

City of Milford



AGENDA

Monthly Council Meeting

January 13, 2014

Joseph Ronnie Rogers Council Chambers, Milford City Hall, 201 South Walnut Street, Milford, Delaware

7:00 P.M.

COUNCIL MEETING

Call to Order - Mayor Joseph R. Rogers

Invocation

Pledge of Allegiance

Approval of Previous Minutes

Recognition

Monthly Police Report

City Manager Report

Committee & Ward Reports

Police Committee Report/Chairman Doug Morrow/Restricted Parking Area SE Front Street
Finance Committee Report/Chairman Pikus/Abbotts Grill & Mills Brothers Market Alarm Fines*

Communications & Correspondence

Unfinished Business

New Business

Adoption of Resolution 2014-1/Legates & Currey Annexation/Committee Investigation
FY 2013-2014 Budget Adjustment/Planning & Zoning/Engineering & Planning Fees

Monthly Finance Report

Executive Session

Legal-Pursuant to 29 Del. C. §10004(b)(4) Strategy sessions, including those involving legal advice or opinion from an attorney-at-law, with respect to collective bargaining or pending or potential litigation

*Pursuant to 29 Del. C. §10004(b)(9) Personnel matters in which the names, competency and abilities of individual employees or students are discussed***

Adjourn

This agenda shall be subject to change to include additional items including executive sessions or the deletion of items including executive sessions which arise at the time of the public body's meeting.

**SUPPORTING DOCUMENTS MUST BE SUBMITTED TO THE CITY CLERK IN ELECTRONIC FORMAT
NO LATER THAN ONE WEEK PRIOR TO MEETING; NO PAPER DOCUMENTS WILL BE ACCEPTED
OR DISTRIBUTED AFTER PACKET HAS BEEN POSTED ON THE CITY OF MILFORD WEBSITE.**

MILFORD CITY COUNCIL
MINUTES OF MEETING
November 25, 2013

A Meeting of Milford City Council was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall on Monday, November 25, 2013.

PRESIDING: Mayor Joseph Ronnie Rogers

IN ATTENDANCE: Councilpersons Bryan Shupe, Garrett Grier III, S. Allen Pikus, Dirk Gleysteen, Owen Brooks, Jr., Douglas Morrow, Sr., Katrina Wilson and James Starling, Sr.

City Manager Richard Carmean, Police Chief Keith Hudson and City Clerk/Recorder Terri Hudson

COUNSEL: City Solicitor David Rutt, Esquire

CALL TO ORDER

Mayor Rogers called the Council Meeting to order at 7:00 p.m.

INVOCATION AND PLEDGE

The Pledge of Allegiance followed the invocation given by Councilman Starling.

RECOGNITION

No special guests in attendance.

COMMUNICATIONS & CORRESPONDENCE

All items included in packet.

UNFINISHED BUSINESS

Introduction/Ordinance 2013-13/Chapter 84/Amendment/Bicycles, Skateboards and other Conveyances

Councilman Pikus introduced the following ordinance as was discussed at the last council meeting:

ORDINANCE NO. 2013-13

Section 1.

WHEREAS, The City of Milford recognizes that individuals may require the assistance of a motorized scooter or wheelchair in order to facilitate movement; and

WHEREAS, Motorized Scooters and Wheelchairs, when operating, crossing, or traveling on or adjacent to public roadways without proper safety and reflective equipment do thereby create a severe risk of injury or death to both the operator and motorist; and

WHEREAS, The City of Milford desires, through the enactment of this ordinance, to identify and establish the minimum level of safety equipment that is necessary in order to safely operate motorized scooters and wheelchairs on public roadways and sidewalks.

Section 2.

NOW THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

1. Chapter 84 of the Code of the City of Milford, entitled "BICYCLES, SKATEBOARDS, AND OTHER CONVEYANCES," Article I "Use on Sidewalks," §1 "Prohibited acts; penalties," Subsection B shall be amended to include the additional language as follows:

"It shall be unlawful for anyone to ride, drive or operate any self-propelled or motor-driven vehicle of any kind on the sidewalks in the City of Milford, except such vehicles as defined in Article IV of this Chapter."

2. Chapter 84 of the Code of the City of Milford, entitled "BICYCLES, SKATEBOARDS, AND OTHER CONVEYANCES," Article IV is to be created, titled "Motorized Scooters and Wheelchairs," and adopted as follows.
Article IV: Motorized Scooters and Wheelchairs

§ 84-8 - Definitions.

"Motorized Scooters and Wheelchairs" shall mean any self-propelled device, regardless of the number of wheels, powered by any style motor, which is designed and intended primarily for use by individuals with mobility disabilities.

"Public Streets" for purposes of this Article IV shall mean roads, highways, sidewalks or any other thoroughfare dedicated, constructed or maintained by the City of Milford or the State of Delaware within the municipal limits.

§ 84-9 - Safety Equipment.

A. Daytime Operation: All Motorized Scooters and Wheelchairs operating on Public Streets during daylight hours shall be equipped with at least one of the following:

1. Slow moving vehicle fluorescent triangle on the rear of the device; or
2. Red safety flag.

B. Nighttime Operation: All Motorized Scooters and Wheelchairs operating on Public Streets at night or any other time when lighted lamps are required under 21 Del. C. § 4331 shall be equipped, at a minimum, with all of the following:

1. A lamp emitting a white light which, while the device is on the Public Street, illuminates the Public Street in front of the operator and is visible from a distance of 300 feet in front and from the sides of the motorized scooter or wheelchair.
2. A red reflector on the rear of the device of the type approved by the Department of Transportation for bicycles, as defined under 21 Del. C. § 4198F(b).
3. A white, yellow, or red reflector on each side of the device that is visible from a distance of at least 200 feet.

C. Every Motorized Scooter and Wheelchair operating on Public Streets shall be equipped with a braking system which enables its operator to stop the device within 25 feet from a speed of 10 miles per hour on dry, level, clean pavement.

§ 84-10 - Enforcement

This section shall be enforced by the City of Milford Police Department.

§ 84-11 - Fines and Penalties.

A. Any person found in violation of this article shall be penalized as follows:

- (1) First offense: Written Warning.
- (2) Second offense: \$10 fine.
- (3) Third offense: \$25 fine.

(4) Fourth offense: \$50 fine.

(5) Fifth and subsequent offenses: \$100 fine.

Section 3.

Dates:

Introduction: November 25, 2013

Adoption: December 9, 2013

Effective: January 1, 2014

Frank Fountain of 814 Parson Thorne Apartments asked to speak on the matter. He wants council to understand this ordinance was his idea and the result of his concern about wheelchairs. He understands that council started to work on the matter but wants the record to reflect he is not representing Carlisle Fire Company of which he is a member, but instead as a concerned citizen.

