



Town Council
Town of Millsboro
322 Wilson Highway
Millsboro, Delaware 19966
(302) 934-8171
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town@millsboro.org

Mayor Jim Kells
Vice Mayor John Thoroughgood
President Pro Tem Ron O'Neal
Treasurer Robert Bryan
Secretary Kimberley Kaan
Councilman Matthew Davis
Councilman Marty Presley

Jamie Burk, Town Manager

Posted on November 27, 2023 at 12:25pm

A G E N D A
Town Council
Public Hearing, Regular Meeting, and Executive Session
Monday, December 4, 2023
7:00 p.m.
Millsboro Town Center
322 Wilson Highway

NOTE: Unless otherwise indicated, there may be a vote and Council action taken on each and every agenda item set forth herein.

Call to Order

Pledge of Allegiance/Council Roll Call

Public Comment (2-minute limit)* - No action

Open Public Hearing

A Public Hearing to discuss the Parking Committee Report and consider the recommendations for possible amendment of the Town Code.

Close Public Hearing

Secretary's Report

Minutes

Treasurer's Report

Bank balances

Invoices

Millsboro Fire Company Update- No action

Greater Millsboro Chamber of Commerce Update - No action

Police Department's Report

Building Status

Change Orders

Senior Cpl. Promotion

Water and Sewer

Olney Way Field Change Directives (Burk)

Streets

Request for stop sign- N. Morris Street and Cupola Street- revision of Section §200-28 of the Town Code (Burk)

Mayor's Report

Parking Committee Report and recommendations (Thoroughgood)

Somerton Chase Major Subdivision Final Approval- Schedule Public Hearing

Preston Final Site Plan

ROF Millsboro LLC Minor Subdivision and Lot Line Adjustment

Vendor Business Licenses (Burk)

Amendment to Town Code §210-20J - Residential Planned Community (RPC) (Schrider-Fox/Burk)

Ordinance to amend the Town Code by creating a new Chapter 136, Marijuana; and by revising existing Chapter 140, Mercantile Licensing, §140-14 (Schrider-Fox/Burk)

Hiring Incentives/Employment sign on bonus (Burk)

Create a second full-time Police Administrative Position (Burk)

Lodging Tax- Possible Charter Change (Schrider-Fox/Burk)

Municipal District Voting- Possible Charter Change (Kells)

Municipal Redistricting- Possible Charter Change (Kells)

Municipal Redistricting- Vendor Technical Assistance (Burk)

Board of Adjustment Possible Appointment (Schrider-Fox/Burk)

Executive Session—

Pursuant to 29 Del. C §10004 (b) (2) The Town Commissioner's will be meeting in executive session to have preliminary discussions on site acquisitions for any publicly funded capital improvement or sales/leases of real property.

Call to order

Business conducted in Executive Session

Adjournment

**20-minute time limit. Time limit is 2 minutes per speaker, not to exceed a total of 20 minutes. Time may not be ceded to another member of the public. Each person making Public Comment shall identify themselves by name and place of residence for the record and shall address all remarks to the Town Council a body and not to any member thereof. Individuals may submit their comment to Town Council members in writing up to 24 hours in advance of the Town Council Meeting to town@millsboro.org or delivering it to 322 Wilson Avenue, Millsboro, De. No one other than a member of the Town Council or Town Staff is permitted to enter discussions without approval of the Mayor. No members of the public are permitted to ask questions of any speaker while they are addressing the Town Council, without permission from the Mayor. All persons at the Town Council meeting should conduct themselves in an orderly fashion. All shall follow the direction of the Mayor, no disruptive behavior is permitted, and electronic devices shall be silent. Please be courteous to those who are speaking during public comment by refraining from commenting from the audience while others are speaking. NOTE: (1) This agenda is subject to change. Such changes may include the addition of items that arise at the time of the meeting and/or the deletion of items. In the case of additions related to items that arise prior to the meeting, the change will be posted with as much notice as practicable under the circumstances—but in no case will the notification be provided less than 6 hours prior to the meeting start time—and the associated item will be (a) of an emergency nature and/or (b) unable to reasonably be deferred for handling at a future meeting. (2) One or more of the items listed may not be considered in sequence.*

12/1		Town of Millsboro		
mth		Account Balances		
		November 30, 2023		
Account				Interest
Type	Bank	Purpose	Book Balance	Earned
Checking/Money Market				
WSFS Bank				
	1	General Account	\$ 5,076,711.32	\$ 15,176.14
	2	Payroll	\$ 835.94	\$ 45.30
	3	Withholding	\$ 70,239.71	\$ 224.40
	4	Municipal Street Aid Fund (MSAF)	\$ 73,678.53	\$ 199.63
	5	Sewer Construction	\$ 2,515,482.19	\$ 6,103.92
	6	State Aid Local Law Enforcement (SALLE)	\$ 50.00	\$ -
	7	Emergency Illegal Drug Enforcement (EIDE)	\$ 50.00	\$ -
	8	Sewer Impact	\$ 3,047,767.65	\$ 7,359.41
	9	Water Impact	\$ 374,327.97	\$ 904.23
	10	Building Component Fee	\$ 124,848.74	\$ 453.36
	14	Transfer Tax 1% (3.75M in "set-asides")	\$ 7,489,360.36	\$ 18,271.97
	15	Fund to Combat Violent Crime (FCVC)	\$ 39,421.68	\$ -
	16	Police Protection Impact	\$ 233,426.57	\$ 17.11
	17	Transportation/Stormwater Impact	\$ 150,219.75	\$ 10.97
		Bicentennial Beautification Fund	\$ 11,525.02	\$ 27.96
		Total WSFS Bank	\$ 19,207,945.43	\$ 48,794.40
Citizens Bank				
	12	Transfer Tax Checking	\$ 3.85	
	11	Transfer Tax 1%	\$ 200,420.82	\$ 8.24
		Transfer Tax .5%	\$ 50,132.30	\$ 2.06
		Total Citizens	\$ 250,556.97	\$ 10.30
Total Checking/Money Market			\$ 19,458,502.40	\$ 48,804.70
Certificates of Deposit				
M&T Trust - formerly Wilmington Trust				
		Bicentennial Fund 0.03%	\$ 7,000.00	
		Total M&T Trust	\$ 7,000.00	
PNC Bank				
		WWTP Unrestricted General - 10/31/23	\$ 86,083.46	
		WWTP Membrane CD - 10/31/23	\$ 52,332.77	
		Total PNC Bank	\$ 138,416.23	\$ -
Total Certificates of deposit			\$ 145,416.23	\$ -
Total on Hand Cash & CD's			\$ 19,603,918.63	\$ 48,804.70

12/1	Town of Millisboro		Account Balances		Interest Earned	
12/1	November 30, 2023		November 30, 2023		November 30, 2023	
Account	Type/Bank	Purpose	October 31, 2023	November 30, 2023	Net Change	Interest Earned
Checking/Money Market			Book Balance	Book Balance		
WSFS Bank						
1	General Account		\$ 6,016,294.23	\$ 5,076,711.32	\$ (939,582.91)	\$ 15,176.14
2	Payroll		\$ 790.64	\$ 835.94	\$ 45.30	\$ 45.30
3	Withholding		\$ 64,543.10	\$ 70,239.71	\$ 5,696.61	\$ 224.40
4	Municipal Street Aid Fund (MSAF)		\$ 80,637.56	\$ 73,678.53	\$ (6,959.03)	\$ 199.63
5	Sewer Construction		\$ 2,509,378.27	\$ 2,515,482.19	\$ 6,103.92	\$ 6,103.92
6	State Aid Local Law Enforcement (SALLE)		\$ 50.00	\$ 50.00	\$ -	\$ -
7	Emergency Illegal Drug Enforcement (EIDE)		\$ 50.00	\$ 50.00	\$ -	\$ -
8	Sewer Impact		\$ 2,976,658.24	\$ 3,047,767.65	\$ 71,109.41	\$ 7,359.41
9	Water Impact		\$ 366,211.74	\$ 374,327.97	\$ 8,116.23	\$ 904.23
10	Building Component Fee		\$ 304,232.78	\$ 124,848.74	\$ (179,384.04)	\$ 453.36
14	Transfer Tax 1% (3.75M in "set-asides")		\$ 7,409,539.47	\$ 7,489,360.36	\$ 79,820.89	\$ 18,271.97
15	Fund to Combat Violent Crime (FCVC)		\$ 39,421.68	\$ 39,421.68	\$ -	\$ -
16	Police Protection Impact		\$ 224,478.61	\$ 233,426.57	\$ 8,947.96	\$ 17.11
17	Transportation/Stormwater Impact		\$ 141,547.28	\$ 150,219.75	\$ 8,672.47	\$ 10.97
	Bicentennial Beautification Fund		\$ 11,496.89	\$ 11,525.02	\$ 28.13	\$ 27.96
	Total WSFS Bank		\$ 20,145,530.49	\$ 19,207,945.43	\$ (937,385.06)	\$ 48,794.40
Citizens Bank						
12	Transfer Tax Checking		\$ 3.85	\$ 3.85	\$ -	\$ -
11	Transfer Tax 1%		\$ 200,412.58	\$ 200,420.82	\$ 8.24	\$ 8.24
	Transfer Tax .5%		\$ 50,130.24	\$ 50,132.30	\$ 2.06	\$ 2.06
	Total Citizens		\$ 250,546.67	\$ 250,556.97	\$ 10.30	\$ 10.30
	Total Checking/Money Market		\$ 20,396,077.16	\$ 19,458,502.40	\$ (937,374.76)	\$ 48,804.70
Certificates of Deposit						
M&T Trust - formerly Wilmington Trust						
	Bicentennial Fund 0.03%		\$ 7,000.00	\$ 7,000.00	\$ -	\$ -
	Total M&T Trust		\$ 7,000.00	\$ 7,000.00	\$ -	\$ -
PNC Bank						
	WWTP Unrestricted General - 10/31/23		\$ 85,882.87	\$ 86,083.46	\$ 200.59	\$ -
	WWTP Membrane CD - 10/31/23		\$ 52,214.75	\$ 52,332.77	\$ 118.02	\$ -
	Total PNC Bank		\$ 138,097.62	\$ 138,416.23	\$ 318.61	\$ -
	Total Certificates of deposit		\$ 145,097.62	\$ 145,416.23	\$ 318.61	\$ -
	Total on Hand Cash & CD's		\$ 20,541,174.78	\$ 19,603,918.63	\$ (937,056.15)	\$ -

November 2023 Prepays

Sum of Bank	Total Check No	Date	Payee	Description	Total
GENERAL	23174	11/8/2023	FUELMAN	OCTOBER/GENERAL	266.02
				OCTOBER/SEWER	1,192.99
				OCTOBER/STREET	503.01
				OCTOBER/WATER	538.06
	23174 Total				2,500.08
	23175	11/8/2023	FUELMAN	OCTOBER/POLICE	3,423.58
	23175 Total				3,423.58
	23176	11/8/2023	VERIZON WIRELESS	9/29-10/28/23 POLICE	710.57
				9/29-10/28/23 VAWA	79.98
				9/29-10/28/23 VOCA	39.99
	23176 Total				830.54
	23177	11/8/2023	VERIZON	SEWER/NOV INTERNET	98.99
	23177 Total				98.99
	23178	11/15/2023	DOMINION NATIONAL	DEC 2023 BILLING/POLICE	27.94
	23178 Total				27.94
	23179	11/15/2023	FOGLE'S ENVIRONMENTA	HAND SANITIZER DISPENSERS	160.00
				PORTABLE TOILETS (8)	880.00
	23179 Total				1,040.00
	23180	11/15/2023	GRANITE TELECOMMUNIC	BRANDYWINE/NOV	29.45
				CUPOLA/NOV	45.33
				MILLWOOD/NOV	54.80
				PLANTATION LAKES/NOV	40.86
				POLICE/NOV	651.30
				RADISH FARM/NOV	68.48
				RETREAT/NOV	40.83
				SEWER PLANT/NOV	7.02
				TOWN HALL CENTER/NOV	839.91
				TOWN HALL/NOV	139.38
				WATER PLANT/NOV	57.12
				WHARTON'S BLUFF/NOV	59.08
	23180 Total				2,033.56
	23181	11/15/2023	MEDIACOM	11/10/23-12/09/23 WWTP	276.63
	23181 Total				276.63
	23182	11/15/2023	REHOBOTH BEACH, CITY	SCAT DINNER 12/6/23 (4)	280.00
	23182 Total				280.00
	23183	11/15/2023	WASTE MANAGEMENT	OCT 2023 BILLING	833.77
	23183 Total				833.77
	23184	11/20/2023	SUSSEX COUNTY ASSOC	SCAT BREAKFAST (2) 12/8/23	22.00
	23184 Total				22.00
	23185	11/20/2023	VERIZON	SWR DSL LINE	16.88
	23185 Total				16.88
	23186	11/20/2023	WSFS BANK VISA	ADOBE	479.76
				ADOBE-PROMO VIDEOS	29.99
				BJ'S/HALLOWEEN NIGHT OUT	192.13
				BRICK WORKS/BUSINESS LUNCH	64.80
				EASTSIDE CARWASH	11.05
				LARRY'S TRADING POST/BULLE	58.72
				MSFT-SERVER EMAIL	221.50
				PSI SERV DRONE TEST-CREDIT	(175.00)
				ROCKY'S PIZZA/PW STAFF MTG	133.70
				USPS/CERTIFIED MAIL	5.01
	23186 Total				1,021.66
	23187	11/20/2023	PRINCIPAL LIFE INSUR	DEC 2023 BILLING	1,388.77
	23187 Total				1,388.77
	23188	11/20/2023	DEPARTMENT OF HUMAN	DEC/GENERAL	9,373.55
				DEC/POLICE	31,521.58
				DEC/SEWER	16,050.84
				DEC/WATER	6,131.41
	23188 Total				63,077.38

November 2023 Prepays

GENERAL	23189	11/21/2023	DELAWARE ELECTRIC CO	GRAVEL HILL-OCT/NOV	25.44
				HARDSCRABBLE/15752561	177.14
				HARDSCRABBLE/PUMP WWTP-OCT	125.65
				HARDSCRABBLE/WTR TOWER-OCT	37.66
				SHEEP PEN RD/WELL#8 (287275	133.60
				SHEEP PEN RD-WELL#7 (338539	131.57
				WHARTON'S BLUFF-OCT	81.64
	23189 Total				712.70
	23190	11/28/2023	DELAWARE ASSOC OF CH	DEC MTG/LUNCHEON (4)	70.00
	23190 Total				70.00
	23191	11/28/2023	DELMARVA POWER	NOV/CHRISTMAS	137.13
				NOV/CIVIC	224.90
				NOV/MEDIAN	139.63
				NOV/PARK	164.28
				NOV/POLICE	809.93
				NOV/RR AVE GARAGE	53.55
				NOV/SEWER	15,506.46
				NOV/TOWN	1,728.12
				NOV/WATER	4,359.52
				NOV/WB ATKINS BALLPARK	323.53
	23191 Total				23,447.05
	23192	11/28/2023	MEDIACOM	BILLING 11/23-12/22/23-POL	269.95
	23192 Total				269.95
	23193	11/28/2023	IVY	EMPL CHRISTMAS DINNER-BALA	3,128.00
	23193 Total				3,128.00
	23194	11/29/2023	MID SOUTH AUDIO LLC	SOUND PKG RENTAL/CHRISTMAS	875.00
	23194 Total				875.00
	111323	11/13/2023	INTEGRA ADMINISTRATI	HRA ADMIN FEE-NOV	50.00
	111323 Total				50.00
	1182023	11/8/2023	FP MAILING SOLUTIONS	11/8/23A-POSTAGE	2,000.00
	1182023 Total				2,000.00
	4994048	11/8/2023	T.O.M. WATER IMPACT	OCT 2023 BLDG PERMITS	7,212.00
	4994048 Total				7,212.00
	9366377	11/20/2023	PAYROLL, TOWN OF MIL	PR WK 11-22-2023	40,758.65
	9366377 Total				40,758.65
	11082023	11/8/2023	FP MAILING SOLUTIONS	11/8/23 POSTAGE	2,000.00
	11082023 Total				2,000.00
	11132023	11/13/2023	INTEGRA ADMINISTRATI	HRA NOV 2023	500.00
	11132023 Total				500.00
	12151472	11/8/2023	T.O.M.BUILDING FD 02	OCT 2023 BLDG PERMITS	10,000.00
	12151472 Total				10,000.00
	29919747	11/8/2023	T.O.M. SEWER IMPACT	OCT 2023 BLDG PERMITS	63,750.00
	29919747 Total				63,750.00
	43382362	11/13/2023	PAYROLL, TOWN OF MIL	PR WK 11-17-2023	41,466.98
	43382362 Total				41,466.98
	48603627	11/8/2023	T.O.M. TRANSP/SW IMP	OCT 2023 BLDG PERMITS	8,661.50
	48603627 Total				8,661.50
	61931666	10/30/2023	PAYROLL, TOWN OF MIL	PR WK 11-03-2023	39,733.20
	61931666 Total				39,733.20
	65865381	11/7/2023	PAYROLL, TOWN OF MIL	PR WK 11-09-2023	42,977.61
	65865381 Total				42,977.61
	73757662	10/30/2023	WITHHOLDING, TOWN OF	PR WK 11-03-2023	27,818.96
	73757662 Total				27,818.96
	92538056	11/13/2023	WITHHOLDING, TOWN OF	PR WK 11-17-2023	28,812.00
	92538056 Total				28,812.00
	93089956	11/8/2023	T.O.M. POLICE PRO IM	OCT 2023 BLDG PERMITS	8,930.85
	93089956 Total				8,930.85
	93853193	11/20/2023	WITHHOLDING, TOWN OF	PR WK 11-22-2023	27,427.50
	93853193 Total				27,427.50
	95535364	11/7/2023	WITHHOLDING, TOWN OF	PR WK 11-09-2023	28,366.77
	95535364 Total				28,366.77
GENERAL Total					485,840.50
WITHHOL	5351	11/15/2023	AFLAC	NOV 2023 BILLING	2,577.80

