

**MINUTES OF THE MILLVILLE
TOWN COUNCIL WORKSHOP
March 28, 2017 @ 7:00 PM**

In attendance were Mayor Bob Gordon, Deputy Mayor Steve Maneri, Treasurer Susan Brewer, Secretary Valerie Faden, Council Member Peter Michel, Town Solicitor Seth Thompson, Town Manager Debbie Botchie, AECOM Representative Kyle Gulbranson, Town Code & Building Official Eric Evans, Town Financial Director Lisa Wynn, and Town Executive Assistant Matt Amerling.

1. CALL TO ORDER:

Mayor Gordon called the meeting to order at 7:00 p.m.

2. ROLL CALL

Everyone was present.

3. PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Gordon led the pledge of allegiance.

4. CITIZENS' PRIVILEGE, VISITORS, PRESENTATIONS & APPOINTMENTS

There were no comments.

MOTION TO ENTER PUBLIC HEARING

Council Member Susan Brewer motioned to enter public hearing at 7:01 p.m. Council Member Valerie Faden seconded the motion. Motion carried 5-0.

5. NEW BUSINESS

A. Public Hearing Notice for Bishop's Landing – Secretary

B. Written Comments – Town Manager

There were no written comments.

C. Discuss and possible vote on a revised final site plan submitted by George, Miles & Buhr, LLC (GMB), on behalf of Beazer Homes, for Phase 5 of Bishop's Landing.
Synopsis: The applicant is requesting a revision from 53 units of 28' wide townhomes to 27 units that are 28' wide and 18 units that are 40' wide; this would be a reduction of 8 units. The P&Z Committee met on January 4, 2017, to review the conceptual site plan and voted 4-0 to have GMB prepare the preliminary site plan for review. The P&Z Committee voted 4-0 at its March 1, 2017, P&Z meeting, to recommend to Town Council to approve a final site plan for Phase 5 of Bishop's Landing, with conditions including adding a storm inlet, the multi-modal path, and the location of the construction entrance.

Council Member Peter Michel recused himself from the dais. Mr. Steve Marsh, of GMB, stated he was here tonight with Beazer representatives Ed Gold and Mark Somerville, to request a revision to the final site plan for Phase 5, which is the last phase at Bishop's Landing, and the revision is calling for a reduction in eight (8) units so there are some different products and more of a blend. Mr. Marsh stated Town Code & Building Official Eric Evans was concerned about the multi-modal path at the edge of Coventry, all the way around the corner to the eastern edge of Phase 5, but Beazer will be building the path. Mr. Marsh stated one of the other concerns came from the residents of Coventry who wondered about the construction traffic coming through Coventry, so Beazer will be building a temporary construction traffic access entrance off of Burbage Road; and Mr. Evans was with GMB and Beazer when they went to DelDOT onsite, and DelDOT approved the entrance. Mr. Marsh further stated there was discussion about the amenity for Phase 5, and it was originally planned to be a volleyball court, but the Bishop's homeowners' association (HOA) had approached former Beazer representative Steve Brodbeck with the idea of a community garden, and Beazer made that change. Mr. Marsh stated AECOM representative Kyle Gulbranson made a comment about a run of storm sewer over three-hundred (300) feet, and per DelDOT code, DelDOT did not approve and there needed to be a structure added to break up the length, so GMB and Beazer did so.

Deputy Mayor Steve Maneri asked if at the end of Gladstone Lane, it is a dead-end, so could Beazer put down some kind of geo-mat for fire apparatus or emergency vehicles to be able to have access to that road? Mr. Marsh stated yes, GMB and Beazer agreed to put some kind of reinforced placement so emergency personnel like ambulances and fire trucks can have easier access, so GMB and Beazer will add the reinforcement, which will look like grass. Mr. Maneri asked if the temporary sign will be placed back far enough on the corner of Substation Road and Burbage Road. Mr. Marsh stated that is in the original master plan document and Beazer is not adding any new signs. Mr. Gulbranson stated all engineering and planning comments from AECOM have been addressed, so he has no further comments.

D. Residents/Property Owner Comments & Questions

Mr. Lester Brown, of Coventry, asked what will be done with the cut-off roads placed at the ends of Whiteclay Drive & Blue Heron Drive. Mr. Marsh stated the cut-off roads were put in as part of connecting Bishop's Landing with Coventry.

