



**Town Council
Town of Millsboro**

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Mayor Michelle Truitt
Vice Mayor Tim Hodges
Pro Tem John Thoroughgood
Secretary James Kells
Treasurer Bradley Cordrey
Councilperson Ron O'Neal
Councilperson Larry Gum

Sheldon P. Hudson, Town Manager

**TOWN COUNCIL
REGULAR MEETING
March 2, 2020**

MINUTES

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

Pledge of allegiance: Mayor Truitt led the pledge.

Public hearings:

Schrider-Fox opened the below public hearings.

- (1) *AMENDING THE COMPREHENSIVE PLAN FOR THE TOWN OF MILLSBORO, BY AMENDING MAP 5, FUTURE LAND USE, TO DESIGNATE TAX MAP AND PARCEL NO. 1-33 11.00 5.01 AS HIGHWAY COMMERCIAL, AND BY AMENDING MAP 6, ANNEXATION PHASES, TO DESIGNATE TAX MAP AND PARCEL NO. 1-33 11.00 5.01 AS A PHASE 1 ANNEXATION AREA WITHIN THE ANNEXATION BOUNDARY.*
- (2) *PROPOSED ANNEXATION OF CERTAIN TERRITORY, CONTIGUOUS TO THE PRESENT LIMITS OF THE TOWN OF MILLSBORO, OWNED BY VIRGINIA KAUFFMAN, RUTHI ADAMS JOSEPH, MEL JOSEPH, JR., KENNETH P. ADAMS, TRACY L. ADAMS AND JOE ANN ADAMS, LOCATED ALONG US ROUTE 113, IDENTIFIED AS TAX MAP AND PARCEL NO. 1-33 11.00 5.01, CONTAINING 39.281436 ACRES OF LAND, MORE OR LESS AND CONCERNING THE PROPOSED AMENDMENT OF THE ZONING MAP AND ZONING ORDINANCE OF THE TOWN OF MILLSBORO TO INCLUDE SAID TERRITORY IN THE HIGHWAY COMMERCIAL (HC) DISTRICT.*

Kyle Gulbranson, senior project manager for AECOM stated the amendment of the comprehensive plan would need to be approved before the annexation could be considered.

David Hutt of Morris James Wilson Halbrook & Bayard and Ken Usab of Morris & Ritchie Associates represented the annexation applicant.

With no public comments or questions for either public hearing, Cordrey made a motion to close both public hearings. Gum seconded. 6 voted yes; Thoroughgood was absent.

Hodges made a motion to amend the Town's future land use plan for parcel no. 1-33 11.00 5.01 to highway commercial (HC). Kells seconded. 6 voted yes; Thoroughgood was absent.

Hodges made a motion to approve the annexation of parcel no. 1-33 11.00 5.01 with a highway commercial (HC) designation and to accept a payment plan of the annexation fees of 20% for 5 years. Cordrey seconded. 6 voted yes; Thoroughgood was absent.

Secretary's report: Kells made a motion to accept February draft minutes and that Council approve them as written. Gum seconded. 6 voted yes; Thoroughgood was absent.

Treasurer's report: Cordrey made a motion that the Town pay the invoices as recommended. Hodges seconded. 6 voted yes; Thoroughgood was absent.

Millsboro Fire Company update: Gum stated the Millsboro Fire Company had handled 252 EMS calls and 33 fire-related calls during the month of February. Gum also mentioned the Department would be hosting a hospitality night on February 21. On February 26, May day training was held. Gum also mentioned residents download the Smart911 application.

Police Department's report:

Chief Brian Calloway stated that PFC Liana Dodson and Patrolman John Wharton attended Active Law Enforcement Rapid Response training (ALERRT) February 4 & 5 in Wilmington DE.

On February 28, Adrian Acri graduated from the 5th Civilian Delaware State Police Leadership Development Program.

On February 18, the Department's Victim Services Specialist, Shea Wise received a donation of quilts from the Millsboro Art League to be donated to victims of domestic violence.

Chief Calloway presented a request for a Special Law Enforcement Assistance Fund (SLEAF) grant to Council. The grant funds would be used for camera equipment for the purpose of enhancing the suppression, investigation and prosecution of criminal activity. The system would cost \$2,040.10. Cordrey made a motion to approve the request. O'Neal seconded. 6 voted yes; Thoroughgood was absent.

With regard to the Office of Highway Safety, during the month of February, there was 1 patrol—with 7 tickets written.

Chief Calloway previously presented the 2019 Annual Report to Council.

Chief Calloway indicated that Patrolman Michael Gorman had met all requirements and was eligible to be promoted to the rank of Corporal. Hodges made a motion to promote Officer Gorman. Cordrey seconded. 6 voted yes; Thoroughgood was absent.