November 2023 Prepaids

WITHHOLDI	5351 Total				2,577.80
	5352	11/15/2023	LEGAL SHIELD	NOV 2023 BILLING	249.30
	5352 Total				249.30
	111623	11/16/2023	DPERS	OCT/POLICE	19,031.24
	111623 Total				19,031.24
	480592	11/9/2023	MISSIONSQUARE RETIRE	457B CONTRIBUTIONS	125.00
	480592 Total				125.00
	901721	11/3/2023	DIVISION OF REVENUE	PR WK 11-03-2023	2,854.33
	901721 Total				2,854.33
	907358	11/9/2023	DIVISION OF REVENUE	PR WK 11-09-2023	2,969.49
	907358 Total				2,969.49
	912484	11/17/2023	DIVISION OF REVENUE	PR WK 11-17-2023	3,000.47
	912484 Total				3,000.47
	919315	11/22/2023	DIVISION OF REVENUE	PR WK 11-22-2023	2,844.72
	919315 Total				2,844.72
	7026918	11/8/2023	WITHHOLDING, TOWN OF	PR WK 9/29/23-CORRECT WISE	228.26
	7026918 Total				228.26
	11162023	11/16/2023	DPERS	OCT/TOWN	10,756.13
	11162023 Total				10,756.13
	14213241	11/17/2023	MISSIONSQUARE RETIRE	457B CONTRIBUTIONS	125.00
	14213241 Total				125.00
	33945326	11/22/2023	GF PASS THRU 941/CD	PR WK 11-22-2023	14,937.78
	33945326 Total				14,937.78
	34662093	11/17/2023	GF PASS THRU 941/CD	PR WK 11-17-2023	15,702.78
	34662093 Total				15,702.78
	39375613	11/22/2023	MISSIONSQUARE RETIRE	457B CONTRIBUTIONS	125.00
	39375613 Total				125.00
	45634955	11/3/2023	GF PASS THRU 941/CD	PR WK 11-03-2023	15,017.98
	45634955 Total				15,017.98
	55073064	11/9/2023	GF PASS THRU 941/CD	PR WK 11-09-2023	15,606.00
	55073064 Total				15,606.00
	97378712	11/3/2023	MISSIONSQUARE RETIRE	457B CONTRIBUTIONS	125.00
	97378712 Total				125.00
	WITHHOLDING Total				106,276.28
MSAF	1656	11/21/2023	DELMARVA POWER	OCT-NOV/MAGNOLIA	703.71
				OCT-NOV/MILL LANDING	293.22
				OCT-NOV/STREETS	6,161.73
	1656 Total				7,158.66
MSAF Total					7,158.66
Grand Total					599,275.44

November 2023 Bills

Sum of Bank	Total Vendor	Description	Total
GENERAL	ACCURATE LANGUAGE SERVICES,	PHONE INTERP 10/4/23	37.50
	ACCURATE LANGUAGE SERVICES, LLC Total		37.50
	AD-ART SIGN COMPANY	FIX DECALS VEHICLE #8408	85.00
		LETTERING VEHICLE #8410	250.00
		LETTERING/VEHICLE #8405	450.00
	AD-ART SIGN COMPANY Total		785.00
	ADVANTECH	MONITORING SECURITY SYSTEMS	149.50
	ADVANTECH Total		149.50
	AMAZON CAPITAL SERVICES	AUTO LUB OIL PUMP	81.99
		BROTHER LASER PRINTER	851.26
		COPY PAPER 11X17-(1 CASE)	56.95
		CORD STRAPPING KIT	33.99
		DOOR FLOOR MAT	86.32
		GLASS SCREEN PROTECTOR	9.99
		INK CARTRIDGE 902XL-4 PK	87.89
		MONEY RECEIPT BOOK (2)	26.55
		PHONE SCREEN PROTECTORS (3 PK)	8.49
		RECHARGEABLE HEADLAMP	20.54
		RET'D BOAT HOOK POLE	(29.97)
		RET'D FLASHLIGHT	(49.99)
		SPOTLIGHT FLASHLIGHT	30.15
		TONER CARTRIDGE 4 PK	52.99
		TONER CARTRIDGE 5 PK	59.99
		TRASH CHUTE	89.00
		WIFI ROUTER	39.99
	AMAZON CAPITAL SERVICES Total		1,456.13
	AMERICRANE INSPECTIONS LLC	CRANE TRUCK INSPEC 11/2/23	350.00
	AMERICRANE INSPECTIONS LLC Total		350.00
	B. WALLS & SON INC.	REPAIR FLUSH VALVE-TH	175.00
	B. WALLS & SON INC. Total		175.00
	BAKER'S HARDWARE CO.	NOV/CHRISTMAS	354.49
		NOV/SEWER EXPENSE OTHER	43.89
		NOV/SEWER REPAIRS & MAINT	81.83
		NOV/SEWER SUPPLIES	72.96
		NOV/STR RPR MAINT-VEHICLE/EQUIP	123.72
		NOV/SWR RPR MAINT-VEHICLE/EQUIP	5.00
		NOV/WATER MISC EXPENSE	181.30
		NOV/WATER REPAIRS & MAINT	168.96
		NOV/WATER SUPPLIES	132.55
	BAKER'S HARDWARE CO. Total		1,164.70
	BELAIR ROAD SUPPLY	BANJO CLAMP (10)	297.80
	BELAIR ROAD SUPPLY Total		297.80
	BUNTING'S GARAGE INC.	TOW SANTA HOUSE/TOWN HALL	75.00
		TOW TOWN VAN TO IN & OUT	75.00
	BUNTING'S GARAGE INC. Total		150.00
	BURK, JAMIE	NOV 2023 CELL PHONE REIMB	50.00
	BURK, JAMIE Total		50.00
	CAPITOL CLEANERS	OCT BILLING	454.10
	CAPITOL CLEANERS Total		454.10
	CLARK HILL PLC	EMPLOYMENT LAW ADVICE 8/21/23	210.00
	CLARK HILL PLC Total		210.00
	COASTAL POINT LLC	PUBLIC NOTICE/TOWNE VILLAGE	55.25
	COASTAL POINT LLC Total		55.25
	COMPLETE TREE CARE, INC.	CUT MEDIAN 10/13, 10/27	2,080.00
		CUT MEDIAN-9/1,9/15,9/29	3,120.00

November 2023 Bills

GENERAL	COMPLETE TREE CARE, INC. Total		5,200.00
	CONRAD, MARIA	REF OVERPAYMENT FY24 TAXES	614.25
	CONRAD, MARIA Total		614.25
	CORELOGIC	REF OVERPMT FY 24 PROPERTY TAXES	24,003.88
	CORELOGIC Total		24,003.88
	COYNE CHEMICAL CO.	BLEACH	11,291.76
		CAUSTIC	16,748.01
		CES PACL	3,490.91
		CITRIC ACID	4,919.75
		POLYMER	4,625.01
	COYNE CHEMICAL CO. Total		41,075.44
	DATA OBSESSIONS LLC	DEC 2023 BILLING	80.00
	DATA OBSESSIONS LLC Total		80.00
	DAVID T. MURRAY CONSTRUCTION	FLOOR/BEAM REPAIRS-203 MAIN ST	3,645.00
	DAVID T. MURRAY CONSTRUCTION, LLC Total		3,645.00
	DELAWARE ASSOCIATION OF CHIEFS	CALLOWAY 2024 DUES	150.00
		MOYER 2024 DUES	150.00
	DELAWARE ASSOCIATION OF CHIEFS Total		300.00
	DELAWARE RURAL WATER ASSOC.	APPRENTICESHIP PROG/WARRINGTON	150.00
	DELAWARE RURAL WATER ASSOC. Total		150.00
	DELAWARE SOLID WASTE AUTHORITY	465219/SLUDGE	624.75
		465633/SLUDGE	546.55
		465733/SLUDGE	74.80
		467164/TRASH WTP	3.82
		467164/TRASH WWTP	3.83
		467717/SLUDGE	501.50
		468264/SLUDGE	489.60
		470839/SLUDGE	444.55
		471307/SLUDGE	499.80
		471766/SLUDGE	583.10
		471884/TRASH WWTP	22.10
		473897/SLUDGE	615.40
		474304/SLUDGE	552.50
		474583/TRASH WTP	26.35
		475772/SLUDGE	586.50
		476644/SLUDGE	547.40
		477061/SLUDGE	480.25
	DELAWARE SOLID WASTE AUTHORITY Total		6,602.80
	DELAWARE WOMEN LEADING GOVERNMENT	MEMBERSHIP DUES/2024	20.00
	DELAWARE WOMEN LEADING GOVERNMENT Total		20.00
	DELTA DENTAL OF DELAWARE	DEC/GENERAL	482.66
		DEC/POLICE	1,416.80
		DEC/SEWER	918.12
		DEC/WATER	346.26
	DELTA DENTAL OF DELAWARE Total		3,163.84
	DUFFIELD ASSOCIATES, INC	90743/PLANTA LAKES SUB REV	27,950.89
		90789/WESTTOWN VILLAGE SUB REV	1,071.45
		90790/MILLSBORO MISC-GEN	1,260.00
		90790/MILLSBORO MISC-SWR	2,512.00
		90790/MILLSBORO MISC-WTR	2,457.00
		90790A/CUPOLA PARK BULKHEAD HGT ASSES	110.00
		90790B/PRESTON CHRYSLER EXP	277.50
		M&T PS REPLACEMENT	2,556.40
	DUFFIELD ASSOCIATES, INC Total		38,195.24
	EARLY DAWN REFRESHMENT SERVICES	DELIVERY 11/13/23	18.60
		DELIVERY 11/29/23	20.75
	EARLY DAWN REFRESHMENT SERVICES, INC Total		39.35
	EBA ENGINEERING, INC.	LEAD SERV LINE INV SUPPORT	11,850.00
	EBA ENGINEERING, INC. Total		11,850.00

November 2023 Bills

GENERAL	ENVIROCORP, INC.	OCT/SEWER	4,881.22
		OCT/WATER	917.00
	ENVIROCORP, INC. Total		5,798.22
	FERGUSON	4" CAP	6.02
	FERGUSON Total		6.02
	FIDELITY ENGINEERING LLC	SERVICE CALL PS#8-RADISH FARM	839.45
	FIDELITY ENGINEERING LLC Total		839.45
	FIRST STATE CHEVROLET KODIAK	REPAIR 2015 CHEV TAHOE/#8404	407.20
	FIRST STATE CHEVROLET KODIAK Total		407.20
	GANNETT FLEMING	RT 24 SANITARY SWR REPLAC	4,407.75
	GANNETT FLEMING Total		4,407.75
	GEORGE, MILES & BUHR, LLC	PLANTA LAKES/ONSITE INSPEC	4,553.56
		TIGER BRANCH/FINAL DESIGN	2,000.00
	GEORGE, MILES & BUHR, LLC Total		6,553.56
	GOODE CLEANING LLC	DEC CLEANING/POLICE DEPT	585.00
		DEC CLEANING/TOWN HALL	892.00
	GOODE CLEANING LLC Total		1,477.00
	GRAINGER	CHEMICAL TRANSFER PUMP	1,189.16
	GRAINGER Total		1,189.16
	GRAVES UNIFORMS	CHUCKA BOOTS/REVEL	77.71
		CHUCKA BOOTS-FORESTER	77.71
		SHOES/CALLOWAY	77.71
		SHOES/ZUBROWSKI	76.85
	GRAVES UNIFORMS Total		309.98
	GUERRIERI, MICHAEL L.	REF OVRPMT FY24 TAXES/	946.14
	GUERRIERI, MICHAEL L. Total		946.14
	HACH COMPANY	FLUORIDE	727.00
		IRON TABLETS	425.40
	HACH COMPANY Total		1,152.40
	HILLS' ELECTRIC MOTOR SERVICE	COMPACTOR MOTOR	438.18
		COUPLING HUB	88.73
		FLYGT IMPELLER (2)	3,790.67
		IMPELLER KITS/WTP	2,685.60
		MOTORS FOR COMPACTOR (2)	1,821.94
	HILLS' ELECTRIC MOTOR SERVICE Total		8,825.12
	HR DIRECT	2024 ATTENDANCE CALENDAR	97.59
	HR DIRECT Total		97.59
	IN & OUT CAR CARE	121404/2019 CHEV IMPALA	50.14
		121829/2019 FORD POLICE INTRCPTR	54.15
		121845/2020 FORD POLICE INTRCPTR	1,153.20
		122100/2017 FORD POLICE INTRCPTR	54.15
		DUMP TRUCK-4 TIRES	1,187.64
		OIL CHG/REPAIRS 2013 F-250	791.29
	IN & OUT CAR CARE Total		3,290.57
	JEFFERSON,URIAN,DOANE&STERNE	AUDIT 2023/GENERAL	1,050.00
		AUDIT 2023/SEWER	225.00
		AUDIT 2023/WATER	225.00
	JEFFERSON,URIAN,DOANE&STERNE Total		1,500.00
	JONES, BRYAN	REIMB PSI SERV DRONE TEST	175.00
	JONES, BRYAN Total		175.00
	KCI TECHNOLOGIES, INC.	WHITE FARM WWTP FACILITY	77,000.00
	KCI TECHNOLOGIES, INC. Total		77,000.00
	KEENAN MASONRY & HARDSCAPE L	CURB/PLANTATION LAKES-BAL DUE	575.00
		DRIVEWAY/LAUREL RD-BAL DUE	1,175.00
	KEENAN MASONRY & HARDSCAPE LLC Total		1,750.00
	KERSHNER ENVIROMENTAL	BUFFER SOLUTION	975.46
		RPR CHLORINE ANALYZER (2)	440.04
		STATOR FOR LIME PUMP (5)	2,275.70
	KERSHNER ENVIROMENTAL Total		3,691.20

November 2023 Bills

GENERAL	KITTY'S FLOWERS, INC.	FLORAL ARRANGEMENT/R. JONES	59.95
		PLANTER/DOREY	60.95
	KITTY'S FLOWERS, INC. Total		120.90
	L/B WATER SERVICE INC	COUPLINGS	4,300.00
		HOUSINGS	1,197.00
		METER 1" - MERCK	288.46
		METER 1.5" - MERCK	1,310.68
		METER 2" (3) - MERCK	3,926.01
		METERS 2" (1) BLDG 18-MERCK	1,127.77
	L/B WATER SERVICE INC Total		12,149.92
	LAWN DOCTOR OF SUSSEX COUNTY	EARLY FALL SERV/FERTILIZE	194.00
	LAWN DOCTOR OF SUSSEX COUNTY Total		194.00
	LENCRAFT, L.L.C.	REF OVRPMT FY24 PROPERTY TAXES	7,597.64
	LENCRAFT, L.L.C. Total		7,597.64
	LITTLETON, ALEXIS	REF OVERPAYMENT FY24 TAXES	388.83
	LITTLETON, ALEXIS Total		388.83
	LOWE'S	5 GAL BUCKET	4.73
		5 GAL BUCKET LID/NEW WTP	2.64
		5 GAL BUCKET/NEW WTP	4.73
		5 GAL LID	2.64
		BULBS FOR CHRISTMAS TREES	51.12
		CABLE TIES/4 IN	5.21
		CABLE TIES/8 IN	9.48
		CHRISTMAS DECORATION	189.01
		CONTAINERS/HOMETOWN HERO BANNERS	72.16
		CUTTING PLIERS	12.58
		EXTENSION CORD (2)	19.92
		EXTENSION CORD/15 FT	12.81
		EXTENSION CORD/9FT	12.81
		FABRIC NATURAL SEED BLANKET	81.66
		LANDSCAPE PINS	15.18
		ROOF SHINGLES/SHED	54.30
		SAFETY VESTS - WTP	177.05
		TOOL KIT	30.38
		TOOL KIT - RETURNED	(30.38)
		TOOL SET (230 PC)	122.55
		TOOLS/UTILITY TRUCK	99.96
		UTILITY KNIFE	14.23
		VOLTAGE TESTER	7.12
	LOWE'S Total		971.89
	LYNN, JOHN	BOOTS	150.00
	LYNN, JOHN Total		150.00
	LYWOOD AUTOMATION, LLC	CENTRIFUGE REPAIR/WWTP	840.00
		LIFT STATION COMPONET	2,137.80
		RADISH FARM PS REPAIR	720.00
		REPAIR RIB VALVES	4,500.00
		REPAIR SCADAPHONE	900.00
	LYWOOD AUTOMATION, LLC Total		9,097.80
	M & T RESIDENTIAL MORTGAGE	OVRPMT FY24 TAXES/MCCAHAN	2,098.50
	M & T RESIDENTIAL MORTGAGE Total		2,098.50
	MCLEISH, JR., ROBERT	REF WTR METER/INCORRECT SIZE	123.73
	MCLEISH, JR., ROBERT Total		123.73
	MEDIACOM	DEC BILL-TOWN HALL	155.90
	MEDIACOM Total		155.90
	MES/LAWMEN SUPPLY COMPANY	BULLET PROOF VEST/MOYER, FORESTER, WHAR	3,354.18
	MES/LAWMEN SUPPLY COMPANY Total		3,354.18
	MOTOROLA	EVIDENCE LIBRARY 9/1/23-9/30/23	244.23
	MOTOROLA Total		244.23
	NAPA AUTO PART-WAS463	BATTERIES (2)/2017 UTILITY TRK	260.24

