



Mayor and Council  
**The Town of Millsboro**

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Mayor John Thoroughgood, District 2

Vice Mayor Michelle Truitt, District 3  
Pro Tem Tim Hodges, District 1  
Secretary James Kells, District 3  
Treasurer Bradley Cordrey, District 1  
Councilperson Ron O'Neal, District 2  
Councilperson Larry Gum, At Large

*Sheldon P. Hudson, Town Manager*

**TOWN COUNCIL  
REGULAR MEETING  
March 4, 2019**

**MINUTES**

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

**Pledge of allegiance:** Mayor Thoroughgood led the pledge.

**Secretary's report:** Kells submitted the minutes and made a motion that Council approve them as written. Gum seconded. 6 voted yes; O'Neal was absent.

**Treasurer's report:**

Cordrey made a motion that the Town pay the invoices as designated. Hodges seconded. 6 voted yes; O'Neal was absent.

Hodges made a motion that the fiscal year 2019 budget be amended by adding \$100,000.00 in General Fund monies for the new town hall. Truitt seconded. 6 voted yes; O'Neal was absent.

**Police Department's report:**

Chief Brian Calloway stated that PFC Dallas Millner had attended Advanced Roadside Impaired Driving Enforcement (ARIDE) training at the Delaware State Police Academy on February 12 and 13.

Chief Calloway presented Patrolwoman Liana Dodson with a lifesaving award for her actions on January 8—assisting EMS by providing CPR to a patient. This was Patrolwoman Dodson's second lifesaving award.

Chief Calloway stated Cpl. Matthew Dufour would also be receiving a lifesaving award for his actions on February 10.

On March 9, the Department would be hosting a "Touch a Truck" event in the Tractor Supply parking lot.

Chief Calloway said the Main Street camera project would be completed by March 5.

**Mayor's report:**

Final site plan approval—Millsboro Village Apartments:

Stephen Rosenfeld, PE of VanDemark & Lynch, Inc. requested final site plan approval for the renovations to Millsboro Village Apartments. Mr. Rosenfeld stated that all necessary state agency approvals had been obtained, with the exception of the one from the Sussex Conservation District, and that all comments had been addressed. Mr. Rosenfeld indicated that he had requested a variance, as the proposed expansion would not meet a setback requirement.

Hodges made a motion that Council grant final site plan approval contingent upon the Town's receipt of documentation showing that approval from the Sussex Conservation District had been obtained and variance approval. Truitt seconded. 6 voted yes; O'Neal was absent.

Final site plan approval—Old Landing Apartments:

Mr. Rosenfeld requested final site plan approval for the renovations to Old Landing Apartments. Mr. Rosenfeld stated that all necessary state agency approvals had been obtained, with the exception of the one from the Sussex Conservation District, and that all comments had been addressed.

Hodges made a motion that Council grant final site plan approval contingent upon the Town's receipt of documentation showing that approval from the Sussex Conservation District had been obtained. Truitt seconded. 6 voted yes; O'Neal was absent.

Downtown improvement plan: Ms. Savannah Edwards of AECOM said the Downtown Development Districts Program application was due by May 15. Ms. Edwards indicated that she would present the draft resolution at the April regular Council meeting.

Community Development Block Grant: Ms. Edwards stated she was waiting on signatures.

Comprehensive plan (2019): Ms. Edwards said she expected to have a draft ready by the time of the May regular Council meeting.

Zoning options to allow for smaller homes: Ms. Edwards made a presentation on housing trends. The presentation focused on zoning for smaller homes. Accessory dwelling units were also mentioned.

**Streets:**

Lights and utility poles: Hudson stated the Town was working with the Delaware Department of Transportation and Delmarva Power to secure additional street lighting near the intersection of US 113 and SR 24 at little or no cost to the Town—with the exception of the cost of the electricity itself. Hudson also mentioned that Delmarva Power was making various lighting improvements throughout the Town.

Signs in Plantation Lakes subdivision: Kells said the children at play signs had been placed at the designated areas in Plantation Lakes.

