



Town Council
Town of Millsboro
322 Wilson Highway
Millsboro, Delaware 19966
(302) 934-8171
(302) 934-7682 (Fax)

town@millsboro.org

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
September 5, 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:

- Frank Pallone, 29513 Glenwood Dr. – is opposed to the parking study.
- Ken Christenbury, 25185 Lumberton Dr. – Would like the resident's voices heard before the parking study plan is enacted.
- Robert McKee, 29516 Glenwood Drive- is opposed to the parking study.
- Frank Milles, 29482 Pembroke Lndg - spoke in opposition to marijuana sales and production within the Municipal boundaries.
- Allison Milles, 29482 Pembroke Lndg - spoke in opposition to marijuana sales and production within the Municipal boundaries.

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

Millsboro Fire Company Update: O'Neal stated Mr. Jay Myers the EMS supervisor's name has been submitted to the governor for approval to sit on the Delaware Energy Management Services oversight committee.

Greater Millsboro Chamber of Commerce update:

Mike Dunmyer stated they are just about all moved into 203 Main Street. Mike also mentioned the Chamber is working on a new visitor guide. The annual Stars and Stripes event is scheduled for September 30 from 6:00 p.m. to 9:30 p.m.

Police Department's report:

Chief Brian Calloway mentioned the below training:

- Aug. 1–4, Sgt. Patrick Forester attended “Command Leadership” hosted by the Dover Police Department.
- Aug. 10, Ptlm. Travis Shockley attended “Youth Crimes” training hosted by the Delaware State Police.
- Aug. 16–17, Cpl. Christopher Ebke and Cpl. John Wharton attended the “Evidence Management” training hosted by the Fredrick Sheriff's Office in Maryland.
- Aug. 16–17, Sgt. Rogers and Cpl. Zubrowski attended the “Baton Instructor Re-certification” training in Lynchburg, VA.
- Aug. 23–24, Ptlm. Travis Shockley attended the “Tactical Medicine for 1st Responders” training hosted by the Delaware State Police.

Chief Calloway mentioned the department's annual Commission on Accreditation for Law Enforcement Agencies (CALEA) onsite was successful.

Chief Calloway indicated that Bryan Jones, Cole Revel, and Travis Shockley had all met the requirements and were eligible to be promoted to the rank of Patrolman First Class. Bryan made a motion to promote all 3 officers to the rank of Patrolman First Class. Thoroughgood seconded. The motion was carried unanimously.

Chief Calloway mentioned the inside of the building is almost done; all the brickwork is completed. There is an issue with the Thin Cast, it came in the wrong color.

Change Order #19: Callaway presented change order #19 for \$ 5,832.00, for rifle lockers in the building. Presley made a motion to approve the change order as presented. Bryan seconded. The motion was carried unanimously.

Chief Calloway mentioned that special events that may lead to a road closure need to be approved by the Council.

Water and Sewer:

Elevated Water Town Planning Grant Resolution: Burk presented the resolution authorizing the town representative to apply for and secure funding as presented in the packet. Kaan made a motion to approve the resolution as presented in the packet. Thoroughgood seconded. The motion was carried unanimously.

Wastewater Hydraulic Study Planning Grant Resolution: Burk presented the resolution authorizing the town representative to apply for and secure funding as presented in the packet. Kaan made a motion to approve the resolution as presented in the packet. Thoroughgood seconded. The motion was carried unanimously.

Water and Sewer (cont):

Utility bill adjustment requests:

201 State Street- Matthew Hall, director of finance stated the homeowner has requested an extension of 30 days to have her water meter removed as approved at the August council meeting and not calculate penalties and late fees. Thoroughgood made a motion to approve the 30-day extension. Presley seconded. The motion was carried unanimously.

230 River Drive- Hall stated the property owner has requested late fees and penalties be removed because the property owner stated they did not receive the invoice for the second water meter. After some discussion, Thoroughgood made a motion to waive the fees. Davis seconded. The motion was carried unanimously.

502 New Street- Hall stated the property owner has requested late fees and penalties be removed because the property owner stated they did not receive the invoice for the second water meter. After some discussion, Thoroughgood made a motion to waive the fees. Bryan seconded. The motion was carried unanimously.

Mayor's report:

Conditional Use Application: 201 Laurel Road Renewal: Ms. McCahill stated she is requesting a renewal of the conditional use approved in 2022. The services being provided are permanent cosmetics, haircare, skincare, body art, and massage therapy, and the business will still have a retail component. Thoroughgood made a motion to approve the conditional use renewal. O'Neal seconded. The motion was carried unanimously.

126 Bobby's Branch Road Tax Adjustment: Hall presented a request to write off penalties and late fees because the homeowner stated they did not receive their tax bill. Kaan made a motion to deny the request. Davis seconded. The motion was carried unanimously.

Preston Ford Preliminary Site Plan: Chris Shaffner, Vice President, DHW Holdings presented a request for a preliminary site plan approval for Preston Ford. Thoroughgood made a motion to approve the preliminary site plan approval. Bryan seconded. The motion was carried unanimously.

Millsboro Carpet Mart - Preliminary Site Plan: Chad Carter of Becker Morgan Group, Inc. presented a request for preliminary site plan approval for the Millsboro Carpet Mart. Thoroughgood made a motion to approve the preliminary site plan approval. Presley seconded. The motion was carried unanimously.

1-33 Associates Annexation Request Withdraw: Burk presented a request from Morris James, LLP to withdraw the application of annexation for 1-33 Associates, LLC. Thoroughgood made a motion to allow the withdrawal of the application. O'Neal seconded. The motion was carried unanimously.

Neighborhood Access and Equity Grant Resolution: Sander presented the resolution authorizing the submission of a neighborhood access and equity program and community planning grant application. Thoroughgood made a motion to proceed with the grant. Bryan seconded. The motion was carried unanimously.

Mayor's report (cont):

Plantation Lakes Stormwater Maintenance Agreement: Kaan made a motion to disapprove the agreement, David Hutt of Morris James LLP presented the agreement as presented in the packet. After much discussion, Thoroughgood seconded the disapproval. Kaan requested to change her motion from disapproval to tabling this item, and Thoroughgood seconded tabling this item as well. The motion was carried unanimously.

Utility Easement - 29777 Millsboro Highway: Thoroughgood made a motion to table this item. Bryan seconded. The motion was carried unanimously.

Plantation Lakes Section Q - Preliminary Site Plan: Andrew C. Vail, PE for Whitman, Requardt & Associates, LLP presented the preliminary site plan submission for Plantation Lakes Section "Q" as presented in the packet. Thoroughgood made a motion to approve the preliminary site plan as presented. Bryan seconded. The motion was carried unanimously.

Marijuana sales and production within the Municipal Boundaries: After some discussion, Thoroughgood made a motion to have Schrider-Fox prepare a working draft ordinance for the council to review to prohibit marijuana sales and production within the municipal boundaries of Millsboro. O'Neal seconded. The motion was carried unanimously.

Adjournment: With no further business, Thoroughgood made a motion to adjourn. O'Neal seconded. The motion was carried unanimously.

Respectfully submitted,

Kimberley Kaan
Secretary

KK:JB:jd