November 2023 Bills

GENERAL	NAPA AUTO PART-WAS463	FLUID/TRACTOR WHITE FARM (2)	30.28
		GLASS CLEANER	3.30
	NAPA AUTO PART-WAS463 Total		293.82
	NOYES MICROSYSTEMS	FIELD SERVICE 11/14,15,16,17,21	4,290.00
	NOYES MICROSYSTEMS Total		4,290.00
	ONE CALL CONCEPTS, INC.	OCT 2023 BILLING	158.13
	ONE CALL CONCEPTS, INC. Total		158.13
	PASCO	BATTERY - CLEAN PANEL	22.88
		BATTERY CHARGER	52.95
	PASCO Total		75.83
	PENINSULA MENTAL HEALTH SERV	PROFESSIONAL SERVICES	2,457.01
	PENINSULA MENTAL HEALTH SERVICES Total		2,457.01
	PENNYMAC LOAN SERVICES	REF OVRPMT FY 24 TAXES	215.54
	PENNYMAC LOAN SERVICES Total		215.54
	PITTSVILLE MOTORS	REPAIR 2021 FORD EXPLORER	54.15
		RPR BRAKES & OIL CHG/2019 FORD EXPL	1,337.83
	PITTSVILLE MOTORS Total		1,391.98
	QUILL CORPORATION	COPY PAPER (3 CASES)	109.47
	QUILL CORPORATION Total		109.47
	S&S REPAIR INC	REPAIRS TO 1996 CHEV C-2500	727.05
	S&S REPAIR INC Total		727.05
	SANDER, ASHLEIGH	NOV 2023 CELL PHONE REIMB	50.00
	SANDER, ASHLEIGH Total		50.00
	SEDAC	2024 SEDAC DUES	100.00
	SEDAC Total		100.00
	SERVICE TIRE TRUCK CENTERS	PLUG 3 TIRES/SLUDGE TRUCK	500.25
		RPR TIRE/SLUDGE TRUCK	715.75
	SERVICE TIRE TRUCK CENTERS Total		1,216.00
	SIRCHIE FINGER PRINT	EVIDENCE SUPPLIES	196.60
	SIRCHIE FINGER PRINT Total		196.60
	SMARTHOMES OF DELAWARE, LLC	RPR COMPUTER SCREEN/VEH#8408	150.00
	SMARTHOMES OF DELAWARE, LLC Total		150.00
	STEEN, WAEHLER & SCHRIDER-FO	OCT 2023 BILLING	12,893.05
	STEEN, WAEHLER & SCHRIDER-FOX Total		12,893.05
	THE GUN SHOP	RIFLE CARTRIDGES--25 BX/500 ROUNDS	628.22
	THE GUN SHOP Total		628.22
	UNIFIRST CORPORATION	GENERAL MAINT SUPPLIES	740.64
		GENERAL MAINT SUPPLY CREDIT	(138.92)
		UNIFORM JACKET CREDIT-SWR DEPT	(180.00)
		UNIFORM JACKET CREDIT-WTR DEPT	(180.00)
		UNIFORM JACKETS-SWR DEPT	495.00
		UNIFORM JACKETS-WTR DEPT	495.00
		UNIFORM RENTAL CREDIT-SWR	(15.65)
		UNIFORM RENTAL CREDIT-WTR	(15.63)
		UNIFORM RENTAL-SWR DEPT	775.36
		UNIFORM RENTAL-WTR DEPT	775.30
	UNIFIRST CORPORATION Total		2,751.10
	UNITED ELECTRIC SUPPLY-DAGS	1000 FT CABLE	322.48
		LIGHT BULBS/WWTP	128.10
	UNITED ELECTRIC SUPPLY-DAGS Total		450.58
	URS CORPORATION	2000816819/MILLSBORO GEN SERV	7,552.02
		2000823801/MILLSBORO PRESTON AUTO	4,486.96
		2000824118/PENINSULA CROSS/SUB PLAN	2,468.90
		2000825544/PLANTA LAKES AMEND SITE PL	263.58
		2000826848/MILLSBORO BLDG INSPEC	15,616.09
	URS CORPORATION Total		30,387.55
	USA BLUE BOOK	ALKALINITY TEST STRIPS (8)	158.40
		FILTER ELEMENT (4)	271.80
		FILTER ELEMENT-CREDIT (2)	(135.90)

November 2023 Bills

GENERAL	USA BLUE BOOK	GRAB SAMPLER (4)	117.31
		NITRATE TEST STRIPS (4)	137.80
		PUMP ROLLERS (3)	810.00
		PUMP TUBES (3)	265.81
	USA BLUE BOOK Total		1,625.22
	VERDANTAS LLC	111896/NSCHS IRRIG IMPROV	497.00
		112571/CSHS IRRIG RECLAIMED WTR	826.50
		112572/SC WTR REUSE WHITE FIELDS	217.50
	VERDANTAS LLC Total		1,541.00
	WHITE CAP. LP	3" TRASH PUMP W/FLOAT	4,800.00
	WHITE CAP. LP Total		4,800.00
	WILMINGTON TRUST N.A.	PL FY24 11/1/23-11/30/23	18,558.27
	WILMINGTON TRUST N.A. Total		18,558.27
GENERAL Total			381,405.08
WITHHOLDING	TEAMSTERS LOCAL 326	DEC 2023 BILLING	905.00
	TEAMSTERS LOCAL 326 Total		905.00
WITHHOLDING Total			905.00
BUILDING CO	DAVIS, BOWEN & FRIEDEL, INC.	2022A005.E01/PROCURE & CONSTRUC PHASE	12,218.80
	DAVIS, BOWEN & FRIEDEL, INC. Total		12,218.80
	DELMARVA VETERAN BUILDERS, L	CONSTRUCTION NEW PD-APPL#11	413,282.06
	DELMARVA VETERAN BUILDERS, LLC Total		413,282.06
BUILDING COMP FEE Total			425,500.86
WSFS TT 15	L/B WATER SERVICE INC	BOXES FOR RADIOS/FLEX NET PROJ	78,732.00
	L/B WATER SERVICE INC Total		78,732.00
WSFS TT 15 Total			78,732.00
Grand Total			886,542.94

**MILLSBORO POLICE DEPARTMENT
MONTHLY COUNCIL REPORT
December 2023**

Performance Commendation:

P.F.C. Cody Justice - Nominated by Sgt. Patrick Forester

P.F.C. Travis Shockley - Nominated by Sgt. Jonathan Zubrowski

Officer of the Year:

Senior Corporal Seth Bullock

Community Events

November 11th, Sgt. Patrick Forester, and Cpl. Dallas Millner participated in a food drive in the BJ's parking. All donated food was provided to a local food pantry.

Grant Application

There are no grant applications for the month of November.

Millsboro Police Station Project Update

During this meeting, an update will be provided regarding the construction of the new Millsboro Police Station.

1. Town Council will be presented with Change Orders for the new police station.

Roadway Closures/ Updates

At this meeting an overview of the Millsboro Christmas parade will be provided.

**MILLSBORO POLICE DEPARTMENT
MONTHLY COUNCIL REPORT
December 2023**

TRAINING

1. November 2nd. Sgt. Jonathan Zubrowski attended Mental Health training, hosted by the Delaware State Police.
2. November 3rd, PFC Cody Jackson, and PFC Cody Justice attended Power Point training, hosted by the Delaware State Police.
3. On Saturday November 4th, members from Shift B and members of the Indian River School Constables, participated in an Active Shooter training event held at the Millsboro Middle School.
4. November 9th, PFC Cole Revel attended Covert Surveillance training, hosted by the Delaware State Police.

CALEA UPDATE

There are no CALEA updates.

Personnel Update

On Wednesday November 15th 2023, the Millsboro Police Department held their annual awards banquet. Please join us in congratulating all the award recipients.

The following staff members received awards:

Fitness Award

Sgt. Jonathan Zubrowski
Sgt. Evan Rogers

Top Shot Award

PtIm. Justin Guevarez

Life saving Awards

Senior Corporal Seth Bullock (2nd Life Saving Award)
P.F.C. Cody Justice (Received Two Life Saving Awards)
Cpl. John Wharton (2nd Life Saving Award)
P.F.C. Cody Jackson (2nd Life Saving Award)
Cpl. Dallas Millner (4th Life Saving Award)
P.F.C. Cole Revel (2nd Life Saving Award)



Agreement # 12502-1-7

Submission Date: November 28, 2023

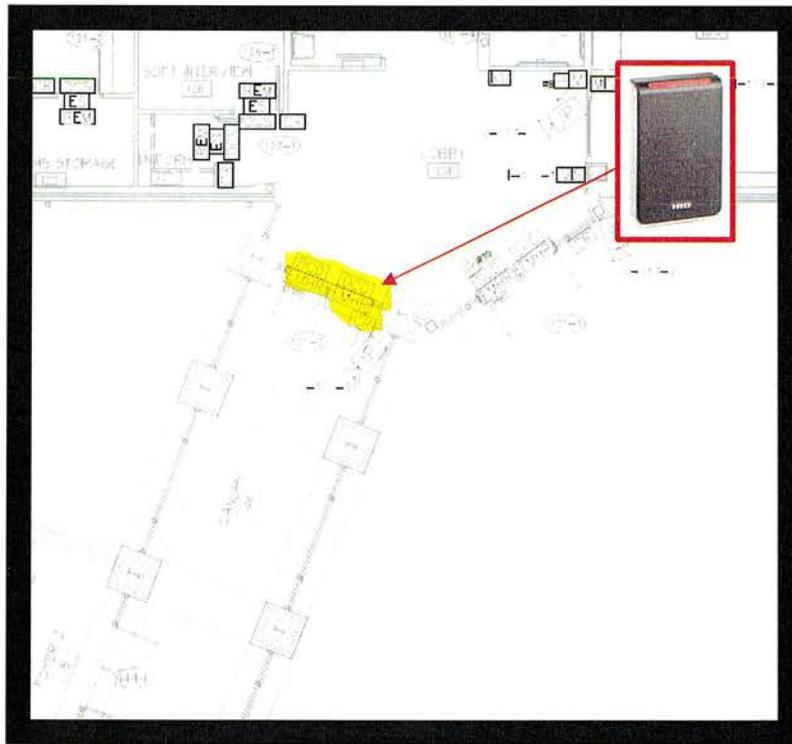
Division of Sales & Estimating

Client:	Millsboro Police Department
Project:	Millsboro PD – Additional Card Reader
Project Address:	Ellis St, Millsboro, DE 19966
Bill To Address:	322 Wilson Hwy, Millsboro, DE 19966
Submitted To:	Chief Brian Calloway, brian.calloway@cj.state.de.us, 302-934-8174 Ryan Kelly, Ryan.Kelly@advantechsecurity.net, (302) 674-8405, fax (302) 674-3698, www.advantechsecurity.net
Submitted By:	

Scope of Work:

A3 Communications Inc. DBA Advantech ("ADVANTECH") State of Delaware Supplier ID number 0000555214, shall expand the Pro-Watch Access Control system to include a second card reader on the door from the Lobby to the Training Room (101-2). This installation shall include a card reader, magnetic locks (2), and additional door control equipment.

If a valid credential is presented to either card reader, the door shall temporarily release the electronic locking hardware for both doors.



Agreement # 12502-6-0

Submission Date: November 28, 2023

Division of Sales & Estimating

Client: Millsboro Police Department

Project: Millsboro PD – Bi-Directional Amplification

Project Address: Ellis St, Millsboro, DE 19966

Bill To Address: 322 Wilson Hwy, Millsboro, DE 19966

Submitted To: Chief Brian Calloway, brian.calloway@cj.state.de.us, 302-934-8174
Ryan Kelly, Ryan.Kelly@advantechsecurity.net, (302) 674-8405, fax (302) 674-3698, www.advantechsecurity.net

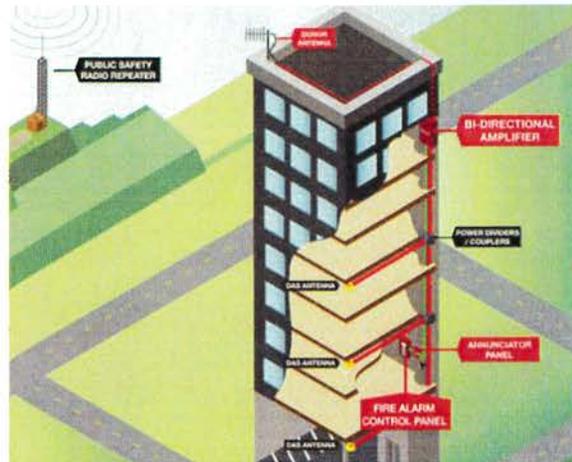
Submitted By:

Scope of Work:

In the event the Division of Communications test of the site's Emergency Radio In-Building Coverage does not meet the minimum requirements listed in International Fire Code (IFC) Section 510.41 "Emergency Responder Radio Coverage", then the site will require Bi-Directional Amplification coverage. Advantech shall complete a final radio test of the facility once the building is complete per Delaware Division of Communications standards. Advantech shall install a Bi-Directional Amplification (BDA) sub-system for 800MHz Public Safety Band Radio Communication. BDA systems are required by Delaware Division of Communications to be monitored and supervised by the fire alarm system.

Compliance & Licensing:

- Federal Communications Commission Radio Operators License FRN: 0027439553
- UL 2524 1st Edition Compliant – In-building 2 Way Emergency Radio Communication
- NFPA 1221 (2016 Edition) Compliant
- IFC Section 510
- IBC 201 Section 916
- State of Delaware Class I Fire Alarm License FAL-0191
- State of Delaware Class I Fire Alarm Certificate FAC-0123
- NICET Level IV 99589
- Master Electrical License



ORDINANCE TO AMEND CHAPTER 200, VEHICLES AND TRAFFIC, ARTICLE V, §200-28. SCHEDULE IV: STOP INTERSECTIONS, TO DESIGNATE A NEW STOP INTERSECTION WHERE N. MORRIS STREET INTERSECTS WITH CUPOLA STREET.

WHEREAS, for public safety reasons, the Town Council of the Town of Millsboro has determined that a new stop intersection should be designated where N. Morris Street intersects with Cupola Street; and

WHEREAS, establishing a new stop intersection where N. Morris Street intersects with Cupola Street will result in a multi-stop intersection, enhancing public safety.

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Millsboro, in session met, a quorum pertaining at all times thereto, that Chapter 200, Vehicles and Traffic, Article V, Schedules, be and is hereby amended as follows:

Item 1: Amend §200-28. Schedule IV: Stop Intersections, by adding the following:

Name of Street	Direction of Travel	At Intersection of
N. Morris Street	Northbound	Cupola Street

I, Kimberley M. Kaan, Secretary of the Town Council of the Town of Millsboro, do hereby certify that the foregoing is a true and correct copy of a Resolution passed by the Town Council at its Regular Meeting held on December 4, 2023, at which a quorum was present and voting throughout and that the same is still in full force and effect.

Dated: _____

Kimberley M. Kaan, Secretary



**Report of the Parking Committee
to the Town Council of the Town of Millsboro**

October 25, 2023

In accordance with the Parking Committee being an ad-hoc Committee appointed by the Mayor of the Town Council of the Town of Millsboro at its regular meeting on August 1, 2023, the Parking Committee is hereby submitting this report to the Town Council.

The committee met on September 13, 2023 at 6p.m., on October 11, 2023 at 2:00p.m., and on October 24, 2023 at 2:30p.m. On September 13, 2023: Committee members John Thoroughgood (chair), Kimberley Kaan and Marty Presley were present. Town Manager Jamie Burk, Assistant Town Manager Ashleigh Sander, Chief of Police Brian Calloway, Andrew Lyons of GMB were also present. On October 11, 2023: Committee members John Thoroughgood (chair), Kimberley Kaan and Marty Presley were present. Town Manager Jamie Burk, Assistant Town Manager Ashleigh Sander, Chief of Police Brian Calloway were also present. On October 24, 2023: Committee members John Thoroughgood (chair), Kimberley Kaan and Marty Presley were present. Town Manager Jamie Burk, Assistant Town Manager Ashleigh Sander, and Fire Marshal Duane Fox were also present.

The purpose of the September 13, 2023 meeting was to review the GMB parking design of the Plantation Lakes community and make recommendations. The purpose of the October 11 and October 24, 2023 meetings were to discuss parking in the Plantation Lakes community, as well as the town as a whole.

The committee has identified the following as some of the “pros” arising out of the Committee Meeting regarding parking in Plantation Lakes:

By unanimous consensus, the Committee does not want the GMB parking design plans to remain in consideration. Therefore, no pros and cons are listed regarding the plans.

The committee has identified the following as some of the “cons” arising out of the Committee Meeting regarding parking in Plantation Lakes:

By unanimous consensus, the Committee does not want the GMB parking design plans to remain in consideration. Therefore, no pros and cons are listed regarding the plans.