He is surprised the wheelchair requirements are not already in place. Mr. Fountain stated that because these people are only able to move around in their wheelchairs, the city needs to step up to the plate and do something for their safety. Mr. Fountain also understands there is an organization who has offered to help these people because many are not very well off.

He has seen them cross the highway in the dark, ride on the side of the road and on sidewalks. He said it is important to save lives and by being in the fire company, he does not want to get any calls about accidents involving a wheelchair. Mr. Fountain reported that he almost hit someone at night who was riding down the road with no light.

He questioned whether the city can force them to have lights on the wheelchairs. His suggestion was they be required to have reflector vests and markings. The vests can be bought at Walmart.

Mr. Fountain also recommends that reflective stripes be added to the wheelchair sides. He believes the lights will be too expensive.

Mr. Pikus informed Mr. Fountain that anyone who has a motorized wheelchair can come to City Hall and have the wheelchair outfitted at the expense of the Milford Rotary Club. They will provide all the safety features necessary to bring the motorized wheelchairs in Milford into compliance with the ordinance.

Ms. Wilson suggested Mr. Fountain help by identifying some of the individuals. Perhaps Mr. Fountain is willing to approach them to make this a smoother transition and inform them how important this equipment is. Also it should be stressed this will be of no cost to them.

Ms. Wilson believes that will help the city and the police department.

Mr. Fountain responded by saying he will do that. He said that a lot of these people live in on Linstone Lane in the high rise. They come around the side and rear of Milford Plaza. There are often large trucks loading and unloading in this area. He will make it a point to contact everyone he sees and provide them with this information.

Joe Palermo of 5 Misty Vale Court, Meadows at Shawnee, stated that in addition to that, he recommends something be added to the utility bill. He also suggests the newspaper publish the information that the Rotary Club will pay the costs of the reflector and the lights.

Award of Bid/Southeast Front Street Rehabilitation Paving Project

Mr. Carmean asked that this matter be postponed until the December 9, 2013 meeting. There are still some funding problems and he and Randy Duplechain of Davis, Bowen and Friedel plan to meet with City Finance Director Jeff Portmann to discuss the matter.

Mr. Shupe moved to postpone the bid award of the Southeast Front Street Rehabilitation Paving Project, seconded by Ms. Wilson. Motion carried.

Adoption/Ordinance 2013-10/Sewer Code/Chapter 185/Waiver of Impact Fees

Mr. Pikus moved to adopt Ordinance 2013-10, seconded by Mr. Starling:

Ordinance 2013-10/Sewer Code

WHEREAS, the City of Milford is encouraging the redevelopment of underused buildings and sites by increasing rehabilitations, upgrades and reuses of existing buildings; and

WHEREAS, the waiver of impact fees authorized by Ordinance 2010-8, Ordinance 2010-17, 2011-16 and 2012-19 led to more projects being launched; and

WHEREAS, City Council has learned that building permit values increased in 2010, 2011, 2012 and 2013 when compared to the same period in 2009; and

WHEREAS, it is the City of Milford's desire to extend the waiver of sewer impact fees for an indefinite period of time.

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

Section 1. Chapter 185 of the Code of the City of Milford, entitled Sewers, Article III §24 Impact Fee Established, §185-24-D shall be amended by indefinitely extending the deadline with the following conditions:

D. The sewer impact fee described in Subsection C shall be waived for permits issued for repairs or rehabilitation of existing structures beginning DECEMBER 5, 2013. The waiver shall be for a maximum of 5 EDUs per project. The city will continue to collect the impact fee charged by Kent County. Waiver does not apply to new construction.

Section 2. Chapter 185 of the Code of the City of Milford, §185-24-D(1) and §185-24-D(2) shall remain in effect.

§185-24 D (1) To qualify for the impact fee waiver, construction must be completed and a certificate of occupancy received in accordance with the following schedule:

Single Family Residential	6 Months
Multi Family Residential	12 Months
Commercial	12 Months

(a) Waiver of Sewer Impact Fees for Commercial Entities:

To encourage new business and the expansion of existing businesses, the business must create a minimum of five (5) jobs to employ five (5) full-time employees in the City of Milford in accordance with the following criteria:

- Creation of 5-9 new jobs to last at least 3 years: Exemption of Impact Fee Waiver (1 EDU)
- Creation of 10-14 new jobs to last at least 3 years: Exemption of Impact Fee Waiver (2 EDU's)
- Creation of 15-19 new jobs to last at least 3 years: Exemption of Impact Fee Waiver (3 EDU's)
- Creation of 20-24 new jobs to last at least 3 years: Exemption of Impact Fee Waiver (4 EDU's)
- Creation of 25+ new jobs to last at least 3 years: Exemption of Impact Fee Waiver (5 EDU's)

b) Agreement shall be executed by the commercial customer relative to the creation and retention of jobs.

§185-24 D (2) Any structure that does not receive a certificate of occupancy in accordance with this schedule shall be ineligible for the impact fee waiver and shall pay the required impact fee in full prior to the issuance of a certificate of occupancy.

Section 3. Dates
Adoption November 25, 2013
Effective December 5, 2013

Motion carried.

Adoption/Ordinance 2013-11/Water Code/Chapter 220/Waiver of Impact Fees

Mr. Pikus moved to adopt Ordinance 2013-11, seconded by Mr. Starling:

Ordinance 2013-11/Water Code

WHEREAS, the City of Milford is encouraging the redevelopment of underused buildings and sites by increasing rehabilitations, upgrades and reuses of existing buildings; and

WHEREAS, the waiver of impact fees authorized by Ordinance 2010-9, Ordinance 2010-18, Ordinance 2011-17 and Ordinance 2012-20 led to more projects being launched; and

WHEREAS, City Council has learned that building permit values increased in 2010, 2011, 2012 and 2013 when compared to the same period in 2009; and

WHEREAS, to further stimulate the local economy, it is the City of Milford's desire to extend the waiver of water impact fees for an indefinite period of time.

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

Section 1. Chapter 222 §31 of the Code of the City of Milford, entitled Water, shall be amended by indefinitely extending the deadline with the following conditions:

§222-31 I. The water impact fee described in §222-31H shall be waived for permits issued for repairs or rehabilitation of existing structures beginning DECEMBER 5, 2013. The waiver shall be for a maximum of 5 EDUs per project. Waiver does not apply to new construction.

Section 2. Chapter 222 of the Code of the City of Milford, §222-31-I (1) and §222-31-I (2) shall remain in effect.

