



Town Council
Town of Millsboro

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Mayor Faye Lingo
Vice Mayor John Thoroughgood
President Pro Tem Brad Cordrey
Secretary Jim Kells
Treasurer Larry Gum
Councilman Ron O'Neal
Councilwoman Kimberley Kaan

Jamie Burk, Town Manager

**TOWN COUNCIL
REGULAR MEETING
February 6, 2023**

MINUTES

Call to order: The meeting was called to order at 7:00 p.m.—with Mayor Faye Lingo presiding. Vice Mayor John Thoroughgood, President Pro Tem Bradley Cordrey, Council Treasurer Larry Gum, Councilman Ron O'Neal, Councilwoman Kimberley Kaan, Town Manager Jamie Burk, Assistant Town Manager Ashleigh Sander, Town Clerk Joanne Dorey and Town Solicitor Mary Schrider-Fox were present. Council Secretary James Kells was absent.

Mayor Lingo recognized and thanked Richard Buckner for his 40 years of service to the Town of Millsboro.

Public Hearing:

Mayor Lingo opened the public hearing. Lingo stated with no public comment she would leave the hearing open until later in the evening.

RESOLUTION PROPOSING TO ANNEX CERTAIN TERRITORY, CONTIGUOUS TO THE PRESENT LIMITS OF THE TOWN OF MILLSBORO, ONE PARCEL THEREOF OWNED BY MILLSBORO TOWNE VILLAGE, L.L.C., IDENTIFIED AS SUSSEX COUNTY TAX MAP AND PARCEL NO. 233-5.00-122.00 (P/O) AND ONE PARCEL THEREOF OWNED BY DMR WETLAND BANKING, LLC, IDENTIFIED AS SUSSEX COUNTY TAX MAP AND PARCEL NO. 233-5.00-123.00 (P/O), TOGETHER CONTAINING 73.45 ACRES, MORE OR LESS, OF TERRITORY PROPOSED TO BE ANNEXED; AND TO AMEND THE ZONING MAP AND ZONING ORDINANCE OF THE TOWN OF MILLSBORO TO INCLUDE SAID TERRITORY IN THE MEDIUM-DENSITY RESIDENTIAL (MR) DISTRICT WITH A RESIDENTIAL PLANNED COMMUNITY (RPC) OVERLAY; AS SET FORTH AND DESCRIBED IN AN APPLICATION SUBMITTED BY MILLSBORO TOWNE CENTER LLC

Secretary's report: Gum submitted the January regular meeting minutes and made a motion that Council approve them as written. Cordrey seconded. 6 approved; Kells was absent.

Treasurer's report: Gum made a motion that the Town pays the invoices from the designated accounts as recommended by staff. O'Neal seconded. 6 approved; Kells was absent.

Millsboro Fire Company update: Gum stated the ambulance crews drove over 140,000 miles in 2022 with 4 ambulances. He also mentioned a new ambulance is on order. O'Neal mentioned the department has a very active junior group.

Police Department's report:

Chief Brian Calloway stated on January 7–8, Senior Cpl. Seth Bullock attended Active Shooter Training hosted by the Seaford Police Department.

Chief Calloway mentioned on January 30–February 3, Ptlm. Justin Guevarez attended DUI Intox training hosted by the Dover Police Department.

Chief Calloway mentioned on January 31–February 1, Ptlm. Cody Jackson and Sgt. Evan Rogers attended Patrol Response Tactics hosted by the Delaware State Police.

Chief Calloway indicated that Cody Jackson and Cody Justice had met all requirements and were eligible to be promoted to the rank of Patrolman First Class. Thoroughgood made a motion to promote both, Officer Jackson and Officer Justice. Cordrey seconded. 6 approved; Kells was absent.

Chief Calloway mentioned Sgt Evan Rogers and Senior Corporal Jonathan Zubrowski earned the Millsboro Police Fitness Award.

It was mentioned the Special Olympics events were scheduled for February 10 and February 24.

Change Order #2 for Police Station: Burk presented change order #2 for \$17,558.95. Cordrey made a motion to approve the change order as presented in the packet. Gum seconded. 6 approved; Kells was absent.

Water and Sewer:

Route 24 sanitary sewer construction replacement award: Carrie Kruger, PE, town engineer presented the letter from Gannett Fleming, stating the lowest responsible bidder for the Route 24 sanitary sewer replacement project was Hopkins Construction, Inc for \$397,750.00. Kaan made a motion to award the project to Hopkins Construction, Inc. O'Neal seconded. 6 approved; Kells was absent.

