



Town Council  
**Town of Millsboro**  
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Mayor Faye Lingo  
Vice Mayor John Thoroughgood  
Secretary Jim Kells  
Treasurer Larry Gum  
Councilman Ron O'Neal  
Councilwoman Kimberley Kaan

*Jamie Burk, Town Manager*

**TOWN COUNCIL  
REGULAR MEETING  
May 1, 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 Secretary James Kells, Council Treasurer Larry Gum, Councilwoman Kimberley Kaan, Town Manager Jamie Burk, Assistant Town Manager Ashleigh Sander, Town Clerk Joanne Dorey, and Town Solicitor Mary Schrider-Fox were present. Councilman Ron O'Neal was absent

Mayor Lingo stated Council will no longer limit public comment to agenda items only.

Councilman Bradley Cordrey thanked the Town of Millsboro residents for allowing him to serve on the Council for the last 8 years. Cordrey stated he must resign because he has built a home outside of District 1.

**Public Hearings:**

Mayor Lingo opened the below-mentioned public hearing. David Hutt of Morris James LLP presented the 1-33 Associates, LLC annexation request.

TO CONSIDER THE TOWN COUNCIL'S RESOLUTION PROPOSING TO ANNEX CERTAIN TERRITORY, CONTIGUOUS TO THE PRESENT LIMITS OF THE TOWN OF MILLSBORO, OWNED BY 1-33 ASSOCIATES, LLC, IDENTIFIED AS SUSSEX COUNTY TAX MAP AND PARCEL NOS. 133-16.00-95.01 AND 100.01, CONTAINING 24,054 SQUARE FEET OR 0.55 ACRES, MORE OR LESS, AND PROPOSING TO AMEND THE ZONING MAP AND ZONING ORDINANCE OF THE TOWN OF MILLSBORO TO INCLUDE SAID TERRITORY IN THE HIGHWAY COMMERCIAL (HC) DISTRICT.

Mayor Lingo opened the below-mentioned public hearing.

TO CONSIDER THE TOWN COUNCIL'S RESOLUTION TO REGARDING CHANGING THE STREET STRUCTURE WITHIN THE CORPORATE LIMITS OF THE TOWN OF MILLSBORO BY CLOSING AND VACATING PUBLIC USE OF THE ALLEY KNOWN AS "BARKER ALLEY" LOCATED ON A PART OF SUSSEX COUNTY TAX MAP AND PARCEL NO. 133-17.13-118.00 BETWEEN WASHINGTON STREET AND MAIN STREET.

**Secretary's report:** Kells submitted the April regular meeting minutes and made a motion that Council approve them as written. Kaan seconded. 6 approved; O'Neal was absent.

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

**Millsboro Fire Company Update:** Gum stated the department has a great mix of volunteers, young and old. The department is currently running 4 EMS units. During April there were 325 EMS calls.

**Greater Millsboro Chamber of Commerce update:** Mike Dunmyer a member of the Greater Millsboro Chamber of Commerce board of directors stated the Chamber is gearing up for the annual Stars and Stripes event. Dunmyer also mentioned the ribbon cutting events for the Chick-fil-A 5-year anniversary, Forrest Fence, ShortCutz Landscaping, and CFS, the next coffee connect is on May 9, and a business after-hours event at Grotto's on May 11.

**Police Department's report:**

Chief Brian Calloway stated on April 12, Senior Cpl. Zubrowski received Taser Instructor Training hosted by the OceanView Police Department.

Chief Calloway mentioned on April 18, Chief Calloway attended a leadership refresher training hosted by the FBI National Academy in Dewey Beach.

Chief Calloway mentioned on April 27, Senior Cpl. Bullock attended Intro to Undercover Operations hosted by the Delaware State Police.

Chief Calloway stated the Chamber received a hard hat tour of the new station in April and the Millsboro Bike Rodeo is scheduled for May 20, the Millsboro Police Youth Academy is scheduled for July 13-21, and the Northeast Car Rally is scheduled for April 19-21.

Chief Calloway requested approval to apply for a grant from Sussex County for \$26,000 to be used for fitness equipment and computers. Thoroughgood made a motion to authorize applying for the grant. Gum seconded. 6 approved; O'Neal was absent.

Chief Calloway mentioned the concrete slab for the community room is poured at the new Police Station, roof trusses are in, and the station is under roof.

Change Order #4 for Police Station: Callaway presented change order #4 for \$45,125.63, which encompasses 8 different change orders as described in the packet. Thoroughgood made a motion to approve the change order as presented in the packet. Cordrey seconded. 6 approved; O'Neal was absent.