§222-31 I. (1) To qualify for the impact fee waiver, construction must be completed and a certificate of occupancy received in accordance with the following schedule:

Single Family Residential	6 Months
Multi Family Residential	12 Months
Commercial	12 Months

(a) Waiver of Water Impact Fees for Commercial Entities:

To encourage new business and the expansion of existing businesses, the business must create a minimum of five (5) jobs to employ five (5) full-time employees in the City of Milford in accordance with the following criteria:

- Creation of 5-9 new jobs to last at least 3 years: Exemption of Impact Fee Waiver (1 EDU)
- Creation of 10-14 new jobs to last at least 3 years: Exemption of Impact Fee Waiver (2 EDU's)
- Creation of 15-19 new jobs to last at least 3 years: Exemption of Impact Fee Waiver (3 EDU's)
- Creation of 20-24 new jobs to last at least 3 years: Exemption of Impact Fee Waiver (4 EDU's)
- Creation of 25+ new jobs to last at least 3 years: Exemption of Impact Fee Waiver (5 EDU's)

b) Agreement shall be executed by the commercial customer relative to the creation and retention of jobs.

§222-31 I. (2) Any structure that does not receive a certificate of occupancy in accordance with this schedule shall be ineligible for the impact fee waiver and shall pay the required impact fee in full prior to the issuance of a certificate of occupancy.

Section 3. Dates

Adoption November 25, 2013

Effective December 5, 2013

Motion carried.

Adoption/Ordinance 2013-12/Electric Tariff/Appendix B/Rules and Regulations

Mr. Pikus moved to adopt Ordinance 2013-12, seconded by Mr. Starling:

Ordinance 2013-12/Electric Tariff/Appendix B

WHEREAS, the City of Milford is encouraging the redevelopment of underused buildings and sites by increasing rehabilitations, upgrades and reuses of existing buildings; and

WHEREAS, the waiver of impact fees authorized by Ordinance 2010-10, Ordinance 2010-19, Ordinance 2011-18 and Ordinance 2012-21 led to more projects being launched; and

WHEREAS, City Council has learned that building permit values increased in 2010, 2011, 2012 and 2013 when compared to the same period in 2009; and

WHEREAS, to further stimulate the local economy, it is the City of Milford's desire to extend the waiver of electric impact fees for an indefinite period.

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

Section 1. Appendix B-Electric Tariff-Rules and Regulations shall be amended by indefinitely extending the deadline for the waiver of Electric Impact Fees.

Section 2. Rules and Regulations, Section 3-Customer Advance Usage/Impact Fees and Deposits, Subsection E(1) is hereby amended as follows:

E. The electric impact fee established under this Appendix shall be waived for permits issued for repairs or rehabilitation of existing structures beginning DECEMBER 5, 2013. Waiver does not apply to new construction.

(1) To qualify for the impact fee waiver, construction must be completed and a certificate of occupancy received in accordance with the following schedule:

Single Family Residential	6 Months
Multi Family Residential	12 Months
Commercial	12 Months

(a) Waiver of Electric Impact Fees for Commercial Entities:

To encourage new business and the expansion of existing businesses, the business must create a minimum of five (5) jobs to employ five (5) full-time employees in the City of Milford in accordance with the following criteria:

- Creation of 5-9 new jobs to last at least 3 years: Exemption of Impact Fee Waiver (1 ESU)
- Creation of 10-14 new jobs to last at least 3 years: Exemption of Impact Fee Waiver (2 ESU's)
- Creation of 15-19 new jobs to last at least 3 years: Exemption of Impact Fee Waiver (3 ESU's)

Creation of 20-24 new jobs to last at least 3 years: Exemption of Impact Fee Waiver (4 ESU's)
Creation of 25+ new jobs to last at least 3 years: Exemption of Impact Fee Waiver (5 ESU's)

b) Agreement shall be executed by the commercial customer relative to the creation and retention of jobs.

(2) Any structure that does not receive a certificate of occupancy in accordance with this schedule shall be ineligible for the impact fee waiver and shall pay the required impact fee in full prior to the issuance of a certificate of occupancy.

Section 3. Dates

Adoption November 25, 2013

Effective December 5, 2013

Motion carried.

NEW BUSINESS

Delmarva Power Agreement/Joint Pole Use

Mr. Carmean reported that negotiations have been ongoing with Delmarva Power for some time. Last week, Delmarva Power representatives finally informed him they had agreed to the terms.

The previous pole attachment agreement was signed in 1968 and this is a fifty-year agreement.

Mr. Pikus asked if we are protected legally on this agreement. Solicitor Rutt stated that this has been negotiated for the past six to eight months. He has had many discussions with their legal staff adding this is much more comprehensive than the 1968 agreement. This lays out the rights and obligations and describes who owns what and where the lines will be placed.

Mr. Rutt said that Electric Consultant Alan Cobb from North Carolina addressed the technical aspects of the agreement.

Mr. Pikus moved to approve the Agreement for the Joint Use of Pole Structures between the City of Milford and Delmarva Power as presented, seconded by Mr. Gleysteen. Motion carried.

Suspend/Milford Green Energy Grant Program

Mr. Carmean introduced Scott Lynch, Energy Service Manager of Delaware Municipal Electric Corporation (DEMEC) to discuss some changes to the Green Energy Program and DEMEC's recommendations.

Mr. Lynch referenced the Request to Suspend the current incentives for Photovoltaic Solar Systems in the City of Milford. He explained that the State of Delaware and Sustainable Energy Utility (SEU) has announced their intention to offer a new incentive for photovoltaics. The new incentive matched with the current Milford photovoltaic incentive would be an over-incentive and something the state is trying to prevent.

As a result, DEMEC is asking the city to suspend the current incentive at this time. Due to the unknown nature of the proposed incentive, DEMEC strongly recommends a temporary suspension to the Milford Green Energy Grant Program for PV applications until the nature of the proposed incentive can be determined.

Mr. Lynch noted that a typical solar incentive is approximately \$10,000. Annually, the city brings in a little more than \$30,000. Essentially three solar requests would take up the entire funding for incentives in one year.

He then reported that Milford's current program has a wait of four plus years. To avoid a flood of incentive requests which could potentially put the delay to pay customers many years beyond the four-year mark, this suspension should be considered. As an example, the City of Lewes currently has an incentive wait of forty years which essentially makes a program ineffective.

Mr. Lynch asked that this suspension be approved to allow additional time for DEMEC to better understand the incentive. He will then come back with a recommendation at a later date.

Mr. Grier asked how long it will take before this incentive can be deciphered; Mr. Lynch advised the State of Delaware wants the new incentive ready in January 2014. However, some people believe that is an ambitious goal and the date could be somewhat later and possibly February.

He also reported that Milford's current incentive rebates 33.33% of the cost of a PV system which is the richest incentive in the state. Though there is nothing wrong with that, if other incentives were considered, the money could be spread among a higher number of customers.

