back on. But the subcontractor company opted out because they wanted the overtime. At 4:30 in the morning the electric came back on. Called the city but did not receive a return phone call. We are a community and need to communicate with each other in a better and cheaper manner regarding these codes.

Mayor Kanakos responded with two comments. With regular mail, no proof that the resident received it. As far as the content and the tone of the letter itself, that could be adjusted. This is a standard type of procedure for municipalities. Post Office raised the rates outrageously in the past couple of years.

11. Requests for Removal of Items from the Consent Agenda

Councilman Garde would like to remove the Administrative report, items f, g, h, i and j and just discuss them briefly in the public quorum. Not Section j because it doesn't exist.

Councilman Garde made a motion to approve the balance of the Consent Agenda; second by Councilman West. All in favor. Motion passed unanimously

12. 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 State of Revenues and Expenditures
- d. Minutes: July 2, and July 23, 2018
- e. Executive Session Minutes: July 2 and July 23, 2018

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

f. Request from Sussex County Council to waive the building permit fee of \$4,250 related to Milton Public Library Bulkhead Replacement Project. Motion made by Councilman West to approve request to and second by Councilman Garde. All in favor. Motion passed unanimously.

g. Request from Milton Little League to waive the building permit fee related to the Minor League Field Lighting Project: Requested by letter from the Milton Little League. Motion made by Councilman Fleetwood; second by Councilman West to waive the permit fee of \$1,200. All in favor. Motion passed unanimously.

h. Award of Orchard Street paving project – Advertised paving specifications on July 6, 10 and 11th. Town received two bids. Our charter requires award to lowest responsible bidder so recommendation is to Jerry's Paving in the amount of \$19,032. Motion made by Councilman Fleetwood; second by Councilman West to accept the recommendation. All in favor. Motion passed unanimously.

i. Award of Front Street paving project – Same procedure followed as for Orchard Street. Again, lowest responsible bidder was Jerry's Paving for \$24,316. Motion made by Councilman Garde; second by ViceMayor Kelly to accept. All in favor. Motion passed unanimously.

j. Award of Front Street curb/sidewalk project – removed from the agenda; no information at this time.

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

- a. Annexation Fee Study, presentation and discussion
Debbie Pfeil, of KCI, contracted to analyze the process and fees for annexation and compare it to neighboring communities.

The Town of Milton Charter Section 3 gives the right to be able to annex, but the comprehensive plan is the state law. There are two components to this. One is land use maps and the other is zoning.

Annexation Overview Slide Presentation:

Slide 1 - Possible Benefits & Possible Downside
Slide 2 – Initiatives – Crime Prevention through Environmental Design, Fire Prevention Capabilities, Parks
Slide 3, 4, & 5 – Process
Slide 6 – Annexation Fee – Not a revenue generator, justify, Quantify and Competitive
Slide 7 – Fee Comparisons – Milton vs. Georgetown, Millsboro, Milford, Lewes
Slide 8 – Current Fee Breakdown – Annexation Fee, Water Impact Fee, Sewer Impact Fee, Municipal Building/Facilities Fund Impact Fee.
Slide 9 – Process Based – Recommendation. Exemptions – Comprehensive Plan Changes, Additional Meetings, Feasibility Studies, Multiple Submittals, Interpretations, etc.
Slide 10 – Showed upfront escrow, application costs for staff and associated expenses.
Slide 11 – Current and proposed fees with examples.
Slide 12 – Options

Mayor Kanakos: Presentation generated a lot of questions. Let's invite KCI back to the next regular meeting on September 10, 2018 for review of information.

b. Fiscal Year 2018 Annual Budget and Fee Schedule

Kristy Rogers stated the purpose of the agenda item is to answer any questions since the budget overview was presented. Public will have an opportunity to ask questions on August 20, 2018. There can be no vote at this meeting because it must wait for public hearing.

Questions focused on the fee schedule, Comcast franchise fees, Community Transportation Fund (CTF) revenue, professional fee revenue, allocation of salaries and hours, \$100,000 for paving line item, wood chipper, Violent Crime grant expenses, trash receptacles, decrease in the forecasted water fees, F350, lead corporation replacement program, and water meter test bench.

Kristy Rogers was asked to follow up next meeting with funding a wood chipper, water meter test bench, lead corporation replacement.

c. Ordinance 2018-005 to amend Town Code Chapter 194 related to supplemental assessments

Motion made and seconded to adopt Ordinance 2018-005 to amend Town Code Chapter 194.

Councilman Garde: Discussion on B2 underlined portion second page. Asked for explanation between a new house and a modification to an existing home and how that is covered in Item 2. It sounded as if it applied to a new home that will be liable to pay taxes equal to the assessment value of the property multiplied by tax rate on the date of certification. Was it your intention that this fit both modification where a new fence put in appraised in for an appraised value of \$100 and a new house at \$400,000?

Kristy Rogers: It does. If you refer to the 4th line of B, it is property and improvements thereon. No matter if new home, an addition, a fence or a patio. That is an improvement to the property.

Roll call vote on motion. All yes. Motion passed.

d. Resolution to ratify the results of the July 21, 2018, Water System Improvements Referendum.

Motion made and seconded. Roll call vote on motion. All yes. Motion passed.

e. Revisions to the draft Comprehensive Plan (response to PLUS comments)

Kristy Rogers: Commented that the Comprehensive Plan went through the PLUS process in February and thought could be handled in Town Hall but due to operations couldn't get time to work on revisions. We can take questions and work through revisions that are proposed and send that back to PLUS.

Councilman Garde: Noted that more of the maps were updated than we discussed in the letter, but they needed to be conformed to the new data that was reviewed. And the updated maps are dated June 2018.

Kristy Rogers: The motion would be to resubmit to PLUS. Feels that there are follow-up items that are not revised at this time. We could consider them as we work through each chapter.

Councilman Garde: Noted that there is a lot of strong language in some of these recommendations such as the requirement that the applicant use green technology.

Kristy Rogers: Once the Comp Plan has been through the process of PLUS, we will begin working with P&Z regarding zoning and map changes. It will be the first tasks. The changes had to be made for PLUS to accept.

Councilman West: Made a recommendation that the letter be sent back to PLUS for their consideration; Second by Councilman Fleetwood. All in favor. Motion passed unanimously.

Motion made to adjourn at 8:55 PM