Water and sewer:

Cost-sharing agreement for new water treatment plant: Schrider-Fox stated the agreement is being reviewed.

Easement agreement—Manufacturers and Traders Trust Company: Burk indicated that the Town was still in the process of attempting to secure easements.

Lease agreement—ABC Farms: Burk stated some minor changes were made to the agreement and was ready for approval. Hodges made a motion to accept the lease agreement for ABC Farms. Kells seconded. 6 voted yes; Thoroughgood was absent.

Drainage Basin 5B Pumping Station Engineering Services Agreement: Carrie Kruger of Duffield Associates, Inc. presented a proposal for planning phase engineering and technical services. Hodges made a motion to approve the agreement as presented. Gum seconded. 6 voted yes; Thoroughgood was absent.

Streets:

Dupont Boulevard/Laurel Road/Washington Street intersection improvements: Burk presented a Department of Transportation agreement to make improvements to SR24 & US 113 intersection. Cordrey seconded. 6 voted yes; Thoroughgood was absent.

Deeds and agreements relative to street (to be) located northeast of Alderleaf Meadows: Schrider-Fox stated the sewer easement document has been prepared and reviewed. Gum made a motion to approve the sewer easement as presented. Hodges seconded. 6 voted yes; Thoroughgood was absent.

Operation of golf carts on public streets: Burk stated Town Manager, Sheldon Hudson sent the draft language to the state legislature.

Parks and Recreation:

Warren's Mill: Burk stated Duffield Associates, Inc has submitted the detour plan for review.

“Dog park”: Burk stated fence has been installed, signs have been ordered and the town is waiting on a sidewalk design.

Mayor's report

Main Street sidewalk/paver project: Burk stated Jason Loar submitted new plans to be reviewed.

Development agreement—Alderleaf Meadows: Schrider-Fox stated the development agreement has been reviewed and prepared. One section of the agreement will need to be completed once final site plan is obtained. Hodges made a motion to approve the Alderleaf Meadows development agreement. O'Neal seconded. 6 voted yes; Thoroughgood was absent.

Preliminary site plan—Alderleaf Meadows: A revised preliminary site plan and phasing plan was presented for Alderleaf Meadows. Hodges made a motion to approve only the preliminary site plan and to table the phasing plan until a future meeting. O'Neal seconded. 6 voted yes; Thoroughgood was absent.

Preliminary site plan—Meineke Car Care Center: Roger Gross, P.E. of Merestone Consultants, Inc. presented the proposed preliminary site plan for Meineke Car Care Center. Hodges made a motion to approve the preliminary site plan. Gum seconded. 5 voted yes; Cordrey abstained, Thoroughgood was absent.

Community Development Block Grant (2019): Burk stated AECOM is handling the bidding process.

West State Street sidewalk project: Burk stated the Town would be receiving an amended agreement removing the paving portion from the original scope of work. According to the State the paving would be completed by fall of 2020 or spring of 2021.

New public works employee: Burk said the Town is still looking for a wastewater operator III or II.

Comprehensive plan amendment: Kyle Gulbranson stated the draft is complete and on schedule for a possible May adoption.

Bond releases—Commons at Radish Farm and/or The Homestead: Veronica Faust presented the request to release bonds for both Commons at Radish Farm and The Homestead. The Developer shall deposit "Escrow Funds" to be held in an escrow account with the law office of Steen, Waehler & Schrider-Fox, LLC for outstanding check list items to be completed. Hodges made a motion to approve the release of bonds contingent upon the escrow account being set up and the Sussex County Conservation agreement being received. Cordrey seconded. 6 voted yes; Thoroughgood was absent.

State mosquito control program: Burk stated the authorization letter was submitted to the State to authorize mosquito spraying within Town limits.

Proclamation: Mayor Truitt requested a surprise proclamation be issued. Cordrey made a motion to move forward with the surprise proclamation. O'Neal seconded. 6 voted yes; Thoroughgood was absent.

Recess: Cordrey made a motion that Council recess until 8:35 p.m. O'Neal seconded. 6 voted yes; Thoroughgood was absent.

Executive session

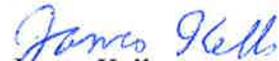
Call to order: At 9:06 p.m., Cordrey made a motion to go back into regular session. Kells seconded. 6 voted yes; Thoroughgood was absent.

Business conducted in executive session:

Cordrey made a motion to authorize the assistant town manager to draft a contract for the proposed real estate transaction as discussed in executive session. Kells seconded. 6 voted yes; Thoroughgood was absent.

Adjournment: With no further business, Mayor Truitt asked for a motion to adjourn. Hodges made such a motion. Kells seconded. 6 voted yes; Thoroughgood was absent.

Respectfully submitted,


James Kells
Secretary

JK:JB:jd