When asked about current requests, Mr. Lynch reported there are two completed projects but several pending. He reiterated that the current wait list is four plus years for these customers to receive payment.

Mr. Grier moved for the suspension to the Milford Green Energy Grant Program for PV applications until the nature of the proposed incentive can be determined, seconded by Mr. Gleysteen. Motion carried.

It was confirmed the money would continue to be collected for the Green Energy Program; this action only suspends the ability to submit/receive new applications for photovoltaic systems.

Approval/Highway Sign Proposal/Scott Angelucci

The city manager reminded council of the highway sign project that Scott Angelucci wants to put out on Route 1 in both north and southbound lanes. When the proposal was brought before council, it was in excess of the \$30,000 bid limit which required public bidding. Councilman Shupe suggested Mr. Angelucci try to negotiate the contracts to bring the project total below \$30,000.

Mr. Carmean said that Mr. Angelucci recently brought the proposal back which has been reduced to \$30,460. According to the city manager, the lettering will be done by a different manufacturer. He is now employing local companies to do the work.

The city manager contacted Mr. Angelucci this afternoon to inform him there may still be a problem with council and it may still have to be bid. Mr. Angelucci then asked Downtown Milford (DMI) to contribute to the project.

Mr. Angelucci said they worked hard to reduce the numbers. He recalled the project was pre-approved based on numbers and emphasized the proposal is only \$460 over the \$30,000. After his conversation with the city manager, he contacted DMI and asked if they would be willing to pay for the balance to prevent going over \$30,000 which requires bidding and further delays in getting the signs in place. DMI took a vote on line which resulted in the approval of up to \$750 in order to prevent the number from going above the pre-recommended amount.

Mr. Grier noted that the proposal does not include the cost of the concrete work. He asked if that will be handled as a separate matter. Mr. Angelucci pointed out the original proposal did not include the concrete either. They only presented the costs of the signage and the breakaway brackets. He later learned the original price may have been in jeopardy because the addition of the breakaway brackets are very expensive. There were also questions about whether or not DelDOT would approve the design.

Mr. Angelucci reported that the person who prepared the current sign proposal has previously worked with the State of Maryland and is very familiar with Maryland transportation laws which are similar to Delaware's requirements. He also offered to give a more detailed explanation of how the construction would go forward to get approval from DelDOT. He re-emphasized that the concrete was never part of the bid on the first or second proposal.

He informed council the city has a contractor that does all their concrete work and it would be sent to them. Mr. Angelucci further advised that the concrete will be used for piers that would hold the post with the studs that are part of the breakaway package. That would be offered to the city as far as a design layout on what would be required.

Mr. Pikus asked who will pay for the concrete work; Mr. Angelucci said that we hope the city will be involved with figuring out the concrete piers. Mr. Pikus asked if that means that the city would pay for it. Mr. Angelucci said yes.

Mr. Pikus asked the estimate cost of the four piers; Mr. Angelucci estimates a couple hundred dollars. Mr. Carmean believes it will be less than \$500 or \$600. He thinks that with breakaway framing, the piers would not be aboveground. He feels holes can just be punched in the ground with the concrete level to the ground. If council approves this proposal, he is willing to check with some of our concrete contractors to see if they would consider donating it. City crews can take a digger truck there with instructions from the sign installer and dig the hole. All we would have to pay for is the concrete.

When questioned about DelDOT permits, Mr. Angelucci said that DelDOT will review the design and diagrams. It would have to meet their approval. He noted that this contractor has the diagrams and will provide them to DelDOT. The short package presented is only for council approval. He would then provide the full diagrams for DelDOT.

Mr. Pikus referenced the letter from DelDOT explaining the approval process and asked if those items were addressed; Mr. Angelucci said he does not have the authority to go before DelDOT. He advised that former Economic Development Director Steve Master was arranging to meet with DelDOT though his job has been eliminated.

Mr. Angelucci said that DelDOT requires someone with an official capacity has to meet with them. He said he is only a merchant downtown and they will not talk to him.

When asked if the signs would be placed on DelDOT right-of-ways, Mr. Angelucci said yes and emphasized that someone from the city would actually have the contact with DelDOT to get the approval.

He referenced the letter from DelDOT that expressed concerns that they were hearing about the approval of the sign before they had heard anything about it. He said they want to see what is intended to be done, how it will be constructed to ensure it meets their requirements and reiterated the city will handle that.

When asked if DelDOT approval is required, Mr. Angelucci said they will have the final say. He added what the city is looking to do is request to put this type of signage there. Mr. Pikus asked if the city will present it or the sign installer; Mr. Angelucci said no that would be a city request.

Mr. Carmean said that normally a representative of the sign company would handle this. He referenced Mr. Angelucci's statement that he is familiar with the Maryland regulations. He would make the request on behalf of the city because he is the expert.

The city manager said he is assuming the plan is for the city to own the sign because he does not believe that Scott Angelucci can own it. Mr. Angelucci said it is definitely not his sign.

Mr. Carmean compared this to someone building a home whose contractor would come to the city and request the permit. Signs are handled in the same manner.

The city manager commented that no money will be spent until all permits are approved.

Ms. Wilson asked how anything can be approved if we do not have DelDOT approvals; Mr. Carmean said the cost can be approved though nothing else can be done. Mr. Angelucci said the last time he was before council, he was required to get the cost to the required amount which would allow him to move forward with the contract. His understanding is once that is done, the contract can be awarded and then the contractor would make his proposal to DelDOT.

Ms. Wilson announced that she is not opposed to this, but if the contract is approved tonight, we still have to approve the permits. Therefore, we do not have the final cost. Mr. Carmean assured council there will be no additional costs with the exception of the concrete. He explained that DelDOT has advised they have no permit for the signs and need more information before they can act on the request. He believes DelDOT will do nothing until after council approves the signs. Mr. Carmean emphasized that nothing can be ordered or paid for until all permits have been issued.

Mr. Pikus asked if the city will have the final say on what is on the signs. Mr. Angelucci informed Mr. Pikus the signs will have the branding that was adopted by the city several years ago.

Mr. Angelucci suggested a letter be written by the city to the contractor confirming the approval so that the contractor can inform DelDOT the city already awarded the contract. Mr. Carmean said the minutes will be proof though he will also write a letter.

Mr. Carmean added that he has dealt with numerous billboards in right-of-ways and is confident the sign companies understand that if they do not get the permit, they do not get the job. He asked that be part of the contract and also recommends our solicitor review the document before it is signed. In the meantime, the contractor will have the minutes of the meeting stating the project was approved.

Mr. Grier asked if the contractor plans to provide the official drawing of the signs. Mr. Angelucci noted he has a more detailed design which was pending approval of the contract; he will provide that to council if they wish. Mr. Grier recommends that be viewed by council before it is provided to DelDOT.

