

REGULAR COUNCIL MEETING January 7, 2008

7:00 P.M. meeting called to order in the Council Chambers, Mayor Larry Gum presiding. Present were Vice-Mayor Robert Bryan, Secretary Tim Hodges, Treasurer Michelle Truitt, Councilperson John (Jack) Wilkins, John Thoroughgood, Irene Keenan, Town Manager Faye Lingo, Town Solicitor Tempe B. Steen, Development Coordinator Linda Johnson, Finance Director William Sauer. Guests see attached.

SECRETARY'S REPORT - Secretary Tim Hodges presented the minutes from the December 3, 2007 council meeting for Council's approval. Bryan motioned, Wilkins second to approve the minutes from the December 3, 2007 council meeting as written. Motion carried.

TREASURER'S REPORT - Treasurer Michelle Truitt presented the bills and bank balances to Council for approval. Wilkins motioned, Thoroughgood second to pay the bills from the designated accounts as presented. Motion carried.

MILLSBORO FIRE COMPANY - Ray Burton, President, presented a report showing the year review for the Millsboro Fire Dept. In 2007 the department answered 455 fire alarms and 1,654 EMS alarms. This report also included a listing of officers for the department.

CHAMBER OF COMMERCE - Fran Bruce, Millsboro Chamber of Commerce director, gave the Council copies listing the names of the Board of Directors for the coming year. Mitch Ropers, the newly sworn in as President, was present and was introduced to Council members. There are several events being planned for the coming year, the next one being the Bridal Show on February 24th. Ms. Bruce also informed Council and those present that the Chamber is in the process of having maps published showing tourist attractions in the area. This should be out by June.

POLICE REPORT

Pfc. Lowe attended the Field Training Officers Course at the Delaware State Police Academy.

Cpl. Legates and Chief Murphy will be attending the CALEA Conference in Atlanta in March.

Cpl. Wheatley is organizing the "in service" training for 2008.

The department had a DUI Checkpoint on New Years Eve from 11:00 p.m. until 3:00 a.m. Only 559 vehicles passed through the checkpoint. One DUI arrest and one drug arrest were made. The next checkpoint will be the July 4<sup>th</sup> weekend.

The Millsboro Police Dept. was one of three departments in the state asked to participate in a study to determine why the booster seat law is so difficult to enforce and to develop a strategy to improve enforcement methods.

Chief Murphy spoke with Gene Donaldson, DelDot, regarding the traffic lights at US 113 and SR 24. He advised Chief Murphy that they have been tweaking the timing on this light and we should be seeing improvements. We also discussed the issues with the traffic turning north and south from SR24. He has agreed to come down and meet with me so we could visit the intersection and further discuss the issues.

Lists of grant expenditures were presented to Council for approval. Council had asked to be able to approve the grant applications that are available to the department. Approval was requested for the Sussex County Block Grant in the amount of \$25,000. Bryan motioned, Hodges second to approve the \$25,000.00 list of expenditures requested for the Sussex County Block Grant. Motion carried. Approval was requested for the SALLE Grant in the amount of \$9,762.92. Bryan motioned, Hodges second to approve the \$9,762.92 list of expenditures requested for the SALLE Grant. Motion carried. Approval was requested for the EIDE Grant in the amount of \$6,418.89. Bryan motioned, Hodges second to approve the \$6,418.89 list of expenditures requested for the EIDE Grant. Motion carried.

#### STREET REPORT

Bicycle Racks - John Thoroughgood reported to Council on his bicycle rack purchase research. After checking with a couple of local welders about the possibility of having the racks made he was informed that it would be more cost efficient to buy the racks from a company that builds them. They are going to cost \$600.00-\$800.00 each. It was discussed and thought that the racks should be placed in public places throughout town such as the ballpark, Cupola Park and the municipal parking lot. Thoroughgood motioned, Hodges second to approve the purchase of two of the large bicycle racks, which hold twelve bikes each, at a cost of \$800.00 maximum each and to place one at Cupola Park and the other at the W.B. Atkins Park. Motion carried.

