



Town Council
Town of Millsboro
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Mayor Jim Kells
Vice Mayor John Thoroughgood
President Pro Tem Ron O'Neal
Treasurer Robert Bryan
Secretary Kimberley Kaan
Councilman Matthew Davis
Councilman Marty Presley

Jamie Burk, Town Manager

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

MINUTES

Call to order: The meeting was called to order at 7:00 p.m.—with Mayor James Kells presiding. Vice Mayor John Thoroughgood, Council Secretary Kimberley Kaan, Council Treasurer Robert Bryan, Councilman Ron O'Neal, Councilman Matthew Davis, Councilman Marty Presley, Town Manager Jamie Burk, Assistant Town Manager Ashleigh Sander, Town Clerk Joanne Dorey, and Town Solicitor Mary Schrider-Fox were present.

Public comment:

- Tim Hodges, 27138 Crest Hill – supports in-district voting.
- Larry Gum, 123 Millers Run – doesn't believe the Council should be involved with HOAs and HOAs should follow the town code.
- Joseph Kollock, 330 River Rd – supports in-district voting and believes it was intended to always be that way.
- Jack Prehm, 22962 Surry Lane – Spoke regarding the mayor's comments regarding public behavior at the Oct. meeting, he does not believe he owes an apology.
- Nadine Timpanaro, 10072 Iron Pointe Dr – Disappointed about local craft fairs being canceled due to the business license requirement.
- Betty Kayser, 10094 Sawmill Way - Disappointed about the craft fair being canceled at the last minute regarding the business license requirement.

Open Public Hearing

A Public Hearing to consider amending the Town Code of the Town of Millsboro, by revising existing Chapter 210, Zoning, §210-5, to prohibit the operation of marijuana establishments, including marijuana product manufacturing facilities, marijuana testing facilities, marijuana cultivation facilities, retail marijuana stores, and any commercial establishment, such as a marijuana smoking lounge or café, that allows patrons to consume, smoke or partake in marijuana products within the jurisdictional limits of the Town of Millsboro.

Public comment regarding the public hearing:

- Mary Anderson, 111 Wilson Hwy -is opposed to the ban on legal cannabis business.
- Corey Vista, 35100 Wright Way- is opposed to the ban on legal cannabis business.
- Mark Golob, 20476 Asheville Dr.- is opposed to the ban on the legal cannabis business.
- Joseph Dipasquale, 20555 Overman Way - is opposed to the ban on cannabis shops.
- Zoe Patchell, 218 N State Street - is opposed to the ban on legal cannabis business.
- Lizzie Golob, 20476 Asheville Dr.- is opposed to the ban on the legal cannabis business.
- Susan Ruggiero, 29402 Pembroke Landing- is opposed to the ban on the legal cannabis business.
- Tim Hodges-27138 Crest Hill- Supports the ban on the legal cannabis business.
- Larry Brown – Glenwood Drive- is opposed to the ban on legal cannabis business.
- Larry Gum, 123 Millers Run – stated cannabis is safer than hard alcohol.
- Lee Liebeskind, 30115 Plantation Drive- is opposed to the ban on the legal cannabis business.
- Kathleen Driscoll, 10094 Sawmill Way- mentioned gun stores are allowed.
- Chief Calloway mentioned traffic involving drivers under the influence.

Bryan made a motion to close the public hearing. Presley seconded. The motion was carried unanimously.

Secretary's report: Kaan submitted the October regular meeting minutes and made a motion that the Council approve them as written. Bryan seconded. The motion was carried unanimously.

Treasurer's report: Bryan stated the invoices had been reviewed and made a motion that the Town pay the invoices from the designated accounts as recommended. Thoroughgood seconded. The motion was carried unanimously.

Millsboro Fire Company Update: Larry Gum stated Ron O'Neal is the president of the State Volunteer Fire Association this year. Gum stated a new fire truck was on order. The EMS department has hired an EMS Supervisor. There are now 2–24-hour EMS crews and 1-12-hour crew. There is also a new ambulance on order. Gum also mentioned October was Fire Prevention Month, the department participated in 15 events; a total of 64 firefighters showed up for these events for a total of 440 volunteer manhours.

Greater Millsboro Chamber of Commerce update: Anne Angel, Executive Director for the Greater Millsboro Chamber of Commerce, stated the website is updated with the November and December events. The Holiday Market is scheduled for November 18 and the Christmas parade is scheduled for December 2. Ms. Angel stated there have been 45 new members since mid-March. Ms. Angel also mentioned they are hoping to have a ribbon cutting in mid-January.

Mayor's Report (cont):

Artesian Certificate of Public Convenience and Necessity to provide water service to the following tax map and parcel numbers: 133-11.00-1.00; 133-11.00-2.00; 133-11.00-2.01; 133-11.00-4.00:

Artesian Certificate of Public Convenience and Necessity to provide wastewater service to the following tax map and parcel numbers: 133-11.00-1.00; 133-11.00-2.00; 133-11.00-2.01; 133-11.00-4.00; 133-11.00-5.00.

Burk stated Artesian is looking for a letter of no-objection for both above-mentioned agenda items from the Town. Thoroughgood motioned to send a letter of objection if an agreement could not be reached to turn CPCNs over to the Town upon future annexation, due to the proximity to our wastewater treatment facility and because these parcels are in the Millsboro growth area. Bryan seconded. Kaan opposed. 6 yes votes and 1 no vote. Motion passed.

Towne Lakes preliminary site plan: Preston Dyer of Millsboro Towne Village, LLC, and Mark Davidson of Pennoni Associates presented the preliminary site plan that consists of 330 single-family homes, and 120 garden apartments on 131 acres of land. After much discussion, Bryan made a motion to approve the preliminary site plan as presented in the packet. Presley seconded. Kaan and O'Neal were no votes. 2 no votes, 5 yes votes. Motion passed.

Plantation Lakes Section B & C Subphases 2 & 4: This item was on the October agenda and there were a few comments that needed to be addressed. David Steele of Lennar stated all items from Verdantas had been addressed. Thoroughgood made a motion to approve the acceptance of Plantation Lakes Section B&C Sub-phases 2 & 4. Kaan seconded. The motion was carried unanimously.

Code Amendment re: Definitions: Burk presented the proposed code changes presented in the packet. After much discussion, Presley made a motion to table this item until December. Davis seconded. The motion was carried unanimously.

Christmas Employee Bonuses: Bryan made a motion to approve a Christmas bonus of \$250 net direct deposit for all Town employees. Thoroughgood seconded. The motion was carried unanimously.

Christmas Market: Burk reminded everyone that the Christmas Market is scheduled for November 18 from 9:00 am.- 4:00 pm. and all vendors are required to have a business license.

Police Chief Contract Extension: Burk stated Chief Calloway requested a 3-year extension to the current contract. Thoroughgood made a motion to extend the contract to June 30, 2028. Bryan seconded. The motion was carried unanimously.

Recess: At 10.30 p.m., Thoroughgood made a motion that Council recess until 10:35 p.m. Bryan seconded. The motion was carried unanimously.

[Executive session]

Call to order: Presley made a motion to go back into regular session. O'Neal seconded. The motion was carried unanimously.

Davis made a motion to authorize Burk to proceed with the item as discussed in the executive session. O'Neal seconded. The motion was carried unanimously.

Adjournment: With no further business, Thoroughgood made a motion to adjourn at 10:51 p.m. Bryan seconded. The motion was carried unanimously.

Respectfully submitted,

Kimberley Kaan
Secretary

KK:JB:jd