

**MINUTES OF THE MILLVILLE
TOWN COUNCIL WORKSHOP
August 22, 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; GMB Representative Andrew Lyons Jr.; Town Code & Building Official Eric Evans; and Town Clerk Matt Amerling.

1. CALL TO ORDER:

Mayor Gordon called the meeting to order at 7:02 p.m.

2. ROLL CALL

All Council members are 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.

5. NEW BUSINESS

- A. Discuss and possible vote on a request from Beazer Homes for sub-phasing of Phase 5 of Bishop's Landing into two (2) phases. *Synopsis:* Beazer would like to sub-phase Phase 5 into two phases so once infrastructure is in place in Phase 5-A, Beazer can commence pulling building permits for homes while completing Phase 5-B infrastructure.

Council Member Peter Michel recused himself from the dais. Mr. Steve Marsh, of GMB, stated he is representing Beazer, and they are asking approval to sub-phase Phase 5 into two (2) construction sub-phases: 5-A and 5-B. Mr. Marsh stated GMB has been working with the Town on this sub-phasing, the agreements are in place, and this plan shows how Beazer will construct it. Town Solicitor Seth Thompson asked if 5-A will be first. Mr. Marsh stated yes, Beazer is doing it right now, but this will make it so the homebuilders can phase the site appropriately so they can start homebuilding, get it done and move onto 5-B. Deputy Mayor Steve Maneri asked if, in Coventry, the roads will connect to this phase. Mr. Marsh stated the connection has already been there. Mr. Maneri asked about the connection to Cypress Point Trail. Mr. Marsh stated that connection was always there and the Town approved it. Council Member Susan Brewer asked if there is a construction entrance for 5-A and 5-B. Mr. Marsh stated there is a construction entrance established from back when Beazer and GMB came in for approval of Phase 5, with the construction entrance being off of Burbage Road, so construction traffic will not go through Coventry. Town Code & Building Official Eric Evans stated he doesn't see an issue with this sub-phasing at all, and construction will continue to come through just like it did through phases 2-A and 2-B (of Bishop's Landing). Mr. Evans stated there are barricades up at Coventry roads

to prevent construction traffic from going through. Mr. Evans stated he has spoken with Shawn Griffin, of Beazer Homes, and once 5-B is done, construction traffic can come in for 5-B and it can be cleaned up.

Mr. Marshall Gevinson, of Bishop's Landing, asked if the construction traffic for 5-A comes through Bishop's Landing on Brandywine Drive to finish off 5-A. Mr. Evans stated he wouldn't say to finish off 5-A, but all construction traffic for Bishop's Landing comes through Bishop's Landing; and this has been done before with phases 2-A, 2-B, 4-A and 4-B.

Mr. Maneri motioned to approve the sub-phasing of Phase 5 of Bishop's Landing into two (2) phases: 5-A and 5-B. Ms. Brewer seconded the motion. Motion carried 4-0-1 recusal. Mr. Michel rejoined the dais.

- B.** Discuss and possible vote on the Millville by the Sea (MBTS) traffic calming plan for Sand Dollar Village. Synopsis: At its March 9, 2016, Town Council meeting, Council voted 3-0 (with 2 abstentions) to approve the preliminary site plan for Sea Star Village. At its November 8, 2016, Town Council meeting, Council voted 3-0-1 recusal to approve Section 1 of Sea Star Village, with a condition the Town and the applicant agree upon a traffic calming plan for Sand Dollar Village.