**Parks and Recreation:**

Improvement of real property—Sussex County tax map and parcel numbers 133-16.00-75.03 and -20.00-37.01:

Cordrey made a motion that Council approve the conceptual plan for the possible “dog park” and that the Town request a construction cost estimate from the consultant. Truitt seconded. 6 voted yes; O’Neal was absent.

Gum made a motion that Council approve multipurpose park “Concept Plan A” previously presented by Landscape Architectural Services, LLC and that the Town request a construction cost estimate from the consultant. Kells seconded. 6 voted yes; O’Neal was absent.

Use of Town-owned equipment by Millsboro Little League: Hudson stated the Millsboro Little League had requested that Council reconsider allowing the League to use certain Town-owned equipment. Truitt made a motion that Council authorize the town manager to designate a Town employee to perform work on behalf of the Little League, on a limited basis, during normal business hours if the town manager and/or his designee, in their sole discretion, determined that there were sufficient human resources available at a given time to perform the work. (The motion did not include language authorizing any person other than a Town employee to operate said equipment.) Kells seconded. 6 voted yes; O’Neal was absent.

Request to use Cupola Park—Greater Millsboro Chamber of Commerce: Hudson presented a request from the Greater Millsboro Chamber to use Cupola Park for the 3rd-annual Stars & Stripes event scheduled for June 29. Cordrey made a motion that the Town grant the request. Truitt seconded. 6 voted yes; O’Neal was absent.

Request to display fireworks publicly—Greater Millsboro Chamber of Commerce: Cordrey made a motion that the Town authorize the Greater Millsboro Chamber to display fireworks during the Stars & Stripes event. Hodges seconded. 6 voted yes; O’Neal was absent.

Request to use Cupola Park bandstand—Lillette’s Foundation for the Arts: Hudson presented a request to allow Lillette’s Foundation for the Arts to use the bandstand on June 15 at 4:00 p.m. for the standard fee. Kells made a motion that the Town grant the request. Cordrey seconded. 6 voted yes; O’Neal was absent.

**Water and sewer:**

Water infrastructure “miniloop” in/near Plantation Lakes subdivision: Schrider-Fox stated that the last draft of the “miniloop” agreement had been accepted and that she was in the process of securing signatures.

Cost-sharing agreement for possible new water treatment plant: Hudson stated a cost-sharing agreement would need to be drafted once a verbal agreement was in place.

Purchase and installation of water meter for W. B. Atkins Park: Matthew Hall, finance officer presented a request to purchase and install a water meter at the W. B. Atkins Park to determine water usage. No action was taken.

**Mayor's report (cont.):**

Bid solicitation—Downtown Improvements Project—Main Street portion: Hudson stated that, due to the size of the project, the Town had asked a second consultant to review the draft plans.

Bid solicitation—Downtown Improvements Project—West State Street sidewalk portion: Hudson said the consultant had mentioned that the majority of the design work had been completed but that easements would be required.

Bid solicitation—asbestos abatement, building demolition, and, possibly, environmental remediation—Sussex County tax map and parcel numbers 133-17.09-25.00, -26.00, and -26.02 and -17.13-128.00: Hudson stated the Town was waiting on the demolition permit from the Sussex Conservation District to be received prior to starting the bid solicitation process.

Town holiday events:

Hudson mentioned that Town staff had been getting calls about the Easter egg hunt event that the Chamber used to present. Staff members were being encouraged to state that the event had been presented by the Chamber and that the Chamber had indicated that they would no longer be presenting the event.

Hudson said Town staff had polled Town employees to determine their preferences relative to the Town Christmas dinner. Of those who responded, 61% chose employee plus guest, and 39% chose employee plus family. With regard to location, 66% indicated that they wanted the dinner to take place somewhere in town.

Hodges made a motion that the Town hold its Christmas dinner somewhere in the Town and that each councilperson and employee be allowed to invite a guest as well as their children (if any) to attend. Kells seconded. 6 voted yes; O'Neal was absent.

The Town would continue to present the Christmas parade.

Business licenses: Hall shared the number of outstanding business licenses by year. For 2016, there were 17 outstanding; for 2017, there were 29 outstanding; for 2018, there were 35 outstanding; and, for 2019, there were 133 outstanding. After some discussion, the decision was made for the Town to do more research.