In light of the preceding, the committee recommends the following:

- Allow residents to continue parking parallel on both sides of the street with the following considerations:
 - Review and determine if cul-de-sacs meet the 38’ cleared paved radius with or without parking as required by the office of the Fire Marshal. Following determination, if the area does not meet the 38’ cleared paved radius with parking, install signage as necessary.
 - Enforce laws related to keeping the regulated distance from driveways, cross walks, and fire hydrants. Ask staff to make recommendations of the types of markings that should indicate the regulations (signage vs. painting of curbs).
 - Amend the town code to remove the language of parking standards for specific neighborhood(s), such as “Plantation Lakes” (see §200-27; §200-28; §200-31), and have the language as standard town wide regulations, not neighborhood specific.
 - Add language in the town code to refer to the State Code for laws of the Town of Millsboro when the town code does not regulate a specific topic, issue or occurrence.
 - Look into the possibility of “giving the roads back” to Plantation Lakes for them to all become private roads.

The committee recommends that the Town Council pass a resolution scheduling a public hearing on the matter in question for December 4, 2023 at 7:00 p.m. Motion by Thoroughgood to adjourn the meeting. Seconded by Kaan. The vote carried unanimously.

John Thoroughgood, Chair

Kimberley Kaan

Marty Presley

SOMERTON CHASE

RADISH ROAD (SCR 338)

TOWN OF MILLSBORO

DAGSBORO HUNDRED, DELAWARE

SUSSEX COUNTY, DELAWARE

RECORD PLANS

DBF # 2261J019

DECEMBER, 2022



SHEET INDEX

NO.	TITLE	DATE	BY
1	RECORD PLANS	12/20/22	WJF
2	RECORD PLANS	12/20/22	WJF
3	RECORD PLANS	12/20/22	WJF
4	RECORD PLANS	12/20/22	WJF
5	RECORD PLANS	12/20/22	WJF

DATA COLUMN

NO.	DESCRIPTION	DATE	BY
1	TOTAL IMPROVEMENTS	12/20/22	WJF
2	APPROXIMATE PROJECT CENTER	12/20/22	WJF
3	APPROXIMATE PROJECT CENTER	12/20/22	WJF
4	APPROXIMATE PROJECT CENTER	12/20/22	WJF
5	APPROXIMATE PROJECT CENTER	12/20/22	WJF
6	APPROXIMATE PROJECT CENTER	12/20/22	WJF
7	APPROXIMATE PROJECT CENTER	12/20/22	WJF
8	APPROXIMATE PROJECT CENTER	12/20/22	WJF
9	APPROXIMATE PROJECT CENTER	12/20/22	WJF
10	APPROXIMATE PROJECT CENTER	12/20/22	WJF
11	APPROXIMATE PROJECT CENTER	12/20/22	WJF
12	APPROXIMATE PROJECT CENTER	12/20/22	WJF
13	APPROXIMATE PROJECT CENTER	12/20/22	WJF
14	APPROXIMATE PROJECT CENTER	12/20/22	WJF
15	APPROXIMATE PROJECT CENTER	12/20/22	WJF
16	APPROXIMATE PROJECT CENTER	12/20/22	WJF
17	APPROXIMATE PROJECT CENTER	12/20/22	WJF
18	APPROXIMATE PROJECT CENTER	12/20/22	WJF
19	APPROXIMATE PROJECT CENTER	12/20/22	WJF
20	APPROXIMATE PROJECT CENTER	12/20/22	WJF

SOILS MAP

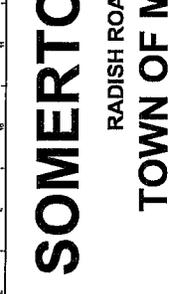
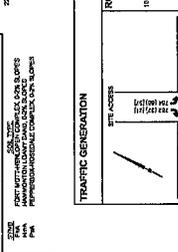
DATE: MARCH 11, 2015 SCALE: 1"=100'

NO.	DESCRIPTION	AREA (AC)
1	10% MOISTURE	1.00 AC
2	15% MOISTURE	1.00 AC
3	20% MOISTURE	1.00 AC
4	25% MOISTURE	1.00 AC
5	30% MOISTURE	1.00 AC
6	35% MOISTURE	1.00 AC
7	40% MOISTURE	1.00 AC
8	45% MOISTURE	1.00 AC
9	50% MOISTURE	1.00 AC
10	55% MOISTURE	1.00 AC
11	60% MOISTURE	1.00 AC
12	65% MOISTURE	1.00 AC
13	70% MOISTURE	1.00 AC
14	75% MOISTURE	1.00 AC
15	80% MOISTURE	1.00 AC
16	85% MOISTURE	1.00 AC
17	90% MOISTURE	1.00 AC
18	95% MOISTURE	1.00 AC
19	100% MOISTURE	1.00 AC

TRAFFIC GENERATION

FAIRBANKS ROAD (SCR 338)

NO.	DESCRIPTION	AREA (AC)	TRAFFIC (VEH/HR)
1	10% MOISTURE	1.00	100
2	15% MOISTURE	1.00	150
3	20% MOISTURE	1.00	200
4	25% MOISTURE	1.00	250
5	30% MOISTURE	1.00	300
6	35% MOISTURE	1.00	350
7	40% MOISTURE	1.00	400
8	45% MOISTURE	1.00	450
9	50% MOISTURE	1.00	500
10	55% MOISTURE	1.00	550
11	60% MOISTURE	1.00	600
12	65% MOISTURE	1.00	650
13	70% MOISTURE	1.00	700
14	75% MOISTURE	1.00	750
15	80% MOISTURE	1.00	800
16	85% MOISTURE	1.00	850
17	90% MOISTURE	1.00	900
18	95% MOISTURE	1.00	950
19	100% MOISTURE	1.00	1000



GENERAL NOTES

1. THE DEVELOPER SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
2. THE DEVELOPER SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
3. THE DEVELOPER SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
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17. THE DEVELOPER SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
18. THE DEVELOPER SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
19. THE DEVELOPER SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
20. THE DEVELOPER SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.

DEVELOPER'S STATEMENT

I, the undersigned, hereby certify that I am the owner of the property described in the above-captioned record plan and that I have read and understand the contents of the same and that I have caused the same to be recorded in the public records of the State of Delaware.

DATE: _____

NAME: _____

OWNER'S STATEMENT

I, the undersigned, hereby certify that I am the owner of the property described in the above-captioned record plan and that I have read and understand the contents of the same and that I have caused the same to be recorded in the public records of the State of Delaware.

DATE: _____

NAME: _____

ENGINEER'S STATEMENT

I, the undersigned, hereby certify that I am a duly licensed professional engineer in the State of Delaware and that I have prepared the above-captioned record plan in accordance with the provisions of the Delaware Code.

DATE: _____

NAME: _____

TOWN OF MILLSBORO APPROVAL

I, the undersigned, hereby certify that I am the Mayor of the Town of Millsboro and that I have read and understand the contents of the above-captioned record plan and that I have caused the same to be recorded in the public records of the State of Delaware.

DATE: _____

NAME: _____

RECORD PLAN - TITLE SHEET

DATE: _____

SCALE: _____

PROJECT: _____

OWNER: _____

ENGINEER: _____

TOWN: _____

COUNTY: _____

STATE: _____

DAVIS BROWN & FRIEDMAN, INC.
 1300 MARKET STREET, SUITE 200
 MILLSBORO, DELAWARE 19966
 PHONE: 302.426.1234
 FAX: 302.426.1235
 WWW.DBFRIEDMAN.COM

SOMERTON CHASE

TOWN OF MILLSBORO, DELAWARE

RECORD PLAN - TITLE SHEET

DATE: _____

SCALE: _____

PROJECT: _____

OWNER: _____

ENGINEER: _____

TOWN: _____

COUNTY: _____

STATE: _____

DEVELOPER'S STATEMENT

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NAME: _____

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DATE: _____

NAME: _____

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DATE: _____

NAME: _____

RECORD PLAN - TITLE SHEET

DATE: _____

SCALE: _____

PROJECT: _____

OWNER: _____

ENGINEER: _____

TOWN: _____

COUNTY: _____

STATE: _____

SOMERTON CHASE

TOWN OF MILLSBORO, DELAWARE

RECORD PLAN - TITLE SHEET

DATE: _____

SCALE: _____

PROJECT: _____

OWNER: _____

ENGINEER: _____

TOWN: _____

COUNTY: _____

STATE: _____

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DATE: _____

NAME: _____

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I, the undersigned, hereby certify that I am the Mayor of the Town of Millsboro and that I have read and understand the contents of the above-captioned record plan and that I have caused the same to be recorded in the public records of the State of Delaware.

DATE: _____

NAME: _____

REV #	DATE	DESCRIPTION
1	11/20/23	ISSUED PER TOWN COMMENTS DATED 10/20/23
2	11/20/23	ISSUED PER TOWN COMMENTS DATED 10/20/23

811
 CALL BEFORE YOU DIG
 MILLSBORO, NC
 811-NC-4-2024

APPROVED BY: [Signature]
 SHEET NO.: C-101
 FOR REVIEW

PROPOSED SITE FEATURES

- 1 DEALERSHIP #1 (10,000 SF., F.F.E. = 30.97)
- 2 SHOWROOM (1,524 SF., F.F.E. = 29.87)
- 3 DEALERSHIP #2 (42,726 SF., F.F.E. = 79.77)
- 4 CAR WASH (14,305 S.F., F.F.E. = 30.97)
- 5 DEALERSHIP #3 (17,465 SF., F.F.E. = 33.97)
- 6 TWO WASH BAYS #1. SEE SHEET C-100.01 FOR MORE DETAIL.
- 7 MEDIAN CROSSWALK
- 8 12' WIDE ASPHALT IN-PEDESTRIAN PATH EXTENSION. SEE DETAIL ON SHEET C-100.01
- 9 ENTRANCE IMPROVEMENTS. SEE DELDOT ENTRANCE PLAN FOR MORE INFORMATION.
- 10 LIGHT DUTY ASPHALT PARKING LOT. SEE DETAIL ON SHEET C-100.01
- 11 REVISED PROPERTY LINE. SEE LOT LINE REVISION PLAN
- 12 HEAVY DUTY ASPHALT PARKING LOT. SEE DETAIL ON SHEET C-100.01
- 13 STRIPED PARKING TYP.
- 14 FENCE TO MATCH EXISTING FENCE IN STYLE AND HEIGHT. CONTRACTOR TO TIE INTO EXISTING FENCE.
- 15 12.13' OF ADDITIONAL RIGHT OF WAY DEDICATION. SEE DELDOT RECORD PLAN FOR MORE DETAIL.
- 16 19' PERMANENT EASEMENT PREPARED FOR DELDOT

EXISTING FEATURES

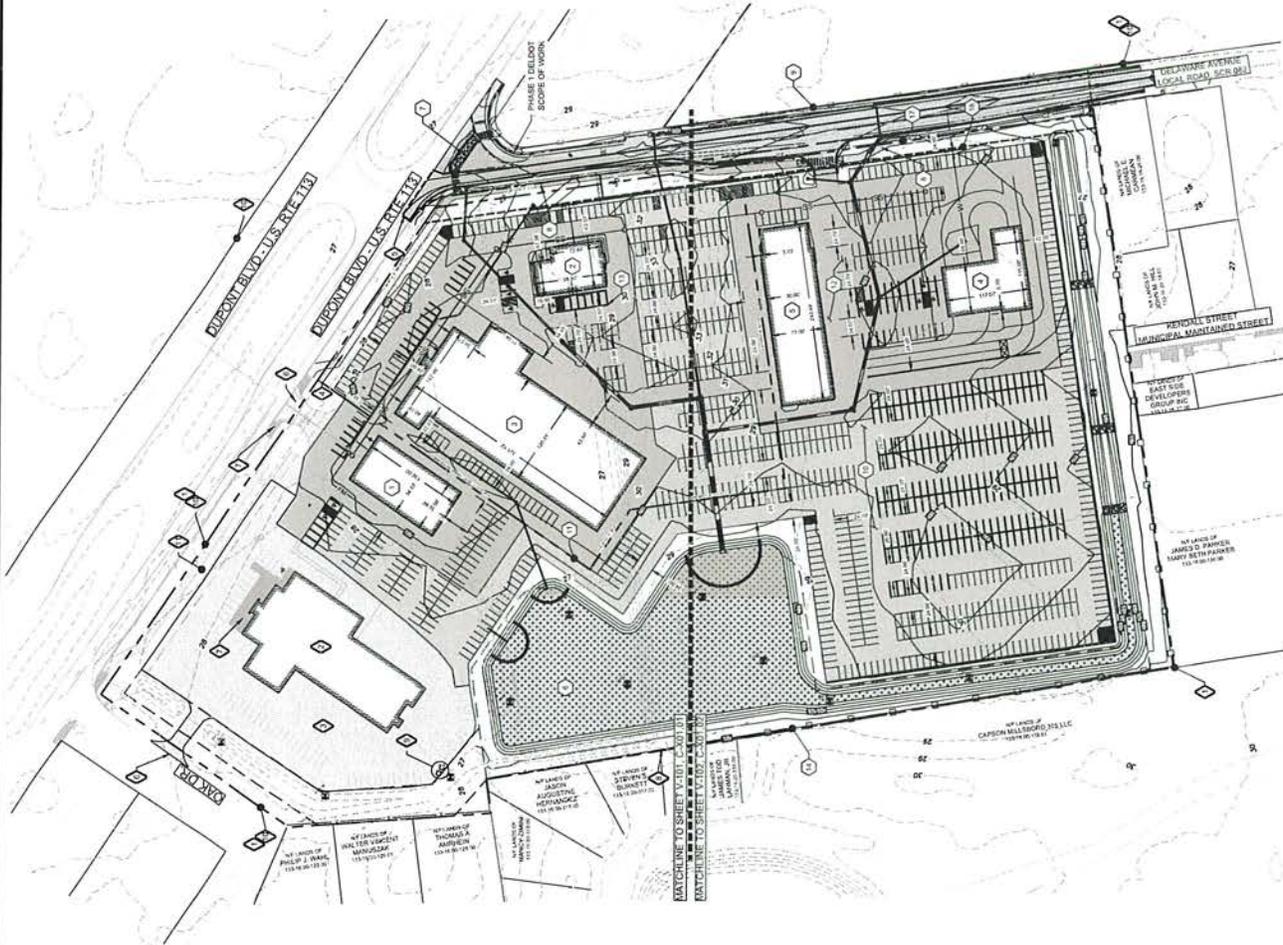
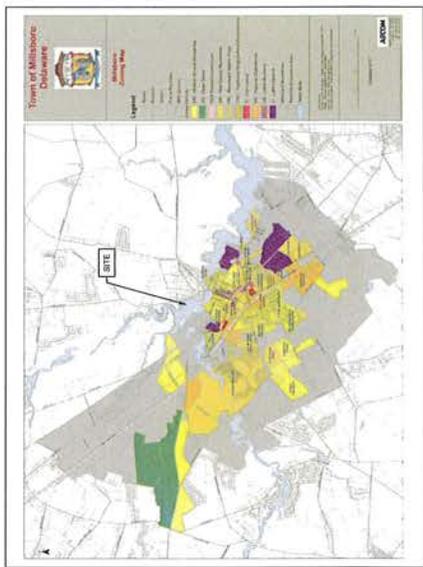
- 1 PROPERTY LINE
- 2 PRESTON CHRYSLER DODGE JEEP RAM OF MILLSBORO DEALERSHIP
- 3 ASPHALT PARKING LOT
- 4 ASPHALT BIKE PEDESTRIAN PATH
- 5 CURB AND GUTTER. CONTRACTOR TO MATCH GRADE OF NEW CURB/GUTTER WITH EXISTING
- 6 ENTRANCE
- 7 CONCRETE SIDEWALK/APPRON
- 8 FENCE
- 9 UNENCLICLED DUMPSTER AREA
- 10 RIGHT-OF-WAY
- 11 PERMANENT EASEMENT

PARKING FABRICATION
 ASHING REQUIRED
 1 DEALERSHIP - 58 EMPLOYEES
 1 DEALERSHIP - 58 EMPLOYEES
 1 CAR WASH - 48 EMPLOYEES

CAR WASH - 8 SPACES AT WAITING AREA AND 2 SPACES AT EXIT
 DEALERSHIP - 10 SPACES FOR CUSTOMER AND 1 SPACE PER EMPLOYEE
 TOTAL REQUIRED - 3 (10'x18') + (50'x18') + (10'x48') = 240 SPACES

A.I.D.A. REQUIREMENTS
 2 DEALERSHIP - 4 SPACES (2 EACH)
 1 CAR WASH - 2 SPACES
 1 CAR WASH - 2 SPACES

ADDITIONAL SPACES
 200' x 100' x 2' UNIMPAVED PARKING SPACES (11 A.I.D.A. ARE BEING PROVIDED)
 143 - 5'x8' SPACES ARE BEING SPECIFIED FOR REFERENCE ONLY.
 4 - 6'x10' AND PARKING SPACES TO REMAIN
 11 - 10'x20' SPACES OF PARKING AND DRIVE AHEAD





November 30, 2023

Via Electronic Mail

Mr. Jamie Burk
Town of Millsboro
322 Wilson Highway
Millsboro, DE 19966

Re: Preston Chrysler Dodge Jeep Ram of Millsboro Expansion
Final Site Plan
Project No. CB0201524 - Phase 81

Dear Mr. Burk:

Verdantas LLC (Verdantas) has reviewed the third submission of the Final Site Plan and Construction Plans for the Preston Chrysler Dodge Jeep Ram of Millsboro Expansion prepared by Rauch, Inc. for the above referenced project:

<u>Sheet Number</u>	<u>Sheet Name</u>
C-100	Cover
V-101 - 102	Existing & Demolition Plan
C-101	Site Plan
C-201.01 - 201.02	Sediment & Erosion Control Plan
C-205.01 - 205.04	Sediment & Erosion Control Details
C-301.01 - 301.02	Site Grading Plan
C-305.01	Site Grading Details
C-401.01 - 401.02	Stormwater & Storm Drain Plan
C-403.01 - 403.02	Storm Drain Profiles
C-405.01 - 405.04	Storm Drain Details
C-501.01 - 501.02	Utility Plan
C-503.01 - 503.02	Utility Profiles
C-505.01 - 505.02	Utility Details
C-601.01	Lighting Plan

The plans were issued on November 20th, 2023, and received by Verdantas on November 21st, 2023. Please be advised that Verdantas did not review the plans for compliance with the zoning requirements of the Code of The Town of Millsboro, including parking spaces and landscaping, as the Town relies on AECOM for these services.