Mr. Maneri recused himself from the dais. Mr. Ron Sutton, of Civil Engineering Associates (CEA), stated on the plan shows some "blue clouds" which represent the areas where MBTS wants to put up some new signs – stop signs, yield signs, etc. – and it is Mr. Sutton's understanding there were some residents who didn't want speed bumps so the other alternative is to put up additional stop signs. Mayor Gordon asked, if this is approved tonight, what is the timeframe to make sure these signs are installed and put in place? Mr. Al Ruble, project manager for MBTS, stated he and the other MBTS representatives have a few questions themselves because they are making a recommendation now and they feel the stop signs will do the job of traffic calming. Mr. Ruble stated, at this point, the question becomes who is responsible for enforcing the signs? Mr. Ruble stated MBTS is in full compliance of everything traffic-wise and he understands the concern of the residents, but there were pros and cons to speed bumps, so MBTS recommended signs because they work. Mr. Ruble further stated the homeowners really need to think about who will enforce these signs so they are comfortable with the end solution and feel like they don't have something forced onto them. Council Member Valerie Faden asked if the stop signs without "blue clouds" are already in place. Mr. Ruble stated yes, and the speed limit was set at twenty (20) miles per hour (mph) back in 2007 in hopes people would not go faster than twenty-five (25) mph. Ms. Faden asked if the question of enforcing the stop signs are only to the ones in the "blue clouds." Mr. Ruble stated yes, because this is a private development with private streets, there is a question of who would enforce any of the stop signs. Mayor Gordon stated he agrees the responsibility falls to the homeowners, who have to enforce the signs, but the residents are concerned and if speed bumps are not an option, then the signage will have to work. Mr. Ruble stated speed bumps on a road like this are not really recommended because there can be bicycle accidents with possible injuries. Mr. Ruble stated MBTS looked at a solar speed sign, which is a flashing sign that will give you the speed as you're coming through. Mr. Ruble stated he knows they've put some up

in the Washington, D.C., area, and Bay Forest had placed some up, and it made the speed drop substantially; but those signs are costly as they can cost up from three-thousand dollars (\$3000.00) to five-thousand dollars (\$5000.00) each per unit. Mr. Ruble stated there are options and he knows the signs would work, but he's just not sure that one solution will please everybody.

Mr. Thompson asked if MBTS met with many of the residents on this issue. Mr. Ruble stated he spoke with a couple of them on this and it's very much mixed emotions. Mr. Ruble stated he's watched the area for the past eighty (80) days and there's not much construction traffic passing through at this point. Mr. Thompson stated, with the construction vehicles, the Town does have a little more control over, but, in terms of enforcement on private roads, it is not enforced by the Town. Mr. Irfan Ali, of LDC, who represents MBTS, stated MBTS did meet with the property owners' association (POA) last month and had this conversation about the traffic calming and the idea of the stop signs came up. Mr. Ali stated, from the POA's perspective, the stop signs seemed to be the more desirable solution because the speed bumps would require more maintenance. Mr. Ruble stated when the first snow day comes along, and a plow comes down the road, the bumps won't look too good. Mr. Thompson asked what the other traffic calming options were. Mr. Ruble stated MBTS looked at a series of signage in multiple locations along the run (but would wonder who would want signs in front of their yard), the flashing speed signs, the speed bumps, and speed humps, which would require all kinds of additional signage to warn of the hump; so the stop signs made more sense. Mr. Evans stated he thinks the way the motion was presented back in November 2016, was that MBTS needed to provide a traffic calming plan to Council; and the final site plan for this area has been recorded, so Mr. Evans feels the Town is going back on something as a municipality which Mr. Evans doesn't think the Town wants to do as a municipality. Mr. Evans stated MBTS has provided a traffic calming plan to Council and is it up to the homeowners' association (HOA), the POA – the homeowners – to decide and draw up their own traffic calming plan because this could go on for an indefinite amount of time. Mr. Evans stated it may be MBTS's road, but the Town shouldn't be going back and telling them how to correct it. Mr. Thompson asked if MBTS wanted to change something on one of their site plans, wouldn't they have to come back to the Town? Town Manager Debbie Botchie stated if there is a major revision – such as changing housing types, uses, etc. – then yes, but the Town's Code does not direct signage or anything about traffic calming plans. Ms. Botchie stated the Town's responsibility is to make sure the site plan is built according to the Council's final approval. Ms. Botchie stated she agrees with Mr. Evans that Council should not get involved in this traffic calming plan and this is an HOA issue; the Town has no jurisdiction over the adding of street signs or speed bumps. Mr. Thompson stated the Town ended up here because of construction into a different phase and Mr. Thompson agrees it's not a great policy to attach different items to previously approved phases; however, the Town is here now and there was an agreed-upon condition on final approval so Council needs to make a decision on whether that condition has been met. Mr. Evans stated a sign can be erected along Huntington Street but if there's a white van parked alongside the road, the sign could be blocked ninety-five percent (95%) of the time. Mr. Evans stated the way the roads are designed, the best traffic calming plan is to park in the streets because drivers will need to slow down so they don't sideswipe any parked vehicles.