Mr. Angelucci said the original drawing showed the description, design and size. However, that was an earlier bid and this is a new one. The design is the same though it contains more detailed information about the breakaways which is what DelDOT is interested in. He is willing to provide council with the diagrams.

When asked how the rendering in the current council packet coincides with what Mr. Angelucci believes the sign will look like, Mr. Angelucci said he does not have a copy. He stated that when they drew the description, they did not have the correct font though the drawing will show what the sign will look like.

Mr. Angelucci confirmed the only thing on the sign is 'Milford-River Town, Art Town, Home Town'. Mr. Pikus asked if something else was supposed to go on the sign; Mr. Angelucci and Mr. Carmean both stated no.

Ms. Wilson recalled a discussion with council when it was suggested that the shops, stores or other merchant related items be added. Mr. Angelucci agreed that was discussed but again pointed out that is not part of the branding.

Mr. Carmean suggests that in lieu of that, the city can have the blue signs installed on Route 1 that would direct drivers to the shopping and downtown areas. Mr. Angelucci commented that is not included with the gateway signs but could be a continuation of the project. He said they also applied for the blue attraction signs but found the costs to be higher than anticipated. He further stated that DMI, though he is no longer a board member, still has the ability to request an RBEG (Rural Business Enterprise Grant) which is how he got the kiosk and banner signs for DMI. That would have been a future part of the signage project.

He said the three elements are banners to mark the gateways into the community, large gateway signs and signs around the perimeter which are attraction signs for hotels, restaurants and shops.

Mr. Carmean said Mr. Angelucci mentioned DMI and his first impression was the request was coming from DMI. Instead, Mr. Angelucci completely came up with the gateway sign on his own. He recalled when the initial proposal was presented by Mr. Angelucci, council directed him to get a reduced price because anything over \$30,000 would have to be bid.

Mr. Angelucci added the signage project idea began at a workshop sponsored by the Delaware Economic Development Office (DEDO). Frazier and Associates came to Milford and did a comprehensive sign workshop for the city. They suggested a study on the type of signs that were needed by the city. The cost of the study was \$50,000. DMI did not believe anyone would agree to pay \$50,000 to conduct the study because they already knew what was needed. As a result, he said that DMI began to break it down into different elements. He said the complete package is similar to ones that were demonstrated through the main street association in other communities.

Mr. Angelucci said these signs will attract visitors by creating a sense of place and make them understand it is worth going downtown.

Mr. Shupe moved to approve the sign project contingent that the cost for the city remains below \$30,000 to prevent going to bid and that DMI pay the overage up to \$700 and that approval is obtained from DeIDOT and any other required agency.

Ms. Wilson asked about the cost of the concrete; Mr. Carmean said that would have to be included in the motion.

Motion seconded by Mr. Pikus. Motion carried.

Recommendation/Additional Change to City of Milford 2013 Comprehensive Plan

Mr. Carmean received a call from the heir of a property owner whose land is along the east side of Route 113. They were under the impression the property was zoned highway commercial but determined it was an R-1. He referenced the future land use map and arrow showing the properties and area he is recommending be changed to commercial.

The city manager would like all road fronting properties along the east side of Route 113 from south city limits, including and up to the McWilliams property be considered for highway commercial zoning.

Anyone with a concern can voice their opinions at a later public hearing.

Though this is being presented for council consideration, the proposal will be sent to the planning commission for their review and recommendation. It will then come back to council for a formal vote.

Mr. Pikus moved to forward the proposed amendment to the planning commission for their review and recommendation, seconded by Ms. Wilson. Motion carried.

Mr. Carmean then pointed out that this amendment to the comp plan will not change the fact it cannot be used for residential purposes because they are grandfathered. Even if the house is demolished, it would remain a residential lot.

With no further business, Mr. Pikus moved to adjourn the Council Meeting, seconded by Mr. Grier. Motion carried.

The Council Meeting was adjourned by Mayor Rogers at 7:55 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

MILFORD CITY COUNCIL
MINUTES OF MEETING
November 25, 2013

The City Council of the City of Milford met in Workshop Session on Monday, November 25, 2013 in the Joseph Ronnie Rogers Council Chambers of Milford City Hall, 201 South Walnut Street, Milford, Delaware.

PRESIDING: Mayor Joseph Ronnie Rogers

IN ATTENDANCE: Councilpersons Bryan Shupe, Garrett Grier III, S. Allen Pikus, Dirk Gleysteen, Owen Brooks, Jr., Douglas Morrow, Sr., Katrina Wilson and James Starling, Sr.

City Manager Richard Carmean, Police Chief Keith Hudson and
City Clerk/Recorder Terri Hudson

COUNSEL: City Solicitor David Rutt, Esquire

CALL TO ORDER

The Workshop Session convened at 7:55 p.m.

PNC Bank Building Renovations

City Manager Carmean introduced Architect Mike Wheedleton of Davis, Bowen and Friedel who handled the proposed renovations to the interior of the former PNC Bank Building.

Mr. Wheedleton presented a PowerPoint (see attached) displaying the plans for the proposed City of Milford billing office. He described the current layout as it exists today. Also displayed were some 3D renderings of the building once the renovations are completed.

The city manager pointed out the lobby, cashier areas, billing supervisors' office, restrooms and private conference area. He also emphasized that the areas will be under constant camera surveillance. Though it does not currently exist, an entrance will be added to the rear of the building. The vault will become a file room.

Mr. Carmean confirmed the vault has 28-inches of concrete; the secondary vault will house the IT equipment, telephone, fiber optic, wi-fi, etc.

The layout provides enough room for a third teller should that be required in the future.

Mr. Wheedleton reported that one of the major differences from their current operations is the addition of the drive-thru. There is a need to rehab or modernize the pneumatic tube system though they will try to use a lot of what currently exists. The actual drive-thru system, lights, ceiling grid, etc. will be kept.

Diebold has been working with Mr. Wheedleton. Rehabbing the pneumatic system and associated equipment was also discussed.

Mr. Carmean does not believe we will see an increase in walk-in customers in the future. The area is not extremely large but effectively meets our current needs. He believes we will see more customers using the on-line payment system versus paying at this building.

Currently, we will not be using the second floor. There is a large board room which can be used for meetings. The second floor is where the mechanical systems are located. Also, there are storage and two restrooms though one is not usable. At this point, Mr. Carmean only wants to spend very little money there.

The city manager pointed out that an elevator was being considered which would have been put in the rear with an outside shaft. Because of the cost, that was put on hold. It can be added later and accomplished without disturbing any billing activities.

