

**TOWN OF MILLINGTON**  
**Mayor and Council Meeting Minutes**  
**July 14, 2020**

**Present:** Mayor CJ Morales  
Council Kevin Hemstock  
Council Wayne Starkey  
Council Michelle Holland

**Town Administrator:** Jo Manning

**Public & Others:** virtual meeting held through conference call due to coronavirus pandemic and State mandates; in attendance via phone were Trish McGee of Kent County News, Desiray & Evan Rhodes, Lauren Mench, Nevin & Janice Steffy, Melissa Maloney, Susan Vogel, David Freeman, Janet Christensen-Lewis, Wanda Akers, Elizabeth Stark, Briana Potts, Jennifer Sipala, Thomas Kocubinski, and 2 additional unidentified wireless callers.

**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 June 9, 2020 meeting was entered by Council Hemstock; a second by Council Starkey, a vote of 4-0 was entered.

**Kent County Sheriff's Report** – Report was provided for review via email.

**Code Enforcement Report:** Reviewed.

**Maryland Environmental Services Report:** Reviewed.

**Town Administrator Report:** Reviewed. Council determined that the Town was reopened for business from the recent coronavirus pandemic; therefore, the office was instructed to begin assessing late fees for delinquent accounts and shutting off water service if account is not brought current. Council asked Administrator Manning to research funding for demolition of the house at 415 Cypress Street that has been vacant for years and partially renovated; she will look into a “Strategic Demolition” grant program with the State. Mayor Morales asked about the shrubbery near the laundromat that is full of poison ivy; notification will be made to the property owner.

**Engineer's Report:** none provided

**Old Business:**

Resolution 2020-05 to amend the zoning ordinance was reviewed by Mayor Morales. An initial motion to adopt the amended zoning ordinance was made by Council Hemstock, a second by Council Starkey, a vote of 4-0 was entered. Nevin Steffy stated the Council did not allow for public comment before voting for Resolution 2020-05. Jennifer Sipala stated there was a notice on the Town's website and in the Kent County News announcing a public hearing on the 14<sup>th</sup> of July pertaining to Resolution 2020-05. Council Hemstock entered a motion to repeal the previous vote and to open the meeting to a public hearing for Resolution 2020-05 to amend the zoning ordinance, a second was entered by Council Holland, a vote of 4-

0 to repeal the previous vote and enter into a public hearing was entered. Thomas Kocubinski stated his opposition of a data processing center, he feels there needs to be parameters established in the zoning ordinance, and recommended setting restrictions on utilities, noise, square footage, etc. as well as guidelines for future business; Mr. Kocubinski read from a written statement that will be forwarded to Council members. An unidentified participant asked if this amended addressed farm animals, Council stated this was not regarding animals or pets. Jan Christensen asked if this ordinance distinguishes between what is allowed in the various districts, why are conditions not noted in ordinance for data centers, and was information made available to Planning Commission prior to presentation of this amendment. Mayor Morales explained this resolution allows future business development to meet with the Planning Commission to discuss future location of businesses. Council Hemstock explained when a use is placed in the zoning ordinance it allows a developer to request the Planning Commission review a potential project instead of stating it is not allowed. In amending the zoning ordinance, the Planning Commission did not detail conditions to allow for discussion and contingencies to be applied based on current federal, state, and county laws at time of application. Melissa Maloney stated she thinks the ordinance should state “this is only to allow conversation”. Evan Rhodes stated it doesn’t make sense for the Town to attempt to bring new business in when existing properties aren’t clean; the Town needs to take care of existing properties before attempting to grow. With no more comments a motion to close the public hearing was made by Council Hemstock at 7:45 PM, a second by Council Starkey, a vote of 4-0 to close the public hearing was entered. A motion to open the regular meeting was made by Council Hemstock, a second by Council Starkey, a vote of 4-0 was entered. A motion to adopt Resolution 2020-05 to amend the zoning ordinance was entered by Council Holland, Council Hemstock seconded the motion with a recommendation to hold the final decision until the August meeting to reconsider, a vote of 4-0 was entered.

**New Business:**

Council discussed the issue at 219 Sassafras Street with the sewer lateral connected to the State’s storm drain line. A claim was filed with LGIT which was denied. A question was asked of who paid for the same situation in 2018 at Maryland Massey’s property; staff will research Council minutes and documentation forwarding all information to Council members.

Due to future proposed annexation, Administrator Manning stated Council will need to review the Animal Ordinance for a revision. Some existing properties in the proposed annexation areas currently house farm animals and poultry. Council will review in the future.

**Public Comments:** Evan Rhodes stated when a property is annexed it puts that property owner in additional financial debt due to additional taxes and fees. Jennifer Sipala complained that the audio was cutting in and out, making it difficult to hear; she wants to hear the meeting proceedings but “doesn’t care what the Mayor is saying”. Wanda Akers commented she received a letter regarding annexation and was against the annexation. Evan Rhodes stated the Maloney’s should be ashamed of themselves to meet with the Town to discuss the annexation of their farm property located on Millington Road. An unidentified participant asked about audio recordings of the meeting or Facebook live streaming; Council explained we are not set up for this type of meeting at this time. Nevin Steffy questioned the inability to hear the first part of the meeting and if that would violate the “Open Meeting Act”.

**Council comments:** No comments.

**Correspondence:** There was no correspondence for review.

With no further business to discuss a motion to adjourn at 7:48 PM was entered by Council Hemstock, seconded by Council Starkey, a vote of 4-0 was entered.

Respectfully submitted,

Elizabeth Jo Manning  
Town Administrator