Mr. Walter Bartus, of Huntington Street, stated Mr. Dwight Yeager, who is also a MBTS resident, and has been in law enforcement and traffic investigation, has provided documents, which Mr. Bartus provided to Council. Mr. Bartus stated the first set of Council minutes, where Mr. Yeager, under item seven (7), is talking about phase two (2) and the construction traffic: “We know the construction traffic will eventually end but that will be replaced by approximately one-hundred (100) additional homes within Sea Star, which will have no exit for the foreseeable future, except going down Huntington Street.” Mr. Bartus stated that is a part of the issue because way back then, former Mayor Hocker was involved and said he would look into it. Mr. Bartus stated he has the Council minutes attached from November 8, 2016, and, in section seven (7), when discussing the final site plan, Miller & Smith’s Mr. Ellison stated, “It’s not a part of the plan,” and Mr. Ellison wanted to talk about resident’s concerns over construction traffic and speed of traffic. Mr. Bartus stated Mr. Ellison said Miller & Smith are further in the process in meeting with the Town in the future to discuss various devices available to fit to Town Code and DelDOT standards. Mr. Bartus stated Mr. Yeager, at the November meeting, said the meetings with Mr. Ellison did result in installing a speed hump, which has a three (3)-inch rise, has been there for over a year and, to Mr. Bartus’ knowledge, has not caused any bicycle accidents. Mr. Bartus stated Mr. Ellison said to Council at that meeting he had no problem if Council wanted to make a condition approval to setting a traffic calming plan. Mr. Bartus stated this all brings us to tonight and asking what is a good traffic calming plan. Mr. Bartus stated the condition from the November 8 meeting was Council and the applicant agrees on a traffic calming plan before construction is started.

Mr. Bartus stated, at the January 10, 2017, Council meeting, Axiom Engineering, which was the engineer at that time, presented a map which has all of the speed bumps laid out on it, for a total of seven (7); and Mr. Ellison told residents the speed bumps cost about twelve-hundred dollars (\$1200.00) each. Mr. Bartus stated when you look at the flashing sign Mr. Ruble mentioned, at four-thousand dollars (\$4000.00), MBTS could buy at least three (3) speed bumps instead of one (1) flashing sign, which would not self-police whereas a speed hump does self-police because people will slow down to avoid potentially damaging their vehicle. Mr. Bartus stated the other attachment in the package has section 2B-04 of the Federal Highway Administration (FHA), which states “[y]ield or stop signs should not be used for speed control” and that is a policy of the U.S. Department of Transportation. Mr. Bartus stated the second document from the FHA, 2B-07, “[m]ulti-way stop control is used with the traffic volume on intersecting roads is approximately equal.” Mr. Bartus further stated in no way, shape or form could the traffic volume on the side streets ever be equal to the main road, Huntington, which is being held as a developer road because of the amount of traffic that’s on it. Mr. Bartus stated if you look at the decision to install multi-way stop signs based on an engineering study but, to the residents’ knowledge, no such study has occurred. Mr. Bartus stated the next attachment provided is from DelDOT, who concurs with the FHA that they do not see stop signs as an effective way to have speed control, which is the end goal here. Mr. Bartus stated the goal is speed control and all of the expert literature says stop signs are not an effective method, and there is an agreement up through March 2017 when residents met with LDC Representative Frawn Morgan that they were going to tell where the placement of the speed bumps would be, then met with Ms. Morgan in July 2017, stop signs came up, because Mr. Ali proposed them after Ms. Morgan said she would not put in speed humps; so the developer basically said, “no, we will not put in speed

