

MILFORD CITY COUNCIL
MINUTES OF MEETING
December 5, 2011

A Meeting of Milford City Council was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall on Monday, December 5, 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., James Starling, Sr. and Katrina Wilson

City Clerk/Recorder Terri Hudson

City Solicitor David Rutt

CALL TO ORDER

Mayor Rogers called the Council Meeting to order at 7:38 p.m.

UNFINISHED BUSINESS

*Review and Approval of Settlement Agreement & Mutual Release—201-203-205-207 Northwest Front Street
-Downtown Properties LLC
-Spyros Maroulas, Incorporated*

City Solicitor Rutt referenced the settlement/mutual release agreements included in the packet for Downtown Properties LLC and Spyros Maroulas, Incorporated. He explained that Downtown Properties (Dan Bond) will deed its property to the city; in turn, the city is responsible for demolishing the existing structures and leveling and seeding the sites. After the demolition, the property deeded to the city by Bond will be transferred to Spyros Maroulas, Incorporated.

Mr. Rutt reported the documents contain full and final releases between the parties, actions, causes of actions, demands, damages, liabilities, etc.

Both agreements have been signed by the parties involved. The agreements are being presented for ratification by city council.

Mr. Starling moved for approval of the Downtown Properties LLC Settlement Agreement and Mutual Release and Spyros Maroulas, Incorporated Settlement Agreement and Mutual Release involving 201-203-205-207 Northwest Front Street. Motion seconded by Mr. Pikus. Motion carried by unanimous roll call vote.

*Repeal Clark's General Contractors, Incorporated Agreement (December 13, 2010)
Approval of Amended Clark's General Contractors, Incorporated Agreement*

Mr. Rutt advised the original contract of \$14,640 was approved by city council on December 13, 2010 after Clarks was the low bidder in a formal bid process completed at that time. On September 20, 2011, an amended contract was submitted in the amount of \$15,372.

The contract covers the cost of the demolition and removal of debris at the Downtown Properties LLC and Spyros Maroulas Incorporated sites previously discussed.

Ms. Wilson moved to repeal the Clark's General Contractors, Incorporated agreement dated December 13, 2010 and approve the Clark's General Contractors, Incorporated agreement dated September 20, 2011 in the amount of \$15,372, seconded by Mr. Starling. Motion carried by an 8-0 unanimous roll call vote.

Mr. Gleysteen votes yes though he feels the financial responsibility of the demolition should not be the city's and he recommends recovering those costs. However, he votes yes to eliminate the eyesore.

Ms. Wilson agrees with Mr. Gleysteen's comments.

NEW BUSINESS

FY 2011-2012 Budget Amendment

Mr. Pikus reported that Building Inspector Don Williams requested additional funding because the demolition account has been depleted. This adjustment covers the cost of demolishing the properties on Northwest Front Street in addition to any related incidentals.

Mr. Pikus moved for an increase in the WAWA Land Lease Account (101-0000-359-10-10) of \$16,000 and increase the Demolition Account (101-1045-429-68-10) by \$16,000 to cover the costs of demolishing the Maroulas and Bond Properties on Northwest Front Street. Mr. Brooks seconded motion. Motion carried with no one opposed.

EXECUTIVE SESSION

Pursuant to 29 Del. C. §10004(b)(9) Personnel matters in which the names, competency and abilities of individual employees or students are discussed.

Mr. Pikus moved to go into Executive Session reference Personnel Matters, seconded by Mr. Morrow. Motion carried.

Mayor Rogers recessed the Council Meeting at 7:49 p.m. for the purpose of an Executive Session to discuss personnel matters.

Return to Open Session

City Council returned to Open Session at 8:41 p.m.

Executive Session/Personnel Matter

Mr. Morrow moved to appoint Richard Carmean as City Manager for an indefinite term, seconded by Mr. Brooks. Motion carried by unanimous roll call vote.

Mr. Pikus stated he feels it is a wise decision to bring someone back with forty years of experience in the city and someone who is very dedicated to the City of Milford.

Mr. Gleysteen votes yes for the reasons previously stated.

Mayor Rogers agreed the city is very fortunate to have someone who can start work immediately and has the ability to continue with the direction and management of the city and the ability to proceed with the projects that are currently in the works.

Mr. Carmean thanked council stating he hopes he is able to live up to their expectations.

ADJOURN

With no further business, Mr. Pikus moved to adjourn the Council Meeting, seconded by Mr. Morrow. Motion carried.

The Council Meeting adjourned at 8:43 p.m.

Respectfully submitted,



Terri K. Hudson, CMC
City Clerk/Recorder