



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
January 7, 2019**

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, Assistant Town Manager Jamie Burk, Town Clerk Joanne Dorey, and Town Solicitor Mary Schrider-Fox. No one was absent.

Pledge of allegiance: Mayor Thoroughgood 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. Hodges seconded. Approved unanimously.

Hudson stated all of the funds previously in the Citizens Bank account with the exception of approximately \$250,000.00 had been transferred from Citizens Bank to WSFS.

Millsboro Fire Company update: O'Neal stated the Department had finished up a safe 2018 year with 516 fire calls and 3,059 EMS calls. O'Neal expressed his gratitude to the Town, the community and all of the dedicated volunteers.

Police Department's report:

Chief Brian Calloway stated, on December 3 and 4, Cpl. Jonathan Zubrowski had attended training on ethical decision making at the Delaware State Police Academy. PFC Dallas Millner had attended training on street crimes hosted by the New Castle County Police Department. On December 13, Patrolwoman Liana Dodson received training on "Cops in Court."

Chief Calloway stated the PowerDMS document management system had been purchased using funds from the fiscal year 2019 State Aid to Local Law Enforcement (SALLE) Grant.

Police Department's report (cont.)

On December 12, members of the Millsboro Middle School chorus, Jamie Burk and members of the Department sang Christmas carols to residents at the Atlantic Shores Rehabilitation and Health Center.

Chief Calloway indicated that a total of \$5,556.31 had been raised through the Whiskers for Wishes fundraiser—with a total of 13 families benefiting from the program, including 37 children.

On December 28, the Department partnered with Lighthouse Christian School for a “Cop for a Day” fundraiser—raising over \$500.00. Chief Calloway expressed gratitude to Mayor Thoroughgood and Baker’s Hardware for their cooperation and support.

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. This would be an 80% federally and 20% locally funded program. Chief indicated that he would provide additional details at a later date.

Gum mentioned that a portion of Sheep Pen Road was closed.

With regard to Office of Highway Safety initiatives, in the month of December, there were 20 hours worked—which resulted in the identification of 20 traffic violations.

Mayor’s report:

Community Development Block Grant: Brad D. Whaley, director, Sussex County Community Development presented information about the Community Development Block Grant. In order for the Town to apply for a grant to install sidewalks on Monroe Street, a public hearing would need to be held. The project would require an application form, a citizen’s participation document, a fair housing resolution and a 10% match from the Town as well as a certification by applicant document.

Downtown Improvement Plan: Ms. Savannah Edwards of AECOM presented a draft downtown improvement plan. The major themes were a regional need for “workforce housing”; the fact that median income was steadily rising; mobility can be more efficient and effective; and there was a need for density, pedestrian scale and a mix of uses. Recommendations were presented.

Streets:

Lack of (improved) roads connecting parcels—Sussex County tax map and parcel numbers 233-5.00-115.03, -115.19, and -116.00: Schrider-Fox reminded Council that she had been tasked with putting together an estimate in terms of the legal fees that the Town might expect to incur if Council were to decide to pursue the condemnation option. A rough estimate of \$20,000.00 to \$30,000.00, not including appraisal and updated traffic study costs, was provided. Schrider-Fox said the cost would be higher if more parties were involved. Council informally decided not to take any action—at least for the time being.

Additional speed limit and/or children at play signs in Plantation Lakes subdivision:

Kells presented a request to install 25 mph speed limit and children at play signs in the following locations:

- Entrance onto Magnolia Circle from Belmont Boulevard
- Entrance from Magnolia Circle main entry to Magnolia Circle intersection
- Entrance from Magnolia Circle to Surry Lane
- Entrance onto Lumberton Drive
- Glenwood Drive at the 1st intersection with Lumberton Drive
- Glenwood Drive at the 2nd intersection with Lumberton Drive
- Entrance to Shelby Court

Hodges made a motion to authorize placement of the signs. Truitt seconded. Approved unanimously.

Parks and Recreation:

Improvement of property with a Sussex County tax map and parcel number of 133-20.00-37.01:

Hudson relayed the suggestion to develop a possible “option C” for a “dog park” located somewhere within Town limits other than in the future Town park found on the west side of town.

Kells reminded Council that a dog park was one of the top 3 survey results in terms of new Town park components.

Mayor Thoroughgood stated no towns owned a dog park. Mayor Thoroughgood mentioned the possibility of a membership system for the dog park being created in order to limit the number of people who would use the park.

Truitt suggested the possibility of a community group organizing and managing the park.

Hodges made a motion to direct the consultant, via Hudson, to remove the dog park component from the new park and to design a dog park on approximately 5 acres of property at the White Farm near the tree line. Hodges recommended that the Town get approval from the Delaware Department of Natural Resources and Environmental Control to proceed with a park. Cordrey seconded. Approved unanimously.

Water and sewer:

Wastewater grant: Hodges made a motion to add a \$120,000.00 item to the fiscal year 2019 budget and to approve the wastewater grant available from the State of Delaware for facility planning. Truitt seconded. Approved unanimously.

Water infrastructure “miniloop” in/near Plantation Lakes subdivision:

Schrider-Fox presented a cost-sharing agreement stating the Town and Lencraft would evenly split the costs of the miniloop project. The agreement indicated that the Town would be responsible for the management and supervision of the project.

Truitt made a motion to approve the agreement. Kells seconded. Approved unanimously.

