

**MAYOR and COUNCIL  
TOWN OF MILLSBORO  
322 Wilson Highway  
Millsboro, Delaware 19966 - 1216**

OFFICE HOURS  
MONDAY — FRIDAY  
8:00 a.m. to 4:30 p.m.



**Phone: (302) 934-8171  
Fax: (302) 934-7682**

TOWN OFFICE  
PARKS/RECREATION  
STREETS  
WATER/SEWER

POLICE DEPT. 934-8174

**MINUTES  
REGULAR COUNCIL MEETING  
MILLSBORO TOWN COUNCIL  
SEPTEMBER 8, 2015**

7:00 pm meeting called to order with Mayor John Thoroughgood presiding. Present were Vice Mayor Michelle Truitt, Secretary James Kells, Treasurer Joseph J. Brady, Council persons Bradley Cordrey, Tim Hodges and Ron O'Neal, Town Solicitor, Mary Schrider-Fox and Town Manager Faye Lingo.

Mayor Thoroughgood led the pledge of allegiance.

**PUBLIC COMMENTS:**

- Jack Prehm reference the conditional use application

The members of the community held a meeting and about 100 showed up. The current building was not large enough and they had to hold the meeting outside. Question the doublewide and tent structure. They want things to keep moving forward but are concerned. They were told the HOA dues would sky rocket if they did a larger structure. Do not know how much \$ 25 or \$125. Hope that the presenter will have this information.

- Sherry Martin reference the conditional use application

Has lived in the community since 2007 and have seen ideas come and go and nothing is as it was originally presented. Developer has difficulty with time lines. She would hope that if this is approved that council asks for a hard and fast timeline. Developer claims that future development cannot be locked in so they cannot make guarantees. Ms Martin pointed out that they are building and selling homes, making money now. She asked council to please set a definite date.

**SECRETARY'S REPORT**

Secretary Kells motioned the minutes be approved as written, Cordrey second, unanimously approved as written.

## **TREASURER'S REPORT**

Treasurer Brady reviewed the bank balances and motioned the bills be paid from the designated accounts, second by O'Neal, approved unanimously.

## **MILLSBORO FIRE COMPANY**

John Hall reported that the 21<sup>st</sup> Annual Delaware Volunteer Firefighter's Association Conference will be held at the Dover Downs Hotel and Casino beginning on Monday, September 14 and running thru Saturday, September 19. Members of the Delaware fire service will participate in seminars, discussions and hands on training as well as visit with representatives from manufacturers and vendors displaying the latest in equipment and apparatus. One of the highlights of the week will be the "educational luncheon" on Friday afternoon where elected members of the State Legislature are invited to participate with fire service personnel in discussions on the status of the volunteer fire service. The conference will wrap up with the annual parade thru Dover on Saturday the 19<sup>th</sup>, beginning at 1 pm.

The Delaware State Fire Prevention Commission has completed the disbursement of volunteer Ambulance Company Funding for the first half of 2015. This money is collected thru an assessment on all motor vehicle moving violations from the State of Delaware and is dispersed as a percentage based on the number of ambulance calls per company. The 35 fire companies in the State who run an ambulance service, along with the American Legion ambulance services in Smyrna and Georgetown split a total of \$579,191 based on 52,237 ambulance calls from December 2014 thru June 3015.

The Fire Company's new rescue boat, Marine 1, has just returned from having required emergency lighting installed. In late August, members of the Millsboro Fire Company and its dive team participated with the Indian River Fire Company in joint training activities in order to familiarize members of each organization with the fundamentals of water rescue and boating safety.

Earlier this month Millsboro Fire Company was able to utilize monies from The Town of Millsboro's building permit funding, given to the department, to purchase new portable radios and pagers for our EMS employees. Just over \$12,000 was used to purchase the new state of the art equipment.

## **GREATER MILLSBORO CHAMBER OF COMMERCE**

Amy Simmons Director for the Chamber gave the report. She gave a reminder that the Nanticoke Indian Festival is scheduled for September 12 and 13<sup>th</sup>. The next regularly scheduled membership meeting is September 17<sup>th</sup> at the Pint, Pub and Eatery. If anyone is interested in attending reservations need to be made early due to limited space. Everyone will pay for their own meal. The September 19, Boro Bash is coming along nicely. Everything has been finalized and they really feel good with the changes that have been made and believe the public will be pleased.

