

**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
Millsboro Town Council
Regular Council Meeting
June 6, 2011**

7:00 P.M. meeting called to order in the Council Chambers at 322 Wilson Highway, Millsboro, Mayor Larry Gum presiding. Present were Vice-Mayor Robert Bryan, Secretary Greg Hastings, Treasurer Michelle Truitt, Council Persons, John Thoroughgood, , Irene Keenan, Town Manager Faye Lingo, Assistant Town Manager Matt Schifano, Town Solicitor Mary Schrider-Fox, Development Coordinator Linda Johnson, and Town Clerk Tammy Phillips, Tim Hodges was absent. Guest- see attached list.

SECRETARY'S REPORT – Secretary Hastings presented the minutes from the May 2, 2011 council meeting for Council's approval. Keenan moved Bryan seconded to approve the minutes from the May 2, 2011 council meeting as written. Motion approved unanimously with Hodges absent.

TREASURER'S REPORT – Treasurer Truitt presented the bills and bank balances to Council for approval. Bryan moved Hastings seconded to pay the bills from the designated accounts as presented. Motion approved unanimously with Hodges absent

GREATER MILLSBORO CHAMBER OF COMMERCE - Amy Simmons Chamber Coordinator, concerts at Cupola Park for the month of June are 12th – "ALL 4 HIM" June 26th "The Baytones" concerts start at 5:30 PM. Membership Luncheon will be held at La Tonalteca on June 16th. GMCC will be hosting its 5th annual Fourth July parade starting at St Mark's Episcopal Church on State to Morris Street to Cupola Park. Big Thursday will be held on August 11, 12, & 13. We are planning to close several streets this year, Main Street, State Street, and Dodd Street for proposed vendors. Letters will be coming out to property and business owners about the road closures and offering them free space.

MILLSBORO FIRE DEPARTMENT – Ron O’Neal President stated Millsboro was hosted to the May meeting and Memorial Service of the Sussex County Ladies Auxiliary on Wednesday, May 18th in attendance was members from the Sussex organization as well as representatives from Kent and New Castle counties as well. During the service, tribute was paid to Auxiliary members who passed over the last year. Our facility will also be hosting a Delaware Department of Transportation Public Workshop on Monday, June 27, from 4 p.m. to 7 p.m. The topic of this workshop will be the presentation of the Iron Branch Road/State Street Safety Improvement Project. This workshop is open to the public and is designed to allow the public the opportunity to review display material and discuss the current plans for the proposed improvements with DELDOT representatives. Members of our dive team participated in dive training this past weekend in Salisbury, Maryland, as part of this continuing training and annual certification process. The Fire Company is once again working with B.J.’s wholesale club on their annual “Friends and Family” membership drive. B.J.’s provides our organization an opportunity to sell club memberships at a discounted rate plus an extended membership period, and in turn donates a portion of each membership fee back to the Fire Company. This is the third consecutive year that we have had the opportunity to work with the wholesale club on this membership drive, which has proven to be very successful for both organization in the past. Our aerial unit, ladder 83, is currently out of service due to motor problems. This is the same unit that had the motor replace approximately two years ago and unfortunately this looks to be another expended service period. With these repairs, combined with complications due to the age of the unit and the effect on our insurance rating, the Fire Company’s Long Range Planning Committee is in the process of reviewing the situation with an eye on replacing the 30 year old truck with a new 78 ft, ladder truck. Cost of a fully equipped aerial unit of this size would be approximately \$725,000.

