

TOWN OF MILLINGTON
Mayor and Council Meeting Minutes
September 8, 2020

Present: Mayor CJ Morales
Council Kevin Hemstock
Council Wayne Starkey
Council Michelle Holland, arrived late
Council Eli Manning

Town Administrator: Jo Manning

Public & Others: virtual meeting held through conference call due to coronavirus pandemic and State mandates; in attendance via phone were Wanda Akers, Lauren Mench, Steven McClead, Briana Potts, and Kent County News Representative. Also, in attendance at the meeting were Sean Downey and Russ Richardson.

Call meeting to order: Mayor Morales called the meeting to order at 6:30 PM.

Pledge of allegiance was recited

Minutes of previous meeting: A motion to approve the minutes for the August 11, 2020 meeting was entered by Council Hemstock; a second by Council Starkey, a vote of 4-0-1 was entered.

Planning Commission & Board of Appeals Vacancies: Sean Downey was presented to the Council for approval to fill Sam Johnston's position on the Planning Commission. A motion to appoint Downey to this position was entered by Council Hemstock, a second by Council Starkey, a vote of 4-0-1 was entered. Mayor Morales swore Mr. Downey in as Planning Commissioner. Council Hemstock voiced his concern with the eligibility requirements to be a Planning Commissioner or member of the Board of Appeals. The current eligibility is to be a resident in the 21651 zip code area; a map was shared showing the area this covers. It was agreed to ask the Planning Commission to review this section of the Zoning Ordinance and consider rewording to ensure the prospective person has a vested interest in the Town. A memo will be sent to Planning Commission requesting consideration of revision.

Kent County Sheriff's Report: Not received by meeting time.

Code Enforcement Report: Reviewed. Council Starkey asked about the tall grass in the rear yard of 385 Cypress Street, Jo Manning will ask maintenance to take care of this matter.

Maryland Environmental Services Report: Not received by meeting time.

Town Administrator Report: Reviewed.

Engineer's Report: none provided

Old Business:

Public Hearing for Resolution 2020-06, Master Parks and Recreation Plan was opened by Mayor Morales. There was no public comment. A motion to adopt Resolution 2020-06, Master Parks and Recreation Plan was entered by Council Hemstock, a second by Council Starkey, a vote of 5-0 was entered.

Hurtt Avenue Street Repairs – Jo Manning met with a representative of David A Bramble Construction and KCI Technologies, the Town’s engineering firm, to discuss storm water drainage requirements for the repairs to the Fire Company parking lot. A recommendation was made to defer the storm water drainage system to that time when the Fire Company is going to build a utility shed on that parcel; if installed at this time it will not meet the requirements needed for the utility shed and will be required to rebuild. A motion to accept the bid to mill and pave from the tax ditch east to the intersection of Sassafra Street and Hurtt Avenue by David A Bramble Construction was entered by Council Hemstock, a second by Council Starkey, a vote of 5-0 was entered.

Chapter 29 of the Town’s Code titled “Animals Ordinance” was discussed. Council agreed to review the County’s ordinance and the possibility of adopting that ordinance. Documentation will be forwarded to Council for review.

Discussion of chickens and other animals has been referred to the Planning Commission as it is part of the Zoning Ordinance.

Resolution 2020-11, Road Names and Address Display was introduced by Mayor Morales. A public hearing will be scheduled for the October meeting.

Public hearing for Resolution 2020-07, Nuisance Flooding Plan was opened by Mayor Morales. There was no public comment. A motion to adopt Resolution 2020-07, Nuisance Flooding Plan was entered by Council Hemstock, a second by Council Starkey, a vote of 5-0 was entered.

Kent County Water System – Attorney David Wright forwarded a letter from County Attorney Thomas Yeager stating the County does not feel it owes the Town any money for the operation and maintenance excess costs due to past leaks. Council Hemstock feels the agreement with the County has been breached as they did not maintain this portion of the system by repairing the leaks in a timely manner. Council asked to invite Attorney Wright to the next meeting to further discuss this issue.

Senior Housing Project – previous discussions regarding the Town’s participation in the project continued. Jo Manning submitted a calculation depicting the participation of the Town based on the value of the property and permit waivers vs total cost of the project. She also explained during the Cecilton project, the Town of Cecilton decided to donate the property to the management company. Cecilton would then charge the management company a fee for property maintenance. Millington’s Council thought this would be an acceptable practice. Further discussion will continue, Mr. Hodgetts, of Home Partnership, will be asked to attend a future meeting to amend any previous agreements.

New Business:

Resolution 2020-09, Sewer Ordinance – a Resolution to amend the Sewer Ordinance was introduced, a public hearing will be held at the October meeting.

Resolution 2020-10 Water Ordinance – a Resolution to amend the Water Ordinance was introduced, a public hearing will be held at the October meeting.

ThinkBig vs Atlantic Broadband fees – unsolicited bid – Jo Manning presented information from ThinkBig’s telephone system and fiber optic system. The Town’s contract with Atlantic Broadband does not expire until 2022; the terms of the contract state 100% of contract is due upon termination. Council tabled further discussion until budget review.

Public Comments:**Council comments:****Correspondence:**

A letter was received from MacLeod Law Group representing Russ Richardson asking the Town to allow Peter Johnston Associates to work with Mr. Richardson's planner to submit comments to Kent County during their rezoning amendment. Mr. Richardson volunteered to reimburse the Town for all legal and professional costs. Council Hemstock stated he feels the County will work with developers and property owners along the 301 corridor because of the potential for future growth. Mr. Richardson stressed he does not want to work with the County then have to start the process with the Town due to incompatible zoning classifications. Council reminded Mr. Richardson that once a property is annexed into the Town, all discussions for development and land use are with the Town not the County. Council asked Jo Manning to speak with Peter Johnston to determine if his schedule is free to work with Mr. Richardson's planner and what the estimated costs will be for this process. Council agreed to this request with the condition that the estimated costs be placed in an escrow account overseen by the Town to reimburse all legal and professional costs.

With no further business to discuss a motion to adjourn at 8:00 PM was entered by Council Hemstock, seconded by Council Starkey, a vote of 5-0 was entered.

Respectfully submitted,

Elizabeth Jo Manning
Town Administrator