Mr. Carl Beers, of Coventry, asked, regarding the dead-end street, where the reinforced material will be located. Mr. Marsh showed Mr. Beers the location. Mr. Brown asked when the entire project will be finished. Mr. Mark Somerville, of Beazer, stated eighteen (18) months would be a reasonable estimate, barring any inclement weather. Mr. Beers asked when the street at the end of Cypress Point Trail will go through to Bishop's Landing. Mr. Marsh stated that will probably be one of the last things to get done, when the top coat paving is completed, which could be two (2) years; Mr. Marsh isn't sure, but it's not immediate.

Mr. Tom Paspalis, of Coventry, stated there is construction debris at the end of Blue

Heron Lane, and asked if it will be moved. Mr. Evans stated the debris will be moved because it has to be moved due to the start of construction down that road. Mr. Paspalis asked when it may be moved. Mr. Evans stated as soon as construction begins it will have to be moved because the debris is in the way. Mr. Michel rejoined the dais.

E. Public Hearing Notice for Ordinance 17-06 – Secretary

F. Written Comments – Town Manager

There were no written comments.

G. Discuss and possible vote on Ordinance 17-06.

Synopsis: If passed, Ordinance 17-06 would amend the Town of Millville Code at Chapter 155 Zoning, Article VI, entitled District Regulations, at § 155-10 R – Residential District. This ordinance will amend lot frontage, lot area, and front yard setbacks.

Town Code & Building Official Eric Evans stated he has been wanting to modify this ordinance for a while and bring it down to a more realistic residential community-sized lot. Mr. Evans stated one of the changes is all accessory buildings and principal buildings shall not exceed the maximum lot coverage of forty-five percent (45%) as opposed to thirty percent (30%) as stated in 155-10E; the storage of a boat trailer, camp travel trailer or a boat on the driveway as opposed to in a front yard; the building height is increased from thirty-five (35) to forty-two (42) feet; the lot frontage is being decreased from seventy-five (75) to sixty (60) feet; and the lot area will drop from ten-thousand (10,000) square feet to seven-thousand-five-hundred (7,500) square feet. Mr. Evans further stated the other changes include setback changes of side yards from ten (10) feet to seven (7) feet, front yard from forty (40) to twenty-five (25), and maximum lot coverage for principle building and accessory buildings being forty-five percent (45%) instead of thirty percent (30%). Mr. Evans stated the only minor changes was in off-street parking, referencing Article VII, and referencing 155-28.

Town Solicitor Seth Thompson stated he missed three (3) edits which were not necessary so they may be omitted, namely the addition of Subsection C on the first page, and the referencing of Article VII and 155-28 on the last page.

H. Residents/Property Owner Comments & Questions

There were no comments.

MOTION TO CLOSE PUBLIC HEARING

Ms. Faden motioned to close the public hearing at 7:26 p.m. Mr. Maneri seconded the motion. Motion carried 5-0.

6. NEW BUSINESS

- A.** Discuss and possible vote on a revised final site plan submitted by GMB, on behalf of Beazer Homes, for Phase 5 of Bishop's Landing.

Ms. Faden motioned to approve the revised final site plan submitted by GMB, on behalf of Beazer Homes, for Phase 5 of Bishop's Landing. Ms. Brewer seconded the motion. Motion carried 4-0-1 recusal by Mr. Michel.

- B.** Discuss and possible vote on Ordinance 17-06.

Mr. Maneri motioned to approve Ordinance 17-06, with the changes as stated by Mr. Thompson. Ms. Faden seconded the motion. Motion carried 5-0.

- C.** Review and discuss the draft FY18 Budget – Town Manager Debbie Botchie & Finance Director Lisa Wynn

Town Manager Debbie Botchie stated this year's budget with the general and administration expenses sees some increases due to the new building but also some cost reductions due to some negotiations on contracts the Town has on hand. Ms. Botchie stated, all in all, the increase before the carryover is five-point-three-seven percent (5.37%); however, that is contingent upon the outcome of Town Council's Executive Session this evening. Ms. Botchie stated, starting with the general expenses, Council can discuss whatever they choose.

