

**TOWN COUNCIL  
REGULAR MEETING  
August 1, 2022**

**MINUTES**

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

**Public comment:** None

Appointment of personnel committee seat: Mayor Lingo appointed Kells to serve on the personnel committee to fill the vacancy.

**Secretary’s report:** Kells submitted the July regular meeting minutes and made a motion that Council approve them as written. Gum seconded. Kaan requested that the Public Comment section of the minutes be amended to include the speaker's name and address and be more specific to each speaker. Kells made a motion to revise his original motion to revise the July minutes as mentioned above. Gum seconded. 6 approved; Thoroughgood 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; Thoroughgood was absent.

**Millsboro Fire Company update:** Gum mentioned the department had been extremely busy. O’Neal stated that from July 1, 2021, thru June 30, 2022, there were 3,949 ambulance calls.

**Millsboro Art League update:** John Bandish stated the league is working on its outreach and working with other art leagues to see what is working for them. Brandish stated currently their membership consist of 45 members and the league just gained 2 more volunteers. It was also mentioned they are conducting an internal audit.

Employee of the month—July: Burk acknowledged Joanne Dorey as the July Employee of the Month recipient.

**Police Department's report:**

Chief Brian Calloway stated that Ptlm Cody Justice and Ptlm Bryan Jones attended "NHTSA" training, on July 7 hosted by the Delaware State Police Academy.

Chief Calloway mentioned that Ptlm Bryan Jones, Ptlm Cole Revel, and Ptlm Travis Shockley attended "Spanish Survival" training on July 12 at the Delaware State Police Academy.

On July 13, Cpl. Seth Bullock attended "Sex Crimes Investigations" training at the Delaware State Police Academy.

Chief Calloway provided Council with proposed changes to the Millsboro Police Department Policy to be discussed at the September Council meeting. The two policies to be discussed are policy # 3, the addition of a Senior Corporal rank, and policy # 51, the Senior Corporal promotion process.

Chief Calloway indicated that John Wharton had met all requirements and was eligible to be promoted to the rank of Corporal. Cordrey made a motion to promote Officer Wharton. Gum seconded. 6 approved; Thoroughgood was absent.

Sussex County had informed the Town that it was eligible to apply for \$30,000.00 in grant funding. Chief Calloway requested to allocate this funding for 12 Axon TASER plans 1 (\$5,724.00); 3 Axon TASER plans 1 (\$1,570.65); WatchGuard Cloud Share (\$5,880.00); 1 AED (\$1,240.27); 1 Shredder (\$1,797.50); new patrol vehicle markings (\$900.00); 20 Flashlights / Holders (\$3,186); 21 Traffic Vests (\$950); 5 Bicycle Patrol uniforms / equipment (\$1,391.58); 21 Uniform Boots (\$2,800); and 19 Cardio Kinetics (\$4,560). Kells made a motion to approve the request. O'Neal seconded. 6 approved; Thoroughgood was absent.

The Police Department was allocated approximately \$40,189.82 from the fiscal year 2023 Fund to Combat Violent Crimes grant. Chief Calloway requested to allocate this funding for 10 Axon Fleet management (\$208 per vehicle per month) (\$20,280.00); 21 updated pistol sites and holsters (\$11,710.16) and overtime patrols (\$8,199.66). Gum made a motion to approve the request. Cordrey seconded. 6 approved; Thoroughgood was absent.

Lastly, Chief Calloway stated the Department was allocated an additional \$15,000 from the Edward Byrne Memorial Justice Assistance Grant (JAG) Program. Chief Calloway requested to allocate these funds towards the purchase of a portable radio, a mobile radio, a radar, and a Dell laptop. O'Neal made a motion to approve the request. Kaan seconded. 6 approved; Thoroughgood was absent.

**Parks and recreation:**

Request to use Cupola Park - Greater Millsboro Chamber of Commerce: Nancy Pinera, secretary for the Greater Millsboro Chamber of commerce presented a request to use Cupola Park for the Stars & Stripes event to be held on June 24, 2023. Cordrey made a motion that the Town allows the Greater Millsboro Chamber of Commerce the use of Cupola Park for the event on June 24. O'Neal seconded. 6 approved; Thoroughgood was absent.

**Water and Sewer:**

White Street well engineering services agreement: David Small of Verdantas, LLC presented amendment # 1 for the White Street Production Well for \$7,900. Kaan made a motion to accept amendment # 1 as presented. Gum seconded. 6 approved; Thoroughgood was absent.

