



**Town Council
Town of Millsboro**

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Council Vice President & Acting President Tim Hodges
Council President Pro Tem & Acting VP John Thoroughgood
Council Secretary Jim Kells
Council Treasurer & Acting President Pro Tem Larry Gum
Councilman Ron O'Neal
Councilman Brad Cordrey
Councilwoman Faye Lingo

Jamie Burk, Acting Town Manager

**TOWN COUNCIL
REGULAR MEETING**

April 4, 2022

MINUTES

Call to order: The meeting was called to order at 7:00 p.m.—with Council Vice President and Acting President Tim Hodges presiding. Council President Pro Tempore and Acting Vice President John Thoroughgood, Council Secretary James Kells, Council Treasurer Larry Gum, Councilman Ron O'Neal, Councilwoman Faye Lingo, Town Manager Sheldon P. Hudson, Assistant Town Manager Jamie Burk, Town Clerk Joanne Dorey, and Town Solicitor Mary Schrider-Fox were also present. Councilman Bradley Cordrey was absent.

Public hearing:

A PUBLIC HEARING WILL BE HELD ON APRIL 4, 2022 AT 7:00 PM AT THE MILLSBORO TOWN CENTER, 322 WILSON HIGHWAY, MILLSBORO, DELAWARE. THIS IS THE CONTINUATION OF THE PUBLIC HEARING HELD MARCH 7, 2022 AT 7:00 PM AT THE MILLSBORO TOWN CENTER, 322 WILSON HIGHWAY, MILLSBORO, DELAWARE. CONCERNING THE TOWN COUNCIL'S RESOLUTION PROPOSING TO ANNEX CERTAIN TERRITORY, CONTIGUOUS TO THE PRESENT LIMITS OF THE TOWN OF MILLSBORO, OWNED BY PRESTON L. PARKER, LOCATED AT 29509 MILLSBORO HIGHWAY, IDENTIFIED AS TAX MAP AND PARCEL NO. 133-16.00-143.00, CONTAINING 5.256 ACRES OF LAND, MORE OR LESS AND TO AMEND THE ZONING MAP AND ZONING ORDINANCE OF THE TOWN OF MILLSBORO TO INCLUDE SAID TERRITORY IN THE HIGH-DENSITY RESIDENTIAL (HR) DISTRICT

David Hutt of Morris James Wilson Halbrook & Bayard presented the annexation request of Betts Commons and the request for the property to be zoned as a high-density(HR) zoning district.

One public comment was made regarding a traffic study and the property being rental properties.

Thoroughgood made a motion to close the public hearing. Gum seconded. 6 approved; Cordrey was absent.

Annexation request—Betts Commons: Kells made a motion to table the request until the May meeting. O'Neal seconded. 6 approved; Cordrey was absent.

Secretary's report: Kells submitted the March regular meeting minutes and made a motion that Council approve them as written. Gum seconded. 6 approved; Cordrey was absent.

Treasurer's report: Gum made a motion that the Town pay the invoices from the designated accounts as recommended by staff. O'Neal seconded. 6 approved; Cordrey was absent.

Millsboro Fire Company update: Gum stated the department is doing well with over 300 calls per month. O'Neal stated the department has added 7 new members in the last two months.

Millsboro Art League update: Hudson presented the proposed lease agreement with a slight rate increase. The new rate will be \$600.00 per month. Thoroughgood made a motion to renew the lease for one year at \$600.00/month. Kells seconded. 6 approved; Cordrey was absent.

Police Department's report:

Chief Brian Calloway stated Patrolmen Brian Jones, Cole Revel, and Travis Shockley had received Ground Fighting training on March 7, hosted by the Delaware State Police.

March 14–18, Sgt. Patrick Forester received Supervisor Training hosted by the Ocean View Police Department.

Chief Calloway mentioned March 23–24, Lt. Robert Legates and Chief Brian Calloway received training on Life After Law Enforcement hosted by the FBI National Academy.

Chief Calloway stated the Department's 5th Commission on Accreditation for Law Enforcement Agencies (CALEA) visit is scheduled for April 11–13.

Chief Calloway introduced Patrolman Justin Guevarez as the newest member of the Millsboro Police Department.

Chief Calloway stated several community events had been scheduled. On April 9, the Touch a Truck event is scheduled to be at the Chrysler/ Dodge facility. On May 7, the Millsboro Bicycle Rodeo will be held in Lowe's parking lot. On May 21, the Plantation Lakes Community Day is scheduled. May 20–22, the Northeast Car Rally is scheduled to take place. Lastly, from June 27–to July 1, the Millsboro Police Youth Academy is scheduled to be held at the Millsboro Town Center.

With regard to the Office of Highway Safety, during the month of March, 7 stops were conducted.

Special event request—St. Mark's Episcopal Church—4th of July Children's Parade: Gale White requested approval for the church to hold its annual July 4 parade. Thoroughgood made a motion to approve the request. O'Neal seconded. 6 approved; Cordrey was absent.

Employee introduction: George ("Kenny") Niblett, director of public works introduced John Lynn as the Asst. Director of Public Works.