Chapter 137 of the Code of the Town of Millsboro: Hudson indicated that the State Division of Professional Regulation had visited the massage parlors located in town and that one location had been found to be out of compliance and was, as a result, ordered to "cease and desist" operations—at least temporarily.

*Mayor's report (cont.)*

Application for annexation—Sussex County tax map and parcel number 233-5.00-8.00:

Hodges, committee chair presented the committee's report. He mentioned that the committee had met and that, according to the developer, the parcel was to be used to meet parking requirements for the hotel and restaurant that were planned to be located on an adjacent site. All of the committee members recommended approval of the annexation request.

Schrider-Fox stated that, pursuant to State law, the Town had to allow at least 30 days for public comment and that, because of how the calendar fell, this meant the public hearing would need to take place at the May regular Council meeting versus the April one. Hodges made a motion that Council hold the public hearing on May 6 at 7:00 p.m. Gum seconded. 6 voted yes; O'Neal was absent.

Purchase of real property—Sussex County tax map and parcel numbers 133-17.09-26.00 (part of) and -26.02: Hall stated the final water/sewer invoice for the former Millsboro Auto Supply properties in the amount of \$1,005.48 was not collected at the time of settlement. Hodges made a motion that the Town write off the balance. Gum seconded. 6 voted yes; O'Neal was absent.

Purchase of real property—Sussex County tax map and parcel number 133-17.13-144.00: Schrider-Fox stated she is in the process of getting the partitioning of the 113 Ellis Street property recorded. Kells made a motion that Council authorize the mayor to sign the settlement documents and the town manager to attest. Truitt seconded. 6 voted yes; O'Neal was absent.

Bicycle Master Plan Grant: Hudson stated that the grant application had been submitted.

Comprehensive human resources project: Hall presented an update on the project. All job description questionnaires had been submitted to the consultant, The Segal Group, Inc. The handbook was in the process of being developed, and the first draft was expected to be completed by April 5. A market assessment had been sent to several municipalities, to the State of Delaware, to Sussex County, and to Worcester County (Maryland). The final presentation was scheduled to be made to Town staff on April 30.

Amendments to § 178-3 of the Code of the Town of Millsboro: Schrider-Fox stated the bonding requirement had been reduced from an amount equal to 150% of the estimated cost of the work to be performed to an amount equal to 125% during the February Council meeting. Schrider-Fox said this item was on the agenda again because the definitions in § 178-3 needed to be revised accordingly. Hodges made a motion that the Code be further amended. Truitt seconded. 6 voted yes; O'Neal was absent.

State mosquito control program: Cordrey made a motion that the Town authorize mosquito spraying within Town limits. Kells seconded. 6 voted yes; O'Neal was absent.

*Mayor's report (cont.)*

Code of the Town of Millsboro—distinguishing between civil- and criminal-law portions: Hudson said he had received a suggestion that the Town might want to amend the *Code* in such a way so as to clarify which issues were code enforcement related and which ones were police related. Schrider-Fox stated certain language in the *Code* already spoke to whether an issue should be handed as a civil matter versus a criminal one. No action was taken.

Mayor Thoroughgood presented Truitt with a gift certificate on behalf of Council in appreciation of her and her daughters' efforts in making improvements to the Town's Christmas pole decorations.

**Recess:** Hodges made a motion that Council recess until 9:07 p.m. Truitt seconded. 6 voted yes; O'Neal was absent.

### **Executive session**

**Call to order:** At 10:20 p.m., Cordrey made a motion that Council resume its regular session. Kells seconded. 6 voted yes; O'Neal was absent.

**Business conducted in executive session:** Cordrey made a motion that Council approve the schematic design presented in executive session and authorize Davis, Bowen & Friedel, Inc. to proceed with the facilities assessment. Hodges seconded. 6 voted yes; O'Neal was absent.

**Adjournment:** With no further business, Truitt asked for a motion to adjourn. Kells made such a motion. Cordrey seconded. At 10:25 p.m., 6 voted yes; O'Neal was absent.

Respectfully submitted,



James Kells  
Secretary

JK:SH:jd