The safe deposit boxes will be removed and either be salvaged or scrapped. Off the back, he noted a very secure gate system and two safes where money could be kept overnight. Because of the added security at this building, there is the possibility of leaving one person in the building by utilizing the drive-thru window so disconnects can be handled in the billing office after hours.

Mr. Wheedleton reported the first floor consists of slightly less than 3,000 square feet; the second floor has 1,300 square feet. The building also has a historical bomb shelter.

He explained that the primary cost of the renovation is the restroom and plumbing. The two restrooms must be made ADA compliant. Electrical upgrades will be done on the first floor and basement in order to meet current codes.

In the rear, some drainage is needed so a small retaining wall will be installed. This is needed because the grade in the back is higher than the first floor.

Mr. Wheedleton then reviewed the remaining slides.

He again referenced the teller areas and noted the exact location of the previous ATM. The night deposit box will be locked from the outside though the vault will remain and used from the inside as a safe.

He reported that the accessible restrooms are single occupancy and do meet the current code.

The bulk will be extended over the teller areas; vacuum tubes have been extended to the counter.

He said that every attempt will be made to save the woodwork in the center area as well as the marble front counter. They are also trying to match the marble to the new counter being installed.

Mr. Carmean confirmed there are trips in the pavement of the drive-thru that control the traffic light coming out of the bank.

Mr. Wheedleton reiterated the lights and ceiling will be kept even though the ceiling tiles will need replacing. A lot of the HVAC duct work will be kept though it will have to be reworked. A new split system will be installed for the IT room in the rear. An old heat pump unit will need to be replaced for the meeting room on the second floor.

Mr. Morrow confirmed the building will have a video recording surveillance system; Mr. Carmean stated yes, adding he also plans to incorporate an audio system. He noted there will be several cameras throughout the building.

The estimated cost of the renovations is \$300,000.

Adjourn

With no further business, the Workshop Session concluded at 8:14 p.m.

Respectfully submitted,

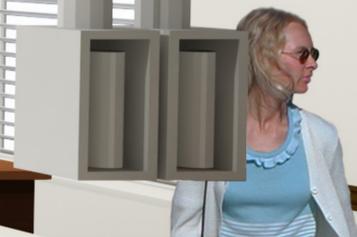
Terri K. Hudson, MMC
City Clerk/Recorder

Attachment: Former PNC Bank Building Proposed Renovations

CITY OF MILFORD
DELAWARE



"THE GARDEN CITY OF TWIN COUNTIES"



General Notes:

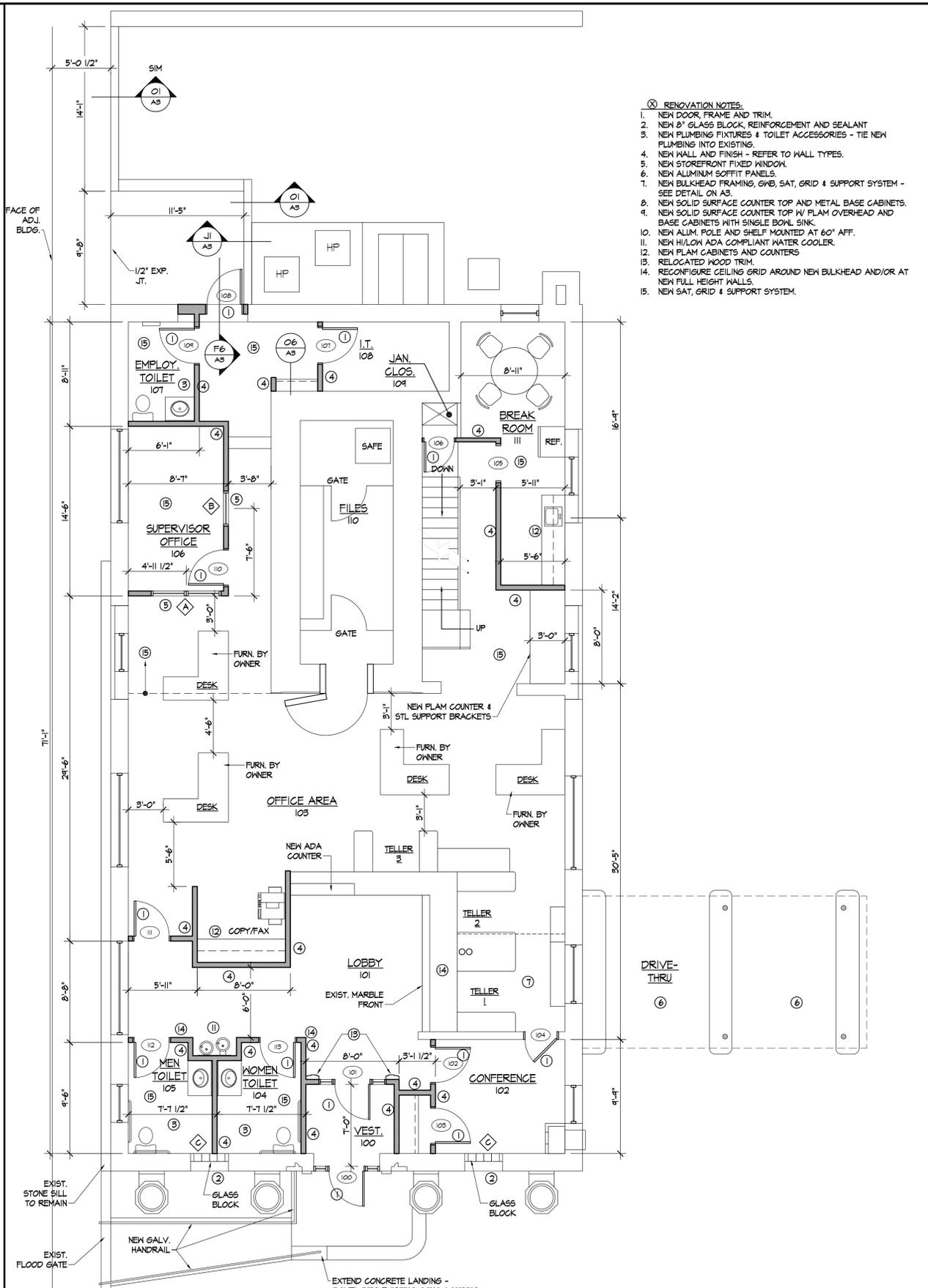
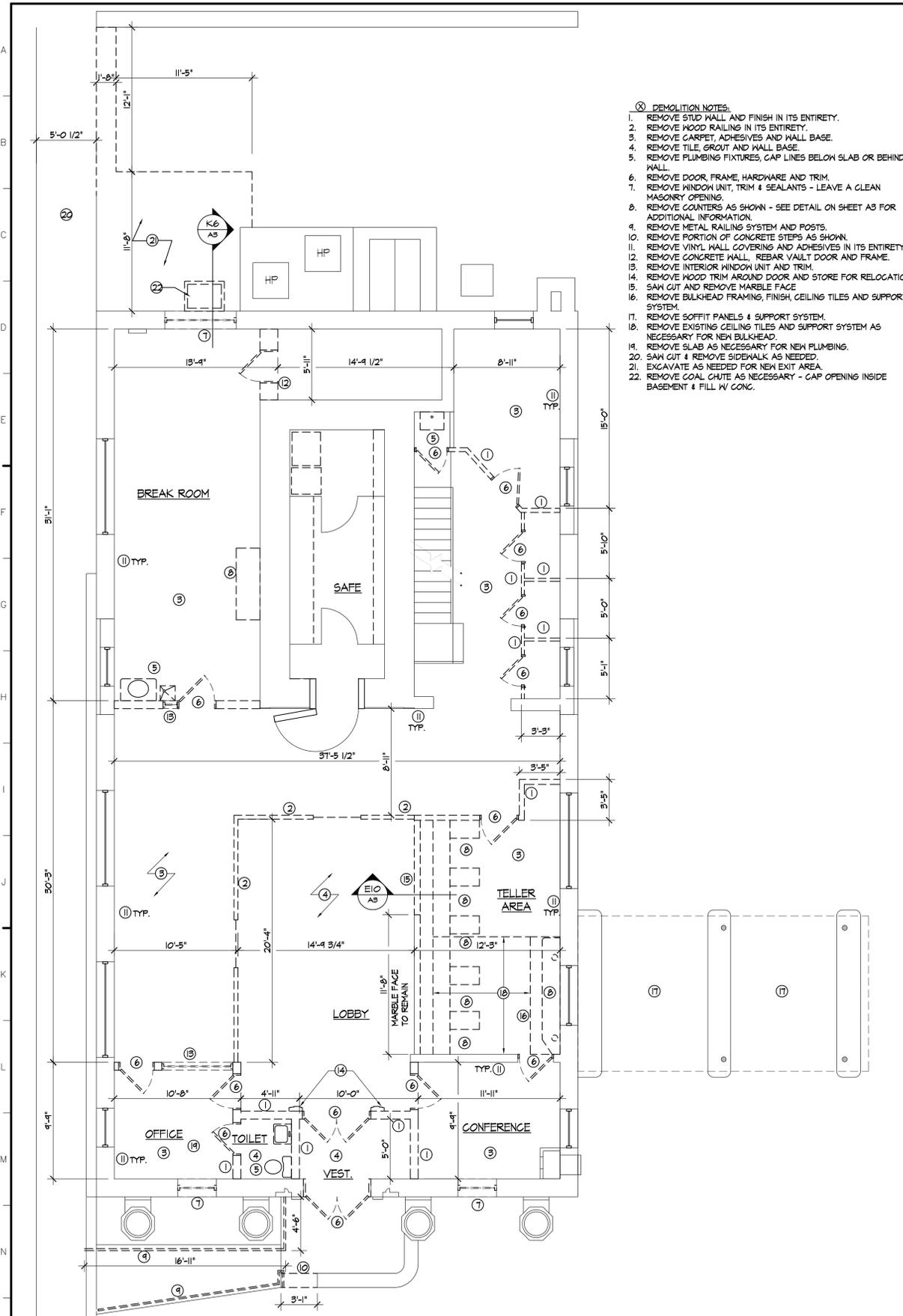
1. NEW WALLS ARE DIMENSIONED TO FACE OF STUD. EXISTING WALLS ARE DIMENSIONED TO EXISTING FINISH.
2. GENERAL CONTRACTOR SHALL PATCH/REPAIR EXISTING GWB AS NEEDED.