Vacate Alley/Baker's Hardware - Due to an error in the legal description last month in the adoption of the ordinance to vacate part of an unnamed street/alley Council was informed they need to ratify the ordinance with the necessary changes. The description incorrectly stated "southerly" throughout where it should have been "northerly and the Town of Millsboro has clarified that the easement it is retaining is fifteen feet (15') in width adjacent to and parallel with U.S. Route 113. Hodges motioned, Wilkins second to approve the ratification of the ordinance to vacate part of an unnamed street/alley adjacent to Baker's Hardware Co. Inc., tax map # 1-33-17.17-61.00 with the changes made as discussed. Motion carried.

#### PARKS AND RECREATION - No report WATER/SEWER REPORT

Borrowing Approval - The Clean Water Advisory Council has approved the Town of Millsboro's application to borrow 3.77 million dollars for wastewater improvements.

Water Improvement Loan - The town needs to ratify accepting the final form bond and terms in the final bond with the State Revolving Fund in the amount of \$1,644,000.00 and dated to mature on July 1, 2028. This is for the improvements of the water treatment facility. Thoroughgood motioned, Wilkins second to pass the resolution to accept the final form of bond and terms specified in Charter subsection 34(8)(b) provided in the final bond for \$1,644,000.00 general obligation bond (water system improvement project), Delaware Drinking Water State Revolving Fund acting by and through the Delaware Department of Health and Social Services, Division of Public Health. Motion carried.

#### MAYOR'S REPORT

Patriots Landing - The committee report on Patriots Landing annexation fee request was given with their recommendations to Council. Patriots Landing developer, C.T. Bochau, had asked if they would be required to pay the old rates or the new ones adopted in July 2007 on the 157 acres annexed into town limits. After some discussion Council decided that it would not be fair to have them pay the new rates since their application for annexation was in before the new rates became effective. They had started the process of speaking with the town before a rate increase was being considered. Council decided to let them pay the original annexation fees before the increase in July 2007.

Larry/Vonda Joseph Reimbursement - The Joseph's had made an application for annexation with the Town of Millsboro and was on the September 6, 2007 agenda. They immediately asked to void their application and not be considered for annexation that same week. No action was taken by the Town on this request for annexation. They have asked the Town if they will consider reimbursement of the \$500.00 annexation application fee. After some discussion Thoroughgood motioned, Hodges second to

reimburse the Joseph's \$400.00 of the application fee keeping \$100.00 for legal fees the town incurred. Motion carried.

Millsboro Civic Center - Fran Bruce, Director of the Millsboro Chamber of Commerce, has asked the Town if the overseer fee could be increased to \$10.00 an hour for those that work during rentals of the center. A committee was appointed by Mayor Larry Gum to investigate the possibility of this increase. The committee recommended that the hourly rate for the overseers pay be increased to the \$10.00 asked for with a minimum of \$60.00 for the first six hours and \$10.00 an hour for each hour over the six hour minimum. It was also decided that the \$200.00 deposit would be due upon reservation. Thoroughgood motioned, Bryan second to implement the new fees as presented with the cancellation policy being accepted as written as written. Motion carried.

The Woodlands - The Woodlands of Millsboro Homeowners Association have submitted a request for treatment of their sewer to the Town. They have a small system that is failing and have been working with the state for a solution. Their development consists of 57 single-family homes located west of the town limits on Route 24. Mayor Gum appointed a committee to meet with town engineers, legal and representatives from the Woodlands Homeowners Association to discuss this request. Committee members appointed were Keenan, Wilkins and Thoroughgood, with Keenan as chairman.

DUKES MANOR - The development agreement for Dukes Manor has not been approved by the Town. Council was informed by Town Solicitor Tempe Steen that the agreement is now ready and action can be taken. Council needs to authorize the Mayor and Secretary to sign off on and accept the agreement listing the Town's expectations for this development. Thoroughgood motioned, Wilkins second to authorize the Mayor and Secretary to sign off on the development agreement for Dukes Manor. Motion carried.

Dedication of Land, Plantation Lakes - The Plantation Lakes development agreement identifies lands to be dedicated to the town for a park area, emergency operations area and a pump station. The pump station was started up this month. A committee will need to be appointed to review and then begin the process. Mayor Gum appointed Bryan, Hodges and Truitt, with Bryan as chairman, to review and report to Council at the February meeting with process made.

Hodges motioned, Truitt second to recess the Regular Council meeting at 7:35 P.M., and to enter into an Executive Session at 7:45 P.M. to discuss legal and personnel issues.

Respectfully submitted,

Tim Hodges

Secretary