



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  
August 6, 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, 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.

**Public hearing:** Mayor Thoroughgood opened the public hearing for the proposed annexation.

**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.

Kells mentioned that over \$5,000 had been raised for the Home of the Brave from the golf outing held at Plantation Lakes.

Kells also mentioned the ovarian cancer "Turn the Town Green" campaign would be starting September 1. Bow pin ups would start at 10:00 a.m. Volunteers welcome.

Hudson mentioned the Dirt Road Outlawz band had requested a change in time of their performance on August 18 from 3:00 to 6:00 p.m. to 6:00 to 8:00 p.m. The original request was approved during the May 7 Council meeting. Truitt made a motion to grant the requested time change. Cordrey seconded. Approved unanimously.

Approval of proposed partitioning plan and approval of proposed site plan for Brandywine Village Apartments—properties with current Sussex County tax map and parcel numbers of 133-17.13-31.01, -31.02, and -31.03:

Stephen Rosenfeld, P.E. of Vandemark & Lynch, Inc. and Spencer Leech of the Severn Companies informed Council of a \$6 million improvement project to Brandywine Apartments.

Mr. Rosenfeld stated they were also looking for approval to combine parcels 133-17.13-31.02 and -31.03. Hodges made a motion to grant the lot combination request. Gum seconded. Approved unanimously.

Mr. Rosenfeld presented a request for preliminary site plan approval with a community building addition of approximately 2,000 square feet. The community building was a requirement of the Delaware State Housing Authority—which would be providing funding for the project.

Hodges made a motion to approve the preliminary site plan contingent upon a Board of Adjustment variance and state agency approvals being obtained. Gum seconded. Approved unanimously.

**Millsboro Fire Company update:** First Assistant Chief Eric Myers presented the monthly report. Assistant Chief Myers stated the Millsboro Fire Company handled 61 fire-related calls and 259 EMS calls during the month of July. Due to the increased volume of EMS calls, additional staffing was added in July for Friday, Saturday, Sunday and Monday nights. It was also mentioned in the near future the Millsboro Fire Company may need to have 2 24-hour crews.

**Police Department's report:**

Chief Brian Calloway stated Cpl. Matthew Dufour had attended training for Certified Police Instructor, hosted by the Newark Police Department. On July 18, Patrolman Joseph Mulhern attended training on sex crimes at the Delaware State Police Academy. July 24–29, Chief Calloway, Lt. Robert Legates and Sgt. Barry Wheatley attended the Commission on Accreditation for Law Enforcement Agencies (CALEA) conference in Grand Rapids, Michigan.

Chief Calloway stated John Wharton had graduated from the Delaware State Police Academy on August 3. Patrolman Wharton was introduced to Council, and congratulations were offered.

Chief Calloway stated Officer Joseph Mulhern had met all requirements and was eligible to be promoted to Patrolman First Class. Hodges made a motion to promote Officer Mulhern to Patrolman First Class. Cordrey seconded. Approved unanimously.

Chief Calloway stated Lt. Robert Legates and Sgt. Barry Wheatley had conducted Civilian Response to Active Shooter Events (CRASE) training on July 11 at the Town Center; another such event was held on July 18 at Atlantic Shores.

Sussex County informed the Town that it was eligible to apply for \$25,000 in grant funding. Chief requested to allocate this funding for a treadmill (\$4,300.00); an evidence library warranty (\$2,232.74); 14 WatchGuard body cameras (\$10,815.00); 12 flashlights (\$1,310.76); a printer for the officer's quarters (\$379.00); 4 TV/camera monitors (\$879.96); firearms training equipment (\$432.54); removal and installation of camera systems (\$1,750.00); relettering of the command trailer (\$500.00); and lettering of 3 emergency vehicles (\$2,400.00). Truitt made a motion to approve the request. Cordrey seconded. Approved unanimously.

With regard to Office of Highway Safety initiatives, in the month of July, there was a DUI initiative—which resulted in a 4th-offense DUI arrest.

Bob Herrington of Watson Funeral Home presented safety concerns of funeral processions to Council. Several local funeral home directors asked Council for recommendations.

Chief Calloway said he had been working with the Town's architect on what to do with the Town-owned property located on Main Street next to the police station other than demolition. Chief Calloway reached out to several organizations such as Second Chance and Habitat for Humanity with no success or suggestions.

Hodges made a motion to have a “free home” sign posted for 90 days and then 45 days to have the home moved. Hudson clarified the motion; October 31 was the deadline for any interest in the home to be expressed—with the home to be moved and site restored by December 15. Kells seconded. Approved unanimously.

### **Streets:**

Iron Branch bridge project: Hudson advised Council the Iron Branch bridge project timeline had been changed to the fall of 2019 per the Delaware Department of Transportation.

State Street project—night work: Hudson relayed a request for approval for night work to be conducted. Truitt made a motion to approve. Kells seconded. Approved unanimously.

New signal light(s)—Main and/or Washington streets: Hudson stated he had received a message from Jennifer Spinks requesting traffic light(s) be installed on Main and/or Washington streets. After some discussion, it was mentioned that she might want to write a letter of concern to the Delaware Department of Transportation since the State maintains the roads in question.

New stop sign near the south corner of Mitchell Street and Wilson Highway: Hudson stated he had received a request that a stop sign be placed near the south corner of Mitchell Street and Wilson Highway. No action taken.

### **Parks and Recreation:**

Improvement of property with a Sussex County tax map and parcel number of 133-20.00-37.01: Burk said he had interviewed 2 firms and was waiting on proposals and design ideas.