POLICE REPORT – Chief Murphy stated training for the months of May were as followed: May 11th Sgt. Legates attended intro to Undercover Operations training at the DSPTA. May 24th – 26th Ptlm. Rogers attended Reid Technique training at the DSPTA. Homeland Security remains at yellow with no issues to report. Calea update with no issues to report. Miscellaneous: We are scheduling numerous initiatives throughout the summer: Motorcycle safety, impaired driving (no checkpoints scheduled at this time), Click it, or Ticket (day and evening enforcement). These initiatives are funded by the Office of Highway Safety. Need approval on two grants: 1) Sussex County Block \$ 12137.65, 2) in car cameras, installation and upgrade/replace security cameras in police department. 2) Bryne \$ 983.00, digital camera \$ 983.00. The 2 in car cameras will be replaced with Watch Guard digital cameras and the media is DVD format and is very easy to download and store. The remainder of the SCB funds will be used to purchase a

new DVR for use in the police department. The current DVR has malfunctioned and is not repairable. The Bryne grant funds will be to a purchase a digital camera for use by the detective. The camera currently in use is over 8 years old, it still functions properly, but it is antiquated. Bryan moved Thoroughgood seconded to approve the grants proposed expenditures. Motion approved unanimously with Hodges absent.

STREET REPORT - No report

PARKS AND RECREATION REPORT – No report

WATER AND SEWER REPORT - Water- Contract amendments, one for valves, electrical and duct work. The cost of work change Directive \$ 46497.95. Hasting asked for clarification submitting change order or contract, does it have to be rebid or is the same contractor during the job. Lingo stated that it doesn't need to be rebid; that the valves have to be manually operated. Replacing them with the automatic valves will improve operations over the weekends and holidays. Bryan moved Truitt seconded to approve the work order change for Bearing Construction of \$ 46497.95. Motion approved unanimously with Hodges absent.

Parkson – release of retainer for wastewater work. They have completed the action items agreed to as documented in the final resolution letter date December 10, 2010. Thoroughgood moved Bryan seconded to approve the final 5 % retainer to Parkson. Motion approved unanimously Hodges absent.

MAYOR'S REPORT –

Parade request for July 4th. Saint Mark's Episcopal Church, Saturday, July 4, 2011 beginning 10:00 am until 11:30 am, Independence Day celebration. They have had this parade in the past and for children. Everyone walks from Saint Marks to Cupola Park. Thoroughgood moved Hastings seconded to approve the Independence Day Parade. Motion approved unanimously with Hodges absent.

Conditional Use, renewal for "Cruz-N" Washington Street, Millsboro Postal Service and the Dairy Queen allowing for the Tuesday night "Cruz-N". We have received request from GKHP Enterprises, LLC (Dairy Queen) for the use of the Post Office property next to the Dairy Queen, 100 Main St., to continue to be used for the weekly cruise in for classic cars. Thoroughgood moved Bryan seconded to grant the GKHP Enterprises, LLC

(Dairy Queen) a one year conditional use renewal 6/6/2012 for the premises at the intersection of Main and Washington Streets, Millsboro, Sussex County Map 1-33-17.13 parcel 143.1, owned by the United States Postal Service, for the “cruise-in” activity, as a commercial use in the UB-Urban Business District. Motion approved unanimously with Hodges absent. Schifano stated starting July 5, 2011 from 5:00 p.m. to 8 p.m. will begin our first “Cruz-N” Produce Market. The market will be set up along Railroad Avenue; the cost per vendor \$ 150.00 per season and rules and guidelines.

Conditional Use, new application, for sign at Villages of Millwood. Bryan moved Hastings seconded to grant NVR, Ryan Homes a one year conditional use renewal 6/6/2012 for the premises at Mitchell Street, Millsboro, Sussex County Map 2-33-5.00 parcel 086.00, owned by Clover Development, for community sales, in Residential Planned Community. Motion approved unanimously with Hodges absent.

Conditional Use, Hometown Properties, renewal of an apartment over a business in Urban Business Zoning District, has received by the Town from Ellen Maude Smith and Bonnie Hitchens Ward trading as Home Town Properties for the use an apartment on the second floor of an existing commercial building to be used for residential living quarters as an accessory use and a shed at 317 Main Street., 1-33-17.09-26.01, Urban Business Zoning District. Hastings moved Truitt seconded to approve the one year renewal 6/6/2012 of a conditional use for the premises at 317 Main Street. Motion approved unanimously with Hodges absent.

