

MILFORD CITY COUNCIL
MINUTES OF MEETING
April 25, 2011

A Meeting of Milford City Council was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall on Monday, April 25, 2011.

PRESIDING: Honorable Mayor Joseph Ronnie Rogers

IN ATTENDANCE: Councilpersons Steve Johnson, Garrett Grier III, S. Allen Pikus, Dirk Gleysteen
Owen Brooks, Jr., Douglas Morrow, Sr. and Katrina Wilson

 City Manager David Baird, Police Chief Keith Hudson and City Clerk/Recorder
Terri Hudson

 City Solicitor David Rutt

CALL TO ORDER

Mayor Rogers called the Council Meeting to order at 7:18 p.m.

INVOCATION AND PLEDGE

The Pledge of Allegiance followed the invocation given by Councilwoman Wilson.

RECOGNITION

Proclamation 2011-3/Milford Police Department School Crossing Guards & Presentation

Motion made by Mr. Pikus, seconded by Mr. Morrow to adopt Proclamation 2011-3 as follows:

Whereas, each and every school day, Milford Police Department's School Crossing Guards spend countless hours assisting our children across busy intersections as they arrive and depart from school; and

Whereas, the City of Milford places a top priority on child safety issues and awareness that plays a critical role in ensuring the safety of our children; and

Whereas, School Crossing Guards often encounter adversarial, dangerous and sometimes hostile attitudes during the performance of their duties; and

Whereas, these Guards provide an invaluable service to our community and receive little recognition or compensation for their tireless efforts.

Now, Therefore, I, Joseph Ronnie Rogers, by virtue of the authority vested in me as Mayor of the City of Milford, do hereby proclaim the week beginning May 1, 2011, as "School Crossing Guard Appreciation Week" in Milford, Delaware and invite all citizens to recognize these individuals for their commitment to the safety of our children.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Seal of the City of Milford this Twenty-Fifth day of April, 2011.

Motion carried.

Mayor Rogers then asked the school crossing guards to come forward. Chief Hudson then introduced them noting the Milford Middle School Crossing Guard is Laura Nell and the Lulu Ross Crossing Guard is Jennifer Parnell. He then presented each with a token of appreciation and reading its inscription:

"Presented to Laura L. Knell/Jennifer Parnell this April 25, 2011 for support of the Milford Police Department and Milford

School District working each and every day, despite the weather conditions, to ensure the safety and well being of our school children”.

Chief Hudson also advised a third crossing guard was unable to attend due to an illness in his family. He will present Clarence Harris with these items at a later date.

Mayor Rogers then expressed his appreciation on behalf of the city.

Proclamation 2011-1/Police Week & Peace Officers' Memorial Day

Mayor Rogers then presented the following proclamation to Chief Hudson adding he is very proud of Chief Hudson and his fine police department:

WHEREAS, the Congress and President of the United States have designated May 15, 2011 as Peace Officers' Memorial Day and the week in which it falls as National Police week; and

WHEREAS, the members of the law enforcement agency of Milford, Delaware play an essential role in safeguarding the rights and freedoms in Milford, Delaware; and

WHEREAS, it is important that all citizens know and understand the duties, responsibilities, hazards, and sacrifices of their law enforcement agency, and that members of our law enforcement agency recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and

WHEREAS, the men and women of the Milford Police Department unceasingly provide a vital public service.

NOW, THEREFORE, I, Joseph Ronnie Rogers, by virtue of the authority vested in me as Mayor of the City of Milford, Delaware, call upon all citizens of Milford, Delaware, and upon all patriotic, civic and educational organizations to observe the week beginning May 15, 2011 as Police Week during which time all of our people may join in commemorating law enforcement officers, past and present, who, by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their communities and, in so doing, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens in the City of Milford.

I further call upon all citizens of Milford, Delaware, to observe May 15, 2011 as Peace Officers' Memorial Day in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty, and let us recognize and pay respect to the survivors of our fallen heroes.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Milford to be affixed this Twenty-Fifth day of April in the Year of our Lord Two Thousand and Eleven.

COMMUNICATIONS

Mayor Rogers expressed his appreciation for the acts of kindness expressed as a result of his recent hospital visit and the death of this sister-in-law that occurred so quickly after the death of his wife's brother.

ADJOURN

The Meeting of City Council was adjourned at 7:32 p.m.

Respectfully submitted,



Terri K. Hudson, CMC
City Clerk/Recorder

MILFORD CITY COUNCIL
MINUTES OF MEETING
April 25, 2011

The Annual Organization Meeting of Milford City Council was held April 25, 2011 in the Joseph Ronnie Rogers Council Chambers of Milford City Hall at 201 South Walnut Street, Milford, Delaware.

PRESIDING: Honorable Mayor Joseph Ronnie Rogers

IN ATTENDANCE: Councilpersons Steve Johnson, Garrett Grier III, S. Allen Pikus, Owen Brooks, Jr.,
Douglas Morrow and Katrina Wilson

Council-Elect Dirk Gleysteen

City Manager David Baird, Police Chief Keith Hudson and City Clerk/Recorder Terri Hudson

COUNSEL: City Solicitor David Rutt

CALL TO ORDER

Mayor Rogers called the Monthly Meeting to order at 7:01 p.m.