humps, they are too costly.” Mr. Bartus stated if you multiply twelve-hundred dollars (\$1200.00) by six (6) signs, it will cost seventy-two-hundred dollars (\$7200.00), and, at the meeting, when Mr. Bartus inquired why the speed humps won’t be done, even though everyone agreed on them, the answer was cost. Mr. Bartus stated the issue is the developer agreed, and now, to save approximately sixty-four-hundred dollars (\$6400.00), the developer is saying, “no, thank you.” Ms. Faden asked if the speed bumps were in the final site plan. Mr. Bartus stated no, they were not. Ms. Faden stated there was no formal presentation to Council to approve a plan regarding speed bumps. Mr. Bartus stated he believes the bumps were presented to Council on January 10, 2017, to meet the requirement of a traffic calming plan. Ms. Botchie stated Council does not have a copy of what Mr. Bartus has and the plan was not formally presented.

Ms. Faden stated she appreciates Mr. Bartus’ history because she was not on Council for some of this, and she sees there are six (6) signs being discussed here and the HOA is not objecting to the other signs because they are already there and in place. Ms. Faden stated what the residents are opposing are the six (6) signs being proposed tonight and the residents want speed bumps instead of signs. Mr. Bartus stated yes, which was the original agreement with the developer. Ms. Faden stated that is an issue between the developer and the HOA, not the Town. Mr. Evans stated when speed bumps were brought up at one of the previous meetings, Mr. Evans’ comment was he didn’t believe Council should comment on or approve the speed bumps because the decision is between the homeowners and the developer due to the Town not requiring speed bumps in its Code for within a subdivision. Mr. Thompson stated yes, this is an issue of degree that there is a certain standard for roads to be built to, there is nothing for speed bumps, especially from the Town; but the Town’s Code – and the Town’s practice – is to review site plans and subdivision plans for the purpose of appropriate traffic flow and that is a part of the State but, at some point, they’re diminishing returns.

Mr. Larry Nee, of Center Point Road, stated, to the point Council is revisiting the site plan for Sand Dollar Village, the Town has a situation where Council approved a subsequent development where traffic for that development goes right through Sand Dollar, and it will add volume, there will be a longer stretch of road, and people try to get from point A to point B as fast as they can, so while Mr. Evans states the residents are revisiting something already approved, because of these aspects, the Town has to re-open the door for discussion and consideration. Mr. Nee stated he would like to see more speed bumps or humps.

Mr. Don Roos, of Huntington Street, stated as the father of an eight (8)-month-old, a seven (7)-year old, and a twelve (12)-year old, the section currently being constructed at the end of Huntington has added quite a bit of traffic and people like to move as quickly as possible – they slow down for the speed hump but quickly speed back up. Mr. Roos stated the speed humps are very effective and Mr. Roos has not seen any issues such as injured bicyclists or damaged vehicles. Mr. Roos stated he has kids, people a few doors down from him have kids, and even though the kids aren’t running in the streets, there is a great risk of someone getting seriously hurt if there is no calming device. Mr. Roos stated signs are all well and good but they are not as effective as people wanting to not damage their cars, and the speed humps will help in terms of forcing drivers to slow down.

Ms. Sharon Humphries, of Huntington Street, stated she has witnessed drivers going down Huntington much too fast, some going about fifty (50) miles per hour. Ms. Botchie asked if these are the residents driving this fast. Ms. Humphries stated she's not sure. Mr. Evans stated he's sure it's residents, delivery trucks, contractor vehicles, renters, visitors, etc., driving this fast on Huntington; however, Mr. Evans suggests parking on the street. Ms. Humphries stated a person can't do that because what if there is a drunk driver and they hit the parked car? Mr. Evans stated if the person is drunk, they could wreck anywhere. Ms. Faden stated she would like to hear from the rest of the residents who wish to speak.

Mr. Mike Humphries, of Huntington Street, stated he was at the meeting when MBTS agreed to put in the traffic calming devices to approve Sea Star Village, and all through the planning, MBTS was on board with the speed humps, but it's kind of funny that once Sea Star got started, all of sudden cost is an issue and MBTS is not putting speed bumps or humps there. Mr. Humphries stated he also has issue with Mr. Ruble's previous comment regarding the POA meeting where homeowners said they didn't want speed bumps. Mr. Humphries asked if it sounds tonight like homeowners don't want speed bumps because they do.

