



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
September 4, 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 comment: A resident stated he was opposed to changing the speed limit in Plantation Lakes.

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 update: (None)

Final approval of proposed site plan for Brandywine Village Apartments—properties with (former) 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 requested final site plan approval for Brandywine Village Apartments. Mr. Rosenfeld stated all necessary variances had been granted; all state agency approvals had been obtained; and all comments had been addressed.

Hodges made a motion to grant final site plan approval. Gum seconded. Approved unanimously.

Greater Millsboro Chamber of Commerce update: (None)

Police Department's report:

Chief Brian Calloway requested that a motion be made to promote Cpl. Patrick Forester and Cpl. David Moyer to sergeant. Hodges made such a motion. Cordrey seconded. Approved unanimously.

Congratulations were offered to both officers.

Patrolman Christopher Ebke had attended training for Emergency Vehicle Operation, hosted by the Delaware State Police Academy. August 12–16, Lt. Robert Legates attended training on Crimes Against Children in Dallas, Texas. On August 13, Cpl. David Moyer attended training on Youth Crimes at the Delaware State Police Academy. August 22–24, Cpl. Seth Bullock attended a Homeland Security Conference, hosted by the Delaware Information and Analysis Center.

Chief Calloway stated Patrolwoman Liana Dodson was working on plans for Halloween night.

Chief Calloway was working on putting together a Business Academy. More information was to be presented to Council in October.

With regard to Office of Highway Safety initiatives, in the month of August, there was a speed enforcement initiative—which resulted in a total of 27 traffic arrests.

The Police Department was allocated \$35,016.45 from the FY 2019 Combat to Fight Violent Crime Grant. Chief Calloway requested to allocate this funding to install a camera surveillance system on Main Street; to cover the cost of drug enforcement overtime hours; and to rent vehicles for drug surveillance.

Hodges made a motion to approve the request. Truitt seconded. Approved unanimously.

Streets:

Speed limit in Plantation Lakes subdivision:

Kells presented a request to lower the speed limit from 25 to 15 mph on Magnolia Circle and Surry Lane. Chief Calloway presented traffic study results for the period of June 27–July 4. He stated that Delaware law indicated that, to lower the speed limit to 15 mph, an engineering and traffic investigation would need to be performed.

Hodges made a motion to leave the speed limit at 25 mph. Gum seconded. Approved unanimously.

Signs in the vicinity of Millsboro Middle School: Detective Jeff Hudson, resource officer for Millsboro Middle School, requested that the signs that state “No Parking on This Side of Street” and “School Bus Loading Zone” on Wilson Highway be replaced with “No Stopping Standing or Parking” signs. Schrider-Fox stated Section 200 of the Town code would need to be amended at the October Council meeting if Council wanted to act on the request.

Parks and Recreation:

Improvement of property with a Sussex County tax map and parcel number of 133-20.00-37.01: Matthew Spong of Landscape Architectural Services, LLC presented a proposal for master planning, concept sketch and final master plan for the possible future Town park on the west side of town. Kells made a motion to proceed with the design phase of the park. Cordrey seconded. Approved unanimously.

Live music at Cupola Park: Truitt suggested the Town start looking now for bands to perform in 2019.

Establishment of Town-recognized trick-or-treating date for 2018: Gum made a motion to have trick-or-treating on Wednesday, October 31 from 6:00 to 8:00 p.m. with the understanding that participants would need to be 12 years of age or younger and in costume. Hodges seconded. Approved unanimously.

Water and sewer:

Late fees and penalties: Hudson relayed a request to possibly waive late fees and penalties on water and sewer bills on a onetime basis only. Schrider-Fox stated, per Town code § 206-14, penalties and late fees shall be imposed. No action taken.

Mayor's report:

Approval of proposed revised partitioning plan and preliminary approval of proposed site plan for avid™ hotel—property with a Sussex County tax map and parcel number of 233-5.00-112.00:

Mark Davidson of Pennoni Associates, Inc. presented a revised partitioning plan for parcels 15 and 17 at Peninsula Crossing. Hudson stated Pret Dyer had sent an e-mail dated September 4 in which he had asked that his message be entered into the record by reference.

Gum made a motion to approve the revised partitioning plan. Cordrey seconded. Approved unanimously.