Mayor’s report (cont.):

Downtown improvements projects (including State St. portions):

Concerning the Main Street project, Hudson stated the consultant, Davis, Bowen & Friedel, had indicated that they were waiting to hear back from the Delaware Department of Transportation.

Hudson said the State’s State Street project was scheduled for final inspection on January 16, 2019. Hudson asked that any concerns pertaining to the project be shared with him by the end of the week.

O’Neal asked if the Town would be interested in having conduit run as a part of the Town’s State Street project. Hodges suggested that Hudson speak with Kenny Niblett [director of public works] and the consultant for the project.

Bidder selection criteria:

Schrider-Fox presented a “marked-up” version of § 15 of the Millsboro *Charter*. Schrider-Fox stated, if the revised charter were to become Delaware law, a project would not have to be awarded to the lowest responsible and responsive bidder but, rather, could be awarded to a vendor other than the lowest responsible and responsive bidder if, in the opinion of the Town Council, the interest of the Town would be better served by awarding the contract to another bidder. The Town would need to have legitimate reasons to support its decision, such as information on the past performance, history and financial well-being of the company that would otherwise have to be selected.

Gum made a motion to send the language to state legislators Hocker and Collins and to increase the “aggregate amount” listed in § 15(b)(1) of the *Charter* from \$20,000.00 to \$50,000.00. Truitt seconded. Approved unanimously.

Chapter 66 of the Code of the Town of Millsboro: Gum made a motion to approve the revised chapter 66 that was presented to Council during the December 2018 Council meeting. O’Neal seconded. Approved unanimously.

Mayor's report (cont.)

Bonding requirements: Cordrey made a motion to informally agree (1) 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 and (2) to formally agree to the preceding during the February 2019 regular meeting. Kells seconded. Approved unanimously.

Entrance/exit location—Sussex County tax map and parcel number 233-5.00-7.00 and speed limit—Dupont Boulevard:

Hudson relayed a request from James D. Parker that the Town write a letter to the Delaware Department of Transportation in support of his request to place the Dupont Boulevard entrance to/exit from the former VFW property near the south end of the parcel. In addition, Mr. Parker asked that the correspondence include a request that the speed limit along the southerly portion of Dupont Boulevard be set at 50 mph.

Hudson suggested that the speed limit for the entire length of the Millsboro portion of Dupont Boulevard be set at 50 mph for consistency's sake.

Cordrey made a motion to authorize Hudson to send a letter to the Department of Transportation expressing support for the southern entrance/exit location and requesting that the speed limit on Dupont Boulevard be set at 50 mph from Hardscrabble Road to Dickerson Road. Gum seconded. Approved unanimously.

Trash pickup hours—urban business (UB) district: Hudson relayed a request from the Plate & Palette restaurant requesting trash pickup 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. Council informally decided to table the item.

Application for conditional use—Sussex County tax map and parcel number 133-16.16-7.00: Hudson presented a conditional use renewal application for Chimes. Kells made a motion to grant the renewal request. O'Neal seconded. Approved unanimously.

Business licenses: Matt Hall [finance officer] relayed a request from Town staff to possibly issue a penalty in cases where businesses had not renewed their business licenses. Council informally requested that Mr. Hall get more information from Town staff as to what type of businesses were not renewing.

Supplemental tax list: Mr. Hall supplied Council with a list of the quarterly changes to tax assessments. Truitt made a motion to invoice all increases greater than \$5.00. Kells seconded. Approved unanimously.

Authorized bond signers: Mr. Hall requested to be added as an authorized instructor and “confirmer” for the Plantation Lakes Special Development District Bond. Hodges made a motion to add Mr. Hall as a signer. Kells seconded. Approved unanimously.

Payment for services rendered—Michelle Truitt—Christmas pole decoration work: Hodges made a motion to purchase a \$100.00 gift certificate from Blue Water Grill for the services that had been rendered by Truitt and her daughters in terms of making improvements to the Town's Christmas pole decorations. Cordrey seconded. Approved unanimously.

Recess: Truitt made a motion to go into recess until 9:25 p.m. Cordrey seconded. Approved unanimously.

Executive session

Call to order: At 10:08 p.m., Gum made a motion to go back into regular session. Kells seconded. Approved unanimously.

Business conducted in executive session:

Cordrey made a motion to allow the 2 police officers to carry over unused paid leave time into 2019 as discussed in executive session. Gum seconded. Approved unanimously.

Cordrey made a motion to accept the town solicitor's guidance concerning a *Family and Medical Leave Act* question involving a Town employee. Gum seconded. Approved unanimously.

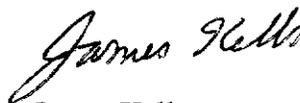
Cordrey made a motion to authorize the town manager to start the hiring process for a possible new wastewater operator. Kells seconded. Approved unanimously.

Cordrey made a motion to approve an extension of the Ellis Street contract to have a "close-by" date of March 29, 2019. Kells seconded. Approved unanimously.

Cordrey made a motion to accept the draft contract for the property on State Street and to authorize the mayor to sign the agreement as discussed in executive session. Gum seconded. Approved unanimously.

Adjournment: With no further business, Mayor Thoroughgood asked for a motion to adjourn. Truitt made such a motion. Gum seconded. Approved unanimously at 10:13 p.m.

Respectfully submitted,



James Kells
Secretary

JK:SH:jd