Mr. Paul DuCott, of Huntington Street, stated his thanks to Council for listening but he's getting a sense Council has already made up its mind. Mr. DuCott stated Council is being kind and has given residents the opportunity to speak, but he's hearing the Town officials say "this is not in [Council's] yard," so the Town shouldn't have to deal with it and the residents should have to deal with the developer themselves. Mr. DuCott asked Council if they see it's clear that approach isn't working. Mr. DuCott further stated because it's not working, the residents are coming to their governmental body and asking for help. Mr. DuCott stated the two (2) roads which have received the most traffic – and will continue to receive the most traffic – are Huntington Street and Pembroke Lane, and in perpetuity they will always be the main roads in and out; so as MBTS develops more and more, people will continue to use these two (2) roads. Mr. DuCott stated the residents here tonight are not denying residents may be at fault too, but as far as policing the signs, will residents have to stand outside to tell people to slow down or make sure they stop? Mr. DuCott stated as Council being the residents' governmental body, the residents are coming to Council tonight and saying help, because Council has much more say over developers than the general public.

Mr. Ruble stated the speed hump which is currently up by the pedestrian crossing makes sense for the location it was placed. Mr. Ruble stated, as a developer, MBTS understands what the residents are saying, but, at this point, MBTS doesn't know what else to do with this issue. Mr. Bartus stated to put in speed bumps, which was what the commitment was. Mr. Ali stated there was no commitment to the speed bumps, the commitment was to look at a plan and deliver a plan, which MBTS did. Mr. Ali stated MBTS came up with the stop sign plan, and there were three (3) members at the POA meeting who seemed to agree with the stop signs. Mr. Ali stated he understands there are members here tonight who don't want the stop signs, and, from a developer's perspective, we understand the concern of speed, as well as the safety issue; and MBTS has tried to figure out a way where there would be a consensus. Mr. Ali further stated MBTS has heard from various residents that they don't want speed bumps or humps, but it is not up to MBTS to come up with the actual final solution which residents will have to live with.

Mr. Ali stated MBTS has delivered a couple of ideas, and the homeowners and POA should have a consensus among themselves, hold a referendum and tell MBTS what they want.

Ms. Faden stated she is hearing both parties are willing to meet and negotiate, so is this topic something Council should table and come back later with something they both can present to Council and maybe agree with? Mr. Thompson stated yes, Council could table this matter until the regular Council meeting in two (2) weeks or so, but it's at Council's discretion. Ms. Faden stated Council is restricted by the Code with what it can and cannot do, and Ms. Faden recognizes the plea for assistance, but Ms. Faden also recognizes some assistance may not be in Council's purview. Ms. Faden stated she thinks the best option is to give the two parties time to meet and come up with a more mutually agreeable method then return and present to Council. Mr. Thompson stated yes, and there could be other options which were not mentioned tonight, such as mixing signs and humps.

