



**Town Council
Town of Millsboro**

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

Jamie Burk, Town Manager

**TOWN COUNCIL
REGULAR MEETING**

June 6, 2022

MINUTES

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

Public comment: A resident commented on second water meters.

Secretary's report: Kells submitted the May regular meeting minutes and made a motion that Council approves them as written. Gum seconded. The motion was carried unanimously.

Treasurer's report:

Gum made a motion that the Town pays the invoices from the designated accounts as recommended by staff. Cordrey seconded. The motion was carried unanimously.

Budget:

Thoroughgood made a motion to adopt the fiscal year 2023 budget that was discussed during the budget "work session." Kells seconded. The motion was carried unanimously.

Cordrey made a motion to appropriate the funds for the fiscal year 2023 budget. Gum seconded. The motion was carried unanimously.

Millsboro Fire Company update: O'Neal mentioned the department had been extremely busy.

Police Department's report:

Chief Brian Calloway stated Sgt. Evan Rogers received training on Internal Affairs Investigations, on May 3 hosted by the Delaware State Police Academy.

Chief Calloway mentioned PFC Dallas Millner attended a Law Enforcement Wellness conference hosted by the Delaware State Troopers Association (DSTA) on May 17.

Chief Calloway stated several community events had been scheduled. On May 21, members of the Department participated in the annual Plantation Lakes Community Day. Also, on May 21, Sgt. Evan Rogers drove the Millsboro Antique Police car in the Northeast Car Rally which benefits the Millsboro Fire Department and the Whiskers for Wishes program. From June 27–to July 1, the Millsboro Police Youth Academy is scheduled to be held at the Millsboro Town Center. On July 4, the Celebration and Children's Parade will be held at St. Marks Church. Lastly, on September 10 the Millsboro Bicycle Rodeo is scheduled to be held in the Lowes parking lot.

With regard to the Office of Highway Safety, there were 3 initiatives worked during the month of May.

Chief Brian Calloway stated James Rieley and Matthew Hooker had graduated from the Dover Police Academy on May 27 and were introduced to Mayor and Council; congratulations were offered.

Chief Calloway indicated that Sgt. David Moyer had met all requirements and was eligible to be promoted to the rank of Lieutenant. Cordrey made a motion to promote Officer Moyer. O'Neal seconded. The motion was carried unanimously.

Lastly, Chief Calloway presented Lt. Robert Legates with a retirement award and thanked him for his 20 years of dedicated service to the Town of Millsboro.

Public hearing:

A PUBLIC HEARING WILL BE HELD ON JUNE 6, 2022, AT 7:00PM, AT THE MILLSBORO TOWN CENTER, 322 WILSON HIGHWAY, MILLSBORO, DELAWARE, CONCERNING THE TOWN COUNCIL'S RESOLUTION PROPOSING TO ANNEX CERTAIN TERRITORY, CONTIGUOUS TO THE PRESENT LIMITS OF THE TOWN OF MILLSBORO, ONE PARCEL THEREOF OWNED BY ELIZABETH P. HODGES, IDENTIFIED AS SUSSEX COUNTY TAX MAP AND PARCEL NO. 233-5.00-3.00, CONTAINING 9218.8 SQUARE FEET, MORE OR LESS, AND ONE PARCEL THEREOF OWNED BY J & Y PARKER FAMILY LIMITED PARTNERSHIP, IDENTIFIED AS SUSSEX COUNTY TAX MAP AND PARCEL NO. 233-5.00-4.00, CONTAINING 9175.6 SQUARE FEET, MORE OR LESS, AND PROPOSING TO AMEND THE ZONING MAP AND ZONING ORDINANCE OF THE TOWN OF MILLSBORO TO INCLUDE SAID TERRITORY IN THE COMMERCIAL (C) DISTRICT

Kenneth Christenbury P.E. of Axiom Engineering, LLC presented the annexation request of Fallbrooke Properties, LLC and the request for the property to be zoned commercial.

Thoroughgood made a motion to close the public hearing. Kells seconded. The motion was carried unanimously.

Parks and Recreation:

Cupola Park open space resolution: Carrie Kruger, PE, town engineer presented the resolution to maintain Cupola Park as a public park. Lingo made a motion to approve the resolution as presented. Thoroughgood seconded. The motion was carried unanimously.