Parks and Recreation:

Bandstand rental request—Wawa: Burk presented the request from Wawa for the use of the bandstand on April 10 for an employee Easter Egg Hunt. Thoroughgood made a motion to approve Wawa renting the Bandstand. Gum seconded. 6 approved; Cordrey was absent.

Mayor's report:

Proclamation presentation: The Military Order of the Purple Heart presented Millsboro with a special recognition award for its dedication and support in honoring America's Combat Wounded Veterans.

Board of Election appointments: Hodges nominated Sandee Brigandi, Virgil Ellwanger, and John Tonnessen to serve on the Board of Election for a 1-year term. Lingo made a motion to confirm the nominees. Thoroughgood seconded. 6 approved; Cordrey was absent.

Request to work on nights and weekends—West State, Main, and Washington Streets (SR 24) project: Chris Webb from the Department of Transportation requested to have the option to work on nights and weekends as presented to the council. Gum made a motion to approve the request. Thoroughgood seconded. 6 approved; Cordrey was absent.

Resolution for "White Farm" Rapid Infiltration Basin permit application and wastewater matching planning grant: Carrie Kruger, PE, town engineer presented the resolution authorizing the preparation and submission of an application to the Delaware Department of Natural Resources and Environmental Control (DNREC) for participation in the wastewater matching planning grant program to receive up to \$50,000 in grant funds to prepare a hydrogeologic suitability report for the town's wastewater facilities. Thoroughgood made a motion to approve the request. Gum seconded. 6 approved; Cordrey was absent.

Resolution for Tiger Branch Stream Restoration Surface Water Matching Planning Grant: Kruger presented the resolution authorizing the preparation and submission of an application to the Delaware Department of Natural Resources and Environmental Control Division of Watershed Stewardship for participation in the surface water matching planning grant program to receive up to \$50,000 in grant funds for the planning and preliminary engineering of restoration of certain parts of Tiger Branch. O'Neal made a motion to approve the request. Kells seconded. 6 approved; Cordrey was absent.

Sussex County Real Estate Transfer Tax Grant: Hodges mentioned the Town had been awarded \$469,354 from a surplus of transfer tax from Sussex County.

Conditional use—Alderleaf Meadows amenities: The application was not submitted; this item was tabled.

Streets:

Town-wide no-street-parking-where-designated ordinance: Schrider-Fox and Niblett still working on.

Vehicle purchase budget amendment—bucket truck: Burk requested reallocating \$15,000 from both sewer and water vehicle purchase to street vehicle purchase to purchase a bucket truck. Lingo made a motion to approve the budget amendment as requested. Gum seconded. 6 approved; Cordrey was absent.

Water and Sewer:

“White Farm” spare rapid infiltration basin amendment #1: Kruger presented the engineering services agreement amendment # 1 for \$9,775. Gum made a motion to approve the amendment as presented. Thoroughgood seconded. 6 approved; Cordrey was absent.

Recommendation to award “White Farm” force main and beneficial reuse main: Ms. Kruger recommended the contract be awarded to Century Engineering, the lowest responsive responsible bidder. Gum made a motion to award the project to Century Engineering. Kells seconded. 6 approved; Cordrey was absent.

Mayor’s report (cont.):

Dedication of certain Alderleaf Meadows subdivision utilities: Kruger presented the request. Thoroughgood made a motion to accept the dedication in Phase 1 only contingent upon a joint repair of an incomplete seal. Gum seconded. 6 approved; Cordrey was absent.

Annexation request— Fallbrooke Properties LLC: Acting Vice President Thoroughgood appointed an annexation committee and asked Gum, Lingo, and O’Neal to serve thereon—designating O’Neal as chair.

Landscaping requirements in zoning code: Niblett introduced a possible change to § 210-35 of the Town code. After some discussion, it was decided Mr. Niblett would do more research on sight triangles.

Supplemental tax list: Burk supplied Council with information on the proposed quarterly changes to tax assessments. Thoroughgood made a motion to invoice all increases greater than \$5.00. Kells seconded. 6 approved; Cordrey was absent.

Annual Tax Roll: Burk presented the annual tax roll. Gum made a motion to accept the tax roll as presented. Kells seconded. 6 approved; Cordrey was absent.

Recess: At 9:23 p.m., Gum made a motion that Council recess until 9:30 p.m. O’Neal seconded. 6 approved; Cordrey was absent.

[Executive session]

Call to order: At 12:26 a.m., O’Neal made a motion to go back into regular session. Kells seconded. 6 approved; Cordrey was absent.

Lingo made a motion approving the bonus as discussed in the executive session. Gum seconded. 6 approved; Cordrey was absent.

Kells made a motion authorizing the personnel committee to take the action as discussed in the executive session. O’Neal seconded. 6 approved; Cordrey was absent.

Adjournment: With no further business, Hodges asked for a motion to adjourn. Kells made such a motion. Lingo seconded. 6 approved; Cordrey was absent.

Respectfully submitted,



James Kells
Secretary

JK:SH:JB:jd