We offer the following comments to the Final Site Plan and Construction Plans:

General Comments

1. Provide details from "Town of Millsboro Delaware Standard Specifications and Details for Utilities Design and Construction" including border and issue date for all standard details.

Multiple details provided are outdated, review and revise to provide updated details as necessary. The most current edition of the Standard Specifications and Details can be obtained from the Town.

Site Plan, C-101

1. **The leader showing the site on the key map points to a body of water. Revise the leader to point to the project site on the map.**

Verdantas recommends that the developer revise and resubmit the "Preston Chrysler Dodge Jeep Ram of Millsboro Expansion - Final Site Plan" and "Preston Chrysler Dodge Jeep Ram of Millsboro Expansion – Construction Plans". While we attempt to provide as complete a review as possible with each submission, we reserve the right to make additional comments as part of the review process for subsequent plan submittals.

Please feel free to reach out with any question or concerns.

Sincerely,

VERDANTAS LLC



Michael P. Falkowski, P.E.
Senior Project Manager



AECOM
28485 Dupont Boulevard
Millsboro, DE 19966
www.aecom.com

302 933 0200 tel
302 933 0320 fax

November 29, 2023

Jamie Burk
Town Manager
Town of Millsboro
322 Wilson Highway
Millsboro, DE 19966

**RE: Preston Chrysler Dodge Jeep Ram of Millsboro - Expansion
Revised Final Site Plan
Tax Parcel # 133-16.00-130.00, 133.00, 134.00**

Dear Mr. Burk:

Rauch Inc. has revised the Final Plans to address AECOM's concern regarding the placement of some of the ADA parking spaces. The new placement of the ADA spaces will provide better access for patrons that need to use the accessible spaces. We have no further comments. After reviewing the plans AECOM considers these plans ready for Town Council approval.

If you have any questions or need additional information, please do not hesitate to call.

Sincerely,
AECOM

Kyle F. Gulbranson, AICP
Project Manager



AECOM 302 933 0200 tel
28485 Dupont Boulevard 302 933 0320 fax
Millsboro, DE 19966
www.aecom.com

November 27, 2023

Jamie Burk
Town Manager
Town of Millsboro
322 Wilson Highway
Millsboro, DE 19966

**RE: Preston Chrysler Dodge Jeep Ram of Millsboro - Expansion
Revised Preliminary Site Plan
Tax Parcel # 133-16.00-130.00, 133.00, 134.00**

Dear Mr. Burk:

AECOM has reviewed the revised preliminary site plan for the Preston auto dealership expansion prepared by Rauch Inc. dated November 20, 2023. The Applicant is proposing an expansion of the existing Preston auto dealership located at 28380 DuPont Boulevard. The expansion includes the addition of five (5) new buildings - Dealership #1 (10,000 sf), Dealership #2 (42,126 sf), Dealership #3 (17,565 sf), a showroom (5,824 sf), and a carwash (9,930). The site will also include 1,150 parking spaces. The site currently has access off DuPont Boulevard (Rt. 113) and Oak Drive. The expansion will include a third entrance off Delaware Avenue. The parcel is zoned Highway Commercial (HC). The purpose of this review is to ensure compliance with the Town's Zoning Ordinance. We offer the following comments:

Procedural/Administrative

1. § 210-66B of the Zoning Code identifies the submittal requirements for a preliminary site plan.
2. § 210-18 of the Zoning Code provides the HC - Highway Commercial District regulations.
3. Article V of the Zoning Code sets forth the general provisions for proposed developments such as lighting and off-street parking.
4. Section 170-3 identifies the conditions for handling and disposition of garbage, trash and rubbish.
5. Prior to approval of the **final site plan**, the Town should assure that the following approvals have been granted by the following agencies:
 - Sediment and Erosion Control Plans - Sussex County Conservation District
 - Fire Marshal Site Plan Approval - State Fire Marshal
 - Water and Sewer Service - Town Engineer
 - Parking and Grading Plan - Town Engineer
 - Landscaping Plan - Town Council
6. The following agreements below should be executed prior to approval of the final site plan:
 - a. A Public Works Agreement (PWA) should be executed with the Town that guarantees that any roads, storm drains, sidewalks and the water and sewer facilities will be constructed in accordance with the approved plans. The Town Engineer should review the quantities and



unit costs in the PWA. The PWA should also require as-built plans to be prepared by the developer for all public improvements.

Planning/Technical Issues

1. Sheet C-101 notes the parking tabulation of the site will include a total of 1,150 parking spaces a reduction from the original submission which included 1,298 parking spaces.
 - a. Existing striping has been shown on the revised plan.
 - b. ADA parking spaces have been provided on the plan, however not all proposed ADA spaces are in locations that would make access from the parking lot to the buildings easy. For example, the ADA spaces for Building 5 are located across from the building meaning someone parked in an ADA space would have to cross the drive aisle, which is the ingress/egress for Delaware Avenue, to get to Building 5. The applicant must provide ADA parking spaces close to the entrances of all buildings on the site.
 - c. As part of the Final Plan submission, the applicant will need to provide a separate site plan identifying the location and a typical dimension for the 260 required parking spaces – customer, employee, and ADA spaces.
2. A variance was granted at the November 16, 2023 BOA meeting for a reduced parking dimension for inventory vehicles. The variance granted a reduction in parking space dimension from 10' x 20' to 9' x 18.' The applicant stated required parking spaces will be 10' x 20' and will be striped per Town Code. It should be noted that required parking includes customer and employee parking, as well as ADA parking which must meet ADA requirements.
3. The applicant was granted a variance at the November 16, 2023 BOA meeting allowing for coverage to exceed the 50% maximum required by Town Code. The impervious coverage will be about 70%.
4. The applicant was granted a variance from the landscape buffer requirements at the November 16, 2023 BOA meeting. It should be noted a fence is being proposed to tie into the existing fence to provide screening along the property line. The fence is permitted as a type of buffer but vegetation is not required per the variance approval.
5. A variance from the required loading spaces was granted at the November 16, 2023 BOA meeting.
6. The placement of Building 1 has the potential to interrupt traffic flow of the entrance/exit. It is recommended the applicant reconsider the location of Building 1.

Comment: The applicant has stated that the placement of Building 1 on the site is identical to an existing facility and no problems have been incurred. The engineer should confirm that the turning radius is appropriate for vehicles to maneuver safely as they enter/exit the site.

7. The final site plan will need to include a Lighting Plan. Lighting standards can be found in Section 210-37. Proposed lighting should include site and building lighting.
8. The Delaware Department of Transportation (DelDOT) has recommended several pedestrian improvements to the project area as follows:
 - a. The first improvement is with regards to the painting of crosswalks extending from the sidewalk along the frontage of the project site connecting to the traffic island and extends

across Delaware Avenue. However, there does not appear to be a sufficient amount of R.O.W. to allow for the installation of a pedestrian ramp on the eastern portion of the roadway. The Town of Millsboro will need to either request that the design of the crosswalks be adjusted to permit the installation of the ramp or seek dedicated R.O.W. from the adjacent property owner.

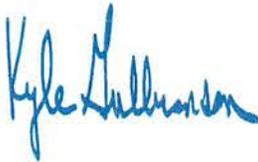
Comment: The applicant has conveyed this information to DeIDOT.

- b. The second improvement that is being proposed by the applicant after discussions with DeIDOT is the construction of a sidewalk that will extend from the southern terminus of the parking lot and turn east that will run parallel to the property line. Residents from the Kendall Street community could utilize the sidewalk to access Delaware Avenue where a sidewalk is being proposed along the frontage of the subject parcels that will interconnect with the existing pedestrian walkway parallel to Route 113. Furthermore, future opportunities to connect the proposed sidewalk with the existing networks located within the residential communities to the west could be unlocked should the sidewalk proposal move forward. The Town of Millsboro would be responsible for maintaining the proposed sidewalk and would be permitted to do so via an access easement.

Comment: The applicant has stated that discussions have transpired between the property owner and DeIDOT regarding the installation of the sidewalk. After discussing the proposal the sidewalk plans will not be moving forward.

If you have any questions or need additional information, please do not hesitate to call.

Sincerely,
AECOM



Kyle F. Gulbranson, AICP
Project Manager

Morris JamesLLP

A. Kimberly Hoffman, Esq.
302.888.5209
khoffman@morrisjames.com

November 27, 2023

VIA: ELECTRONIC MAIL-(JOANNED@MILLSBORO.ORG)

Town of Millsboro Council
c/o Joanne Dorey, Town Clerk
Town of Millsboro
322 Wilson Highway
Millsboro, Delaware 19966

Re: Submission to Town Council Relating to Proposed Subdivision of 30164 and 30166 Commerce Drive, Millsboro, Delaware, Tax Parcel Nos. 233-5.00-115.07 and 233-5.00-115.04 (the “Property”)

Dear Members of Town Council:

This firm represents ROF Millsboro LLC (the “**Owner**”). The purpose of this letter is to summarize Owner’s compliance with the Town’s major subdivision requirements with regard to its minor subdivision. Presently, Owner is scheduled to present its application to the Town Council on December 4, 2023. The Property has been posted, certified letters have been sent to property owners within 200 feet, and the proper fee paid.

First, this letter will provide an overview of the proposed project, as well as the lot frontage variance recently granted by the Millsboro Board of Adjustment. Ultimately, as demonstrated herein, the Owner meets the standards for division of the two (2) lots comprising the Property into a total of four (4) lots. The subdivision is supported by the variance, which will allow subdivision of the Owner’s 0.826± acre parcel, 30164 and 30166 Commerce Drive, Millsboro, Delaware, Tax Parcel Nos. 233-5.00-115.07 along an existing party wall. No new development is proposed. This application merely facilitates sale and financing of the new lots. The Property is entirely within the Peninsula Crossing Shopping Center.

Furthermore, I submit together with this letter to be included with the record (1) the draft Minor Subdivision Plan (the “**Plan**”) (Exhibit A), and (4) pictures of the signs advertising the Council meeting posted on the Property (Exhibit B). An electronic link to existing cross-easement agreements for the shopping center is here:

<https://www.dropbox.com/scl/fi/yhbssnhvo97lmndeslrx0/Declaration-of-Restrictive-Covenants-and-Easement-Agreement-12152020.pdf?rlkey=9a5ky9ifpc47ggx3n5cny1hp7&dl=0>

(Exhibit C). Photographs of the site are attached as Exhibit D.

Background and the Owner's Plans

The Applicant. I submit this request on behalf of the Owner, an affiliate of Chase Properties (“Chase”), a family-owned company with substantial shopping center holdings across the eastern half of the country. Chase acquired the Property in 2022, together with a number of other lots presently comprising the Peninsula Crossing Shopping Center. Owner has received an offer to purchase a portion of the Property, but must subdivide in order to sell. Due to exceptional practical difficulties, one of the new lots could not be made conforming as to frontage requirements and obtained a variance to facilitate the subdivision. Chase also seeks to divide the lot presently containing an Aldi store and a PetSmart store.

The Property. In addition to the Aldi, and the PetSmart store, the two lots comprising the Property contain one building with two existing businesses, a dialysis center and physical therapy center, surrounded by accessory parking, drive aisles, and Commerce Drive, which abuts the Property to the east. Exhibit D contains photographs of the portion of the Property for which the variance was sought.

The Property was formerly part of a larger tract (the “Tract”), which was originally subdivided in 2008 to create the Property and other lots now comprising the Shopping Center. See most recent Record Subdivision (Exhibit E, the “Existing Plan”). Concurrently, the Owner recorded extensive covenants governing access to the Property so all lot owners could reach the road, and all accessways would be jointly maintained by the users. See Exhibit C. Access for the new lots proposed by the Plan has already been established by execution and recording of cross access easements and maintenance declarations.

Proposed Subdivision. The Plan proposes division of the Property from two lots into four lots, with the new property line running through the existing party-walls separating the physical therapy and dialysis centers, and the PetSmart and Aldi stores. The new lot containing Fresenius Medical Care will have frontage on Commerce Drive, but the lot containing the existing Benchmark Physical Therapy, will not. Access will be through the private accessway formerly created by easements (See Exhibit “C”). The variance allows this to occur despite the one lot not being strictly compliant with the Millsboro Town Code.

Zoning and Subdivision Code Requirements

The Council may approve a minor subdivision so long as the new lots to be created comply with the applicable Code provisions, or the proper variances from the Code have been received. The Plan complies with the Code in this respect, as certified by Chase’s civil engineer, Becker Morgan.

Chase has complied with the minor subdivision approval procedures:

First, Chase submitted its application for a minor subdivision on November 16, 2023, which is two weeks in advance of the December 4, 2023, Council meeting. Millsboro, Del. C. § 178-6 (A). (hereinafter, “Code” with a section reference.) Chase also notified, by certified mail, with return

receipt requested, the property owners within 200 feet of the boundaries of the Property. Proof has been provided to the Town. Code § 178-6(B). Chase certifies hereby that it has notified the proper owners. Chase also placed a notices on the subject Property that an application for subdivision has been filed with the Town. Code § 178-6(C). The proper fee has been paid. Code § 178-6(D).

The Town Council's role is to review the application for approval of a minor subdivision and all the required material, making certain that Plan meets all requirements established by this chapter and the Zoning Ordinance. The Town Council may refer the application to the Building Official for review and obtain a report containing the Official's conclusions and recommendations. Code § 178-6(E).

The Plan complies with Section 210-18 of the Code applicable to the Property's Highway Commercial (HC) District. None of the uses on the Property will change, but for informational purposes, the present uses are allowed:

Purpose. The intent of this zone is to encourage highway-oriented commercial development to concentrate, to the mutual advantage of both consumers and merchants, and thus to promote the public safety, welfare and convenience by discouraging traffic congestion, promoting stability of commercial development and encouraging an attractive and serviceable commercial environment for highway-oriented business in the appropriate highway location.

Code § 210-18(A)(HC District).

Again, the bulk requirements will not change, but the present structures are in compliance:

1. "No building shall exceed 35 feet in height, except as outlined in § 210-55, and a hotel, motel, medical care facility, medical clinic, health care facility or surgical center may be erected to a height of over three stories, but not over five stories, and not exceeding 60 feet." Code § 210-18(D). The existing buildings comply with these height restrictions.

Code § 210-18E(1).

2. Aside from hotel and motel uses in HC, the following minimum lot dimensions apply:

Lot area 15,000 square feet.

Lot frontage 100 feet.

Lot depth 100 feet.

Each side yard 10 feet.

Front yard setback 35 feet.

Rear yard setback 25 feet.

The maximum allowed building coverage is 35%.

Code § 210-18(E)(3). Each new lot to be created meets these minimal requirements, excepting the one with the recently granted frontage variance, allowing that one deviation. As to the lot subject to the new variance, the following dimensions will be allowed:

	Existing	Lot A (Benchmark) 30166 Commerce Drive	Lot B (Fresenius) 30164 Commerce Drive
Size	41,727± SF	19,944± SF	27,783± SF
Frontage	128.01'	0'	128.01'
Parking	34 Spaces	12 Spaces	22 Spaces

Note that the party walls may form a lot line:

When the side lot lines of two retail business establishments abut each other, side yard requirements may be waived so that the resulting space in said side yard may be utilized to create a continuous appearing building if there is compatible design and the lot complies with all the other requirements for maximum building coverage, parking, access, etc.

Code § 210-18E(4). These criteria are met as the existing design is compatible. New lot lines will follow the Aldi and Pet Smart party walls, as well as the walls between the physical therapy and dialysis center in accordance with this section.

The Shopping Center will continue to meet minimum off-street parking requirements, as will each lot. *See* Code § 210-18(F). Note 12 of the Plan recites in detail how each new, proposed lot will meet parking requirements.

Conclusion

In summary, the Plan meets all aspects of Millsboro's Code requirements, both as to approval procedure and also new lot dimensions. Town staff has been tremendously helpful with this process and Chase looks forward to presenting this Plan to Council. After the Council hearing, Chase respectfully requests that the Town Mayor and Secretary sign the application as approved and execute two sets of the Plan for return to Chase and recordation. *See* Code § 178.5(F). On behalf of Chase Properties, I thank Council for its very kind attention and consideration.

