



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
May 6, 2019**

MINUTES

Meeting was called to order at 7:00 p.m.—with Mayor John Thoroughgood presiding. Vice Mayor Michelle Truitt, Council President Pro Tem Tim Hodges, Secretary James Kells, Treasurer Bradley Cordrey, Councilman Ron O'Neal, Councilman Larry Gum, Town Manager Sheldon P. Hudson, Assistant Town Manager Jamie Burk, Town Clerk Joanne Dorey, and Town Solicitor Mary Schrider-Fox were also present.

Pledge of allegiance: Mayor Thoroughgood led the pledge.

Secretary's report: Kells submitted the minutes and made a motion that Council approve them as written. Gum seconded. Approved unanimously.

Treasurer's report: Cordrey made a motion that the Town pay the invoices as designated. O'Neal seconded. Approved unanimously.

Millsboro Fire Company update: Gum stated the Millsboro Fire Company had handled 257 EMS calls and 36 fire-related calls during the month of April. Gum expressed gratitude for all of the young volunteers.

Police Department's report:

Chief Brian Calloway had attended the FBI National Academy training in Ocean City, Maryland April 2–4.

April 22–24, the Department had hosted an Interview and Interrogation training class at the Millsboro Town Center. Sgt. Barry Wheatley, Sgt. David Moyer, PFC Christopher Ebke, and Patrolman Kyle Wharton had attended at no cost since Millsboro had hosted the class.

Chief Calloway stated Cpl. Matthew Dufour would be receiving a lifesaving award for his actions on March 27. This was Corporal Dufour's third lifesaving award.

Chief Calloway stated Patrolman Dallas Millner would also be receiving a lifesaving award for his actions on August 21, 2018. On April 27, the Sussex County EMS recognized Patrolman Millner at their annual awards banquet.

Police Department's report (cont.)

On May 11, the Police Department and the Delaware Department of Transportation had hosted the 2nd-annual Community Day Bike Rodeo in the Lowe's parking lot. Free bicycle helmets and lights had been provided to children ages 4–13.

Tim Bamforth of the Seashore Striders requested Millsboro host the 36th-annual Millsboro Dam Mill 5k run that was scheduled for July 27. The proceeds would benefit the Millsboro Fire Department. Gum made a motion to allow the run. Kells seconded. Approved unanimously.

Chief Calloway stated that, on March 29, the Delaware Criminal Justice Council had notified the Department that the grant opportunity through the *Victims of Crime Act* (VOCA) Assistance Program had been approved. Chief Calloway requested approval to advertise the victim services specialist position and move forward with the grant application. Hodges made a motion authorizing Chief Calloway to proceed with the grant application process. At the time of hiring, a letter would need to be signed by the incumbent acknowledging that the position was federally funded and that there was no guarantee of future employment if federal funds were ever to run out. Cordrey seconded. Approved unanimously.

With regard to the Office of Highway Safety, in the month of April, there had been 3 distracted driving initiatives.

Letter to state legislators regarding the amending of State law relative to the operation of golf carts on public streets: Kells suggested Council form a committee concerning golf carts crossing over Town-maintained roadways. Mayor Thoroughgood created a special committee and asked councilpersons Cordrey, Kells, and O'Neal to serve thereon—appointing Cordrey to serve as chair.

Mayor's report:

Comprehensive plan (2019): Ms. Savannah Edwards of AECOM presented information on the new comprehensive plan—focusing on transportation.

Parking-related zoning requirements: Ms. Edwards presented data regarding parking standards—specifically for hotels within the Highway Commercial district. Ms. Edwards stated Millsboro's current requirement was one parking spot per guest room and one additional space per employee.

Downtown Development Districts Program: Mr. Kyle Gulbranson of AECOM inquired as to if Council was interested in applying during the year's grant cycle. Cordrey made a motion not to pursue the grant. Hodges seconded. Approved unanimously.

Community Development Block Grant: Mr. Gulbranson stated the Town's application for the Monroe Street Extended sidewalk project had been approved and that bid solicitation was the next phase—which would be handled by Sussex County.

Mayor's report (cont.)