Mr. Evans asked, with regard to the planning department and engineers, etc., does Mr. Evans have to go back and plan speed bumps for future site plans, such as for Dove Landing? Mr. Evans stated MBTS presented a plan to meet the condition, and MBTS is going to continue to grow, but when the next road gets developed and it's through Canal Village or Beebe, and all the traffic is going that way, does the Town have to put speed bumps there? Mr. Evans stated he thinks Council may want to separate itself from this aspect because they've received a plan and it goes back to the homeowners to figure out what they want to do, and it's not the job of the Town to tell who should be spending money. Ms. Faden stated she doesn't think anyone's disagreeing with Mr. Evans, and she thinks there is some discussion the parties may be able to have in order to make the determination on their own, and Ms. Faden doesn't think Council is telling anyone what to do. Mr. Thompson stated, in the Town's Code, the purpose of site plan review includes to guide public and private policy and action in order to provide adequate and proficient transportation; and another item is to provide for adequate air, light, and privacy, and to secure safety from fire, flood, and other dangers, to prevent overcrowding of land. Mr. Thompson stated he understands Mr. Evans' point of, at some point, the review has gone too far, but the Town does review for the purpose of transportation. Mr. Evans stated yes, but that review was already approved. Mr. Evans further stated the next village to come in, such as Dove Landing, and the Town wants to develop roads which make it look like you're in town, not so much a subdivision, which is why the Town has interconnectivity of streets; we're developing a Town and not like the County, with a group of separated, sporadic subdivisions. Mr. Evans stated because of the design of interconnectivity the Town has planned, when Council looks at this aspect, Mr. Evans thinks the Town is getting too far into the mix of it. Ms. Botchie asked Mr. Ali if Huntington and Pembroke are under the master plan HOA. Mr. Ali stated, at the moment, yes. Ms. Botchie asked if MBTS puts in the speed humps through Huntington and Pembroke, will the master HOA pay for those humps or will it come out of Sand Dollar Village? Mr. Ali asked Ms. Botchie if she was asking about the maintenance of the humps. Ms. Botchie stated yes. Mr. Ali stated yes, the humps will be paid by the master HOA. Ms. Botchie asked if all the villages in MBTS should vote on the traffic calming if they have to pay for it. Mr. Ali stated that is a good point, and that was one of the reasons Ms. Morgan had reservations about the idea of the bumps going in without consensus. Ms. Botchie stated she receive a phone call from a resident of MBTS, who wished to remain anonymous, who was OK with the speed

humps but didn't want them in front of their house.

Ms. Botchie stated if, in the near future, Council agrees with the speed bumps or humps on Huntington Street and/or Pembroke Lane, and, after a while, the bumps/humps are not working, will Council be held accountable for correcting them when homeowners come back because the bumps/humps aren't working and Council agreed to them? Mr. Thompson stated no. Mayor Gordon stated he doesn't think it will come to Council because it will be between the developer and the homeowners. Ms. Faden stated no, because Council is not directing anyone to put in signs or speed bumps, but just approving a plan that gets submitted. Mr. Evans stated yes, the plan has been submitted but now Council is approving the design. Ms. Faden stated Council is not approving the design. Ms. Faden stated MBTS has come to Council with differing comments and they both said they are uncomfortable with what they're now submitting because as Mr. Ruble applied, he said he had reservations about what he was presenting; and the residents confirmed they weren't in agreement with his plan. Ms. Faden stated both parties are saying more discussion needs to happen between them; so, if Council has an opportunity to permit the two parties to have that discussion and it's not against the rules, why shouldn't Council do that for them? Mr. Evans stated yes, but if Council is not approving a plan, what difference does it make, because Council is accepting it, saying the condition was met when the motion was made and they submitted a plan; Council is not approving it, but the condition is still out there. Ms. Faden stated she understands Mr. Evans has an opinion on this but she's lost on the detail. Mr. Thompson stated he thinks Mr. Evans is saying if MBTS submitting something on a cocktail napkin, it counts as a submission; but there is good faith there that the submission has to be acceptable, otherwise, why would anything ever be submitted? Mr. Thompson stated he understands Mr. Evans' point that MBTS submitted something, but the submission then has to be approved. Ms. Botchie stated her point is that she wants the homeowners to be happy, but Ms. Botchie wants Council to be smart in what they approve or agree to that will not come back on the Town in future years and be responsible for that road because Council approved it. Mayor Gordon stated the maintenance will fall to the HOA when residents take over. Ms. Botchie stated not all residents in an HOA come to the Town to complain but be careful. Mr. Roos stated the main concern here is safety and residents are not planning on come back to Town and saying the Town didn't make a good effort to make something safer. Ms. Botchie stated that's not what she's discussing; the Town wants safety but the Town doesn't want it so, when somewhere in the future, if the speed bumps need maintenance, etc., the HOA says it won't pay for the maintenance, and since the Town approved it, the residents say the Town should pay. Mr. Roos stated residents here tonight can agree the maintenance is not the Town's responsibility. Ms. Botchie stated Mr. Roos' statement and the statement of Council as to who is responsible is on record and that's all she wanted to record. Ms. Botchie stated the developer and the residents need to agree on this plan.