Members of the Town Council
November 27, 2023
Page 5

Morris James LLP

Sincerely,

A handwritten signature in blue ink, appearing to read "A. K. Hoffman", with a long horizontal flourish extending to the right.

A. KIMBERLY HOFFMAN

AKH/met

cc: Chase Properties (via: electronic mail)
Jamie Burk, Town Manager (jamieb@millsboro.org)

Exhibits:

- A: Proposed Subdivision Plan
- B: Photographs of Signs
- C: Existing Cross Easement Agreements by electronic link:
<https://www.dropbox.com/scl/fi/yhbssnhvo97lmndeslrx0/Declaration-of-Restrictive-Covenants-and-Easement-Agreement-12152020.pdf?rlkey=9a5ky9ifpc47ggx3n5cny1hp7&dl=0>
- D: Site Photos
- E: Present Plan

Exhibit A
 Proposed Subdivision Plan

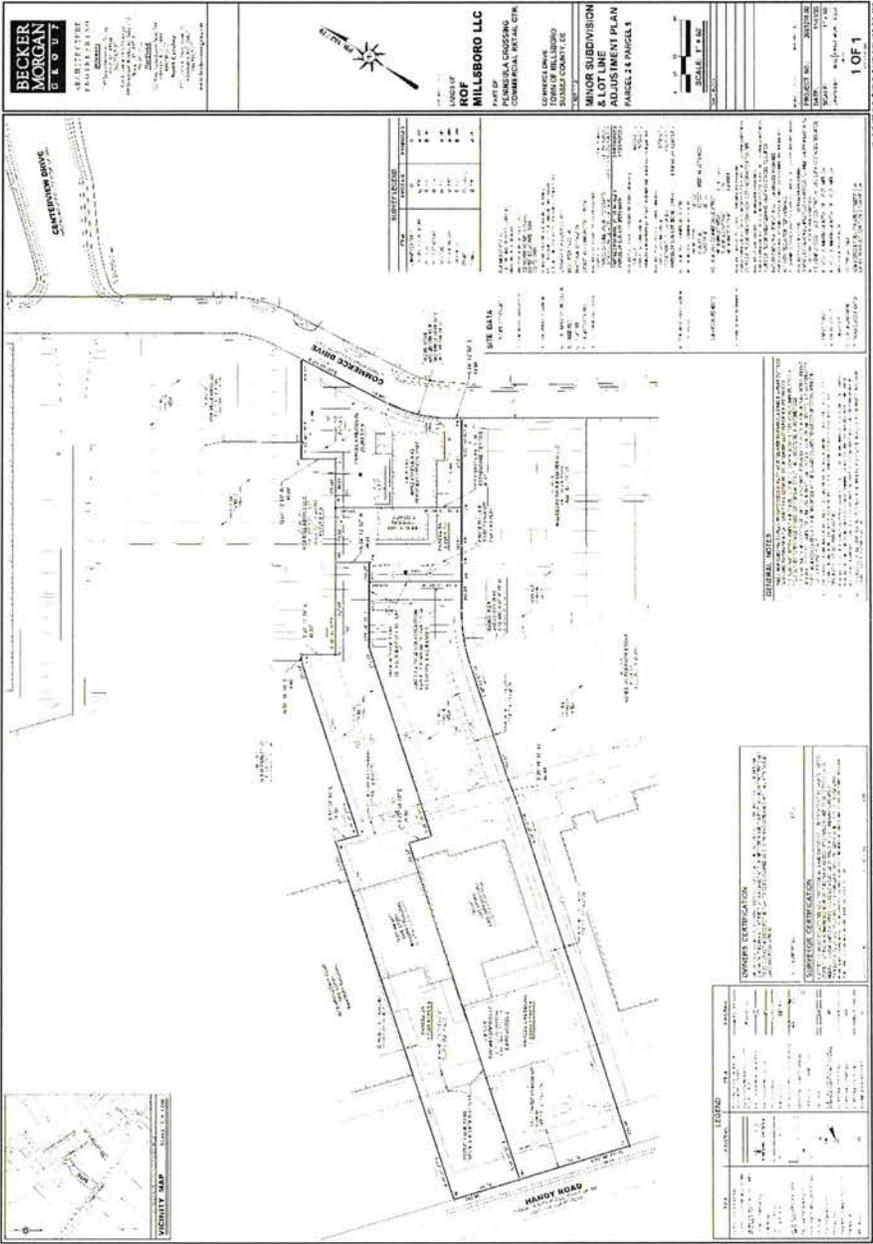


Exhibit B

Photographs of Signs









Exhibit C

Existing Cross Easement Agreements

<https://www.dropbox.com/scl/fi/yhbssnhvo97lmndeslxr0/Declaration-of-Restrictive-Covenants-and-Easement-Agreement-12152020.pdf?rlkey=9a5ky9ifpc47ggx3n5cny1hp7&dl=0>

Exhibit D
Site Photos











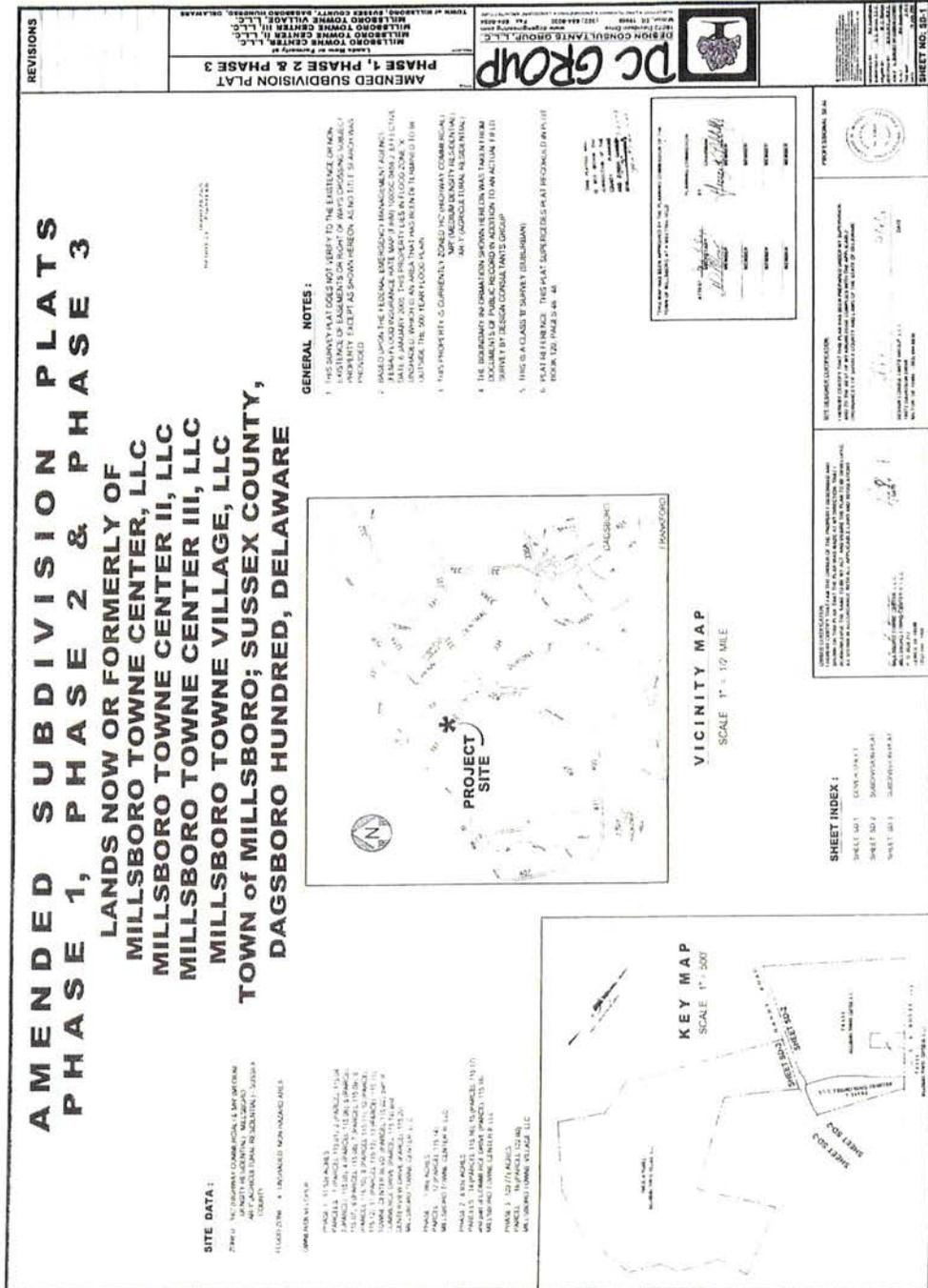




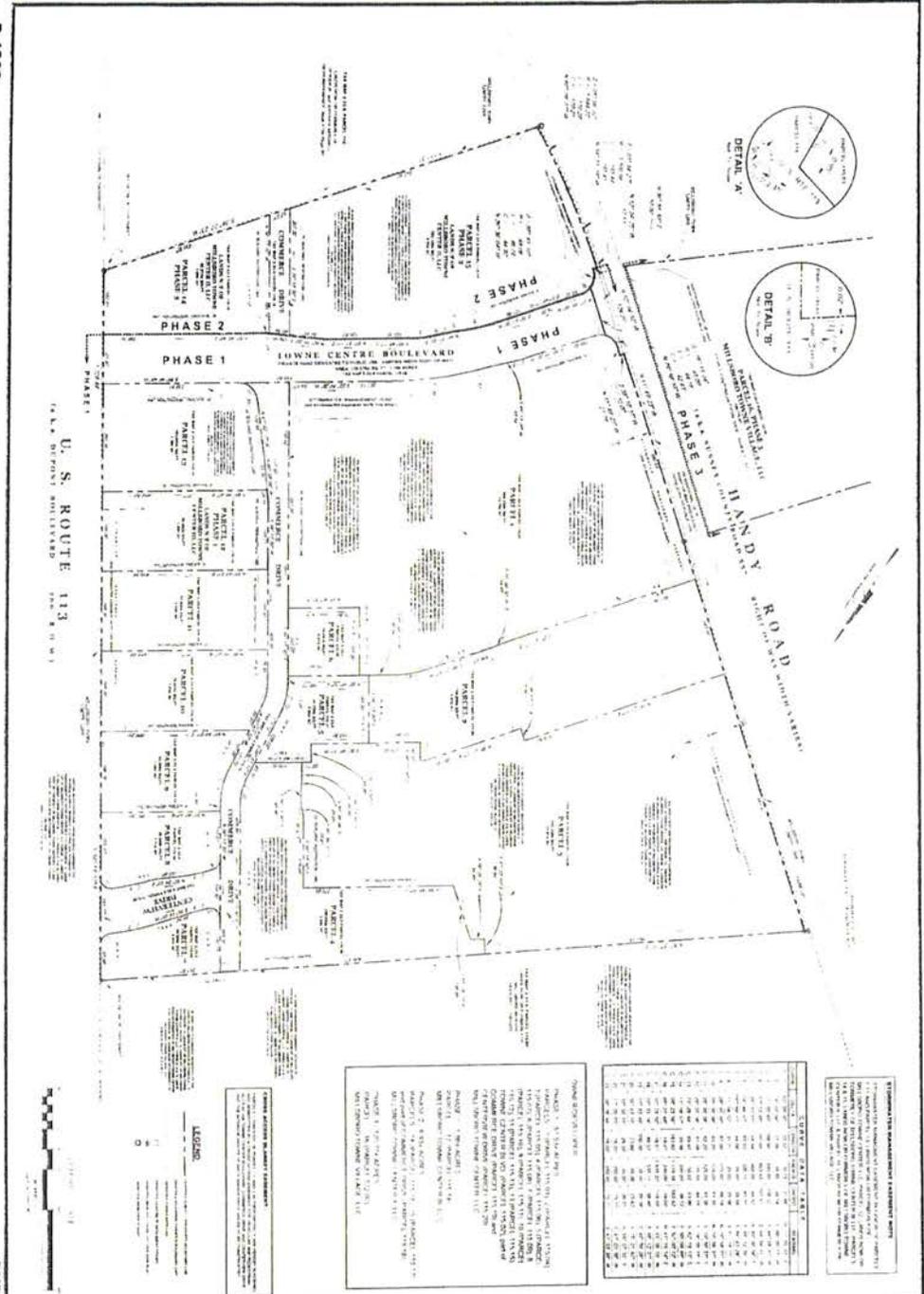




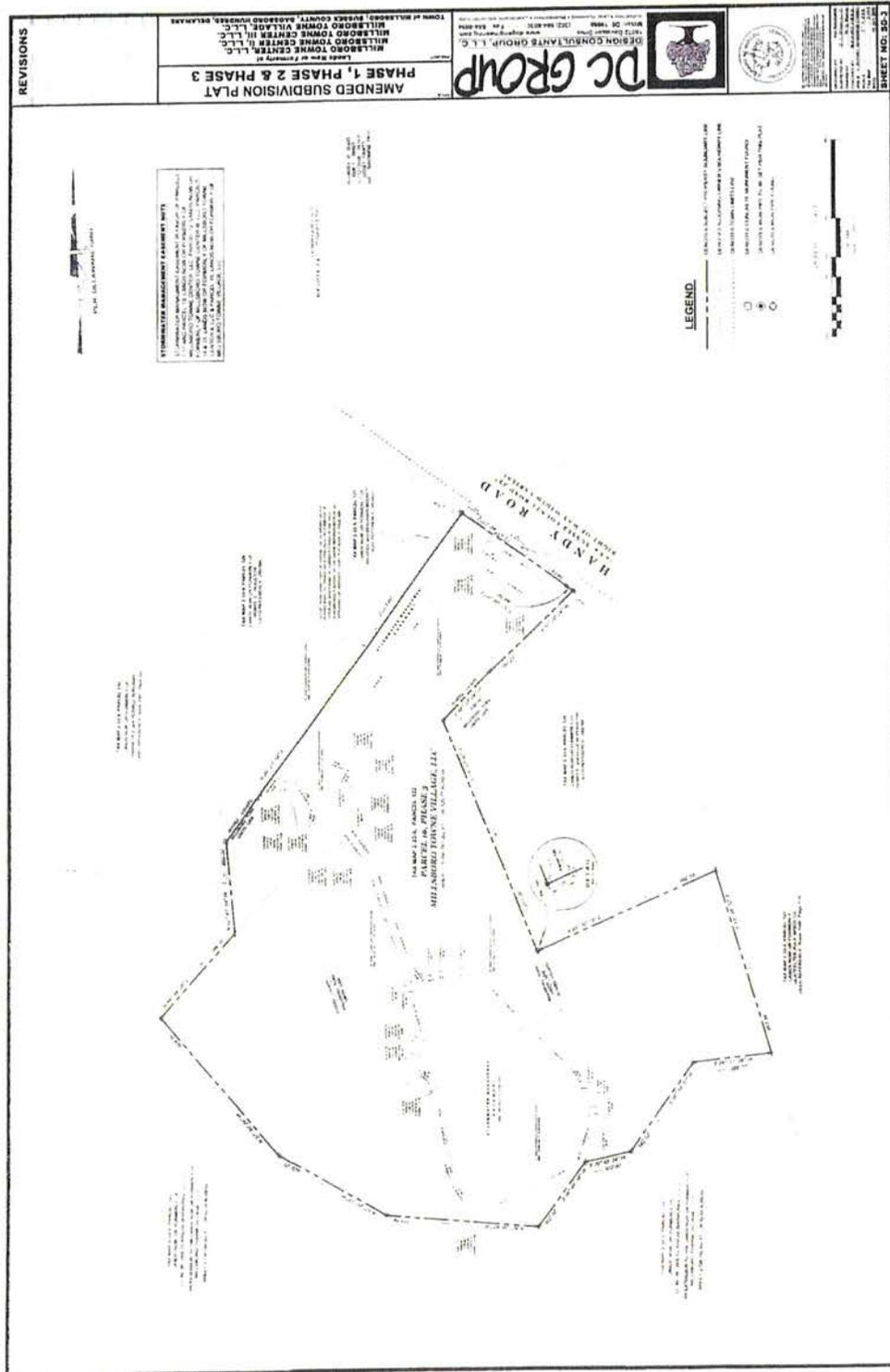
Exhibit E
 Present Plan



D 1203



<p>DC GROUP DESIGN CONSULTANTS GROUP, L.L.C. 1812 Quaker Run Millsboro, DE 19966 (302) 864-8838 Fax 302-864-8834</p>	<p>AMENDED SUBDIVISION PLAT PHASE 1, PHASE 2 & PHASE 3</p>	<p>REVISIONS</p> <table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>11/27/23</td> <td>AS SHOWN</td> </tr> </tbody> </table>	NO.	DATE	DESCRIPTION	1	11/27/23	AS SHOWN
	NO.		DATE	DESCRIPTION				
1	11/27/23	AS SHOWN						
<p>Lot 1-10, 11-20, 21-30, 31-40, 41-50, 51-60, 61-70, 71-80, 81-90, 91-100, 101-110, 111-120, 121-130, 131-140, 141-150, 151-160, 161-170, 171-180, 181-190, 191-200, 201-210, 211-220, 221-230, 231-240, 241-250, 251-260, 261-270, 271-280, 281-290, 291-300, 301-310, 311-320, 321-330, 331-340, 341-350, 351-360, 361-370, 371-380, 381-390, 391-400, 401-410, 411-420, 421-430, 431-440, 441-450, 451-460, 461-470, 471-480, 481-490, 491-500, 501-510, 511-520, 521-530, 531-540, 541-550, 551-560, 561-570, 571-580, 581-590, 591-600, 601-610, 611-620, 621-630, 631-640, 641-650, 651-660, 661-670, 671-680, 681-690, 691-700, 701-710, 711-720, 721-730, 731-740, 741-750, 751-760, 761-770, 771-780, 781-790, 791-800, 801-810, 811-820, 821-830, 831-840, 841-850, 851-860, 861-870, 871-880, 881-890, 891-900, 901-910, 911-920, 921-930, 931-940, 941-950, 951-960, 961-970, 971-980, 981-990, 991-1000</p>	<p>Lot 1-10, 11-20, 21-30, 31-40, 41-50, 51-60, 61-70, 71-80, 81-90, 91-100, 101-110, 111-120, 121-130, 131-140, 141-150, 151-160, 161-170, 171-180, 181-190, 191-200, 201-210, 211-220, 221-230, 231-240, 241-250, 251-260, 261-270, 271-280, 281-290, 291-300, 301-310, 311-320, 321-330, 331-340, 341-350, 351-360, 361-370, 371-380, 381-390, 391-400, 401-410, 411-420, 421-430, 431-440, 441-450, 451-460, 461-470, 471-480, 481-490, 491-500, 501-510, 511-520, 521-530, 531-540, 541-550, 551-560, 561-570, 571-580, 581-590, 591-600, 601-610, 611-620, 621-630, 631-640, 641-650, 651-660, 661-670, 671-680, 681-690, 691-700, 701-710, 711-720, 721-730, 731-740, 741-750, 751-760, 761-770, 771-780, 781-790, 791-800, 801-810, 811-820, 821-830, 831-840, 841-850, 851-860, 861-870, 871-880, 881-890, 891-900, 901-910, 911-920, 921-930, 931-940, 941-950, 951-960, 961-970, 971-980, 981-990, 991-1000</p>							





