

Minutes

Millsboro Town Council

Regular Council Meeting

October 4, 2010

7:00 P.M. meeting called to order in the Council Chambers at 322 Wilson Highway, Millsboro, Mayor Larry Gum presiding. Present were Vice-Mayor Bob Bryan, Secretary Greg Hastings, Treasurer Michelle Truitt, Council Persons John Thoroughgood, Irene Keenan, Tim Hodges, Town Manager Faye Lingo, Town Solicitor Mary Schrider-Fox, Development Coordinator Linda Johnson, Finance Director Bill Sauer, and Town Clerk Tammy Phillips. Guests-- see attached

SECRETARY'S REPORT - Secretary Hastings presented the minutes from the September 7, 2010 council meeting for Council's approval. Thoroughgood moved Hodges seconded to approve the minutes from the September 7, 2010 council meeting as written. Motion approved unanimously.

TREASURER'S REPORT - Treasurer Truitt presented the bills and bank balances to Council for approval. Bryan moved Hodges seconded to pay the bills from the designated accounts as presented. Motion approved unanimously.

MILLSBORO FIRE DEPARTMENT - Ron O'Neal, President reported the week of October 4 thru October 8 is Fire Prevention Week. Life Member Donald "Duck" Shultie, who passed away on Saturday, September 4, 2010, served 48 years. Life Member Ladies Auxiliary Yvonne Batchelor who passed away on Saturday, September 25, 2010, served 56 years. Millsboro Fire Department is offering Flu shots October 18, 2010 from 4:00 till 7:00 and October 20, 2010 from 9:00 till 1:00, donations, and Medicaid accepted. Millsboro Fire Department would like to extend their thank you to the Town of Millsboro for reinstating the ambulance and fire collections in November 2010.

GREATER MILLSBORO CHAMBER OF COMMERCE - Amy Simmons, Secretary reported that Little Miss Pageant was held September 26, 2010 at Millsboro Civic Center winners are as follows: Little Miss (age 4-7) Brielle Brittingham, Junior Miss Millsboro (age 8 - 12) Courtney Russum, Teen Miss Millsboro (age 13 - 16)

Rytasia Briddell. Chamber of Commerce would like to thank The Town of Millsboro for the bracelets for the contestants. On December 4, 2010 the Chamber of Commerce will host their annual Christmas

parade with a rain date set for December 11, 2010 line up will be at M & T parking lot. The Santa Shop will be held on December 4, 2010 at Millsboro Civic Center from 9:00 to 2:00 rain or shine. The Santa House will be located this year next to Dairy Queen Lot.

MILLSBORO POLICE DEPARTMENT - Chief Murphy, II reported Sept 15, 16 & 17 Sergeant Lowe and Patrol First Class Morris attended Gang Conference at Atlantic Sands, Rehoboth Beach, Delaware. On Sept 28 & 29 Corporal Wheatley attended Par Recertification and Sept 29, Lieutenant Calloway attend Lowe's Safety day event. Homeland Security Yellow. Calea no update report. Chief Murphy requested to withdraw the request for Family Night Out not enough manpower. Hodges questioned what the cost is. Chief stated cost for the night is nothing. Grants Approval Request will be approved at Council meeting November 1, 2010 are as follows: SALLE \$ 5003.53, ICOP in car camera, EIDE \$ 4007.07, Drug Investigation overtime, SUSSEX COUNTY BLOCK \$ 20,000.00, CVSA Certification training for Two Officers \$ 4047.03, Firearms Training (pistol and rifle) for one officer \$ 2555.00, Range Fees \$ 1700.00, Upgrade Holster \$ 1200.00, remaining funds will be applied for at a later date. GRANT UPDATE - Bryne - All funds have been expended and grant is ready to close, S-39-10-\$ 477.84 remaining-Funds need to be reallocated to a new line, D-30-09-\$1143.84 remaining- Funds need to be reallocated to a new line, SLEAF FY-10-waiting for approval.

PARKS AND RECREATION REPORT - Mayor Gum is interesting in charging a fee for reserving the Pavilion in Cupola Park for reunion, churches, wedding, events, etc. Is there any way there could be a reservations fee for large groups for a day? It is First Come, First Basis and if you have made plans in advance and looking forward and someone is already there. Is Council interested in going forward and working the in and out for next season? Mayor Gum has appointed a committee Thoroughgood, Bryan and Truitt. Hastings questioned, "How is this to be monitored?" Mayor Gum the ones that want to reserve will come up to town hall and pay a small fee and possibly put a sign that states RESERVED. Hastings questioned, "Do we have a lot of request to use the Pavilion? Town Manager, Lingo stated we get request all the time to use the pavilion. We have it written down when someone calls to let us know that they would like to use the pavilion. At that time if someone is already using the pavilion, we try to tell them the time that the group is going to be there, and if they would like to make a later time or another date. We do express that they have to share.

STREET REPORT - Speed Restrictions, Radish Road; we have had communications with DELDOT concerning the speed limit on Radish Road. They want to change the speed limits including a section that is within the corporate town limits. The proposal is 40 mph speed limit zone starting at the end of the current 25 mph zone located near the Homestead Development and ending west of the Commons of Radish Farms. The 50 Mph speed limit zone will then begin where the proposed 40 mph ends until the Mumford Road intersection. Right now the state would install the signs but then the signs become responsible for the replacement of the signs that are within town limits. Everyone acknowledges and accepts the states proposal.