Dam Mill 5k Run: John Hall stated the 39th annual Dam Mill Run would take place on July 23. Thoroughgood made a motion to allow the run to take place. Cordrey seconded. The motion was carried unanimously.

Mayor's report:

Employee of the month—May: Burk acknowledged Joyce Angellella as the May Employee of the Month recipient.

JUDS services contract: Matthew Hall, director of finance and technology presented the proposal from Jefferson, Urian, Doane & Sterner, P.A. for select accounting services. Lingo made a motion to approve the contract as presented. Gum seconded. The motion was carried unanimously.

Proposed change – § 127-6 of the Code of the Town of Millsboro: Hall introduced a proposed change to section § 127-6 of the code. Schrider-Fox will draft the proposed changes and present them next month.

Annexation request and possible zoning amendment— Fallbrooke Properties LLC: Burk presented the request. O'Neal made a motion to table this request until the future land use map has been approved by the State. Kells seconded. The motion was carried unanimously.

Annexation request – Somerton Chase: Ring Lardner, PE of Davis, Bowen & Friedel, Inc. presented the annexation request for Somerton Chase. Hodges appointed an annexation committee and asked Thoroughgood, O'Neal, and Cordrey to serve thereon—designating Thoroughgood as chair.

Lot line adjustment - Airbase Carpet Mart: George ("Kenny") Niblett, director of public works presented the request for a lot line adjustment for the Airbase Carpet Mart. Niblett mentioned a parking variance had previously been approved by the Board of Adjustment. Thoroughgood made a motion to approve the lot line adjustment. Gum seconded. The motion was carried unanimously.

Streets:

West State Street improvements project: Burk stated the sidewalk project had been completed.

Water and Sewer:

Utility adjustment request 428 Old Landing Road: Hall relayed a request from 428 Old Landing Rd requesting penalties and late fees be waived from their water and sewer bill. Kells made a motion to waive penalties and late fees. Thoroughgood seconded. The motion was carried unanimously.

Olney Way water treatment facility field change updates: Kruger presented the FRP filter cover change. No action is needed.

Olney Way water treatment facility time extension change order: Kruger presented the GHD change order request of a 205-calendar day extension to the substantial completion date. After much discussion, Lingo made a motion to grant a 30-day extension. Kells seconded. The motion was carried unanimously.

Continued Ventures Annexation and Development agreement: Dennis Schrader of Morris James, LLP presented the annexation request and the development agreement for Continued Ventures, LLC. Thoroughgood made a motion to approve the request as presented. O'Neal seconded. The motion was carried unanimously.

Landscaping requirements in zoning code: Schrider Fox and Niblett presented the draft language to §210.35 of the code. O'Neal made a motion to accept the draft language of §210.35 and schedule a public hearing for July 5. Lingo seconded. The motion was carried unanimously.

East Stormwater Management improvement project update: Kruger stated engineers are working on computing stormwater management areas.

Mediacom license agreement: Mediacom is still working on a draft agreement.

White Farm wastewater treatment plant recommendation to award: Ms. Kruger recommended the contract be awarded to KCI Engineering, the lowest responsive responsible bidder. Gum made a motion to award the project to KCI Engineering. Lingo seconded. The motion was carried unanimously.

State Street wastewater treatment plant upgrade feasibility study recommendation to award: Ms. Kruger recommended the feasibility study contract be awarded to RK & K Engineering based on the engineering qualifications evaluation. Cordrey made a motion to award the study to RK & K Engineering. Kells seconded. The motion was carried unanimously.

Posting of properties requesting annexation: Burk presented possibly adding another layer of notifying the public of annexations or rezonings.

Town social media: Town Staff and Schrider-Fox will research.

Recess: At 9:00 p.m., Kells made a motion that Council recess until 9:05 p.m. Cordrey seconded. The motion was carried unanimously.

[Executive session]

Call to order: At 10:04 p.m., Cordrey made a motion to go back into regular session. Kells seconded. The motion was carried unanimously.

Cordrey made a motion approving the 2 employee contracts as discussed in the executive session. O'Neal seconded. The motion was carried unanimously.

Lingo made a motion to approve the pay scale adjustment presented by the town manager including the base pay for new hires as discussed in the executive session. Kells seconded. The motion was carried unanimously.

Adjournment: With no further business, Cordrey made a motion to adjourn. Kells seconded. The motion was carried unanimously.

Respectfully submitted,



James Kells
Secretary

JK:JB:jd