AECOM
28485 Dupont Boulevard
Millsboro, DE 19966
www.aecom.com

302 933 0200 tel
302 933 0320 fax

November 29, 2023

Mr. Jamie Burk
Town Manager
Town of Millsboro
322 Wilson Highway
Millsboro, DE 19966

**RE: Peninsula Crossing Commercial Retail CTR.
Minor Subdivision and Lot Line Adjustment Plan Review
Tax Parcel Numbers: 233-5.00-115.04 & 233-5.00-115.07**

Dear Mr. Burk:

AECOM has reviewed the Peninsula Crossing Commercial Retail CTR. minor subdivision and lot line adjustment plan prepared by Becker Morgan Group, dated November 13, 2023. The site is located between Handy Road to the west and Commerce Drive to the east and is zoned Highway Commercial (HC). The applicant is seeking to subdivide tax parcels 233-5.00-115.04 and 233-5.00-115.07 from two existing lots into four lots. It is our understanding, the applicant has been granted a variance related to lot frontage (§210-18E(3)) for Parcel 5A by the Millsboro Board of Adjustment. The purpose of this review is to examine the proposed minor subdivision and lot line adjustment plan and ensure compliance with the Town of Millsboro's Code with respect to the Subdivision of Land and Zoning. After our review we offer the following comments:

Procedural/Administrative

1. § 178-6 of the Subdivision Code provide the regulations governing the Minor Subdivisions.
2. § 210-18 of the Zoning Code provides the regulations governing the Highway Commercial (HC) District.

Planning/Technical Issues

1. The applicant received a variance from §210-18E(3) regarding frontage for parcel 5A. The existing lot is being subdivided into two lots with Parcel 5 fronting on Commerce Drive and Parcel 5A lacking any frontage. Parcel 2A (Petsmart) has street frontage on Handy Road.
2. All four parcels meet the minimum parking standards provided in §210-18F per a variance that allows for a 13% reduction in the overall parking.
3. §210-18E(4) permits the minimum side yard requirements to be waived between two retail businesses in the Highway Commercial (HC) District to create a continuous looking building.

After reviewing the Minor Subdivision and Lot Line Adjustment Plan for the Peninsula Crossing Commercial Retail CTR., AECOM considers these revisions to be appropriate and in conformity with the Town of Millsboro code and recommends approval.

If you have any questions or need additional information, please do not hesitate to call.

AECOM

Sincerely,
AECOM



Kyle F. Gulbranson, AICP
Project Manager

Chapter 140. Mercantile Licensing

§ 140-1. Applicability.

[Amended 4-2-2007]

No person shall operate, maintain or otherwise engage in any business, occupation or activity designated hereafter in this chapter without first obtaining an annual license from the Town.

§ 140-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ESTABLISHMENT

A building or part thereof, or each motor or horse-drawn vehicle, or each stand at or from which any merchandise or commodity is dispensed, or facilities or services are provided, to members of the general public or members of an association, club or other body or the like.

PERSON

Includes firms, companies, corporations, partnerships, associations and the like, as well as individuals.

UNIT

One apartment or one single-family dwelling, or 1/2 of a duplex dwelling or one room in a motel, hotel or inn.

§ 140-3. Annual fee.

[Amended 4-2-2007; 8-3-2020]

- A. Any person engaged, for profit, in selling any and all merchandise and/or given commodities and/or providing facilities, services and/or food service within the Town at or from any given establishment shall pay an annual license fee to the Town in such amount as shall be set annually by resolution of the Town Council.
- B. Any person engaged, for profit, in renting rooms, private houses, apartments, condominium units, townhouse units, living units, motel rooms and/or hotel rooms within the Town shall pay an annual fee to the Town in such amount as shall be set annually by resolution of the Town Council for each room, private house, apartment, condominium unit, townhouse unit, living unit, motel room and/or hotel room owned and/or operated by such person.
- C. Solicitors and/or peddlers and/or hawkers, whether on foot, by motor vehicle or by some other mode/method of delivery and/or transportation, engaged in selling any kind of merchandise and/or commodities upon the streets and/or sidewalks and/or other area of the Town open to the public shall pay an annual fee to the Town in such amount as shall be set annually by resolution of the Town Council.

§ 140-4. Applications.

Applications for licenses pursuant to this chapter shall be made annually and shall be addressed to the town in writing and verified by oath or affirmation signed by the applicant. Each applicant shall give the following information:

- A. The home and business address of the applicant.
- B. If the applicant is a partnership, the names and addresses of the individuals composing the partnership.
- C. If the applicant is a corporation, the names and addresses of the principal officers of the corporation.
- D. A full description of the nature of the business or enterprise for which the license is required.
- E. A statement that the applicant has complied with all laws and ordinances of the Town of Millsboro. Falsification or misrepresentation of any statement or activity or the nonpayment of fees, taxes and/or assessments shall subject the applicant to denial or revocation of the license.
- F. For establishments engaged in the sale of alcoholic liquor for on- or off-premises consumption, such application shall contain a statement under oath that the business or establishment for which said license is sought does and/or will, at all times during which the license is in effect, conform to the documentation so submitted.
- G. Authorization for the town, its agents and employees, to seek information and conduct an investigation into the truth of the statements set forth in the application and the qualifications of the applicant for the license; such authority shall include consent for entry upon and into the establishment for purposes of determining compliance with all applicable federal, state and local statutes, ordinances and regulations.
- H. A written declaration by the applicant, under penalty of perjury, that the information contained in the application is true and correct, with said application being duly dated and signed in the town.

§ 140-5. Rental units.

No rental license shall be issued for any rental unit under this chapter until the applicant shall certify, in writing, on a form prepared by the town, that:

- A. Each such rental unit has a functioning smoke detection device and those other safety devices required by the Fire Marshal of Sussex County.
- B. The number and relationship of people per unit or building is in compliance with Chapter **125**, Housing Standards, and Chapter **210**, Zoning.
- C. The license holder shall maintain the appearance of the dwelling, parking area and grounds.
- D. The license holder or applicant has not made any misrepresentation of fact in the license application.
- E. A certification, is attached; said certification shall be issued by the town's Building and Zoning Official or other designee of the Town Council that an inspection has been performed and the unit meets current applicable federal and state laws and local ordinances, including but not limited to the Building Code, Zoning Ordinance and Housing Code, and other health, safety and fire codes applicable within the Town of Millsboro, which the town seeks to enforce.
- F. The unit complies with the off-street parking requirements in the Zoning Ordinance.^[1]

[1] *Editor's Note: See Ch. 210, Zoning.*

§ 140-6. Issuance or refusal of license.

- A. Upon the receipt of an application completed in good order, the Town Manager shall examine such application and shall ascertain by such examination whether the activities indicated and described are in accordance with the requirements of this chapter and all other pertinent laws and ordinances.
- B. If the Town Manager is satisfied that the activities described in the application for a license and the information filed therewith conform to the requirements of this chapter and other pertinent laws and ordinances, the Town Manager shall issue a license to the applicant.
- C. If the application for a license describes an activity or contains information which does not conform to the requirements of this chapter or of other pertinent laws or ordinances, the Town Manager shall not issue a license, but shall return the application to the applicant with the refusal to issue such license. Such refusal shall, when requested, be in writing and shall contain the reasons therefor.

§ 140-7. Suspension or revocation of license; denial of application after written complaint.

- A. Any license issued pursuant to this chapter shall be subject to suspension or revocation by the Town Manager for violation of any provision of this chapter or for any grounds that would warrant the denial or issuance of such license in the first place. The Town Manager, upon revocation or suspension, shall state his reasons in writing and specify the particular grounds for such revocation or suspension.
- B. Upon the receipt of a written complaint concerning the lack of qualification of any license holder or applicant, the Town Manager or his delegate shall investigate and review the facts and may recommend to the Town Council the revocation or suspension of the license or denial of the application.
- C. The Town Council, at the next regular meeting after the filing of a recommendation to revoke, suspend or deny, shall consider the recommendation and for just cause may act to implement it; provided, however, that before an order to revoke, suspend or deny a license shall take effect, the Town Council shall give notice to the license holder or applicant to appear at the next meeting of the Town Council which will be at least 15 days hence to show cause why the Town Council should not take such action.

§ 140-8. Exemptions.

- A. No license fee shall be charged for a license issued to a charitable or public-service institution, association, club or body not organized and conducted for private gain, nor shall the town be charged for licenses.
- B. No license is required for flea market sales or yard sales conducted on the premises for the sale of personal property owned by the owner or lessee of the land and the principal building located on the parcel where the sale is to be conducted; provided, however, that not more than three flea market sales or yard sales shall be conducted in each calendar year on said premises.

§ 140-9. License year.

The license year shall begin January 1 and end December 31 of each calendar year.

§ 140-10. Form of license; records.

The town shall prescribe the form of the establishment license certificate to be issued to applicants and keep full and complete records of all licenses issued and the expiration dates thereof and the license fee charged.

§ 140-11. Posting of licenses.

All licenses issued under this chapter shall be posted in a public place in the establishment, at the place of business for which it is issued, or, as the case may be, shall be carried on the person of the licensee.

§ 140-12. Tax requirements.

No license shall be issued under this chapter to be used upon a premises upon which any taxes or assessment due the Town of Millsboro are due but not paid.

§ 140-13. License required annually.

Annual licenses must be obtained prior to opening, starting or continuing any business, occupation or activity as described in this chapter for any license year.

§ 140-14. Legal business uses required.

It shall be a condition to the issuance of any and all licenses under this chapter that the business, occupation or activity licensed shall be used and operated only for lawful purposes. The right of the Town Council of the Town of Millsboro, Delaware, in its discretion, to refuse to grant any license and to revoke any license previously granted is hereby specifically reserved.

§ 140-15. Violations and penalties.

[Amended 8-3-2020]

Any person who shall violate or fail to conform to any of the provisions of this chapter shall be subject to monetary penalties under this section, in such amount per violation as shall be set annually by resolution of the Town Council, as well as the Town's costs and expenses, including reasonable attorneys' fees, incurred to enforce the provisions of this chapter and/or to collect the penalties or any other fees, costs or expenses imposed hereunder. Penalties assessed for a violation of this chapter shall be considered civil penalties, and any action brought for the recovery of the penalties by the Town shall be brought in any civil court of competent jurisdiction.

§ 210-20 **Residential Planned Community (RPC) District.**

~~**J. Minimum lot area and width.** The minimum lot area and minimum lot width of detached single-family dwelling lots established within the development shall not be less than 2/3 of the normal minimum lot area and minimum lot width required for detached single-family dwellings in the district in which the lot is located. In no case shall a detached single-family lot be created with an area of less than 6,000 square feet or a lot width of less than 60 feet.~~

J. The minimum lot area and lot width of detached single-family dwelling lots established within the development shall not be less than 2/3 of the normal minimum lot area and 3/4 of the minimum width required for detached single-family dwellings in the district in which the lot is located. In no case shall a detached single-family lot be created with area less 8000 square feet or a lot width of less than 75 feet. Setbacks shall not be reduced for detached single-family dwellings.

AN ORDINANCE AMENDING THE CODE OF THE TOWN OF MILLSBORO BY CREATING A NEW CHAPTER 136, MARIJUANA, AND BY REVISING EXISTING CHAPTER 140, MERCANTILE LICENSING, § 140-14, TO PROHIBIT THE PUBLIC SMOKING OF MARIJUANA PRODUCTS AND TO PROHIBIT THE ISSUANCE OF MERCANTILE LICENSES FOR MARIJUANA ESTABLISHMENTS, INCLUDING MARIJUANA PRODUCT MANUFACTURING FACILITIES, MARIJUANA TESTING FACILITIES, MARIJUANA CULTIVATION FACILITIES, RETAIL MARIJUANA STORES, AND ANY COMMERCIAL ESTABLISHMENT, SUCH AS A MARIJUANA SMOKING LOUNGE OR CAFÉ, THAT ALLOWS PATRONS TO CONSUME, SMOKE OR PARTAKE IN MARIJUANA PRODUCTS WITHIN THE JURISDICTIONAL LIMITS OF THE TOWN OF MILLSBORO.

WHEREAS, the State of Delaware recently enacted the Delaware Marijuana Control Act, 4 Del.C. § 1301, *et seq.*, which, among other things, allows for the lawful operation of marijuana establishments, including marijuana product manufacturing facilities, marijuana testing facilities, marijuana cultivation facilities, and retail marijuana stores, as such establishments are defined in 4 Del.C. § 1302; and

WHEREAS, 4 Del.C. § 1351 provides that municipalities may prohibit the operation of such marijuana establishments through the enactment of an ordinance; and

WHEREAS, the Town Council of the Town of Millsboro ("Town) has determined that the operation of marijuana establishments within the jurisdictional limits of the Town does not promote the public health, safety and welfare of the citizens of the Town; and

WHEREAS, therefore, the Town Council desires to amend the Town Code by creating a new Chapter 136, Marijuana, and by revising existing Chapter 140, Mercantile Licensing, § 140-14, to prohibit the public smoking of marijuana products and to prohibit the issuance of mercantile licenses for marijuana establishments, including marijuana product manufacturing facilities, marijuana testing facilities, marijuana cultivation facilities, retail marijuana stores, and any commercial establishment, such as a marijuana smoking lounge or café, that allows patrons to consume, smoke or partake in marijuana products.

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Millsboro, in session met, a quorum pertaining at all times thereto, that the Town Code of the Town of Millsboro be and is hereby amended as follows:

Item 1:

Amend the Town Code of the Town of Millsboro by adding a new **Chapter 136, Marijuana**, as follows:

Chapter 136
MARIJUANA

§ 136-1. Smoking.

Smoking marijuana, or any other matter or substance that contains marijuana, shall be prohibited at all times in all public places within the jurisdictional limits of the Town of Millsboro.

§ 136-2. Prohibition of Marijuana Establishments.

Within the jurisdictional limits of the Town of Millsboro, no person shall operate, maintain or otherwise be engaged in any entity defined as a marijuana establishment (including a marijuana product manufacturing facility, marijuana testing facility, marijuana cultivation facility, and retail marijuana store, as such establishments are defined in 4 Del.C. § 1302) or any entity operating a commercial establishment, such as a marijuana smoking lounge or café, that allows patrons to consume, smoke or partake in marijuana products. The foregoing prohibition shall apply to for profit and non-profit entities alike.

§ 136-3. Violations and penalties.

Any person who shall violate or fail to conform to any of the provisions of this chapter shall be subject to monetary penalties under this section, in such amount per violation as shall be set annually by resolution of the Town Council, as well as the Town's costs and expenses, including reasonable attorneys' fees, incurred to enforce the provisions of this chapter and/or to collect the penalties or any other fees, costs or expenses imposed hereunder. Penalties assessed for a violation of this chapter shall be considered civil penalties and any action brought for the recovery of the penalties by the Town shall be brought in any civil court of competent jurisdiction.

Item 2:

Amend § 140-14. **Legal business uses required**, as follows (removed language is stricken through; new language is underlined):

It shall be a condition to the issuance of any and all licenses under this chapter that the business, occupation or activity licensed shall be used and operated only for lawful purposes, except that no license shall be issued for any marijuana establishment (including any marijuana product manufacturing facility, marijuana testing facility, marijuana cultivation facility, and any retail marijuana store, as such establishments are defined in 4 Del.C. § 1302) or for any commercial establishment, such as a marijuana smoking lounge or café, that allows patrons to consume, smoke or partake in marijuana products. The right of the Town Council of the Town of Millsboro, Delaware, in its discretion, to refuse to grant any license and to revoke any license previously granted is hereby specifically reserved.