**Streets:**

Request for stop signs and do not enter signs - Plantation Lakes Boulevard, Wilson Highway, and Mitchell Street: Schrider-Fox presented a draft amendment to Chapter 200 for Council to review. This item will be placed on the September agenda for a vote.

**Mayor's report:**

Recommendation to award Police Station contractor: Burk presented the recommendation letter from Davis, Bowen & Friedel, Inc stating the lowest responsible bidder for the Millsboro Police Station was Delmarva Veteran Builders for \$7,171,400. Cordrey made a motion to award the project to Delmarva Veteran Builders. Kells seconded. 6 approved; Thoroughgood was absent.

Partitioning request Patriot's Bluff-Commercial (133-11.00-5.01) approximately 39.2814 acres of land located on the western side of U.S Route 113 (DuPont Highway): George ("Kenny") Niblett, director of public works presented the request on behalf of the property owner. Gum made a motion to partition the property as requested. Cordrey seconded. 6 approved; Thoroughgood was absent.

Annexation request — Fallbrooke Properties LLC (233-5.00-3.00 & 233-5.00-4.00) Mitchell Street (SCR 83): Schrider-Fox recapped the Fallbrooke Properties LLC annexation process to date. O'Neal made a motion to approve the annexation and the zoning as Commercial as presented. Kells seconded. 6 approved; Thoroughgood was absent.

Lot combination request — Fallbrooke Properties LLC (233-5.00-3.00 & 233-5.00-4.00) Mitchell Street (SCR 83): Fallbrooke Properties, LLC presented a request to combine parcels 233-5.00-3.00 & 233-5.00-4.00 into one lot. Cordrey made a motion to approve the lot combination as requested. Gum seconded. 6 approved; Thoroughgood was absent.

Preliminary site plan — Fallbrooke Properties LLC (233-5.00-3.00 & 233-5.00-4.00) Mitchell Street (SCR 83): Kenneth Christenbury P.E. of Axiom Engineering, LLC presented the preliminary site plan request for Fallbrooke Properties, LLC for an office/storage space. Kaan made a motion to accept the preliminary site plan as presented. Gum seconded. 6 approved; Thoroughgood was absent.

Annexation request — Somerton Chase (133-20.00-41.02) Radish Road (SCR 338): O'Neal stated the committee had met and identified "pros" such as a reduction in the size of an existing "enclave", an increase in property values and preferred location for residential development. The only "con" mentioned was an increase in traffic.

Kells made a motion to accept the annexation committee report as presented and to schedule a public hearing for September 6, 2022. Gum seconded. 6 approved; Thoroughgood was absent.

**Mayor's report (cont.):**

Annexation request —Parasram (133-20.00-44.06) Radish Road (SCR 338): Lingo appointed an annexation committee and asked Cordrey, Gum, and Kaan to serve thereon—designating Gum as chair.

Posting of properties subject to public hearings (Burk and/or Schrider-Fox): Burk presented the idea of the “posting of properties” in times of a public hearing, a variance request, zoning code changes, any type of an exemption to the property. Schrider-Fox and Burk will continue to work on it.

Introduction of proposed change – §210-40 of the Code of the Town of Millsboro Overflow Parking Required (Niblett): Niblett presented a proposed change for new construction for Council to review.

Introduction of potential change – §127 of the Code of the Town of Millsboro Impact Fees (related to cemeteries) (Burk and/or Niblett): Burk presented an inquiry regarding impact fees regarding cemeteries.

Introduction of potential change – §178-3 of the Code of the Town of Millsboro Surety or Guaranty Bond requirements (Niblett and/or Schrider-Fox): Schrider-Fox presented draft language to increase the bonding requirement from an amount equal to 125% of the estimated cost of the work to be performed to an amount equal to 150% as it was in 2019. Kaan made a motion to approve the draft ordinance amendment as presented. Gum seconded. 6 approved; Thoroughgood was absent.

Mediacom franchise license agreement: Schrider-Fox presented Council with a draft license agreement for the licensee's service box and fiber optic line for retransmittal located on the Town Hall premises. Gum made a motion to accept the agreement as presented contingent upon a new picture of “exhibit A” of the shed. Cordrey seconded. 6 approved; Thoroughgood was absent.

**Public comment:** As the Council was preparing to adjourn Mr. Liebeskind of 30115 Plantation Dr asked to speak. Mr. Liebeskind would like to see more internet providers within the Town.

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

Respectfully submitted,

James Kells  
Secretary