



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 5, 2018**

**MINUTES**

Meeting was called to order at 7:00 p.m.—with Mayor John Thoroughgood presiding. Also present were Vice Mayor Michelle Truitt, Pro Tem Tim Hodges, Secretary James Kells, Treasurer Bradley Cordrey, Councilperson Ron O'Neal, Councilperson Larry Gum, Town Manager Sheldon P. Hudson, Town Clerk Joanne Dorey, and Town Solicitor Mary Schrider-Fox. No one was absent.

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

**Public hearing:**

ADOPTION OF A RESOLUTION (1) PROPOSING TO ANNEX CERTAIN TERRITORY, CONTIGUOUS TO THE PRESENT LIMITS OF THE TOWN OF MILLSBORO, OWNED BY ERIN BRADLY ENTERPRISES LLC; LOCATED ON THE NORTHWEST CORNER OF DICKERSON ROAD AND DUPONT BOULEVARD (US 113); IDENTIFIED AS SUSSEX COUNTY TAX MAP AND PARCEL NUMBER 233-5.00-110.02; AND CONTAINING 1.90 ACRES OF LAND, MORE OR LESS; (2) PROPOSING TO AMEND THE ZONING MAP AND ZONING ORDINANCE OF THE TOWN OF MILLSBORO TO INCLUDE SAID TERRITORY IN THE HIGHWAY COMMERCIAL (HC) DISTRICT; AND (3) ESTABLISHING THAT A PUBLIC HEARING BE HELD ON SAID ZONING AMENDMENT ON THE 5TH DAY OF MARCH, 2018, AT 7:00 O'CLOCK IN THE EVENING, PREVAILING TIME, AT THE MILLSBORO TOWN CENTER, 322 WILSON HIGHWAY, MILLSBORO, DELAWARE

Cordrey made a motion to close the public hearing as there were no public comments. Gum seconded. Approved unanimously.

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

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

**Millsboro Fire Company:** Chief Matt Warrington presented the monthly report. Chief Warrington stated that the Millsboro Fire Company was the 6th busiest out of 21 fire companies in 2017 with 469 calls. The Millsboro Fire Department ambulance service was the 4th busiest with 2,636 calls. There were 29 fire calls and 223 EMS calls in February. Chief Warrington stated the department was fully staffed with 10 full-time

and 15 part-time EMS personnel. Currently, the department has 70 active volunteers serving the Millsboro area.

**Greater Millsboro Chamber of Commerce:** Hudson stated the Chamber was gearing up for the annual Easter Egg Hunt on March 31 at 11:00 a.m. at Cupola Park. Hudson said the Chamber was in need of volunteers and candy donations for the event.

**Police Department's report:**

Chief Brian Calloway stated Cpl. David Moyer had attended a social media conference at the Del. Tech. campus in Georgetown.

Chief Calloway mentioned the Department was scheduled to have its 4th Commission on Accreditation for Law Enforcement Agencies (CALEA) "on-site" April 15 through 17. The Department completed a mock assessment on February 21. The Delaware State Police and Dover, Wilmington, Bethany Beach, and Middletown police departments assisted with the mock assessment.

Chief Calloway stated during the month of January the Department conducted a hiring process to expand the Department's police force to 16 sworn officers. John Wharton of Dagsboro was selected.

Hodges made a motion to accept Mr. Wharton as the Department's newest recruit. Kells seconded. Approved unanimously.

Patrolman Christopher Ebke provided a police station tour to preschool children on February 22.

Chief Calloway presented a request for a Special Law Enforcement Assistance Fund (SLEAF) grant to Council. The grant funds would be used for a camera system to be installed at Old Landing Apartments. The system would cost \$12,750.

Gum made a motion to approve the request. O'Neal seconded. Approved unanimously.

Chief Calloway, Sheldon Hudson and Lt. Robert Legates traveled to Wilmington on February 28 for the Criminal Justice Council (CJC) grant presentation. Chief Calloway stated the grant was approved for the Town to receive \$50,000 a year for 3 years to fund a new detective.

With regard to Office of Highway Safety initiatives, in the month of February, officers issued 44 traffic tickets over a period of 24 hours worked.

Chief Calloway stated that there were currently 4 roadside memorials located in town. There were 2 on Monroe Avenue, 1 on Route 113 and Delaware Avenue and 1 on northbound Route 113 and Old Landing Road. The concern was there was currently no ordinance for roadside memorials. The question was how long do these memorials stay up. Mayor Thoroughgood suggested giving Council some time to digest this information and come back in April for further discussion. Schrider-Fox stated possibly looking at what the State of Delaware was doing. Hudson thanked Chief Calloway for getting involved and assisting with the delicate issue.

Chief Calloway said he would not be at the April Council meeting due to being on vacation.

Chief Calloway recommended capping the Police Academy expense reimbursement amount at \$1,000. Gum made a motion to accept the recommendation. Cordrey seconded. Approved unanimously.

## **Streets:**

Axle limit on portion of State Street: Hudson stated he had reached out to the Delaware Department of Transportation and, per state code, an engineering study would be required to obtain an axle limit. Hudson requested another month to work with Shanté Hastings to see what other options might be available.