## **MILLSBORO POLICE DEPARTMENT**

Lt. Calloway gave the report filling in for Chief Murphy. Training; on August 11 thru 13 Cpl. Moyer attended training on interview and interrogations. August 17<sup>th</sup> PFC Zubrowski and PFC Bullock received training on Emergency Vehicle operations and collision avoidance. August 24 – 28<sup>th</sup> Sgt. Legates attended Computer Voice Stress Analyzer training held in one of the meeting rooms at Town Hall. August 25 – 27 Lt. Calloway and Sgt Wheatley attended recertification in Computer Voice Stress Analyzer. On August 27 and 28 PFC Rambo and PFC Forester attended training at the Delaware State Police Academy on Abnormal Behavior.

Homeland Security; no current active threats. CALEA update; Millsboro Police Department received their third accreditation Award and it has been reported that the renewals will be every four years not three as in the past but more information will be forthcoming. Criminal investigation; Detective (Sgt.) Legates concluded and was able to make an arrest in a case involving the felony theft of finances of a disabled victim.

The department just went through their hiring process and the personnel committee conducted the interviews and we have a new recruit that is scheduled to enter the academy on September 14<sup>th</sup>. Lt. Calloway introduced Mr. Michael Foreman. Mr. Foreman has been busy making preparations and is ready to get started.

The Office of Highway Safety has an initiative that is considered DUI saturation patrols. These patrols are designed as a team style approach with two officers per vehicle looking for impaired drivers and this program will continue throughout the month of September. There were not a large number of actual DUI's but there were 23 tickets written for other violations.

Roadway closure – everyone has seen the road closed sign on Main and Washington Street at the railroad tracks. Calloway called to check on how long the closure and asked if they could do the work at night due to the high volume of traffic. He was told that only in an emergency would Norfolk Southern consider night work and this is not an emergency but scheduled maintenance. Calloway was advised that these upgrades should not take longer than four hours and that plans to detour traffic have been made. There is also a strong possibility that this start date will get pushed back.

Grants: the new grant application was due and Calloway has taken it to State Committee for review and approved. Calloway is asking to purchase a new camera system for the new patrol vehicle. To also upgrade special weapons with sites and mounting lights. This allows them to be better used if there should ever be a critical or violent encounter. The balance of the funds I am requesting to use for overtime for drug related patrols and to purchase equipment that will be used during these patrols. These patrols consist of two officers in four hour blocks with the intent of making drug arrests in high drug areas. The list is \$5,495, camera; \$2,640, tactical vest; \$1,100, tactical pants; \$7,265 rifle sites and lights; \$500, rental vehicle; \$4,164.66, overtime for a total of 21,164.66. Town Manager explained that normally this would come to the council for approval then go to the state but due to the deadline schedule Lt. Calloway needed to get the application in and then come to council and ask for

approval. Hodges motioned Cordrey second to approve the grant as presented, approved unanimously.

"Trick or Treat", does council wish to designate a night to allow trick or treaters to visit? Cordrey motioned Kells second to approve the "Trick or Treat" to take place on October 31<sup>st</sup> for ages 12 and under in costume between the hours of 6:00 and 8:00 pm, approved unanimously.

"Family Nite Out", if council wants to do this again this year then approval is needed. In the past the police department has taken the lead with this and worked with the Chamber. They have equipment set up next to the Dairy Queen and distribute candy. Last year there were approximately 300 kids and the council contributed \$200 to purchase supplies. Lt. Calloway advised he will review with the finance officer and if there is any Sussex County Block Grant funds left he will use that and not have to ask council for the funds. Hodges motioned, Brady second too approve the Family Nite out event as usual, approved unanimously. Town Manger advised that if they find funding is needed then it can come back on October's agenda.

New hire; town manager advised council that the personnel committee was authorized to make the hire as they saw fit at time of the interviews but council needs to ratify that decision with a motion and a second tonight. Cordrey motioned, O'Neal second to approve the hiring of Michael Gorman for the September 14<sup>th</sup> Delaware State Training Academy, approved unanimously.

Interim Chief - Mayor Thoroughgood presented that with Chief Murphy announcing his retirement that he would like to appoint Lt. Calloway as interim Chief if council is agreeable. Brady motioned, Cordrey second to confirm the appointment of Lt. Calloway as interim Chief of the Millsboro Police Department, approved unanimously.