Ms. Faden motioned to table this item until the next meeting to give MBTS and the residents an opportunity to bring a plan before Council. Ms. Brewer stated she would like to amend the motion to read that MBTS and the master HOA – not just one village – have an opportunity to bring a plan before Council. Ms. Faden motioned to table this item until the next meeting to give MBTS and the master HOA an opportunity to bring a plan before Council. Ms. Brewer seconded the motion. Motion carried 3-1-1 recusal. Mr. Maneri rejoined the dais.

- C. Discuss and possible vote on the MBTS sewer extension from Sea Star Village, Section 3, to Substation Road. *Synopsis:* MBTS would like to run the sewer line from Sea Star Village to Substation Road, which will be through the next phase of Canal Village, which is in preliminary review at this time. If approved by Council, MBTS would like to start on the sewer extension prior to final approval on the Canal Village site plan. All of this is contingent on the sewer plan layout being approved by Sussex County Engineering prior to commencement.

Mr. Ron Sutton, of CEA, stated MBTS received approval on this sewer plan submittal from County this afternoon, which Mr. Sutton emailed to the Town. Mr. Sutton stated Summerwind Boulevard would tie into Sea Star Village and the sewer would run up Summerwind Boulevard and all along Longboard Drive to an existing sanitary sewer clean-out, which was installed when the thirty (30)-inch sewer main was put in the ground. Mr. Sutton stated there is a twenty-four (24)-inch connection waiting for MBTS to tie into. Mr. Sutton stated MBTS is proposing to put a 24-inch pipe in the ground, and run up to Roxana Road to tie into Sea Star Village. Mr. Thompson asked if the sewer will be moved. Mr. Sutton stated, no, they will not move the sewer because it's quite costly to install a 24-inch sewer main twenty-one (21) feet in the ground. Mr. Thompson asked how long the installation process will take. Mr. Ruble stated about three (3) to four (4) months, and that's if they can get started by fall. Deputy Mayor Steve Maneri asked if MBTS is still planning on having the "honey-dip station." Mr. Ruble stated no, if Council considers allowing MBTS to build this extension – what Mr. Ruble calls "the spine" – in advance to connect to Sea Star Village, Section 3, in effect, that sewer will sit there, nobody will see it; if MBTS is done with that long before Council approves the rest of the land plan, that sewer will sit there and there won't be any "honey-dipping" anywhere. Mr. Maneri asked, on Section 1 of Sea Star Village, where is the sewer running to? Mr. Ruble stated one is going out Huntington Street and the other is going out Pembroke Lane, up through Lakeside Village, and the sixty-five (65) left in the back is where MBTS needs help putting this in in advance. Mr. Ruble stated the "spine" will end up serving all of MBTS, including Beebe and anybody coming in the future.

Ms. Maureen Walker, of Ogelthorpe Lane, asked what this will do to the process of serving capacity. Mr. Ruble stated the pump station was designed to service fifteen-thousand (15,000) homes so the pump station is a regional station the developers paid over thirteen million dollars for to service not just MBTS but other developments (such as Bishop's Landing) and other communities. Mr. Andrew Lyons Jr., of GMB, stated he has looked at the request and plan of action, which makes sense in terms of what MBTS is requesting and getting all of the other permits and approvals. Mr. Lyons asked if MBTS is going to install the laterals for those lots now. Mr. Ruble stated yes, because the depth is too great to go back and put them in. Mr. Thompson asked if, once the laterals are in, there will not be a lot of shifting of homes? Mr. Ali stated there may be a change to a few dimensions here and there but the laterals and the depth being what it is, those won't change.

Ms. Faden motioned to accept the sewer extension proposed from Sea Star Village Section 3 to Substation Road. Mr. Maneri seconded the motion. Motion carried 5-0.

- D. Discuss and possible vote on Resolution 18-03. Synopsis: Resolution 18-03 will set up an agreement as required by the Delaware Department of Natural Resources and Environmental Control's (DNREC) Outdoor Recreation, Parks & Trails Program so the Town may be eligible to receive a grant of up to fifty-thousand dollars (\$50,000.00) to go toward the payment and installation of the Challenge Course for the Town's park.