RENOVATION NOTES:

1. NEW DOOR, FRAME AND TRIM.
2. NEW 8" GLASS BLOCK, REINFORCEMENT AND SEALANT
3. NEW PLUMBING FIXTURES & TOILET ACCESSORIES - TIE NEW PLUMBING INTO EXISTING.
4. NEW WALL AND FINISH - REFER TO WALL TYPES.
5. NEW STOREFRONT FIXED WINDOW.
6. NEW ALUMINUM SOFFIT PANELS.
7. NEW BULKHEAD FRAMING, GWB, SAT, GRID & SUPPORT SYSTEM - SEE DETAIL ON A3.
8. NEW SOLID SURFACE COUNTER TOP AND METAL BASE CABINETS.
9. NEW SOLID SURFACE COUNTER TOP W/ FLAM OVERHEAD AND BASE CABINETS WITH SINGLE BOWL SINK.
10. NEW ALUM. POLE AND SHELF MOUNTED AT 60" AFF.
11. NEW HI/LOW ADA COMPLIANT WATER COOLER.
12. NEW FLAM CABINETS AND COUNTERS
13. RELOCATED HOOD TRIM.
14. RECONFIGURE CEILING GRID AROUND NEW BULKHEAD AND/OR AT NEW FULL HEIGHT WALLS.
15. NEW SAT, GRID & SUPPORT SYSTEM.

DEMOLITION NOTES:

1. REMOVE STUD WALL AND FINISH IN ITS ENTIRETY.
2. REMOVE WOOD RAILING IN ITS ENTIRETY.
3. REMOVE CARPET, ADHESIVES AND WALL BASE.
4. REMOVE TILE, GROUT AND WALL BASE.
5. REMOVE PLUMBING FIXTURES, CAP LINES BELOW SLAB OR BEHIND WALL.
6. REMOVE DOOR, FRAME, HARDWARE AND TRIM.
7. REMOVE WINDOW UNIT, TRIM & SEALANTS - LEAVE A CLEAN MASONRY OPENING.
8. REMOVE COUNTERS AS SHOWN - SEE DETAIL ON SHEET A3 FOR ADDITIONAL INFORMATION.
9. REMOVE METAL RAILING SYSTEM AND POSTS.
10. REMOVE PORTION OF CONCRETE STEPS AS SHOWN.
11. REMOVE VINYL WALL COVERING AND ADHESIVES IN ITS ENTIRETY.
12. REMOVE CONCRETE WALL, REBAR VAULT DOOR AND FRAME.
13. REMOVE INTERIOR WINDOW UNIT AND TRIM.
14. REMOVE WOOD TRIM AROUND DOOR AND STORE FOR RELOCATION.
15. S&W CUT AND REMOVE MARBLE FACE.
16. REMOVE BULKHEAD FRAMING, FINISH, CEILING TILES AND SUPPORT SYSTEM.
17. REMOVE SOFFIT PANELS & SUPPORT SYSTEM.
18. REMOVE EXISTING CEILING TILES AND SUPPORT SYSTEM AS NECESSARY FOR NEW BULKHEAD.
19. REMOVE SLAB AS NECESSARY FOR NEW PLUMBING.
20. S&W CUT & REMOVE SIDEWALK AS NEEDED.
21. EXCAVATE AS NEEDED FOR NEW EXIT AREA.
22. REMOVE COAL CHUTE AS NECESSARY - CAP OPENING INSIDE BASEMENT & FILL W/ CONC.