Ms. Faden stated she was looking at the Millville Volunteer Fire Company (MVFC), line item 50950, regarding the six percent (6%) she had discussed with Ms. Botchie and Town Finance Director Lisa Wynn. Ms. Faden stated she had proposed a reduction of the six percent (6%) and what the sums would be for contributing either four percent (4%) or five percent (5%). Ms. Wynn stated yes, four percent (4%) would be sixteen-thousand-four-hundred dollars (\$16,400.00), five percent (5%) would be twenty-thousand-five-hundred dollars (\$20,500.00), and the six percent (6%) would be twenty-four-thousand-six-hundred dollars (\$24,600.00). Ms. Botchie stated this is the line item which the Town's Charter says – at Council's discretion – the Town may donate six percent (6%) of the real estate taxes that are levied, so this will apply to the May 1 billing as well as the supplemental billing due in December. Ms. Faden stated her thought around the decrease in donation was that in May, the Town has the new ambulance subscription fee being incorporated into the Town tax bill, so the Town won't know how much of a success the new fee is for the MVFC until the Town finds out later as well as the MVFC having other funds coming in. Ms. Faden further stated at this time, it may be prudent to reduce the amount to either the five percent (5%) or four percent (4%), based on what others may think is appropriate. Ms. Brewer asked Ms. Faden if she is asking to reduce the percentage based on the fact the Town is already supporting them with its ambulance fee. Ms. Faden stated yes, the Town is already supporting the MVFC and will have a new way of supporting the MVFC starting this May, and Ms. Faden is not certain as to how it all shakes out relative to MVFC's new financial procedures. Ms. Faden stated, unfortunately, Council will not be

able to monitor the MVFC's new process until May and the first quarterly meeting, to see how the new process went into place and have an opportunity to look at some of the financial record-keeping measures MVFC had put in place to see if it had all been followed through over time; because of all this, Ms. Faden thought a prudent measure may be to consider reducing the "off-the-top figure" once Council has more of the funding sources which go to the MVFC from Millville. Ms. Wynn stated the thirty-five dollars (\$35.00) is not from the Town but is a replacement for the fifty-dollar (\$50.00) subscription fee residents already pay for the ambulance service. Ms. Faden stated it replaces the request the MVFC sends out to homeowners so that is why Ms. Faden would like to see what the bottom line is when the MVFC sends the subscription fee out to people and what is the bottom line when people get it as an attachment with their tax bill. Ms. Faden stated she would venture a guess it's likely more people will spend the \$35 rather than the optional mailer, but she is not sure and the Town doesn't know what the financial impacts are going to be; however, since the subscription fee is an "extra vehicle" Millville took on to assist the MVFC, Ms. Faden thinks it's prudent to think about not just allocating the same thing year after year since the Town is involved in multi-levels of assisting the MVFC at this time. Mr. Maneri stated, if he's not mistaken, the way Council did this was if people want to pay the \$35, they participate, and if not, they don't get the deal; so, it's not as if every homeowner is going to be paying the \$35. Ms. Faden stated yes, but the point is Millville was not assisting the MVFC to be getting that money back from the taxpayers to begin with, but now Millville is because the fee is being incorporated into the mailing of the property tax bills. Ms. Faden further stated she thinks Millville is assisting the MVFC with a new vehicle for revenue collection and Ms. Faden's opinion is, given the circumstances the MVFC over the past year-and-a-half and the opportunity for the Town to assist the MVFC, it may be prudent to look at a reduction of the 6% figure. Council Member Peter Michel stated, first of all, the vehicle the MVFC purchased using the Town impact fees is extremely important to the operations of the MVFC and every fire company should have one; secondly, the 6% is a figure the MVFC has come to rely upon and Mr. Michel would rather meet with the MVFC and try to work out if the 6% or less would be good for the company or try to figure out where else the Town can save money, but Mr. Michel does not want to see Council simply say, "no more 6%, you're getting 4%" just so the Town can save money for the Town – Mr. Michel does not comprehend that concept. Ms. Brewer stated she doesn't think the Town is in a position to have to be scrounging and saving money against a service which the whole community needs. Ms. Wynn stated if the Town went down from the 6% to the 4%, the money would be eight-thousand-two-hundred dollars (\$8,200.00) less.