**Streets:**

Plantation Lakes Parking Study Draft: Andrew Lyons Jr., PE of George, Miles & Buhr LLC, presented Council with an update on the parking study. Lyons stated of the 8 streets studied thus far; 191 new parking spaces were proposed. The streets looked at were Pembroke Landing, Roanoke Rapids, Magnolia Circle, Surry Lane, Lumberton Drive, Glenwood, Shelby Court, and Mayesville Way. After some discussion, it was decided to include Belmont Blvd in the study.

**Water and Sewer:**

Olney Way Water Plant Change Order #16: Burk presented change order # 16 for \$67,982.49 as presented in the packet. Thoroughgood made a motion to approve the change order as presented. Kells seconded. 6 approved; O'Neal was absent.

Hydrant Water Flushing Update: Burk mentioned hydrant flushing is underway.

**Parks and Recreation:**

Read Aloud Delaware Event Permit: Burk presented a request from Read Aloud Delaware to hold a volunteer appreciation event at Cupola Park on May 17 from 11:30 am to 1:30 pm with a rain date of May 18. Kells made a motion to approve the request to hold the event at Cupola Park as requested. Cordrey seconded. 6 approved; O'Neal was absent.

Dam Mill Run Jul 22, 2023: Burk presented the request to allow the annual Dam Mill Run to take place on July 22. Cordrey made a motion to allow the run to take place. Kaan seconded. 6 approved; O'Neal was absent.

**Mayor's report:**

1-33 Associates Annexation regarding property located at Sussex County Tax Map and Parcel Numbers 133-16.00-95.01 & 133-16.00-100.01:

Thoroughgood made a motion to close the public hearing. Cordrey seconded. 6 approved; O'Neal was absent.

Thoroughgood made a motion to accept the annexation request as presented. Kells seconded. Kells, Gum, Cordrey, and Thoroughgood voted yes. Kaan voted no. In summary, there were 4 yes votes and 1 no vote, motion passed. Kaan stated she is concerned with the timing of the project regarding water and sewer.

Vacating and closing public use of "Barker Alley" located on p/o Sussex County Tax Map and Parcel Number 133-17.13-118.00:

Cordrey made a motion to close the public hearing. Gum seconded. 6 approved; O'Neal was absent.

Cordrey made a motion to close Barker Alley. Gum seconded. 6 approved; O'Neal was absent.

Preliminary site plan approval for Towne Lakes RPC, Sussex County Tax Map, and Parcel No.

233-5.00-122.00: Mark Davidson of Pennoni Associates presented the preliminary site plan for Towne Lakes; the plan consists of 330 single-family homes and 120 garden apartments. Kaan had some concerns regarding garden apartments being a permitted use. Kells inquired about setbacks and parking. The reviews of this project are not complete, no action taken.

HR1 and HR2 proposed zoning code changes: Burk inquired of the Council if there was any interest in having AECOM do some research regarding limited High-Density and High-Density zoning. Council advised Burk to do some more research.

Community Reinvestment Fund grant application, authorization to submit, for an amount up to \$980,000.00 to replace Cupola Park bulkhead: Burk presented the request to apply for the Community Reinvestment Fund Grant. Kaan made a motion to authorize and submit the grant application for an amount of up to \$980,000. Thoroughgood seconded. 6 approved; O'Neal was absent.

Plantation Lakes Section D lot line adjustment, lots 1717 and 1718: George ("Kenny") Niblett, Director of Public Works presented the request for a lot line adjustment for Section D, lots 1717 and 1718. If approved this would be an amendment to the record plan. Gum made a motion to approve the request as presented in the packet. Kells seconded. 6 approved; O'Neal was absent.

Preston ADBM lot line adjustment: Niblett presented a request from A.D.B.M Properties, Inc. for a lot line adjustment on Delaware Ave. Gum made a motion to approve the request as presented in the packet. Cordrey seconded. 6 approved; O'Neal was absent.

Plantation Lakes Section L final site plan: Carrie Kruger, PE, Town Engineer presented the request for Plantation Lakes Section L final site plan. Thoroughgood made a motion to approve the request as presented in the packet. Gum seconded. 6 approved; O'Neal was absent.

Olney Way Water Treatment Plant construction phase services proposal- Verdantas: Kruger presented the Verdantas amendment # 1 for the Plantation Lakes Water Treatment Plant for construction phase services for \$211,900.00 at the request of the Town and Lennar. Kaan made a motion to accept the agreement as presented in the packet. Gum seconded. 6 approved; O'Neal was absent.