### State Street project:

George Pierce from the Delaware Department of Transportation addressed Council concerning the State Street project. Mr. Pierce stated that John Hall had reached out to him concerning a drainage issue at the fire hall. Mr. Pierce said once the project had started back up an inlet would be put in on the back side of the curb to address the issue.

Mr. Pierce stated he was still waiting for the last utility abandonment. There was about 6 weeks of work left to be done once crews started back up. The Traffic Management Center would reach out to the fire department about lane closures during construction.

## **Parks and Recreation:**

### Request from JDRF to use Cupola Park:

Kristan Hudson addressed Council with a request for the 1st Sussex County kickoff walk for JDRF. The actual walk would take place at either Killens Pond or Lake Forest. The request was to have the kickoff at Cupola Park because it was a central location. There would possibly be 2 “food trucks.” Sheldon Hudson stated that a State health certificate, State business license and Town business license would be required. A special event permit would also be required because of the food trucks. The stage would be needed for the event; the cost of the stage rental was \$100 but would be waived if proof of 501(c)(3) status was provided.

Hodges made a motion to grant the request. Kells seconded. Approved unanimously.

Milford Community Band performance date change: Hudson stated that the Milford Community Band had requested to change an approved date from June 24 to August 12 at 5:00 p.m. Cordrey made a motion that the date be changed as requested. Gum seconded. Approved unanimously.

Request from The Honeycombs to perform, for a fee, on Cupola Park stage: Hudson stated the group “The Honeycombs” had requested to perform at Cupola Park. The cost would be \$850 for a 6-piece band, \$750 for a 5-piece band and \$550 for a 4-piece band. It was mentioned they possibly play at the Stars and Stripes event. Council decided to table this request so that research could be done.

Fireworks ordinance (§ 105-1): Schrider-Fox stated the fireworks ordinance needed to be cleaned up. Council advised Schrider-Fox to revise the ordinance by adding such items as the event must be a Town-approved event; be a public display; and have fire marshal approval. Schrider-Fox said she would revise and bring back to Council in April for review.

## **Water and sewer:**

### Handling of special issue related to utility account for property located at 28515 Dupont Boulevard:

Hudson stated that attempts of going to the previous owner to collect approximately \$400 were unsuccessful. Hudson recommended the balance be written off. Gum made a motion to write off the balance. Hodges seconded. Approved unanimously.

Request for waiver of late fees and penalties—241 River Drive: No Council action taken—information only.

## **Mayor's report:**

Annexation application—property with a Sussex County tax map and parcel number of 233-5.00-110.02: Hudson stated the plan of services for the property with a tax map and parcel number of 233-5.00-110.02 had been accepted and approved. Hodges made a motion to approve the annexation application and to zone the parcel highway commercial (HC). Gum seconded. Approved unanimously.

### Final approval of proposed site plan for Hardee's:

Jamie Sechler, PE of Davis, Bowen & Friedel Inc. requested final site plan approval of a proposed site plan for Hardee's at the Millsboro Towne Square. All agencies had reviewed. There was an easement that had been granted and that was in place.

Gum made a motion to approve the final site plan. Cordrey seconded. Approved unanimously.

Reserved parking for Purple Heart recipients in Town-owned lot: After discussions with Janice Fabian, it was decided to have the reserved parking place be at the municipal parking lot located between Main and Washington streets. Gum made a motion to approve the reserved parking spot in the municipal lot. Truitt seconded. Approved unanimously.

### Conditional use application—property with a Sussex County tax map and parcel number of 133-17.17-100.00 (zoned UB):

Craig Kormanik requested conditional use approval for the parcel. Hudson expressed gratitude for the improvements made thus far to the building. Mr. Kormanik was looking to build 6 apartments in an existing building. No approvals had been obtained as of yet.

Gum made a motion to approve the conditional use up to 6 units. O'Neal seconded. Approved unanimously.

Housing and development trends: Ms. Savannah Edwards of AECOM presented an informational presentation on housing and development trends. The presentation focused on planning trends, housing trends and economic development.

Additional pole lights for Laurel and Old Landing roads: Hudson stated he was working with Delmarva Power to price installing pole lights along Laurel Road between Kendall Street and Godwin School Road and along Old Landing Road as needed. Hodges requested Hudson pursue the decorative poles instead of the wooden poles and report to Council the cost and options available.

State mosquito control program: Cordrey made a motion to authorize mosquito spraying within Town limits. Hodges seconded. Approved unanimously.

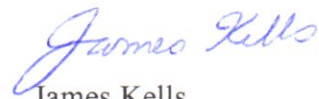
**Recess:** Truitt made a motion to go into recess until 9:20 p.m. Cordrey seconded. Approved unanimously.

## **Executive session**

**Call to order:** At 10:22 p.m., Truitt made a motion to go back into regular session. Gum seconded. Approved unanimously.

**Adjournment:** With no further business, Mayor Thoroughgood asked for a motion to adjourn. Truitt made such a motion. Kells seconded. Approved unanimously at 10:25 p.m.

Respectfully submitted,



James Kells  
Secretary

JK:sh:jd