



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
February 4, 2019**

MINUTES

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

Pledge of allegiance: Truitt led the pledge.

Secretary's report: Kells submitted the minutes and made a motion that they be approved as written. Gum seconded. Approved unanimously.

Treasurer's report: Cordrey made a motion that the bills be paid from the designated accounts. O'Neal seconded. Approved unanimously.

Millsboro Fire Company update: Gum stated the Department had handled 67 alarms during the month of January.

Police Department's report:

Chief Brian Calloway stated Cpl. Jonathan Zubrowski had attended "Certified Instructor" training at the Delaware State Police Academy on January 28 and February 1.

Chief Calloway indicated that Officer Christopher Ebke had met all requirements and was eligible to be promoted to the rank of patrolman first class. Hodges made a motion to promote Officer Ebke. Gum seconded. Approved unanimously.

On January 20, the Department participated in a Special Olympics bowling tournament at Millsboro Lanes.

Officers raised over \$1,400 by participating in the Polar Bear Plunge.

Chief Calloway requested an amendment to the Sussex County Block Grant. Chief asked to purchase camera monitors, TV equipment and tourniquets instead of the flashlights previously approved. Cordrey made a motion to approve the request. Kells seconded. Approved unanimously.

Police Department's report (cont.)

Chief Calloway shared information from the Criminal Justice Council about a grant opportunity through the *Victims of Crime Act (VOCA)* Assistance Program. The monies would be used to create a position within the Police Department whose incumbent would be responsible for providing services to victims of all reported crimes. Gum made a motion authorizing Chief Calloway to proceed with submitting a concept letter. Cordrey seconded. Approved unanimously.

Chief Calloway stated that Sheep Pen Road had been reopened. The improvements project on Dupont Boulevard (US 113) south of Radish Road was underway with minor traffic delays.

Chief Calloway mentioned there were 9 reported weather-related traffic accidents within a 2-hour time frame on February 1.

Chief Calloway outlined, in the absence of Sgt. David Moyer, the benefits of social media.

Hudson congratulated Chief Calloway for being appointed chair of the Delaware Police Accreditation Committee.

Streets:

Street lights and utility poles: Hudson stated the Town was working with the Delaware Department of Transportation to secure additional street lighting near the intersection of US 113 and SR 24. The Town was also speaking with Delmarva Power concerning the most-crooked utility poles in the hopes of getting them straightened.

Additional speed limit and/or children at play signs in Plantation Lakes subdivision: Kells stated some residents of the Plantation Lakes community were in the process of placing flags in the locations where signs needed to be installed.

Additional bridge over the Indian River: Hudson asked Council if they wanted him to submit a letter on their behalf requesting that Rep. Richard Collins ask the Delaware Department of Transportation to conduct a feasibility study to explore the possibility of another bridge over the Indian River being constructed. Hodges made a motion authorizing Hudson to send such a letter. Kells seconded. Approved unanimously.

Parks and Recreation:

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

Matthew Spong of Landscape Architectural Services, LLC presented 2 conceptual drawings for the possible future Town multipurpose park on Laurel Road. Kells suggested that the inclusion of some ADA equipment possibly be considered. Hudson mentioned that a Nanticoke Indian interpretive component be considered as well.

Mr. Spong presented a preliminary plan for a possible “dog park” to be located on approximately 5 acres of land at the “White Farm.”

Hodges made a motion to amend the fiscal year 2019 budget to include the dog park as a General-Fund line item. Kells seconded. Approved unanimously.

Hodges made a motion to approve the preliminary plan for the dog park. Cordrey seconded. Approved unanimously.

Water and sewer:

Amendment to “lift station” agreement with Manufacturers and Traders Trust Company: Schrider-Fox presented a draft amendment to an existing agreement with M&T Bank that showed a new pumping station location and that specified who was paying for various items and who was responsible for performing various actions. Gum made a motion for the Town to sign the draft amendment. Hodges seconded. Approved unanimously.

Awarding of contract—sewage pumping station no. 1 improvements: Scott Hoffman of Duffield Associates presented the bid results for the Sewage Pumping Station No. 1 Improvements project. Gum made a motion to accept the recommendation from Duffield for the Town to award the project to JJID, Inc. Hodges seconded. Approved unanimously.

Awarding of contract—request for quotations for generator set and automatic transfer switch at pumping station no. 1: Scott Hoffman of Duffield Associates presented the bid results for the generator set and automatic transfer switch at Pumping Station No. 1. Hodges made a motion to accept the recommendation from Duffield to award the project to Cummins Inc. Gum seconded. Approved unanimously.

Mayor's report:

Bid solicitation—Downtown Improvements Project—West State Street sidewalk portion: Hudson requested approval to authorize the Town's consultant to begin the bid solicitation process for the West State Street sidewalk project. O'Neal made a motion to grant approval. Kells seconded. Approved unanimously.

Revisions to § 178-7(C)(8)(e) of the Code of the Town of Millsboro: Schrider-Fox presented draft language to reduce the bonding requirement from an amount equal to 150% of the estimated cost of the work to be performed to an amount equal to 125% thereof and to allow developers to perform site work without having to secure a bond. Gum made a motion to approve the draft language—with the exception of changing the review time amount from 20 to 30 days. Hodges seconded. Approved unanimously.