Alan Decktor of Pennoni Associates, Inc. requested preliminary approval of the site plan for avid™ hotel—which he said would be a 4-story building with 79 rooms. Gum made a motion to grant preliminary approval. Hodges seconded. Approved unanimously.

Application for conditional use—property with a Sussex County tax map and parcel number of 133-17.13-101.00: In 2016, applicant paid for a renewal of the conditional use for the property on 207 North Morris Street, but no extension was granted. The applicant again paid for a renewal in July 2018. Hodges made a motion to grant the extension. Gum seconded. Approved unanimously.

Real property valuation appeals: Lawrence Appleman of 25161 Lumberton Drive presented an appeal to reduce the property tax assessment from \$478,200 to \$425,000. Eric Piner of PTA/DelVal said he would consider adjusting the values of the properties along the golf course and respond back in October.

Main Street improvements: Jason Loar, P.E. of Davis, Bowen & Friedel, Inc. presented 3 different options for the Main Street sidewalk replacement project—with the estimates being \$343,000 for option 1, \$363,000 for option 2, and \$433,000 for option 3. Hudson stated options 1 and 2 would be within the FY 2019 budget. Mr. Loar said the project could be phased over a period of 2 years with the water line phase being completed in phase 1. The project would take 90 days to construct—which would temporarily mean no parking on either side of Main Street. Mr. Loar suggested a temporary parking lot be built beside the police station.

Demolition of Town-owned real property: Chief Calloway had spoken with East Coast Movers; they recommended demolition of the home next to the police station. Truitt made a motion to demolish the home as soon as reasonably possible. Kells seconded. Approved unanimously.

Pumping station no. 4 replacement:

Carrie Kruger of Duffield Associates presented a proposal to provide engineering and technical services for the replacement of the “M&T” pumping station (ps4). The estimated cost of the design and bid phase was \$83,000; the estimated cost of the construction phase was \$42,000; and the time and materials estimate was \$61,200—for a total cost of \$186,200.

Schrider-Fox stated she and Ms. Kruger were working with M&T Bank to amend the current easement agreement for the pump station.

Hodges made a motion to approve the proposed agreement for pumping station no. 4. Truitt seconded. Approved unanimously.

Wastewater plant expansion: Carrie Kruger of Duffield Associates wanted to make Council aware that she had participated in numerous conversations with town staff, including Kenny Niblett, concerning the wastewater and water infrastructure capacity throughout the Town.

Building permit expiration date change request—Village at Iron Branch: Tom Ayd, developer and owner of Village at Iron Branch, presented a request to reduce the cost of extending the building permit. Mr. Ayd stated there were many unforeseen challenges that had caused the project to be about 120 days behind schedule.

Hudson indicated that Kenny Niblett said many of the delays were not caused by the developer.

Gum made a motion to reduce the permit renewal fee by half. Cordrey seconded. Approved unanimously.

2nd bond tranche for Plantation Lakes subdivision—approval of amended ordinance to increase bond amount from \$24,000,000 to \$30,000,000 and status of process and review of final documents: Schrider-Fox relayed a request that the ordinance be amended to increase the bond amount from \$24,000,000 to \$30,000,000. Truitt made a motion to grant the request. O’Neal seconded. Approved unanimously.

Constitution Week proclamation: Truitt made a motion to authorize the mayor to issue a proclamation recognizing Constitution Week 2018. Cordrey seconded. Approved unanimously.

Recess: Truitt made a motion to go into recess until 9:55 p.m. Cordrey seconded. Approved unanimously.

Executive session

Call to order: At 10:50 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 for the property located on Ellis Street as discussed in executive session. Hodges seconded. Approved unanimously.

Hodges made a motion to make the 2 personnel decisions as discussed in executive session. Cordrey seconded. Approved unanimously.

Hodges made a motion to authorize the town manager to make the real estate offer for the property located on Main Street as discussed in executive session. Cordrey seconded. Approved unanimously.

Adjournment: With no further business, Mayor Thoroughgood asked for a motion to adjourn. Truitt made such a motion. Cordrey seconded. Approved unanimously at 11:00 p.m.

Respectfully submitted,



James Kells
Secretary

JK:SH:jd