Mayor Gordon stated he sides with Mr. Michel on this item because Mayor Gordon knows what the MVFC has been through since he's been in the area in 1999, and to keep current with the number of aging people in the Town and community, expenditures for supplies and equipment are not getting any cheaper. Mayor Gordon stated the command vehicle the MVFC had before purchasing its new one was of very poor quality, and the Town is not in a position where it needs to scrap for every dollar. Mr. Maneri stated Council has to look at public safety and let the MVFC help us out as well as help the MVFC out as much as possible. Mr. Maneri stated another issue to take

into account is the EMS having to work with the increasing drug epidemic in the area. Ms. Botchie stated EMS Chief John Watson relayed to Ms. Botchie the Narcan (Naloxone) was five-hundred dollars (\$500.00) and has now increased to fifteen-hundred dollars (\$1500.00) per shot, and funding will be cut from Sussex County and State. Ms. Botchie asked Council what their consensus was for the percentage. Mr. Michel stated 6%. Ms. Brewer stated 6%. Mayor Gordon stated 6%. Ms. Faden stated not 6%. Mr. Maneri stated 6%. Mr. Thompson stated this is not the final vote so Council could have an amendment at the final voted up or down. Ms. Faden stated she did ask the Town obtain the year-end financial records of the MVFC because Ms. Faden thinks part of her concern is the fiscal responsibility and the last time Council met with the MVFC, not all of the MVFC's new procedures which were recommended were put into place yet. Ms. Faden stated she doesn't think Council has to scrap for money for the Town nor does she think money should be taken away from public safety, but it's a responsible thing to insure the entities which receive money from the Town are deserving of it in every way. Ms. Botchie stated the \$35 is collected as a fee, according to the agreement, the Town will meet quarterly after May 1, and the MVFC's financials aren't done until November, and Council has the financials from December 31, 2015. Ms. Botchie stated the \$35 the Town collects is for the emergency medical services (EMS) only, and if the EMS collected \$35 on every property the Town billed – for instance, a thousand (1000) properties, that would be thirty-five-thousand dollars (\$35,000.00) and that sum is not enough to pay the salary of one (1) EMS person; and that was the first basis for the Town and for Ocean View.

Ms. Botchie stated the administrative staff did want to report on the health insurance and there will be no increase for FY18. Ms. Botchie stated, regarding Tidewater, Mayor Gordon mentioned the water usage for the new building's wash bay and how it will increase the water bill, and since this is a new water company the Town is dealing with, Ms. Botchie does not quite know how to budget for such a thing. Mayor Gordon stated the Town was told in the beginning, when the building was started, the public water would cost the Town "an arm and a leg" because the Town looked years ago into the system and it was quite a bit. Mayor Gordon stated knowing the garage bay will get a lot of usage, Mayor Gordon is sure the water will go up. Ms. Faden asked, regarding item 53600, the electric utilities, will there be enough cushion for the park. Mr. Evans stated there is only one (1) light running over at the park currently, and it only comes on from dusk to dawn, and doesn't burn up that much, but it has been figured in.

Ms. Faden stated, regarding item 50300, she would like to increase the money to have a holiday dinner for Council and staff together since there is no such event. Ms. Botchie stated spouses would also be included. Mayor Gordon asked if spouses would also be paid for by the Town. Ms. Faden stated yes. Mayor Gordon stated he likes the idea of having a dinner with Council and staff, but he has a question regarding spouses being paid for by the Town, because, to him, he's not quite sure what the residents would think of paying for spouses' dinners. Ms. Faden stated she understands but it would be nice for the staff to bring a significant other as well. Mayor Gordon stated they can come but they can pay. Ms. Faden stated she disagrees. Ms. Botchie stated the amount of money going in would be low and Ms. Botchie thinks the Town can pull it off, but

Council can keep thinking on this. Ms. Botchie stated she thinks Council should put money in the budget for buying Town shirts for Council if they would like to own some.