Plantation Lakes – Final Site Plan for Phase 1 Section F Sub Phase 1.1 , Ken Usab, from Morris Richie Associates, Inc., Lennar is proposing a revised planned residential community and golf course consisting of the combination of the Plantation Lakes and Dukes Property, totaling 2,819 residential units together. The project is located on 776.30 acres of land on both the north and south side of Betts Pond, east of U.S. Route 113, west of Godwin School Road and north of Hardscrabble Road (State Route 24). The project includes a mix of residential units including, single family detached homes of various lot sizes and townhouse units. The current submittal for final site plan approval is for Phase 1 Section F Sub Phase 1.1, consisting of 63 townhouse units and accessed by Plantation Lakes Boulevard. They have final plan approvals from all the necessary agencies. Bryan moved Hastings seconded to approve final site plan Phase 1 Sec F Sub Phase 1.1, consisting of 63 townhouses units and accessed by Plantation Lakes Boulevard. Motion approved unanimously with Hodges absent.

Plantation Lakes – new sign on commercial property, Steve Ness from Lennar stated location of 8 x 16 sign will be on the commercial piece corner of Hardscrabble Road (State Route 20) and DuPont Boulevard (South Route 113) will help promote their development, Town Center planned, and golf course. Bryan moved Thoroughgood seconded to approve 8 x 16 sign on the commercial corner of Hardscrabble Road (State Route 20) and DuPont Boulevard (South Route 113). Motion approved unanimously with Hodges absent.

Mitchell Avenue Associates - subdivision application Pioneer. Laura Swiski, PE, from Northpoint Engineering presented a proposed plan for the Pioneer Materials project to be located on Industrial Street, Millsboro, Sussex County Map 2-33-05.00-012.02, Light Industry Zoning District. Pioneer Materials is proposing a stone depot which will include a small office, pole building and rail road spur and improvements. Thoroughgood abstained due to conflict of interest. Bryan moved Truitt seconded to approve with the understanding that Pioneer Materials get permission from M & T Bank to have access on Industrial Boulevard. Motion approved by a vote of 3 – 1 - 1 (Bryan, Truitt and Hastings voting yes and Keenan voting no due to traffic impact on Mitchell Street, Thoroughgood abstain with conflict of interest and Hodges absent.

Scout Hut – requesting to waive fees for building permit. Bryan moved Keenan seconded to approve that fees will be waive for building permit for the Scout Hut, 219 State Street, Millsboro, Sussex County Map 1-33- 17.19 parcel 010.00. Motion approved unanimously with Hodges absent.

Peninsula Crossing – development agreement - Bryan moved Keenan seconded to approve proposed development agreement. Motion approved with Hodges absent.

Proclamation – Alice Bavis day, anchor woman from WBOC-TV is doing a story of Millsboro and it was thought that it would be a good idea to declare a proclamation for Alive Bavis day since she lives in Millsboro.

8:05 pm Truitt moved Bryan second to recess till 8:15 to enter into executive session. Motion approved unanimously.

Regular Session

Reconvene @ 8:50 p.m., regular session called to order with Mayor Gum presiding.

Bryan moved Keenan seconded to approve the lease agreement for 203 Main Street as proposed. Motion approved unanimously with Hodges absent.

Hastings moved Keenan seconded to approve the one year lease agreement with Horsey as proposed. Motion approved unanimously with Hodges absent.

Bryan moved Truitt seconded to approve the closing Main Street from the Millsboro Post Office to Dodd Street from 6:00 a.m. 6:00 p.m., Saturday, August 13, 2011 during the Big Thursday celebration. Motion approved unanimously with Hodges absent.

9:00 p.m. Bryan moved Keenan seconded to adjourn.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Greg Hastings", written in a cursive style.

Greg Hastings
Secretary