



**Town Council
Town of Millsboro**

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Mayor Faye Lingo
Vice Mayor John Thoroughgood
President Pro Tem Brad Cordrey
Secretary Jim Kells
Treasurer Larry Gum
Councilman Ron O'Neal
Councilwoman Kimberley Kaan

Jamie Burk, Town Manager

**TOWN COUNCIL
REGULAR MEETING
September 6, 2022**

MINUTES

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

Public hearing:

A PUBLIC HEARING WILL BE HELD ON SEPTEMBER 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, BY NR & NR, LLC, IDENTIFIED AS SUSSEX COUNTY TAX MAP AND PARCEL NO. 133-20.00-41.02, CONTAINING 3.743 ACRES, MORE OR LESS, AND PROPOSING TO AMEND THE ZONING MAP AND ZONING ORDINANCE OF THE TOWN OF MILLSBORO TO INCLUDE SAID TERRITORY IN THE MEDIUM-DENSITY RESIDENTIAL (MR) DISTRICT

Ring Lardner, PE of Davis, Bowen & Friedel, Inc. presented the annexation request of Somerton Chase and the request for the property to be zoned as a medium-density residential (MR) zoning district.

No public comments regarding the public hearing for Somerton Chase.

Public comment:

- Philip Mitchell of 142 Delaware Ave raised concerns regarding the amount of traffic and speed on Delaware Ave.
- Linda Johnson of 138 Delaware Ave also raised concerns about speed on Delaware Ave.

Secretary's report: Kells submitted the August regular meeting minutes and made a motion that Council approve them as written. Cordrey seconded. 6 approved; Gum was absent.

Treasurer's report: Thoroughgood made a motion that the Town pays the invoices from the designated accounts as recommended by staff. O'Neal seconded. 6 approved; Gum was absent.

Millsboro Fire Company update: O'Neal mentioned the Delaware State Fire Chief's Association is keeping an eye out for some legislation regarding fire hydrant markers and fire sprinkler regulations.

Millsboro Art League update: John Bandish stated the league is working on its membership and visitor count.

Employee of the month—August: Burk acknowledged Debbie Weatherby as the August Employee of the Month recipient.

Police Department's report:

Mayor Lingo asked Chief Brian Calloway his thoughts regarding speed on Delaware Ave. Chief Calloway stated a traffic study was performed during the timeframe of August 22—29. The results showed a moderate speed issue. This is a State maintained roadway; town staff will reach out to the State for possible solutions regarding speeding.

Chief Brian Calloway stated several officers attended training during August. Shea Wise attended a victim services training in Colorado funded by the Delaware Criminal Justice Council.

Chief Calloway mentioned the Calea Conference is scheduled for November 16—19 in St. Louis, Missouri.

Chief Calloway provided Council with proposed changes to the Millsboro Police Department Policy at the August Council meeting. The two policies the Chief asked Council to review were policy # 3, the addition of a Senior Corporal rank, and policy # 51, the Senior Corporal promotion process.

- Thoroughgood made a motion to approve policy # 3 Job Descriptions, the addition of a Senior Corporal rank. Kells seconded. 6 approved; Gum was absent.
- Thoroughgood made a motion to approve policy # 51 Promotional Process for Senior Corporal promotion process. Cordrey seconded. 6 approved; Gum was absent.

Chief Calloway mentioned the Community Bike Rodeo event to be held in the Lowes parking lot is scheduled for Sept 10 and the Millsboro Halloween Night Out is scheduled for October 31 from 6:00 pm - 8:00 pm at the Town Hall.

Water and Sewer:

IRSD spray irrigation agreement: George ("Kenny") Niblett, director of public works presented the beneficial reuse water service agreement. Thoroughgood made a motion to approve the agreement as presented in the packet. O'Neal seconded. 6 approved; Gum was absent.

Water and Sewer (cont.):

Gannett Fleming engineering services agreement – bid and construction phase Route 24 sanitary sewer replacement: Niblett presented the Route 24 Sanitary Sewer Replacement additional engineering services agreement. Cordrey made a motion to approve the agreement as presented in the packet. Kells seconded. 6 approved; Gum was absent.

KCI fire hydrant flushing proposal update: Niblett mentioned this fall there would be fire hydrant flushing and it would be advertised as to when the flushing would start.

Wastewater matching planning grant resolution – IRSD spray irrigation design: Schrider-Fox presented a request for a resolution authorizing the preparation and submission of a matching planning grant to receive funds for the design of spray irrigation systems for beneficial reuse at Sussex Central High School. Thoroughgood made a motion to approve the resolution as presented. Cordrey seconded. 6 approved; Gum was absent.