Bid solicitation—Downtown Improvements Project—Main Street portion: Jason Loar, PE of Davis, Bowen & Friedel, Inc. stated the design phase was complete and that he was currently working with the Delaware Department of Transportation to secure final approval. Mr. Loar requested approval to begin the bid solicitation process once the Department of Transportation permit had been obtained. Hodges made a motion to grant approval. Kells seconded. Approved unanimously.

Downtown Improvement Plan and Downtown Development Districts: Burk stated that a representative from AECOM would be sharing more in the spring but that the State had indicated that it was "reopening" the Downtown Development District program. Kells made a motion that the Town move forward with the program. Gum seconded. Approved unanimously.

Community Development Block Grant: Burk referred to the presentation made by the Sussex County Community Development and Housing Department at the January 2019 regular Council meeting and said Council action needed to be taken in order for the Town to be able to move forward with the grant. Hodges made a motion to approve the resolutions and certifications described by Schrider-Fox. Cordrey seconded. Approved unanimously.

Revisions to § 170-2(F) of the Code of the Town of Millsboro: Hudson relayed a request from the Plate & Palette restaurant requesting that trash pickup be permitted before 7:00 a.m. Schrider-Fox stated, per § 170-2(F) of the Town Code, hours of pickup were 7:00 a.m.–7:00 p.m. No action was taken by Council.

Adjustments related to consumer price index and building valuation data changes: Matthew Hall, finance officer stated that the consumer price index adjustment percentage would be 1.02%. He said, per Town Code, this adjustment would automatically take effect unless Council voted to do otherwise. No action was taken by Council.

Supplemental real property tax assessment appeals: Hall stated no appeal requests had been received.

Accounts payable position: Hall requested Council authorize the accounts payable clerk position to become a full-time position. Hodges made a motion to approve the request. Gum seconded. Approved unanimously.

Payroll: Burk requested that the Town study different payroll software programs with the goal being to streamline the payroll process. Gum made a motion to approve the request. Kells seconded. Approved unanimously.

Mayor's report (cont.)

“Key cards”: Burk suggested that the Town consider a “key card” system for building entry and time and attendance purposes.

§ 210-16(H)(4) of the *Code of the Town of Millsboro*: Hudson relayed a request from a business owner requesting that one of the Town’s sign size limits be increased. No action was taken by Council.

Chapter 137 of the *Code of the Town of Millsboro*: Burk stated that the Town had received some concerns regarding massage parlors. Burk mentioned that the Delaware Division of Professional Regulation had agreed to perform inspections.

Building permit fee waiver—Sussex County tax map and parcel numbers 133-17.09-11.00 and -11.01: The Millsboro Public Library had requested a building permit fee waiver for an upcoming construction project. Hodges made a motion for the Town to waive the fee. Gum seconded. Approved unanimously.

Application for annexation—Sussex County tax map and parcel number 233-5.00-8.00: Hudson presented a request for annexation from James Parker of Jim Parker Builders, Inc. Pursuant to Delaware law, Truitt created a special committee to study the request and asked councilpersons Hodges, Cordrey, and Gum to serve thereon—appointing Hodges to serve as chair.

Purchase of real property—Sussex County tax map and parcel numbers 133-17.09-26.00 (part of) and -26.02:

Schrider-Fox stated Council needed to designate who was authorized to sign all closing documents at the settlement for the former Millsboro Auto Supply property. Cordrey made a motion to designate Mayor Thoroughgood as the signer and Hudson as the attester. O’Neal seconded. Approved unanimously.

Cordrey made a motion to amend the fiscal year 2019 budget and to pay for the purchase of the property out of either the General Fund or Transfer Tax account at staff’s discretion. Kells seconded. Approved unanimously.

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 requested authorization to begin the bid solicitation process for the demolition of all of the major buildings located between Main and Washington streets and to the north and east of the existing police station. Kells made a motion to grant the requested authorization. Gum seconded. Approved unanimously.

Revisions to Chapter 178 of the *Code of the Town of Millsboro*: Hudson stated that he had recently learned that a nearby municipality handled requests for approval of proposed minor subdivisions administratively. No action was taken by Council.

Partitioning—Sussex County tax map and parcel number 133-17.13-144.00: Gum made a motion to “partition” the property located at 113 Ellis Street as a part of the Town’s purchasing process. Hodges seconded. Approved unanimously.

Mayor's report (cont.)

Bicycle Master Plan Grant: Hudson stated that the Delaware Department of Transportation was offering a \$50,000 planning grant to 2 Delaware cities for the development of a community-wide bicycle plan. Kells made a motion that the Town apply for the grant. Cordrey seconded. Approved unanimously.

Lingo Reception Hall fee waiver: Hodges made a motion to waive the fee for the rental of the Lingo Reception Hall in a case involving a benefit for a Town employee who was seriously injured. O'Neal seconded. Approved unanimously.

Recess: Hodges made a motion to go into recess until 9:10 p.m. Cordrey seconded. Approved unanimously.

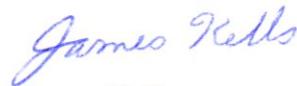
Executive session

Call to order: At 9:35 p.m., Hodges made a motion to go back into regular session. Cordrey seconded. Approved unanimously.

Business conducted in executive session: Cordrey made a motion to approve the amendment concerning ABC Farms discussed in executive session. Kells seconded. Approved unanimously.

Adjournment: With no further business, Truitt asked for a motion to adjourn. Hodges made such a motion. Cordrey seconded. Approved unanimously at 9:36 p.m.

Respectfully submitted,



James Kells
Secretary

JK:SH:jd