

Town of Milton  
115 Federal Street  
Milton, DE 19968



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**\*\*AMENDED AGENDA**  
**Milton Town Council Meeting**  
**Grace Church Fellowship Hall, 512 Union Street**  
**Monday, August 3, 2020**  
**5:00pm Executive Session; 6:30 pm Regular Meeting**

**PLEASE NOTE – AS PERMITTED BY GUBERNATORIAL AUTHORITY, IN ORDER TO LIMIT THE RISK OF POTENTIAL COVID-19 EXPOSURE, THERE SHALL BE LIMITED ENTRY TO THE TOWN COUNCIL MEETING. THE PUBLIC IS ENCOURAGED TO PARTICIPATE IN THE COUNCIL MEETING EITHER BY ATTENDING OR CONNECTING ELECTRONICALLY. FURTHER INSTRUCTIONS ARE LISTED AT THE BOTTOM OF THIS AGENDA.**

1. Call to Order
2. Roll Call
3. Additions or Corrections to the Agenda
4. Agenda Approval
5. Executive Session:
  - a. 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
  - b. 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
  - c. Personnel matters in which the names and abilities of an individual employees are discussed
6. Discussion and possible vote on Executive Session items
7. Moment of Silence
8. Pledge of Allegiance to the Flag
9. Public Hearing related to the application of Phoenix RHCS Holdings, LLC for rezoning of five parcels addressed as 423 Mulberry Street, 415 Mulberry Street, 413 Mulberry Street, 402 Reed Street, and 401 Reed Street, further identified as tax/map/parcels 235-14.19-31.00, 235-14.19-32.00, 235-14.19- 43.00, 235-14.19-39.01, and 235-14.19-42.00; and for the proposed amendment to the Town comprehensive plan for the same parcels.

The Mayor and Council will first receive comment on Ordinance 2020-006, which relates to a continuance request for the public hearing and an extension of time for Mayor and Council's decision. If Ordinance 2020-006 is adopted, the public hearing on the application to amend the Comprehensive Plan and rezone the parcels will occur at a time and place specified by Resolution No. 2020-15. If Ordinance 2020-006 is not adopted, the Mayor and Council will receive comment on the application to amend the Comprehensive Plan and rezone the parcels.

10. New Business – Discussion and possible vote on the following items:
  - a. Ordinance 2020-006 an ordinance relating to an extension request regarding the application of Phoenix RHCS Holdings, LLC for the rezoning of five parcels addressed as 423 Mulberry Street, 415 Mulberry Street, 413 Mulberry Street, 402 Reed Street, and 401 Reed Street, further identified as tax/map/parcels 235-14.19-31.00, 235-14.19-32.00, 235-14.19-43.00, 235-14.19-39.01, and 235-14.19-42.00; and for the proposed amendment to the Town Comprehensive plan for the same parcels.
  - b. Resolution 2020-015 to reschedule a public hearing on the application of Phoenix RHCS Holdings, LLC for rezoning of five parcels addressed as 423 Mulberry Street, 415 Mulberry Street, 413 Mulberry Street, 402 Reed Street, and 401 Reed Street, further identified as tax/map/parcels 235-14.19-31.00, 235-14.19-32.00, 235-14.19-43.00, 235-14.19-39.01, and 235-14.19-42.00; and for the proposed amendment to the Town comprehensive plan for the same parcels.
  - c. Ordinance 2020-007 to amend Chapter 67 entitled “Annexation Agreement”

11. Public Participation

12. Requests for removal of items from the Consent Agenda

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

- a. Written Committee Reports
- b. Written Department Reports: Town Managers Report, including the Administrative, Code Enforcement, Police, Project Coordinator, and Public Works Department Reports
- c. Finance Report, and Statement of Revenues and Expenditures for June 2020
- d. Minutes: July 6, 2020
- e. Executive Session Minutes: July 6, 2020

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

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

- a. Advisory report from the Special Review Committee on the annexation petition of BBD, LLC for parcel 235-14.15-67.00 addressed as 100 Milton Ellendale Highway. This parcel totals 7.68 +/- acres located at the corner of Routes 5 & 16, adjacent to Milton Ellendale Highway, Union Street Extended, Cedar Creek Road and Mulberry Street Extended; **and for the proposed amendment to the Town comprehensive plan for the same parcels. Consideration of Resolution 2020-016 to forward the aforementioned annexation petition to Planning and Zoning for an advisory report.**

16. Adjournment

Pursuant to 29 Del. C. § 10004(e) (2), Agenda items as listed may not be considered in sequence. This Agenda is subject to change to include additional items including Executive Sessions or the deletion of items including Executive Sessions, which arise at the time of the Meeting. Pursuant to 29 Del. C. § 10004(e) (4), this Agenda was prepared and posted by the Town Manager on July 27, 2020, at 2:30pm.

**The amended agenda was posted on 07/28/2020 at 11:22am by the Town Manager to clarify the annexation petition request**

**\*The second amendment was posted by the Town Clerk on August 3, 2020 at 10:58 am to include the availability to listen to the meeting by radio frequency.**

**-MEETING INSTRUCTIONS-**

Milton Town Council is holding this meeting under the authority issued by Governor John C. Carney through Proclamation No. 17-3292. The meeting will be conducted in person and by teleconference technology.

To join the meeting via phone, please dial:

Dial -in Number: (425) 436-6360      Passcode: 500943  
Or

Video and Screen Sharing:

Online meeting ID: tqass  
Online meeting link:      <https://join.freeconferencecall.com/tquass>

**\*To listen to the meeting by radio frequency, you must be within 200 feet of Grace Church Hall and tune in to 99.5 FM**

Members of the public joining the meeting on the phone will be provided an opportunity to make comments under the Public Comment section of this agenda only.

If any member of the public would like to submit comments electronically, please feel free to send them to [krogers@ci.milton.de.us](mailto:krogers@ci.milton.de.us). All comments shall be submitted by 4:30 P.M. on Monday, August 3, 2020.

<sup>1</sup>Restrictions are being implemented to limit the exposure and risk related to “COVID-19” for Town personnel and members of the public who seek to attend the Town Council Meeting. **Facial coverings will be required as well as practicing social distancing and the use of hand sanitizer at the door upon entry.** These decisions are being made under the authority issued by Governor John C. Carney through Proclamation No. 17-3292. See: <https://governor.delaware.gov/proclamation-173292-03132020/>.