### **STREET REPORT**

Morris Street parking issue has been brought up and the town solicitor was going to do some research. Ms. Schrider-Fox found that Morris Street and Church Street is town owned and maintained. The Town will need to amend Section 200-31, Schedule VII of the Town Code where it lists the places in Town where parking is prohibited. Council will need to designate the distance from the stop sign that is to be parking-free so that an appropriate description of the prohibited parking area can be described in Schedule VII. Kells asked if the signs had been raised as was suggested. Mayor Thoroughgood said they had but there still, he believes, an issue. Also when cars park on both sides of Church Street between Main and Morris traffic cannot move with two lanes. One vehicle will have to stop, pull over so the other car can pass. He believes the best thing would be to only allow parking on one side of Church Street in that section because the street is not as wide in that section. Cordrey suggested that typically twenty feet back from the intersection is considered a safe distance for no parking. Everyone was in agreement that something should be done. Mayor Thoroughgood asked if they would like to table the issue tonight, allow everyone to visit the area and see what they feel should be done. It can be placed back on the agenda next month. Everyone agreed to take a month and look at it again.

Street paving – town manager advised that the Mitchell Street resurfacing project is scheduled to begin in October and is to be completed by Thanksgiving.

Wilson Highway storm water project – is near completion and just waiting for paving. This is to be completed by November 1<sup>st</sup>.

#### **RECREATION REPORT**

No report

#### **WATER AND SEWER REPORT**

The Town Manager reported that the lead and copper results have come in and were reported to the State with the proper certification. Millsboro passed without any issues.

#### **MAYOR'S REPORT**

Conditional Use application by Lennar in Plantation Lakes for a temporary golf facility, golf trailer and golf cart storage tent, temporary parking; west end of Charlotte Blvd; tax map # 1—33-16.00-955.01. Ken Usab from Morris, Ritchie and Associates is the design planner engineer and is presenting on behalf of Lennar. Steve Frisina, the site project manager is also here. The location is just west of Charlotte Boulevard in the area of the proposed Great House. The purpose is to be able to complete four more holes of golf for a total of nine holes, give the golfers a pro shop with a snack bar. A place where they can relax. There will be parking and a building to house the golf carts. They feel they can move forward with this portion without any difficulty while the work on the Great Lodge is being completed. There are still site plan, Sussex Conservation and Fire Marshall approvals needed for the original proposed plan. Water and sewer service is not an issue. ICON golf is going to manage the course and there is a golf pro ready to start. The fabric structure will house 74 carts. The proshop will be 24 by 60 feet and will be placed on the ground with landscaping. The intention is make it nice looking. When other construction is complete these buildings will be removed. Hodges asked what they were calling temporary. Usab answered he believed two years. They still have to modify the RPC, complete the design of the building and get the necessary building approvals for the structure then construction time. Kells expressed concern about construction trucks adding to the congestion. This will be an inconvenience for the current residents. Thoroughgood asked if the building was rated for high winds. Usab explained that the building would be anchored and they would have to do as code allowed. Believed the construction vehicles would use their entrance off of Godwin School Road. Usab advised they would like to have the final holes open spring 2016 along with the driving range. Truitt commented that this appears to be a lot of money dumped for a temporary structure. It was asked who will be paying the cost. Steve said that Lennar would be absorbing the cost. We call the building temporary but it will look permanent with the landscaping. Hodges concern is that this is a nice community and this unit does not look very nice and if allowed for two years and could run into three or four years which is a considerable amount of time for a temporary structure. I find it difficult to believe that anyone wants that for the community. Usab said this is to be able to keep the project moving. The initial approval is for one year and subsequent council reviews could deny the

request until a concise time frame is established. Hodges stated he would feel much better if the time frame was more concise. Thoroughgood commented that he does not understand why Lennar would put this much money in a temporary structure; why not just start the permanent structure. Usab explained that he cannot speak for Lennar. Steve said they are trying to give golfers their nine holes in the spring. Usab, Lennar meets with the community next week and they were hoping to tell them that everything was ready and had council approval. Cordrey, have you looked at other type buildings. Steve, this building is high end inside and won't look bad. Truitt, I have real concerns with the fabric tent. O'Neal, how far along is the design for the final structure? Site design very far along? Usab, they are meeting on a weekly basis and the total package is very complicated, trying to allow for drop off, trash collection cart storage, and parking. The architects are working on the building. Truitt, is there a cost to the home owners? Thoroughgood, I think this just needs to be tabled right now until we get some more answers. Hodges, yes, he would feel better with more concise time lines. Town Manager will put on the October agenda.

8:20 pm Cordrey motioned, Kells second to adjourn, approved unanimously.

Respectfully submitted,

A handwritten signature in cursive script that reads "James Kells". The signature is written in black ink and is positioned above the printed name and title.

James Kells,  
Secretary