Mayor's report:

Millsboro Towne Village Annexation of 233-5.00-122.00 (p/o) and 233-5.00-123.00 (p/o): Mayor Lingo asked if there were any public comments; with no public comments, Thoroughgood made a motion to close the public hearing. Cordrey seconded. 6 approved; Kells was absent.

Millsboro Towne Village Rezoning of 233-5.00-122.00 (p/o) from Medium-Density Residential (MR) to Medium-Density Residential (MR) with a Residential Planned Community (RPC) overlay and Subdivision of 233-5.00-122.00 (consisting of newly annexed property and property to be rezoned):

With no further discussion regarding the Millsboro Towne Village annexation, Thoroughgood made a motion to accept the annexation request as presented with a medium residential (MR) zoning designation with a residential planned community (RPC) overlay. Gum seconded. 6 approved; Kells was absent.

Thoroughgood made a motion to schedule a public hearing for the March council meeting regarding the rezoning. Cordrey seconded. 6 approved; Kells was absent.

After some discussion, it was decided Council would hold off on scheduling a public hearing for the subdivision application process until a later date.

R.S. Cordrey Farm Subdivision: George (“Kenny”) Niblett, director of public works presented the request for partitioning. Mr. Niblett stated currently the property is zoned urban business (UB). Thoroughgood made a motion to approve the partitioning as presented in the packet. Kaan seconded. 6 approved; Kells was absent.

Plantation Lakes road dedication, Section A: Kruger presented the request for road dedication of, Section A. Gum made a motion to approve the request, contingent upon completion of the items found during the CCTV review. O’Neal seconded. Gum, Cordrey, O’Neal, and Thoroughgood voted yes. Kaan was a no-vote. Kaan stated she would have liked to see the repairs made before the dedication. Motion passed.

Robb Annexation Committee Report (of 133-16.00-136.00): Burk stated the committee report was in the packet. Gum made a motion to schedule a public hearing for the March council meeting. Thoroughgood seconded. 6 approved; Kells was absent.

Sussex County Council Annexation Committee Report (of 233-5.00-110.00 (p/o)): Burk stated the committee report was in the packet. Thoroughgood made a motion to schedule a public hearing for the March council meeting. O’Neal seconded. 6 approved; Kells was absent.

Employee Handbook Amendment re: Section 35:2A Take Home Vehicles: Burk requested approval of the proposed employee handbook amendment regarding take-home vehicles. Kaan made a motion to approve the language as presented. Cordrey seconded. 6 approved; Kells was absent.

Art League Lease Renewal: Burk presented the current lease agreement to Council. Kaan requested a meeting be scheduled with the Art League to negotiate possibly a new lease. Thoroughgood made a motion to table this item until the March meeting. Cordrey seconded. 6 approved; Kells was absent.

Acceptance of annual audit report: Kaan made a motion to accept the audit report as presented at the January Council meeting. Gum seconded. 6 approved; Kells was absent.

Mayor's report (cont.):

Authorized Signers for Interim Financing:

Matthew Hall, director of finance presented two resolutions for the construction of the new police department and the new wastewater treatment plant and authorized the Mayor and Town Manager to be the authorized signers relating to interim financing.

Kaan made a motion to accept the resolution for the police department as presented in the packet. O'Neal seconded. 6 approved; Kells was absent.

Kaan made a motion to accept the resolution for the wastewater treatment plant as presented in the packet. O'Neal seconded. 6 approved; Kells was absent.

Adjustments related to consumer price index and building valuation data changes: Hall stated that the consumer price index (CPI) adjustment percentage would be 6.39%. He said, per *Town Code*, the adjustment would automatically take effect unless Council voted to do otherwise. Thoroughgood made a motion to not raise the impact and annexation fees by CPI this year. Gum seconded. 6 approved; Kells was absent.

10072 Iron Pointe Drive Water Meter Fees: The property owner of 10072 Iron Pointe Drive presented a request to the Council to waive fees for a new meter. No Council action was taken.

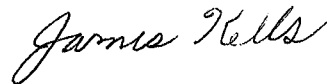
Recess: At 8:15 p.m., Cordrey made a motion that Council recess until 8:20 p.m. Gum seconded. 6 approved; Kells was absent.

[Executive session]

Call to order: Thoroughgood made a motion to go back into regular session. O'Neal seconded. 6 approved; Kells was absent.

Adjournment: With no further business, Thoroughgood made a motion to adjourn. Kaan seconded. 6 approved; Kells was absent.

Respectfully submitted,



James Kells
Secretary