Real property valuation appeals:

Matthew Hall, finance officer explained the applicants appealing and said Eric Piner of PTA/DelVal would be sharing each appellant's reasoning and Council would then decide how to proceed with the appeals.

- Preston Dyer, on behalf of Millsboro Towne Village, requested a reduced assessment for the 43.26 acres of land. Mr. Piner recommended \$500.00 per acre for the stormwater pond acreage and \$15,000.00 per acre for the unimproved land. Hodges made a motion to accept Mr. Piner's recommendation. Gum seconded. Approved unanimously.
- Mr. Hall presented a request from Paul Sturgis of 28568 Dupont Boulevard. Mr. Sturgis was appealing the land portion of his assessment. The property was zoned highway commercial. Mr. Piner stated all similar properties were being assessed \$10.00 per square foot. Gum made a motion to deny the appeal. Kells seconded. Approved unanimously.
- Mr. Hall presented a request from Verizon appealing their above-ground/underground infrastructure valuation. Mr. Piner recommended the appeal be tabled to gather more information. Cordrey made a motion to keep the appeal open until the time of the June 2019 regular Council meeting. Hodges seconded. Approved unanimously.
- Mr. Hall stated there were appeals from the following property owners for properties located along the golf course of the Plantation Lakes subdivision whose valuations had been affected by the multiplier adjustment that was approved in November 2018:
 - Larry and Diana Dinger – 25167 Lumberton Drive
 - Maurice P. Ross – 25173 Lumberton Drive
 - Robert and Ting Ewen – 25175 Lumberton Drive
 - Kenneth R. Curtis – 25177 Lumberton Drive
 - John Salinardo – 25189 Lumberton Drive
 - Robert and Anna Harbrant – 25191 Lumberton Drive
 - Rodney E. Reeves – 25193 Lumberton Drive
 - Douglas L. Fields – 25195 Lumberton Drive
 - John B. Dolan – 25201 Lumberton Drive
 - Janice Davis – 25205 Lumberton Drive
 - Thomas and Donna Richards – 25209 Lumberton Drive

Mr. Piner recommended lowering the multiplier from 1.30 to 1.15 for certain homes located along the Plantation Lakes golf course. After much discussion and comments from some of the residents, Cordrey made a motion that the appeals be tabled and the appeal period kept open for 30 to 60 days in order to allow time for more research to be conducted. Truitt seconded. Approved unanimously.

Mayor's report (cont.)

"Memorandum of agreement" between the Town and State "for the aggregation of energy requirements into retail supply contracts for electricity": Matt Hall presented a request for electric "pooling" with the State of Delaware. Hodges made a motion to table the item until a future meeting in order to allow time to gather more data. Gum seconded. Approved unanimously.

Preliminary and final site plans—Alderleaf Meadows (formerly a phase of The Homestead): Hudson relayed a request to approve the preliminary and final site plans for Alderleaf Meadows. Gum made a motion to approve the request. Cordrey seconded. Approved unanimously.

Application for annexation—Sussex County tax map and parcel numbers 133-16.00-40.00, -41.00, -92.03, and -93.00: Matt Williams acknowledged Council for considering the application for annexation. Mayor Thoroughgood appointed an annexation committee and asked councilpersons Gum, Kells, and Truitt to serve thereon—appointing Truitt to serve as chair.

Application for minor subdivision—Sussex County tax map and parcel numbers 133-17.09-12.00, -12.01, and -12.02: Richard Spinks, on behalf of GAC Enterprises, presented a request for a minor subdivision. According to the applicant, all requirements had been met and approvals obtained. Gum made a motion to approve the request. O'Neal seconded. Approved unanimously.

Application for annexation—Sussex County tax map and parcel number 233-5.00-7.00 (part of):

Schrider-Fox asked if there were any public comments regarding the annexation request. There were no comments—just one question.

Cordrey made a motion to close the public hearing. Kells seconded. Approved unanimously.

Gum made a motion to approve the annexation request and to designate the zoning as highway commercial. Kells seconded. Approved unanimously.

Change of zone—highway commercial (HC) to high-density residential (HR)—Sussex County tax map and parcel number 233-5.00-6.00: Burk stated he had attended the PLUS review meeting along with Kyle Gulbranson of AECOM seeking the change of zone and that the housing department thought it was a great idea.