Wastewater matching planning grant resolution - IRSD spray irrigation permitting: Schrider-Fox presented a request for a resolution authorizing the preparation and submission of a matching planning grant to receive funds for the design of spray irrigation systems permitting work for beneficial reuse at Sussex Central High School. Thoroughgood made a motion to approve the resolution as presented. O'Neal seconded. 6 approved; Gum was absent.

White Farm wastewater treatment plant interim financing: Matthew Hall, director of finance and technology presented the interim financing package from WSFS. for the construction of the wastewater treatment plant. Kells made a motion to accept the proposal as presented in the packet. Kaan seconded. 6 approved; Gum was absent.

Saul Ewing legal services agreement: Hall presented the Saul Ewing legal services agreement. Thoroughgood made a motion to accept the legal services agreement as presented. Kells seconded. 6 approved; Gum was absent.

Streets:

Introduction of proposed change – §200 of the Code of the Town of Millsboro Request for stop signs and do not enter signs - Plantation Lakes Boulevard, Wilson Highway, and Mitchell Street: Thoroughgood made a motion to move forward with the proposed change excluding the stop sign at Wilson and Mitchell Street and to include on the October agenda to be formally adopted. Cordrey seconded. 6 approved; Gum was absent.

Mayor's report:

Millsboro Carpet Mart lot line adjustment extension request: Chad Carter of Becker Morgan Group, Inc. presented a request asking that a 90-day extension be granted for the lot line adjustment that was approved at the June 6, 2022 council meeting. The applicant is requesting the extension while waiting on other state agency approvals. Thoroughgood made a motion to grant the 90-day extension. O'Neal seconded. 6 approved; Gum was absent.

Mayor's report (cont.):

Annexation request — Somerton Chase (133-20.00-41.02) Radish Road (SCR 338):

Mayor Lingo asked if there were any public comments regarding the Somerton Chase public hearing and there were none.

Thoroughgood made a motion to close the public hearing. Cordrey seconded. 6 approved; Gum was absent.

Kells made a motion to approve the annexation request for Somerton Chase. Cordrey seconded. 6 approved; Gum was absent.

Annexation request — Patriot's Bluff residential (133-11.00-1.00, 133-11.00-2.00, & 133-11.00-2.01): David Hutt of Morris James LLP presented the Patriot's Bluff residential annexation request of 240 +/- acres. Mayor Lingo appointed an annexation committee and asked Thoroughgood, Kaan, and Kells to serve thereon— designating Thoroughgood as chair.

Posting of properties subject to public hearings: Schrider-Fox presented draft language in the packet for the "posting of properties" in times of a public hearing, a variance request, zoning code changes, any type of exemption to the property for Council to review.

Update to proposed change – §210-40 of the Code of the Town of Millsboro Overflow Parking Required: Schrider-Fox presented draft language in the packet regarding overflow parking for Council to review.

Update to potential change – §127 of the Code of the Town of Millsboro Impact Fees (related to cemeteries): Schrider-Fox presented the amendment to chapter §127-6; the amount of impact fees for properties exclusively used as cemeteries. Cordrey made a motion to approve the amendment as presented. Kaan seconded. 6 approved; Gum was absent.

Revision – §178-7 C(8)(e) of the Code of the Town of Millsboro Surety or Guaranty Bond requirements: Schrider-Fox presented draft language to increase the bonding requirement from an amount equal to 125% of the estimated cost of the work to be performed to an amount equal to 150% as it was in 2019. Thoroughgood made a motion to approve the draft ordinance amendment as presented. Kells seconded. 6 approved; Gum was absent.

Introduction of potential change – § 210-13 Medium Density (MR) of the Code of the Town of Millsboro - minimum lot size requirements: Thoroughgood mentioned the lot size within the medium density (MR) district is too small. Burk and Niblett will do some homework and gather some comparisons.

Conditional use request – Alderleaf Meadows: More information is needed from the applicant.

Trick-or-treating date for 2022: Thoroughgood made a motion that the Town of Millsboro will observe trick-or-treating on October 31 from 6:00 to 8:00 pm. Participants must be 12 years old or younger and must be in costume while trick-or-treating. Cordrey seconded. 6 approved; Gum was absent.

Mayor's report (cont.):

Christmas Market event at Town Hall: Burk presented having the Christmas market on November 19 & 20 from 9:00 am-2:00 pm at the Town Hall and to pay a coordinator \$500 to assist with the coordination of the market. The vendor cost will be \$50.00 total for both days. Kaan made a motion to approve the event. O'Neal seconded. 6 approved; Gum was absent.

Christmas Parade date for 2022: Burk stated the Christmas parade is scheduled for Saturday, December 3 at 5:00 pm.

Adjournment: With no further business, Thoroughgood made a motion to adjourn. Kells seconded. 6 approved; Gum was absent.

Respectfully submitted,


James Kells
Secretary

JK:JB:jd