PLEDGE AND INVOCATION

The invocation, given by Councilwoman Wilson, followed the Pledge of Allegiance.

ELECTION REPORT

City Manager David Baird then read the following results of the 2011 City of Milford Election:

“On behalf of the Board of Elections for the City of Milford, I am reporting the certified results of the April 16, 2011 City of Milford Annual Election to be as follows:

In the 1st Ward—a total of 369 persons voted with
Steven L. Johnson receiving 240 votes
and

Michael D. Spillane receiving 129 votes.

As a result, Steven L. Johnson
has been re-elected to serve a two-year term
as Council Representative of the 1st Ward
beginning this date, April 25, 2011.

In the 2nd Ward—a total of 253 persons voted with
Gary W. Downes receiving 122 votes
and

Dirk G. Gleysteen receiving 131 votes.

As a result, Dirk G. Gleysteen
has been elected to serve a two-year term as
Council Representative of the 2nd Ward
beginning this date, April 25, 2011.

Given 3rd Ward Councilperson Douglas E. Morrow Sr.
and

4th Ward Councilperson James O. Starling Sr.

each ran unopposed,
an Election for those Offices was not required.”

Motion to accept the results was made by Councilman Pikus and seconded by Mr. Brooks. Motion carried with no one opposed.

OATH OF OFFICE

The Honorable William J. Walls, Jr. Judge of the Kent County Family Court administered the Oath of Office to the following recently elected members of Council for a two-year term”

Steven L. Johnson	First Ward
Dirk G. Gleysteen	Second Ward
Douglas E. Morrow, Sr.	Third Ward

Oaths of Office were then signed and Certificates of Office, certified by the City of Milford Board of Election, were then presented by Mayor Rogers.

VICE MAYOR NOMINATION

Mayor Rogers then opened the floor to nominations for Vice Mayor.

On motion of Mr. Pikus, seconded by Mr. Johnson, Councilwoman Wilson was nominated for the Office of Vice-Mayor. Mr. Pikus moved that the nominations be closed, seconded by Mr. Grier with motion carrying. The motion was then approved that Ms. Wilson serve as Vice-Mayor for the council year beginning this date.

CITY SOLICITOR APPOINTMENT

On motion of Mr. Pikus, seconded by Ms. Wilson, Esquire David Rutt was reappointed Solicitor for the City of Milford. Motion carried.

ADJOURN

Mr. Pikus moved to adjourn the Organization Meeting, seconded by Ms. Wilson. Motion carried.

The Organization Meeting adjourned at 7:13 p.m.

Respectfully submitted,



Terri K. Hudson, CMC
City Clerk/Recorder

*MILFORD CITY COUNCIL
MINUTES OF MEETING
April 25, 2011*

The City Council of the City of Milford met in Workshop Session on Monday, April 25, 2011 in the Joseph Ronnie Rogers Council Chambers of Milford City Hall, 201 South Walnut Street, Milford, Delaware.

PRESIDING: Honorable Mayor Joseph Ronnie Rogers

IN ATTENDANCE: Councilpersons Steve Johnson, Garrett Grier III, S. Allen Pikus, Dirk Gleysteen, Owen Brooks, Jr., Douglas Morrow, Sr., and Katrina Wilson

City Manager David Baird, Police Chief Keith Hudson and City Clerk/Recorder Terri Hudson

City Solicitor David Rutt

The Workshop Session convened at 7:32 p.m.

Carlisle Fire Company/Life Safety Rings Program/Follow Up

With no one present, this matter was postponed until the May workshop.

Review of Ordinance 2011-5/Chapter 230/Outdoor Woodburning Furnaces

Ordinance 2011-5

Section 5. D. Outdoor Wood Burning Furnaces.

(1) Prohibited.

(A) The construction and operation of outdoor wood burning furnaces is hereby prohibited within the City of Milford.

(2) Nonconforming Uses.

(A) All wood burning furnaces operating within the City of Milford must be removed by the property owner from the subject premises no later than April 30, 2012. This will allow for an alternate source of heat to be established. During the transition, such use shall conform with the following provisions:

(1) Only firewood and untreated lumber are permitted to be burned in any outdoor furnace.

(2) Wood stored in a neat pile no closer than five feet from side and rear property lines.

Mr. Baird recalled the review of the proposed ordinance which council requested some follow up. He noted the concerns about the time frame the city would allow people to continue to use the furnaces until the prohibition went into effect. There were also questions with regard to the maintenance of the lumber and firewood piles.

He noted this amendment prohibits them as is written in paragraph (1). The non-conforming uses are addressed in paragraph (2).

Mr. Baird feels this addresses those concerns.

Ms. Wilson asked if anyone has contacted Mr. Baird since this was first discussed. Mr. Baird advised that several concerns were expressed from property owners particularly in the Southeast Second Street/Fisher Avenue area.

He said they are pleased with the prohibition and prefer it be enacted as soon as possible.