Mayor's report (cont.)

Revised and amended final site plan—Retreat at Millstone:

Alan Decktor of Pennoni Associates, Inc. requested approval of a revised and amended final site plan for Retreat at Millstone. The plan was requesting an additional 1 foot in width to lot 13 and the elimination of townhouse unit 2306.

Hudson stated George (“Kenny”) Niblett, director of public works had requested one change be made to the proposed plan. Per the AECOM comment letter dated April 29, 2019 under Planning/Technical, item #3 needed to be tied to the approval. #3 said, under general notes #1, the roads would be dedicated to the Town once they had been inspected and approved by the Town. The original agreement with the Town was that Jackstone Way and Millrace Lane would be dedicated to the Town and become public streets thereafter. Sandstone Lane, Cobblestone Way, and Whitstone Lane would remain private streets maintained by the HOA. This note must be corrected on the plan.

Hodges made a motion to approve the revised and amended final site plan with the above-mentioned correction concerning the roads. Gum seconded. Approved unanimously.

Streets:

“No parking this side of street” signs—Railroad Avenue/Sussex Alley: Gum presented a request to have no parking allowed along the inside radius of the curb across from the ballfields. Schrider-Fox stated, in order to create a no-parking zone, a revision would need to be made to § 200-31 of the *Town Code* and an item placed on the June 2019 agenda.

Parks and Recreation:

Free public concert nights at Cupola Park: Burk presented information on bands that were available to perform at Cupola Park in the summer of 2019. The Reunion Band would be performing on June 18 from 7:00 to 8:30 p.m.; the Indian River Band would be performing on June 25 from 7:00 to 9:00 p.m.; and the Glass Onion Band would be performing on July 2 from 7:00 to 9:00 p.m.

Water and sewer:

Awarding of contract—water infrastructure “miniloop” in/near Plantation Lakes subdivision: Hudson requested approval to award the contract to Teal Construction. He noted that theirs was the only bid that had been received by the Town. Gum made a motion to award the contract to Teal Construction. Kells seconded. Approved unanimously.

Cost-sharing agreement for possible new water treatment plant:

Burk stated meetings had been held discussing timelines, design, and what processes to use.

Schrider-Fox indicated that she was working with David Hutt on the agreement. She mentioned that a draft contract would be ready in the near future.

Water and sewer (cont.)

Amendment to engineering services agreement for “M&T Bank” pumping station: Burk presented, on behalf of Carrie Kruger of Duffield Associates, Inc., Amendment No. 1 in the amount of \$25,000.00 to include a new “doghouse” manhole on the north side of Iron Branch. Gum made a motion to accept the amendment. Truitt seconded. Approved unanimously.

Mayor’s report (cont.)

Awarding of contract—Town Property Demolition Project—Sussex County tax map and parcel numbers 133-17.09-25.00, -26.00, and -26.02: Hudson requested approval to award the contract to East Coast Structural Movers, Inc. Their bid was the lowest-responsible bid at \$65,714.00. Truitt made a motion to award the contract. O’Neal seconded. Approved unanimously.

Main Street paver project: Hudson stated Duffield Associates, Inc. was still reviewing the plans.

West State Street sidewalk project: Burk said engineers were still working on the easement exhibits.

Bicycle Master Plan Grant: Burk stated the grant application had been approved.

New public works employee: Hudson said the Town was waiting to hear back from the candidate.

Recess: Truitt made a motion that Council recess until 10:05 p.m. Cordrey seconded. Approved unanimously.

Executive session

Call to order: At 10:25 p.m., Cordrey made a motion to go back into regular session. Hodges seconded. Approved unanimously.

Business conducted in executive session: Hodges made a motion to increase the pay of the public works employee who had obtained 2 different licenses as discussed in executive session. Gum seconded. Approved unanimously.

Adjournment: With no further business, Mayor Thoroughgood asked for a motion to adjourn. Cordrey made such a motion. Truitt seconded. Approved unanimously at 10:26 p.m.

Respectfully submitted,



James Kells
Secretary