M&T Bank design amendment number 3: Steven Lewandowski, P.E. of Verdantas, LLC presented amendment # 3 for the M&T pumping station for \$151,100.00. Kaan made a motion to accept the agreement as presented in the packet. Cordrey seconded. 6 approved; O'Neal was absent.

Lead Service Line Inventory Drinking Water State Revolving Fund loan application: Kruger requested the Council vote to apply for the Drinking Water State Revolving Fund (SRF) loan for the Lead Service Line Inventory project. Kells made a motion to authorize the town to apply for the SRF loan as presented. Gum seconded. 6 approved; O'Neal was absent.

Lead Service Line Drinking Water State Revolving Fund loan application authorization to sign resolution: Cordrey made a motion to authorize the Town Manager, Asst. Town Manager and the Director of Finance & Technology are all permitted to sign documents as presented in the packet. Gum seconded. 6 approved; O'Neal was absent.

Delaware Water Pollution Control State Revolving Fund loan application regarding Indian River School District Reclaimed Water Irrigation Pivots: Kruger requested the Council vote to apply for the Clean Water State Revolving Fund (SRF) loan for the Sussex Central School Reclaimed Water Irrigation Pump Station and Pivots. Thoroughgood made a motion to authorize the town to apply for the SRF loan as presented. Kells seconded. 6 approved; O'Neal was absent.

Delaware Water Pollution Control State Revolving Fund loan application authorization to sign Resolution regarding Indian River School District Reclaimed Water Irrigation Pivots: Kaan made a motion to authorize the Town Manager, Asst. Town Manager and the Director of Finance & Technology are all permitted to sign documents as presented in the packet. Cordrey seconded. 6 approved; O'Neal was absent.

Delaware Water Pollution Control State Revolving Fund loan application authorization to sign Resolution regarding Indian River School District Reclaimed Water Irrigation Pump Station and Beneficial Reuse Main: Kruger requested the Council vote to apply for the Clean Water State Revolving Fund (SRF) loan for the Sussex Central School Reclaimed Water Irrigation Beneficial Reuse Main. Kaan made a motion to authorize the town to apply for the SRF loan as presented. Cordrey seconded. 6 approved; O'Neal was absent.

Delaware Water Pollution Control State Revolving Fund loan application regarding Indian River School District Reclaimed Water Irrigation Pump Station and Beneficial Reuse Main: Gum made a motion to authorize the Town Manager, Asst. The town Manager and the Director of Finance & Technology are to sign all documents as presented in the packet. Kells seconded. 6 approved; O'Neal was absent.

Lead service line inventory proposal - EBA Engineering: Kruger presented a proposal for GIS Lead Service Line Inventory Support for \$79,000. From geographIT, a division of EBA Engineering, Inc. Gum made a motion to approve the proposal as presented in the packet. Cordrey seconded. 6 approved; O'Neal was absent.

Lead service line inventory Environmental Information Document (EID) proposal – Verdantas: Kruger presented the Environment Information Document proposal for \$8,700. Gum made a motion to approve the proposal as presented in the packet. Kells seconded. 6 approved; O'Neal was absent.

Indian River School District Spray Irrigation and Beneficial Reuse Main PER and ER proposal – Verdantas:

Kruger presented the request for the IRSD Beneficial Reuse Main Preliminary Engineering Report and an Environmental Report proposal for \$21,750 to be submitted with the loan application. Gum made a motion to approve the proposal as presented in the packet. Kells seconded. 6 approved; O'Neal was absent.

Kruger presented the request for the IRSD Spray Irrigation Preliminary Engineering Report and an Environmental Report proposal for \$18,700 to be submitted with the loan application. Gum made a motion to approve the proposal as presented in the packet. Thoroughgood seconded. 6 approved; O'Neal was absent.

House Bill 2 as it relates to Millsboro: Burk mentioned there have been some comments received at the Town Hall showing opposition to House Bill 2. After some discussion, more research is needed.

**Recess:** At 9:20 p.m., Kells made a motion that Council recess until 9:25 p.m. Thoroughgood seconded. 6 approved; O'Neal was absent.

**[Executive session]**

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

**Adjournment:** With no further business, Cordrey made a motion to adjourn. Thoroughgood seconded. O'Neal was absent.

Respectfully submitted,



James Kells  
Secretary

JK:JB:jd