



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
October 2, 2017**

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 comment: A member of the public spoke about what needed to be done for food trucks to be allowed at private events.

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.

Application to combine parcels—properties with Sussex County tax map and parcel numbers of 133-17.13-59.00, -59.01, and -57.00: Rev. Ed Kuhling of Grace United Methodist Church asked the Town to combine the 3 properties into 1 parcel. Schrider-Fox stated she would like some time to review the number of principal uses allowed. The request was tabled for further review. Schrider-Fox said she could possibly have answers before the special meeting on October 17, 2017.

Millsboro Fire Company: John Hall presented the monthly report. There were 214 runs in September, bringing the yearly total to 2,017. Hall expressed gratitude to the Fire Police for their assistance. The new rescue truck is in and the old vehicle has been sold to Albright Fire Company in West Virginia. The Pumpkin Run is slated to take place October 13, 14, and 15.

Greater Millsboro Chamber of Commerce: No report.

Police Department's report:

Chief Brian Calloway stated Sgt. Evan Rogers attended a leadership development class hosted by the Delaware State Police. Cpl. Jonathan Zubrowski, Cpl. David Moyer and Cpl. Patrick Forester attended ALERT training. All sworn officers are required to attend this training by the end of 2017. Lt. Robert Legates received training on conducting a mock CALEA assessment. The National Guard will be doing sims training at no charge on October 12 and 19. The Millsboro Police Department expressed their gratitude for the overwhelming support that was shown during the month of September from the community. Cpl. Jonathan Zubrowski is heading up the Family Night Out event with assistance from Patrolwoman Dodson. Cpl. Seth Bullock has volunteered to be the officer in charge of the Christmas parade.

Chief Calloway presented the program "Whiskers for Wishes." This is a no shave event where officers can pay Chief to not shave during the months of October, November and December. Officers would be required to pay \$20.00 for October, \$40.00 for November and \$60.00 for the month of December. The proceeds of this event are donated to Grace United Methodist Church to provide gifts to needy families within the Millsboro area. Kells made motion to allow this event. Hodges seconded. Approved unanimously.

With regard to Office of Highway Safety initiatives, in the month of September, officers issued 14 tickets over a period of 3 shifts worked.

The road work on State Street and Main Street is still causing some minor delays, but these roadways are open. Hudson stated that the Delaware Department of Transportation had indicated that the sidewalks would be done by the end of November and the entire project done by year end.

Adrian Acri is now attending a quarterly police clerks meeting. Ms. Acri became aware of a Walmart Community Grant, which could allow anywhere from \$250.00–\$2,500.00 to be granted to the Millsboro Police Department for public safety initiatives. Any funds granted would be used to purchase bicycle helmets for children. Cordrey made a motion to apply for the grant. O'Neal seconded. Approved unanimously.

Chief Calloway also requested permission to look into a Criminal Justice Council (CJC) grant—the Stop Violence against Women grant. If a grant were awarded, it could fund another detective to assist with major crime investigations. Chief Calloway said he had a meeting scheduled with the CJC to learn more about the grant. Hodges made a motion for Chief Calloway to see what monies were available. Cordrey seconded. Approved unanimously.

Chief Calloway stated that the new police vehicles were in.

Kells thanked Chief Calloway for his efforts with the Neighborhood Watch program. 3 neighborhoods have posted Neighborhood Watch signs.

Streets:

Request for warning sign to be installed along Central Alley: Hudson stated a request was made for the Town to install slow signs along Central Alley. Hodges made a motion to have signs placed. Truitt seconded. Approved unanimously.

Water and Sewer:

Policy concerning disconnection of water service in cases involving homes with a single cutoff valve but two meters: Hudson stated Town staff had concerns about some residents who have two meters and are not paying for the water usage associated with the irrigation meters. The water has not been turned off because residents are paying for their home water meter usage and there is only one cutoff valve. Schrider-Fox stated that, per Town Code, the Town can cut off water when the irrigation portion of a water bill is unpaid. No council action was taken.

Matt Hall stated the Town now has a new water bill format. Bills are no longer pressure sealed, and the Town now has the ability to include a newsletter. The invoice now shows the reading schedule and fees.

Mayor's report:

Application for annexation—property with a Sussex County tax map and parcel number of 133-16.00-121.00: Hudson stated he received an update from Carrie Kruger of Duffield Associates, Inc. that stated the plan of services is now complete. The balance of the review is now in the hands of the State.

Possible amending of zoning code in cases of the highway commercial (HC) and/or urban business (UB) zoning districts: Kyle Gulbranson from AECOM stated the initial reason for reviewing the zoning code was to look at hotel regulations. The zoning committee looked at neighboring towns to see what they were doing in terms of hotel height. It was proposed that the Town go to a 60 feet height limit and increase setbacks in the highway commercial district which would allow up to a 5 story building. Another change that was discussed was that the minimum lot size be 3 acres in cases involving hotels—not the current 1 acre. If the adjacent property were next to a residential lot, the rear setbacks would be 50 feet—not the current 30 feet—and the side yard setbacks would go from 20 feet to 50 feet. Gulbranson stated the permitted use lists were also cleaned up. He mentioned that not all retail sales and personal services could be mentioned, so they were now classified as just retail sales and personal services. Several new uses were added to the code. The definition of a hotel would be updated to allow associated uses such as a convention center, meeting room and restaurants. Hodges stated the only building that could be built up to the 60 feet would be a hotel in the HC district and not in the Urban Business district. Gum mentioned the code was outdated and needed cleaning up. Hodges made a motion to accept the proposed changes to the code with the exception of the addition of “brewpubs.” Truitt seconded. Approved unanimously. Mayor Thoroughgood indicated that a public hearing would be held during the November meeting.