I, Kimberley M. Kaan, Secretary of the Town Council of the Town of Millsboro, do hereby certify that the foregoing is a true and correct copy of an Ordinance passed by the Town Council at its Regular Meeting held on December 4, 2023, at which a quorum was present and voting throughout and that the same is still in full force and effect.

Kimberley M. Kaan, Secretary

RESOLUTION TO AMEND THE CHARTER OF THE TOWN OF MILLSBORO, CHAPTER 457, VOLUME 60, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF MILLSBORO", SECTION 30, ENUMERATION OF POWERS, TO AUTHORIZE THE TOWN TO IMPOSE A LODGING TAX FOR THE OCCUPANCY OF ANY ROOM OR ROOMS IN A HOTEL, MOTEL, OR TOURIST HOME LOCATED WITHIN THE JURISDICTIONAL BOUNDARIES OF THE TOWN OF MILLSBORO.

WHEREAS, the Charter of the Town of Millsboro does not presently authorize the imposition of a lodging tax for the occupancy of any room or rooms in a hotel, motel, or tourist home located within the jurisdictional boundaries of the Town of Millsboro; and

WHEREAS, the Town Council of the Town of Millsboro has determined that the imposition of a lodging tax is appropriate given the impact of hotel and motel patrons on the Town's infrastructure and the Town Council's duty to promote health, safety and welfare in the community; and

WHEREAS, the Town has a continuing need to identify fair and predictable sources of revenue to fund the provision of services and infrastructure maintenance improvements; and

WHEREAS, accordingly, the Town Council deems it in the best interest of the Town to seek an amendment to the Charter to include the authority to impose a lodging tax on the list of enumerated powers that may be exercised by the Town Council set forth in Section 30 of the Charter.

NOW THEREFORE, BE IT RESOLVED by the Town Council of the Town of Millsboro, in session met, a quorum pertaining at all times thereto, that the following proposed amendments to the Charter of the Town of Millsboro, Chapter 457, Volume 60, Laws of Delaware, as previously amended, be and hereby are adopted:

Amend and revise § 30, Enumeration of powers, by adding a new subparagraph (50) to the end thereof, which shall read as follows:

(50) To impose and collect a lodging tax up to the maximum allowable amount by State law for the occupancy of any room or rooms in a hotel, motel, or tourist home located within the jurisdictional boundaries of the Town of Millsboro, and as defined in 30 Del. C. § 6101.

BE IT FURTHER RESOLVED, that the Town Manager is authorized to forward this Resolution and whatever documentation that may be required to Senator Gerald W. Hocker and/or Representative Richard G. Collins so that the same may be introduced to the General Assembly.

I, Kimberley M. Kaan, Secretary of the Town Council of the Town of Millsboro, do hereby certify that the foregoing is a true and correct copy of a Resolution passed by the unanimous vote of all members of the Town Council, at its Regular Meeting held on December 4, 2023, at which a quorum was present and voting throughout and that the same is still in full force and effect.

Kimberley M. Kaan, Secretary

MISC BILLINGS- NEW BALANCE					
11/30/2023					
Date	Acct	Name	Amount		Rpt Code
6/6/2023	1223	Morris & Ritchie Associates	1.98		GenMis
8/11/2023	224	Pennoni	5.47		GenMis
8/11/2023	224	Pennoni	82.89		GenMis
9/11/2023	324	1-33 Assciates, LLC	9.04		GenMis
9/11/2023	324	MRA	10.44		GenMis
9/11/2023	324	MRA	42.19		GenMis
9/11/2023	324	Pennoni	5.47		GenMis
9/11/2023	324	Pennoni	53.15		GenMis
9/11/2023	324	Pennoni	34.70		GenMis
10/12/2023	424	MRA	10.44		GenMis
10/12/2023	424	MRA	42.19		GenMis
10/12/2023	424	Becker Morgan Group	24.33		GenMis
10/12/2023	424	Becker Morgan Group	12.89		GenMis
10/12/2023	424	D, B & F	1.24		GenMis
10/12/2023	424	D, B & F	17.37		GenMis
10/12/2023	424	D, B & F	2.63		GenMis
10/12/2023	424	Pennoni	5.47		GenMis
10/12/2023	424	Pennoni	53.15		GenMis
10/12/2023	424	Pennoni	34.70		GenMis
11/15/2023	524	Becker Morgan Group	0.36		GenMis
11/15/2023	524	Becker Morgan Group	0.19		GenMis
11/15/2023	524	D, B & F	1.24		GenMis
11/15/2023	524	D, B & F	17.37		GenMis
11/15/2023	524	D, B & F	2.63		GenMis
11/15/2023	524	D, B & F	76.47		GenMis
11/27/2023	524	MRA	0.16		GenMis
11/27/2023	524	MRA	42.19		GenMis
11/27/2023	524	Pennoni	5.47		GenMis
11/27/2023	524	Pennoni	53.15		GenMis
11/27/2023	524	Pennoni	34.70		GenMis
11/27/2023	524	Pennoni	21.75		GenMis
		GEN MISC TOTAL	705.42		
7/1/2022	Apr	Merck	4,320.00	Ellis St	Rent
7/1/2023	124	Danny Alo	575.00	Dec Railroad	Rent
7/1/2023	124	Danny Alo	575.00	Jan Railroad	Rent
7/1/2023	124	Danny Alo	575.00	Feb Railroad	Rent
7/1/2023	124	Danny Alo	575.00	Mar Railroad	Rent
7/1/2023	124	Danny Alo	575.00	Apr Railroad	Rent
7/1/2023	124	Danny Alo	575.00	May Railroad	Rent
7/1/2023	124	Danny Alo	575.00	June Railroad	Rent
7/1/2023	124	Greater Millsboro Chamber of Com	600.00	Dec - Main St	Rent
7/1/2023	124	Greater Millsboro Chamber of Com	600.00	Jan - Main St	Rent
7/1/2023	124	Greater Millsboro Chamber of Com	600.00	Feb - Main St	Rent
7/1/2023	124	Greater Millsboro Chamber of Com	600.00	Mar- Main St	Rent
7/1/2023	124	Greater Millsboro Chamber of Com	600.00	Apr- Main St	Rent
7/1/2023	124	Greater Millsboro Chamber of Com	600.00	May - Main St	Rent
7/1/2023	124	Greater Millsboro Chamber of Com	600.00	June - Main St	Rent
		RENT FEE TOTAL	12,545.00		

MISC BILLINGS- NEW BALANCE					
11/30/2023					
Date	Acct	Name	Amount		Rpt Code
3/11/2021	921	Knollwood Development	1,658.40	Alderleaf	engineering fees
7/3/2023	124	Pennoni	364.65	Millsboro Towne Lakes	engineering fees
8/11/2023	224	MRA	2,812.43	TIDALHEALTH	engineering fees
8/11/2023	224	Pennoni	3,543.38	Millsboro Towne Lakes	engineering fees
8/11/2023	224	Pennoni	2,313.30	Millsboro Towne Lakes	engineering fees
8/11/2023	224	Pennoni	2,073.59	Foster Commons	engineering fees
10/12/2023	424	D, B & F	5,097.68	Somerton Chase	engineering fees
10/12/2023	424	Pennoni	1,449.67	Millsboro Towne Lakes	engineering fees
11/15/2023	524	Davis, Bowen & Friedel	1,923.90	Somerton Chase	engineering fees
11/15/2023	524	Lennar	1,275.70	Plantation Lakes	engineering fees
11/15/2023	524	Lennar	4,836.26	Plantation Lakes	engineering fees
11/15/2023	524	Lennar	5,008.92	Plantation Lakes	engineering fees
11/15/2023	524	Lennar	45,073.69	Plantation Lakes	engineering fees
11/15/2023	524	Millsboro Medical Bldg	1,457.34	Old Landing Rd	engineering fees
11/15/2023	524	Millwood Acq	2,539.08	Westtown Village	engineering fees
11/15/2023	524	Rauch, Inc	914.65	Preston Site Plan	engineering fees
11/15/2023	524	Rauch, Inc	3,237.05	Preston Site Plan	engineering fees
		ENGINEERING FEE TOTAL	85,579.69		
5/28/2015	1115	Tana Simpson- Warren	180.00	1117 Houston Acres ser # 7	Mtr-parts
10/24/2023	424	George Holroyd	40.00	312 Branch Way	Mtr-parts
10/24/2023	424	Sussex LIHTC, LLC	5,460.00	21apts Mill Chase	Mtr-parts
10/24/2023	424	Sandra Rippon	260.00	310 Branch Way	Mtr-parts
10/24/2023	424	Moore, Moore & Lind, Inc	10.50	28448 DuPont Blvd	Mtr-parts
11/15/2023	524	Merck	9,529.45	State/Delaware Ave	Mtr-parts
11/28/2023	524	Stanton Adkins	260.00	207 Millstone Ln	Mtr-parts
11/28/2023	524	Mary Zeman	260.00	229 Magnolia Dr	Mtr-parts
11/28/2023	524	John Brady	260.00	328 Blossom Way	Mtr-parts
11/28/2023	524	Chelina Tunnell	520.00	324 Derby Way	Mtr-parts
11/28/2023	524	Victoriano Ramirez	260.00	120 Laurel Rd	Mtr-parts
		MTR/PRTS TOTAL	17039.95		
2/19/2015	815	Norman & Karen Laffey	100.00	23517 Tristan Lane 2/16/20	On/Off Wtr
		ON/OFF WTR TOTAL	100.00		
2/7/2020	820	Arcardis	708.45	Church St	Sewer Revenue
6/21/2021	1221	Tonald Trucking	226.71	Old Lanidng Rd & Mitchell	Sewer Revenue
11/15/2023	524	ABC Farms	386.20	White Farm Electric	Sewer Revenue
		SEWER REVENUE TOTAL	1,321.36		
		GRAND TOTAL	117,291.42		
NEW BALANCE		DEBITS	CREDIT	Error on prior report bal	OLD BALANCE
117,291.42		333,708.53	262,106.52	0.15	45,689.56

Town of Millsboro
Building Permits
November 2023

Permit#	Owner Name	Property Address	Work Description	Zoning	Cust #	Tax #	Work Cost	Permit Fee
B-011124	MARC WILLIAMS	37000 HAVELOCK CT	10x28 DECK w/STAIRS, SCREEN EXISTING PORCH, 4x8 TRASH ENCL	RPC	10978	05815	\$ 19,346.00	\$ 180.00
B-011126	D K R INVESTMENTS	28632 DUPONT BLVD	HARBOR FREIGHT WALL/TENANT PANEL SIGNS	HC	00008	00001	\$ 21,000.00	\$ 185.00
B-011127	ELAINE ISKANDAR	25120 ASPEN CIR	4' WHITE VINYL PICKET FENCE w/1 GATE	RPC	11342	03857	\$ 3,917.00	\$ 100.00
B-011128	PATRICK BRADY	31314 OLNEY WAY	4' BLACK ALUMINUM PICKET FENCE w/1 GATE	RPC	10450	05620	\$ 4,173.00	\$ 105.00
B-011105	LENCRAFT, LLC	37111 HAVELOCK CT	THE CAPTIVA	RPC	03082	05774	\$ 636,836.28	\$ 2,384.00
B-011113	LENCRAFT, LLC	34279 GRAHAM CIR	THE DORCHESTER	RPC	03082	05909	\$ 701,022.39	\$ 2,514.00
B-011106	LENCRAFT, LLC	34271 GRAHAM CIR	THE DOVER	RPC	03082	05901	\$ 595,300.20	\$ 2,302.00
B-011132	MELINDA RODRIGUEZ-MENDEZ	20472 ASHEVILLE DR	6' WHITE PRIVACY FENCE w/1 GATE	RPC	11021	04714	\$ 2,450.00	\$ 95.00
B-011118	LENCRAFT, LLC	34291 GRAHAM CIR	THE CAPTIVA	RPC	03082	05919	\$ 595,531.80	\$ 2,302.00
B-011121	CALEB MILLSBORO, LLC	25036 ASPEN CIR	THE DOMINICA SPRING	RPC	08514	03890	\$ 369,712.08	\$ 1,445.00
B-011108	LENCRAFT, LLC	34255 GRAHAM CIR	THE DOVER	RPC	03082	05888	\$ 639,675.78	\$ 2,390.00
B-011117	QUAY N LIEU	25238 SWEETGUM WAY	FINISH BASEMENT	RPC	11570	03946	\$ 34,177.00	\$ 255.00
B-011119	LENCRAFT, LLC	34214 GRAHAM CIR	THE JESSUP	RPC	03082	05858	\$ 435,753.57	\$ 1,643.00
B-011129	THOMAS WARD	33351 WRIGHT WAY	6' WHITE VINYL PRIVACY FENCE w/1 GATE	RPC	11086	05458	\$ 3,159.00	\$ 100.00
B-011104	LENCRAFT, LLC	34259 GRAHAM CIR	THE CAPTIVA	RPC	03082	05890	\$ 596,870.56	\$ 2,304.00
B-011131	MAUREEN GRADY-DEQUEVEDO	20843 BRUNSWICK LN	ENCLOSE EXISTING PORCH w/GLASS WALLS	RPC	11218	04758	\$ 11,985.00	\$ 140.00
B-011135	LENCRAFT, LLC	34299 GRAHAM CIR	THE DORCHESTER	RPC	03082	05923	\$ 705,442.83	\$ 2,522.00
B-011134	RYAN MADDOX	31342 OLNEY WAY	84x84 HOT TUB	RPC	10501	05625	\$ 12,000.00	\$ 140.00
B-011136	JAMES MOUNTAZALLA	25039 ASPEN CIR	4' WHITE VINYL PICKET FENCE	RPC	11348	03930	\$ 3,953.00	\$ 100.00
B-011137	THOMAS CROCE	25181 LUMBERTON DR	4' BLACK ALUMINUM PICKET FENCE w/2 GATES	RPC	11482	02776	\$ 4,203.00	\$ 105.00
B-011133	LENCRAFT, LLC	37091 HAVELOCK CT	10x12 DECK w/STAIRS	RPC	03082	05771	\$ 6,570.00	\$ 115.00
B-011138	BENSON BRUCE	25234 SWEETGUM WAY	4' WHITE VINYL PICKET FENCE w/2 GATES	RPC	07976	03944	\$ 4,943.00	\$ 105.00
B-011142	DAVID R THOMAS	20511 N CHARLOTTE BLVD	REPLACE EXISTING SCREEN PORCH w/WALLS, VINYL WINDOWS	RPC	08098	04802	\$ 6,822.00	\$ 115.00
B-011140	LENCRAFT, LLC	37125 HAVELOCK CT	12x14 DECK w/STAIRS	RPC	03082	05776	\$ 8,325.00	\$ 125.00
B-010354	DENNIS SHELL	31357 OLNEY WAY	29x22 PAVER PATIO w/SITTING WALL	RPC	10347	05631	\$ 12,500.00	\$ 145.00
B-011062	RAMAN RAJA	29456 GLENWOOD DR	12x18 2ND FLR DECK, REM/REPL 1ST FLR DECK, 2ND FLR WINDOWS	RPC	04232	02833	\$ 10,800.00	\$ 135.00
B-011146	LENCRAFT, LLC	37161 HAVELOCK CT	10x12 DECK w/STAIRS	RPC	03082	05782	\$ 6,570.00	\$ 115.00
B-011130	THERESE GOLDBERG	37018 HAVELOCK CT	14x18 DECK	RPC	11336	05812	\$ 23,437.32	\$ 200.00
B-011145	LENCRAFT, LLC	37131 HAVELOCK CT	10x12 DECK w/STAIRS	RPC	03082	05777	\$ 9,195.00	\$ 130.00
B-011144	DALE D DUNNING	32068 MADISON ST	6x10 PERGOLA	RPC	09762	05240	\$ 1,200.00	\$ 90.00
B-011147	THOMAS CHURCHILL	11 NASH CIRCLE	REPLACING EXISTING DECK PLATFORMS & STEPS	MH	06964	00793	\$ 1,200.00	\$ 90.00
B-011149	226 MAIN ST, LLC	226 MAIN ST	TENANT FIT-OUT - NECTAR	UB	03064	00329	\$ 52,000.00	\$ 418.00
B-011141	PAUL PULLARA	30008 PLB	SOLAR PANELS	RPC	09970	04203	\$ 31,585.00	\$ 240.00
B-011139	TREVOR C GALLAGHER	130 DELAWARE AVE	4' FENCE w/3 GATES	MR	09397	00961	\$ 1,621.00	\$ 90.00
B-011151	CALEB MILLSBORO, LLC	25050 ASPEN CIR	THE GRAND BAHAMA	RPC	08514	03885	\$ 252,593.94	\$ 1,094.00
B-011112	RONALD J HANKINS	21055 BRUNSWICK LN	14x20 DECK	RPC	08607	04787	\$ 13,690.00	\$ 150.00
B-011150	LENCRAFT, LLC	37099 HAVELOCK CT	11x13 SCREEN PORCH w/STAIRS	RPC	03082	05772	\$ 9,200.00	\$ 130.00
B-011035	IVSHA BIDDLE	27013 GREENLEAF DR	16x20 DECK w/STAIRS	RPC	10956	03844	\$ 17,780.00	\$ 170.00

Total Permits = 38

New Home = 10

Residential Renovations = 26

Commercial = 2