Mr. Thompson stated the Town is applying for a grant and a part of potentially receiving that grant is somebody at the Town being appointed the project coordinator, the Town would have to commit to the management and completion of the project in a professional and competent manner, and to provide funds to assure its operation maintenance going forward. Ms. Botchie stated this is like the resolution Council had to pass in order to get the tree grant, and the deed restriction for the park states this property is a public park and not a private park. Ms. Faden asked if there would be a negative impact if, for some unknowable reason, the challenge course didn't get built, such as having to give the money back if the course wasn't built. Mr. Thompson stated this grant works as a reimbursement so the money is first spent and then the grant would reimburse the amount which was awarded. Ms. Faden stated to maybe change some of the wording on the resolution because the budget is estimated of what it would cost. Ms. Botchie stated this is not an estimated cost; the Town has the cost for all of the GameTime products in the Town's three-million dollar budget. Ms. Faden asked about the installation. Ms. Botchie stated the installation is included. Ms. Faden asked if the Town has a bid for who will do the work. Ms. Botchie stated the Town will bid, but GameTime will do the work. Mr. Thompson stated there is a bid already from GameTime with prices all included. Ms. Botchie stated Council already approved the proposals from GameTime on each and every piece of equipment for the playground and the challenge course.

Mr. Maneri asked if this grant was supposed to go toward the fitness trail and the equipment going around the fitness trail. Ms. Botchie stated the Town will apply for a grant for that equipment when the grant becomes available "the next go around." Mr. Maneri asked why. Ms. Botchie stated Mr. Bob Ehemann, who is in charge of this grant from the Delaware Department of Natural Resources and Environmental Control (DNREC), told Ms. Botchie since the challenge course is in the Town's first phase, and the fitness trail is not slated to be put in until the last phase, the Town should apply accordingly; and asked Mr. Maneri if he remembered discussing this. Mr. Maneri stated he's looking at this and he knows the Town will do this more than likely, but Mr. Maneri thought the grant was going to be for the fitness trail. Ms. Botchie stated Council all received emails about how Mr. Ehemann stated that since the fitness trail was in the Town's last phase, and this grant is for this fiscal year, what would the Town build first? Ms. Botchie stated the members of the Parks & Recreation Committee, at one of its meetings, voted to go for the challenge course. Mr. Maneri stated he didn't think so. Ms. Botchie stated she would prove it to him. Ms. Faden stated Council can table this item until the next Council meeting. Ms. Botchie stated Council could not table because the resolution must be approved before the deadline to apply for the grant, which is September 8, and the next meeting will be on September 12. Ms. Botchie stated, in her opinion, this is a "no-brainer" because Council would be denying free money. Mr. Maneri asked if the Town is going to get this free money. Ms. Botchie stated it's like anything and the Town got the two-hundred-thousand dollars (\$200,000.00) for the first park grant. Mr. Michel stated Council could at least try for the

money. Mr. Maneri stated the Town lucked out on the two-hundred-thousand dollars. Ms. Botchie stated it doesn't matter because this is free money and the challenge course has already been approved by Council. Mr. Maneri asked if the Town has in writing that it can use the grant money in other ways. Ms. Botchie stated no, you can't use a grant that way. Ms. Faden stated if the challenge course doesn't happen, is the Town held accountable? Ms. Botchie asked why the challenge course would not happen. Ms. Faden stated the Town doesn't know all of the prices of all of the items. Ms. Botchie stated yes, Council does. Mayor Gordon stated this is free money and if the Town is going to go with the challenge course, this will give us money to maintain it and install it.

Mr. Michel motioned to approve Resolution 18-03. Ms. Faden seconded the motion. Motion carried 5-0.

6. CITIZENS' PRIVILEGE

There were no comments.

7. ANNOUNCEMENT OF NEXT MEETING – TOWN COUNCIL MTG., SEPTEMBER 12, 2017

8. ADJOURNMENT

Mayor Bob Gordon motioned to adjourn at 8:28 p.m. Ms. Brewer seconded the motion. Motion carried 5-0.

Respectfully submitted,
Matt Amerling, Town Clerk