North - South Traffic Study - Bypass. Mayor Gum reported met with DELDOT once again since petition complaints have come up against the North- South Bypass. What is our position as a Town of Millsboro as far town favorable of North-South bypass to go east of the town, bypass Town of Millsboro that we face on daily basis coming thru Town of Millsboro? Senator Bunting had called; he is under a lot pressure to basically drop the whole project. Bryan questioned what does that do to the east-west that we need? Mayor Gum stated, we don't know. Hastings questioned "Has anyone had communications with the Dagsboro Mayor? Mayor Gum stated no. Town Manager, Lingo not the new mayor. Hastings stated the only communications has been thru DELDOT. Hastings stated I proposition interesting questions because there is strong opposition with that North-South but what happens to east-west piece? Town Manager Lingo the bypass was the solution for Millsboro. Hodges questions Hastings are you referring to which side it goes on of Millsboro to Coastal Highway? DELDOT would like comments from Town of Millsboro Council, do we support the eastern bypass. State Representative Atkins when Senator Bunting and I left here we thought a win solution for Town of Millsboro would be to begin farther using state owned land. Mayor Gum questioned Do we have to wait another 10 -1 5 years to get done? State Representative Atkins stated should start within 5 to 7 years. Hastings questioned when was the last time the committee met? Town Manager Lingo stated there was a Public Committee approximately 2 years with around table discussion. DELDOT has held Public Workshops at Millsboro Fire House Spring 2010. Hastings questioned how is DELDOT going to take a position on a North- South bypass or North -South Route when you have two or three towns in southern opposing and one town favoring? Town Manager Lingo state the dilemma they are in - they had original all the towns were for the eastern bypass and all the paperwork was in that been the study. They have been working on during their environmental assessment and studying the properties to see what would be available and now at least one of the towns has changed their minds so they may have had to go back and rethink and throw out some paperwork and redo. Hastings stated the meeting we have had a couple of weeks ago that DELDOT gave us an update I thought I heard that if this thing doesn't fly, then it all dies in the water. Senator Bunting said that they would kill the whole project. Hastings questioned why does it have to be all or nothing? Town Manager Lingo if its does fall - Selbyville chose on alignment if Frankford and Dagsboro switch to on alignment then the most Millsboro could get would be a short bypass DuPont Boulevard and Route 24. Bryan moved Truitt second to pass resolution encouraging DELDOT to consider the eastern bypass around Millsboro.

Thoroughgood -aye. Keenan- aye, Hodges- aye, Truitt-aye, Bryan-aye and Gum-aye. Hastings voted nay - The priority is what would eliminate Millsboro believe the southern part of the North -South is going to eliminate all of it. Hastings disagrees with total pieces. Our priority for Millsboro is DuPont Boulevard North side to Route 24. Motion approved 6 to 1.

WATER AND SEWER REPORT - Town Manager Lingo reported repairs have been made to the equalization basin in on line.

MAYOR'S REPORT -

Plantation Lakes- Steve Ness from Lennar, we're here to request for site plan amendment. We are proposing to modify to the previously RPC preliminary plans to accommodate changes of the development, layout, product and configuration of the amended package. Also, reconfigured a partial of Dukes property and the zoning of the Dukes property to be amending to add the RPC designation to change in the design. There is a partial of Dukes property that is not RPC. Mayor Gum appointed a committee to review the new site plans, Bryan, Thoroughgood, and Truitt.

Zoning Change Request for 1-33-17.17 parcel 70.00; 340 Old Landing Road from Medium Density Residential to Highway Commercial. Committee recommendations are to move forward and change the zoning and send future land use map to the State to amend the zoning. Hodges moved Hastings second to approve to change zoning from medium density residential to highway commercial. Motion approved unanimously.

Dukes Manor Request for 1-33-16.16-parcel 008.00; Northern Avenue Mr. Vince Robertson, representing Dukes Manor requesting a one year extension for their final site plan approvals. Bryan moved Hastings second to approve for one year October 2011, extension for Dukes Manor for final site plan approvals. Motion approved unanimously.

Sign Ordinance Public Hearings have been held and comments reviewed. Mayor Gum asked for everyone from the audience had any comments or concerns. Mr. Gary McCrea representing Peninsula Crossing concerns about the sign ordinance the three existing sign on the property cost \$250,000 and now the council is giving us 10 years to change our signs to meet the new sign ordinance. This is major concern and major cost for the developer. Thoroughgood and Hodges would like to study and have more time to make necessary changes and possibly have a workshop which should include Kyle Gulbranson with URS.

8:10 pm Bryan moved Hastings second to recess till 8:15 to enter into executive session. Motion approved unanimously.

Regular Session

Reconvene 9:15 p.m.

Hodges checked outside and called out to see if anyone was waiting with no responses Mayor Gum called the meeting to order.

9:15 p.m. meeting called to order with Mayor Larry Gum presiding. Present were Vice Mayor Robert Bryan, Secretary Greg Hastings, Treasurer Michelle Truitt, Council persons John Thoroughgood, Irene Keenan, and Tim Hodges, Town Solicitor Mary Schrider-Fox, and Town Manager Faye Lingo.

Bryan moved Thoroughgood second to accept the offer of the Millsboro Public Library and assume ownership of 203 Main Street. Motion approved unanimously.

9:16 pm Truitt moved Keenan second to adjourn. Motion approved unanimously.

Respectfully Submitted,

Greg Hastings