Ms. Botchie stated, under general revenue, the finance department used the same formula the Town has been using for quite a few years, with regards to the building permits, review, etc., as well as taking what the developers say they will earn and reducing it because you never know what will happen in the market throughout the year. Ms. Botchie stated business licenses are based on what the Town knows it will receive, although the Town usually ends up billing and receiving more, but the Town never knows how things will go. Ms. Botchie stated the Mediacom franchise can fluctuate quarterly. Ms. Wynn stated with interest income, she just does an average of the prior year and the Town has more in unrestricted because of the CDs in which the Town is investing. Ms. Botchie stated property tax is based on four-hundred-thousand dollars (\$400,000.00), and the Town gets the Sussex County tax rolls in which Ms. Wynn has to reconcile with what our financial program shows.

Ms. Botchie stated Sussex County grants are an assumption the Town will get the twelve-thousand-five-hundred dollars (\$12,500.00) for a Town which contracts with the Delaware State Police (DSP), but the Town will not know that for sure until June so we will have to wait and see. Ms. Faden asked what the impact fees grant for the MVFC is used for. Ms. Botchie stated this was used for the purchase of a command vehicle which Ms. Faden and Council approved at the December 2016 Town Council meeting. Mr. Thompson stated there are restrictions as to what the MVFC can use the grant money for, namely salary. Ms. Faden asked if Council could meet with MVFC and get an idea of what the MVFC plans on using the grant money for. Ms. Botchie stated there is no such procedure in the way the agreement is drafted; but how the agreement is written is when the MVFC comes to Council to request the money, they bring a list of items or an item which they wish to purchase. Mr. Thompson stated the exact approval of the item is not done through the budget but rather when the MVFC comes to apply for the grant, the MVFC informs Council what the MVFC would like to use the money for. Ms. Faden stated she remembers at the December meeting that the time to discuss the variety of items for purchase was prior to the meeting when the MVFC comes before Council to apply for the grant. Ms. Botchie stated that is not in the agreement, and Ms. Botchie knows Ms. Faden suggested a new communications system, but the item(s) is brought into Council by the MVFC. Mayor Gordon stated Council doesn't tell the MVFC what they can buy, but hears from the MVFC as to what its needs are. Mr. Maneri stated the MVFC has to buy whatever fits within the constraints of the agreement, then presents it to the Town, at which point, if Council approves, the MVFC gets reimbursed with the amount of money in its impact fees grant fund. Mr. Thompson stated the Town could say no but it's difficult to tell people what they need and don't need; however, the Town could attach a condition with the 6% donation. Ms. Botchie stated the municipal street aid grant is, again, an assumption if it is passed into the State budget, and it is based on the number of residents and how many miles of roads the Town has.

Ms. Botchie stated, under economic development, all of the items are based on things like the pumpkin festival, the newsletter, holiday market, etc., which the Town does every year. Ms. Botchie stated the holiday decorations need pricing for new lights on the new building and pole lights. Ms. Botchie stated she met with a gentleman from Christmas Décor, but hasn't received an estimate for new lights as well as the pole lights, of which there would be about thirteen (13) poles. Ms. Faden stated, from a community sustainability standpoint, Ms. Faden would suggest banners and not lights, just like the Town of Bethany Beach has banners, because it would save on electricity. Ms. Botchie stated Bethany does put up lights at Christmas. Ms. Botchie stated this is economic development and is funded by five percent (5%) of the Town's transfer tax quarterly.

Ms. Botchie stated, under transfer tax, there are monies the Town puts in this budget but doesn't use, and sometimes the Town goes over, sometimes the Town doesn't. Ms. Botchie stated Ms. Wynn based the interest income on the FY17 actuals and the transfer tax is a formula, which is attached in Council's packets. Ms. Botchie stated on the expense side, the capital building improvements, the irrigation system was damaged during the new building's construction and the Town put a price of twenty-five hundred dollars (\$2500.00) in it, which the Town thought would be the price as per a contractor until the contractor got onsite and estimated a price of six-thousand-six-hundred dollars (\$6600.00), which Ms. Botchie and Mr. Evans thought was extremely high. Ms. Botchie stated she has put some other calls out to other companies which do irrigation, so hopefully she'll have more figures next time Council meets. Ms. Botchie stated staff would like to put the Town car out to bid to sell because it is not getting used. Mayor Gordon agreed.