“Movie nights” at Cupola Park: Burk stated the cost to obtain a license to show a movie at Cupola Park would be between \$350 and \$435 per movie; the cost of the movie rental would be about \$750. Council decided to pass on the movie night since the cost of showing 1 movie would be well over \$1,000.

Live music at Cupola Park: Cordrey made a motion for Town Hall to locate a band and a “food truck” to come to Cupola Park the last Tuesday in August. Truitt seconded. Approved unanimously.

Cupola Park stage rental request—Celina's Butterfly Swings: Burk presented a request from Louise Whale to have a fund-raiser on September 1 with a rain date of September 2 and to have the fee waived for the stage rental. The event was initially approved and scheduled for June 23 but was cancelled due to possible inclement weather. Hodges made a motion to grant the request. O'Neal seconded. Approved unanimously.

## **Mayor's report:**

### Application for annexation—properties with Sussex County tax map and parcel numbers of 233-5.00-7.00 and -6.00:

James Parker of Jim Parker Builders, Inc. presented his request for annexation and shared his vision for a hotel and restaurant pad on the site.

Schrider-Fox asked if there were any public comments regarding the annexation request. Claudette Byrnes, Jennifer Sullivan, and Anita Steere voiced concerns about the annexation. Franklin Wilcox inquired as to how many units would be at the hotel and as to parking space for the restaurant, and he expressed concerns about the entrance/exit of the hotel.

Cordrey made a motion to close the public hearing. Gum seconded. Approved unanimously.

Cordrey made a motion to approve the annexation request and to designate the zoning as highway commercial. Kells seconded. Approved unanimously.

Approval of revised proposed partitioning plan—property with a Sussex County tax map and parcel number of 233-5.00-112.00: Mark Davidson of Pennoni Associates, Inc. stated the owner of the property had asked him to withdraw the request as there was a potential buyer for an adjacent property. The application was withdrawn.

### Final approval of proposed site plan for Ashley Furniture HomeStore—property with a Sussex County tax map and parcel number of 233-5.00-110.02:

Alan Decktor of Pennoni Associates, Inc. requested final site plan approval for Ashley Furniture HomeStore. Mr. Decktor recapped approvals that had been obtained thus far.

Hodges made a motion to grant final approval contingent upon all approvals being received—including a Sussex Conservation District approval letter and a Delaware Department of Transportation approval letter. Gum seconded. Approved unanimously.

### Approval of proposed revised and amended final site plan for Retreat at Millstone:

Alan Decktor of Pennoni Associates, Inc. had requested approval of a revised and amended final site plan for Retreat at Millstone. The plan reduced the number of units from 193 to 190. Mr. Decktor had spoken to Mr. Niblett; the infrastructure change was minor in nature and had been sent to Carrie Kruger of Duffield.

Kells inquired as to if there were any plans for a community center. Mr. Decktor replied the developer had stated that construction of the community building would begin 60 days after the start of the first townhouse.

Hodges made a motion to approve the revised and amended final site plan. Gum seconded. Approved unanimously.

Municipal parking lot located between Main and Washington streets: Roger Perry, owner of Gunshooter Enterprises on Main Street, expressed a desire to see the State/Washington municipal parking lot have both an entrance and an exit on both Main and Washington streets. Cordrey made a motion to grant the request contingent upon any needed Delaware Department of Transportation approvals being granted. Gum seconded. Approved unanimously.

Women's Council of Realtors—Building and Real Estate Expo:

Tammy Rust, on behalf of the Women's Council of Realtors, expressed a desire to partner with the Town to hold a Building and Real Estate Expo in September from 11:00 a.m. to 2:00 p.m. at the Town Center. She asked that the room rental fee be waived if the Town was willing to be a cosponsor.

Truitt volunteered to oversee the event. Hodges made a motion to grant the request to cosponsor the Expo; to waive the rental fee; and to authorize Town staff and Ms. Rust to set the exact date. Kells seconded. Approved unanimously.

Application for conditional use—property with a Sussex County tax map and parcel number of 133-16.00-73.00: Sean Davis and Dave Heatwole of MRA and Brian Hayden of Lennar requested approval to build 4 model homes in Section A-3. Kells made a motion to approve the conditional use request. Hodges seconded. Approved unanimously.

Application for conditional use—property with a Sussex County tax map and parcel number of 133-17.13-101.00: Schrider-Fox stated there was no record of a renewal since 2015. Council decided more research needed to be done, no renewal granted.

Real property valuation appeals: Hudson stated, due to staffing issues at PTA Del/Val, he and Schrider-Fox were recommending the tax appeal hearing for Lawrence and Eileen Appleman of 25161 Lumberton be reopened because they had been out of the country and contact could not be made with them. Hodges recommended giving the property owners 60 days to respond.

Persons authorized to use Town-owned equipment: After discussion, O'Neal made a motion to restrict the use of Town-owned equipment to Town employees only and directing that a letter be written advising that the locks at the water treatment facility would be changed in 1 week. Kells seconded. Approved unanimously.

**Recess:** Truitt made a motion to go into recess until 9:15 p.m. Cordrey seconded. Approved unanimously.

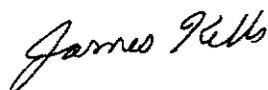
**Executive session**

**Call to order:** At 9:44 p.m., Truitt made a motion to go back into regular session. Cordrey seconded. Approved unanimously.

**Business conducted in executive session:** Cordrey made a motion to authorize the town manager to make the real estate offer discussed in executive session. Kells seconded. Approved unanimously.

**Adjournment:** With no further business, Mayor Thoroughgood asked for a motion to adjourn. Cordrey made such a motion. Truitt seconded. Approved unanimously at 9:50 p.m.

Respectfully submitted,



James Kells  
Secretary