Request for final major subdivision approval—property with a Sussex County tax map and parcel number of 233-5.00-115.00: Will Kernodle stated all easements would be in place if final approval were to be granted. Kernodle mentioned that lots 3 and 4 could not come without the cross-access easement. He also stated that Tractor Supply had signed an agreement to build but that one of the contingencies was the easement. Hodges made a motion to approve the major subdivision. Gum seconded. Approved unanimously. Hodges requested that Schrider-Fox research Peninsula Crossing plans to determine if an easement should have been done. Hudson stated he had reached out to RCG and indicated that the Town's preference was to have the easement granted.

Request for final site plan approval of “DuPont Plaza”—portion of property with a (former) Sussex County tax map and parcel number of 233-5.00-115.00: Will Kernodle requested final site plan approval for DuPont Plaza contingent upon all other approvals being secured. Access to this property would be in front of Farmer's Bank of Willards. Hudson stated one request that was mentioned in the comment letter from AECOM was that markings be added on the entrance lane; adequate access to the rear of the property was also mentioned. Hudson said a variance would be needed if the relevant zoning code change was not approved at the November regular meeting. Hodges made a motion that the recommendation to modify the

zoning code for parking lot maximum coverage to increase from 30% to 50% across the board for all districts be added to the agenda for the November regular meeting. Kells seconded. Approved unanimously. Hodges made a motion to grant final site plan approval contingent upon all other approvals being secured and comments from AECOM being addressed. Gum seconded. Approved unanimously.

Application for conditional use property with a Sussex County tax map and parcel number of 133-17.09-29.00: Hudson presented a request for conditional use from J&Y Limited Partnership. O'Neal made a motion to grant the conditional use request. Cordrey seconded. Approved unanimously.

Request for Town to change its policy relative to the allowance of "food trucks": Hudson mentioned the possibility of the Town issuing a special use permit. Schrider-Fox suggested that Council look at Sussex County as a model and/or possibly consider making a change to the zoning. She also mentioned the possibility of Mayor Thoroughgood appointing a committee. The desire was to have more family-oriented events including possible movie nights. Schrider-Fox stated "special event" needed to be defined. Hudson suggested he work with Kyle Gulbranson of AECOM over the next month or so and report back to Council.

Request for extension of final site plan approval for Homestead II: Ms. Tammy Rust, on behalf of Scott Dailey, requested an extension of the final site plan approval. The property has been sold, but settlement has been postponed pending receipt of Delaware Department of Transportation approvals. Ms. Rust expressed gratitude to the Town for the reduction of impact fees and said the project was moving forward as a result of Council's decision to lower them. The development consists of a mix of single family and townhomes for a total of 187 units. Hodges made a motion to grant the extension. Kells seconded. Approved unanimously.

Scott Dailey mentioned he is hoping to be selling homes by the 2nd quarter of 2018.

Request from Corner Liquor Store to conduct night work near the corner of Main and State streets: Hudson relayed the request for the demolition of the Corner Liquor Store to happen outside the normal hours of 7:00 a.m. to 7:00 p.m. Gum made a motion to allow the demolition to happen after hours. Hodges seconded. Approved unanimously.

Supplemental tax list: An associate of PTA/Delval Inc. supplied the Town with the quarterly changes to assessments. Truitt made a motion to invoice all increases. Cordrey seconded. Approved unanimously.

Economic development: Hudson stated some of the businesses that were under construction were Millsboro Chrysler, Best Veterinary Solutions, Past and Present and Farmer's Bank of Willards. Some of the businesses that had indicated they would or might be locating in, or relocating to, Millsboro were Chick-fil-A, Tractor Supply, Lewes Dairy, Royal Farms and Mid-Atlantic Animal Hospital. Hudson also mentioned that, based on FY 2017 numbers, the Town's population was growing at a rate of about 12% per year. In the 5-year period that ended last year, Millsboro had the second-highest number of residential permits pulled out of any municipality in the entire state. The Town is experiencing a tremendous rate of growth.

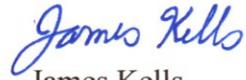
Recess: Truitt made a motion to go into recess until 9:00 p.m. Cordrey seconded. Approved unanimously.

Executive session

Call to order: At 10:02 p.m., Truitt made a motion to go back into regular session. O'Neal seconded. Approved unanimously.

Adjournment: With no further business, Mayor Thoroughgood asked for a motion to adjourn. Truitt made such a motion. Hodges seconded. Approved unanimously at 10:03 p.m.

Respectfully submitted,



James Kells
Secretary

JK:sh:jd