Ms. Botchie stated Council approved the Town to increase police coverage to May 21 and what Council sees on the sheet is based on the twenty (20) hours as well as the holiday hours. Ms. Botchie asked Council if they would like to continue with the 20 hours. Council agreed yes. Ms. Brewer asked if the DSP patrol by the park land. Town Executive Assistant Matt Amerling stated staff has let the DSP know of the park so they patrol it. Ms. Botchie stated it's been very trying to get pricing for a new sign and Mr. Amerling has gotten many different estimates on a sign for the Town Hall. Ms. Botchie stated she wasn't aware it would cost so much, but the best price we could get for a double-sided, monument-style sign was seven-thousand-four-hundred-thirty dollars (\$7,430.00) and that is the cheapest, with a ten percent (10%) discount. Ms. Faden stated she might have a company she can approach which could be cheaper. Ms. Botchie stated that would be great. Ms. Faden asked if the Town had to pay for any other signs for the new building. Ms. Botchie stated most of the signs have been purchased already. Ms. Botchie stated the park has been split into three (3) phases and Mr. Gulbranson has broken up how much each phase is expected to cost with a five percent (5%) contingency. Mr. Maneri stated last year's budget was one-point-five million (\$1,500,000.00) and it will definitely cost more than that and Mr. Gulbranson's proposal states two-point-five-million (\$2,500,000.00). Mr. Gulbranson stated AECOM gave the last estimate toward the end of this past October and the estimate Council now has shows an increase of approximately one-hundred-thousand dollars (\$100,000.00),

and that is because of the added stormwater which the Conservation District is going to throw at the Town. Mr. Evans stated the stormwater pond should also have a fountain in it as to limit the increase of mosquitos and other insects. Mr. Maneri stated if the Town has to go with a fountain, Mr. Maneri was reading about a solar fountain, which has a solar panel sticking up next to the pond and powers the aerator in the water. Mr. Evans stated he can investigate it. Ms. Botchie stated the Mayor will appoint a park committee and Ms. Botchie knows Ms. Faden has many ideas for cost efficiency, but Ms. Botchie would like to know tonight what amount Council would like to put in. Mr. Maneri stated if Council can put the other one million (\$1,000,000.00) in, Council should do so. Mr. Evans stated he understands grant money can help, but if the Town is looking at utilizing solar devices, solar is not cheap, and the Town may be looking for a grand total of three-point-five-million (\$3,500,000.00). Ms. Brewer stated she thinks it's very difficult to make the call right now but she thinks Council needs to put at least three-million (\$3,000,000.00) in. Mr. Michel stated he thinks the money should be put in now. Ms. Faden stated she would rather overestimate than underestimate. Ms. Botchie asked Council what money figure they are looking at. Ms. Faden stated she thinks three-million should be put in. Mayor Gordon agreed. Ms. Botchie stated she will do the revisions to the budget and bring it back before Council at the next Council meeting on April 11, 2017.

7. CITIZENS' PRIVILEGE

There were no comments.

MOTION TO GO INTO EXECUTIVE SESSION

Ms. Brewer motioned to go into Executive Session at 8:35 p.m. Mr. Michel seconded the motion. Motion carried 5-0.

8. EXECUTIVE SESSION – Discussion of personnel matters in which the names, competency, qualifications and abilities of individual employees will be discussed.

MOTION TO COME OUT OF EXECUTIVE SESSION AND RECONVENE OPEN MEETING.

Ms. Faden motioned to come out of Executive Session and reconvene open meeting at 10:28 p.m. Mr. Maneri seconded the motion.

9. NEW BUSINESS

A. Discussion and possible vote on Executive Session matters.

Ms. Faden motioned to approve the recommendations from the Town Manager, with the one caveat of making a recommendation to review the title and correlation of job description as discussed in Executive Session. Mr. Maneri seconded the motion. Motion carried 5-0.

Mayor Gordon motioned to approve the salary per purpose of the contract negotiations as discussed in Executive Session. Ms. Brewer seconded the motion. Motion carried 5-0.

10. ANNOUNCEMENT OF NEXT MEETING – TOWN COUNCIL MTG., APRIL 11, 2017

11. ADJOURNMENT

Ms. Brewer motioned to adjourn at 10:32 p.m. Ms. Faden seconded the motion. Motion carried 5-0.

Respectfully submitted,
Matt Amerling, Town Executive Assistant