Ms. Wilson asked if this was anyone's primary source of heat; the city manager said in only one situation that he is aware of. However, it has become a recurring nuisance for those neighbors and surrounding properties.

She asked for reassurance the city would work with that resident during the transition period. Mr. Baird stated yes, emphasizing there are a minimal number in the city and we will work with them one on one while they come into compliance.

Mr. Baird advised these ordinances will be placed in the form of an ordinance so that council can take official action.

Review of Ordinance 2011-6/Recreational Vehicle Storage

Ordinance 2011-6 Recreational Vehicles (Zoning Code)

230-44 Prohibited uses.

EXISTING:

B. The parking, storing or keeping of a dismantled, inoperative or discarded motor vehicle or any parts thereof unless within an enclosed building.

PROPOSED CHANGE

B. The parking, storing or keeping of a dismantled, inoperative or discarded motor vehicle, to include, but not limited to cars, boats, boat trailers, campers, tractors or any parts thereof unless within an enclosed building. All vehicles requiring tags/registration must be valid at all times and vehicles maintained in its original configuration. All boats requiring a trailer for transportation must be stored on a registered trailer.

230-20 General Provisions.

EXISTING:

I. Boat, trailer, bus and van parking. In any residential district, no house trailer, camper, boat trailer, bus or boat shall be parked in the front yard. Parking is allowed in the side or rear yards five feet from the property line if it does not take up space normally occupied by an automobile.

PROPOSED CHANGE

I Boat, trailer, bus and van parking. In any residential district, no house trailer, camper, boat trailer, bus or boat shall be parked in the front yard. Parking is allowed in the side or rear yard five feet from the property line. and cannot take up space normally occupied by an automobile. All vehicles requiring a trailer for transportation must be stored on a registered trailer.

Mr. Baird recalled councils' comments to simplify the ordinance and to review each item to ensure it is needed. Mr. Williams added some language for clarification purposes which is what is shown in red.

The changes were then read into record.

Mr. Pikus recalled councils' concern about some existing RV's/campers that are neatly and properly parked in yards as was discussed at the previous meetings. He asked the impact to those individuals.

Mr. Baird said the only change is that the registration must now be valid. They are only prohibited from parking in the front yards though it is permitted in the side and rear yards as long as it is five feet from the property line. He said this provides much more flexibility than what was originally proposed.

He asked council to remember that Mr. Williams will take a practical approach to each of these situations.

Mr. Brooks asked how many problems we have; Mr. Baird said there have been a number of problems over the years though most have involved old campers, tow-behind campers and old deteriorating boats.

Mr. Baird noted this will also be put in the form of an ordinance for formal consideration at an upcoming council meeting.

The Workshop Session concluded at 8:19 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Terri K. Hudson".

Terri K. Hudson, CMC
City Clerk/Recorder

MILFORD CITY COUNCIL
MINUTES OF MEETING
April 25, 2011

The Milford City Council held a Public Hearing on Monday, April 25, 2011 in the Joseph Ronnie Rogers Council Chambers at Milford City Hall, 201 South Walnut Street, Milford, Delaware to hear the application of:

Bob Nash Associates on behalf of Jacob H. Roosa III, Trustee
Minor Subdivision of one parcel into two parcels in an R-1 District at 917 Roosa Road
Tax Parcel MD-16-174.17-01-06.00

PRESIDING: Honorable Mayor Joseph Ronnie Rogers

IN ATTENDANCE: Councilpersons Steve Johnson, Garrett Grier III, S. Allen Pikus, Dirk Gleysteen
Owen Brooks, Jr., Douglas Morrow, Sr. and Katrina Wilson

City Manager David Baird, Police Chief Keith Hudson and City Clerk/
Recorder Terri Hudson

City Solicitor David Rutt

Mayor Rogers called the Public Hearing to order at 7:14 p.m.

Matt Metz of Bob Nash Associates was present on behalf of the applicant. He advised the parcel is located at 918 Roosa Road. The land is partially within city limits and partially within the county. The request is to subdivide one lot out of the city side that consists of .94 acre lot and is zoned R-1 and is comparable to the Comprehensive Plan. The residual land will be 25.78 acres of which 6.3 acres will remain in the city.

He explained the lot will have city water and private septic only because the existing system does not exist in this immediate area. A letter of explanation was included in the packet along with the approval of the Public Works Department.

Last Tuesday, the Planning Commission recommended approval of the application.

Due to the City Planner's absence, Mr. Baird confirmed a public hearing was held last Tuesday at which time no public comments were heard. He agrees the sewer was appropriately addressed at that time. The application received a unanimous vote of the Planning Commission in support of the subdivision.

Mayor Rogers then opened the floor to public comment; no one responded; the mayor then closed the floor.

Mr. Brooks moved for approval of the minor subdivision, seconded by Ms. Wilson. Motion carried by unanimous roll call vote.

Mr. Gleysteen voted yes stating the application complies with the city's comprehensive plan.

With no further business, Mayor Rogers concluded the Public Hearing at 7:17 p.m.

Respectfully submitted,



Terri K. Hudson, CMC
City Clerk/Recorder