01 DEMOLITION FLOOR PLAN
3/16" = 1'-0"

011 PROPOSED FLOOR PLAN
3/16" = 1'-0"

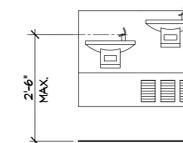
Project:
**CITY OF MILFORD
FORMER PNC BANK BLDG
RENOVATIONS**
119 SOUTH WALNUT STREET
MILFORD, DE 19963

Set No.: BID SET	Sheet Title: DEMOLITION AND PROPOSED FLOOR PLANS
Proj.No.: 052A154.F03	Scale: AS NOTED
Dwn.By: MPB	Date: 11/07/2013

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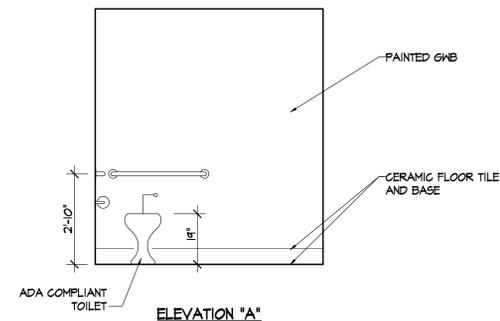
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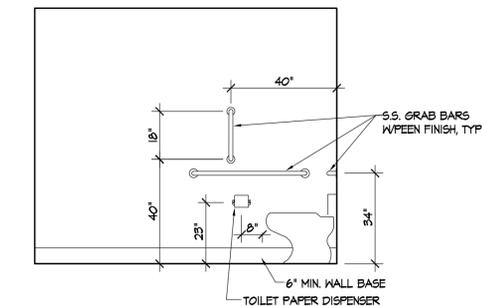
DRINKING FOUNTAIN

E17 DRINKING FOUNTAIN

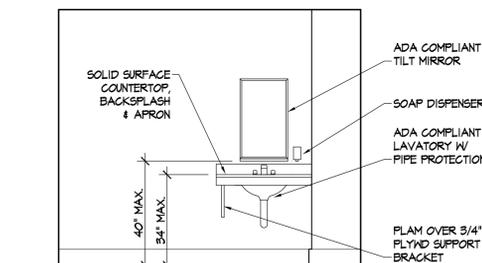
NTS



ELEVATION "A"

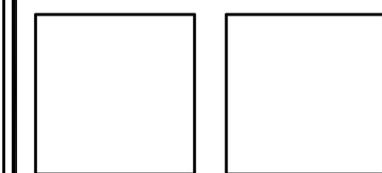


ELEVATION "B"



ELEVATION "C"

Consultant:



Revision

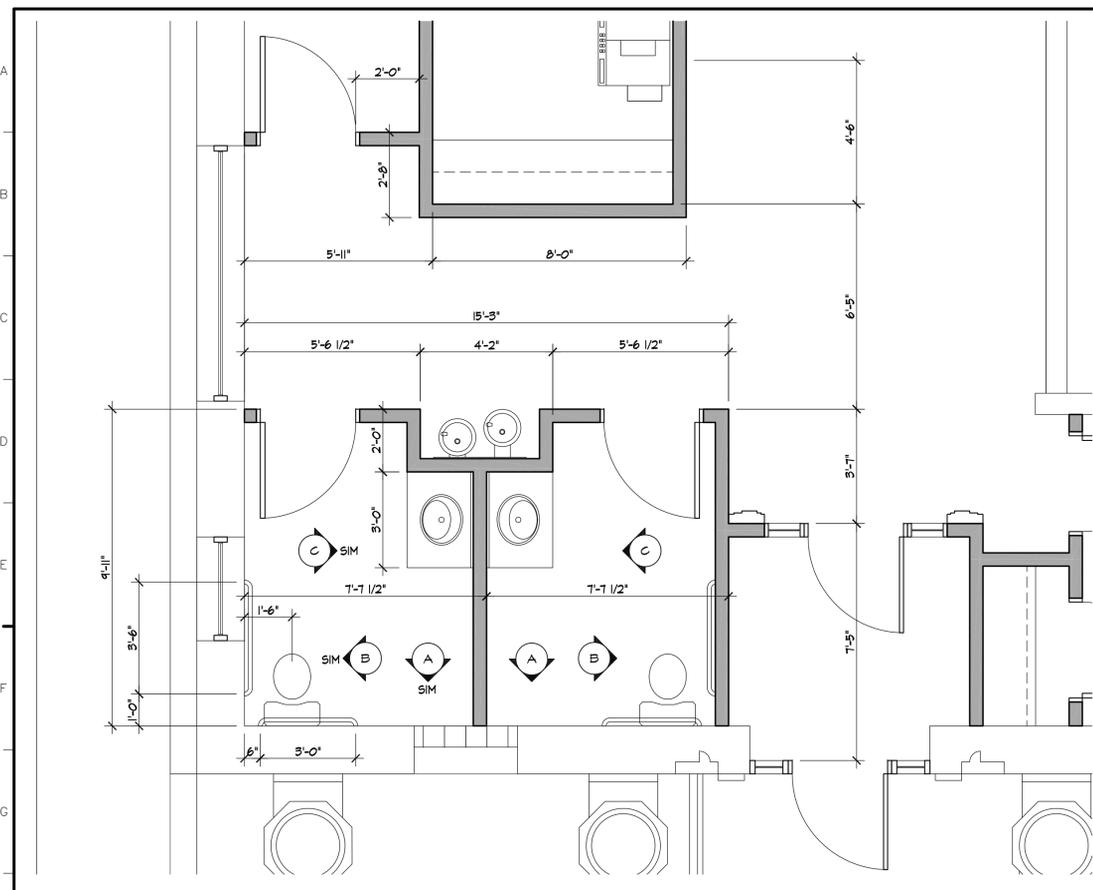
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**CITY OF MILFORD
 FORMER PNC BANK BLDG
 RENOVATIONS**
 110 SOUTH WALNUT STREET
 MILFORD, DE 19963

Set No.: **BID SET** Sheet Title: **ENLARGE PLAN/ELEVATIONS**
 Proj.No.: 052A154.F03 Scale: AS NOTED Sheet No.:
 Dwn.By: MPB Date: 11/01/2013

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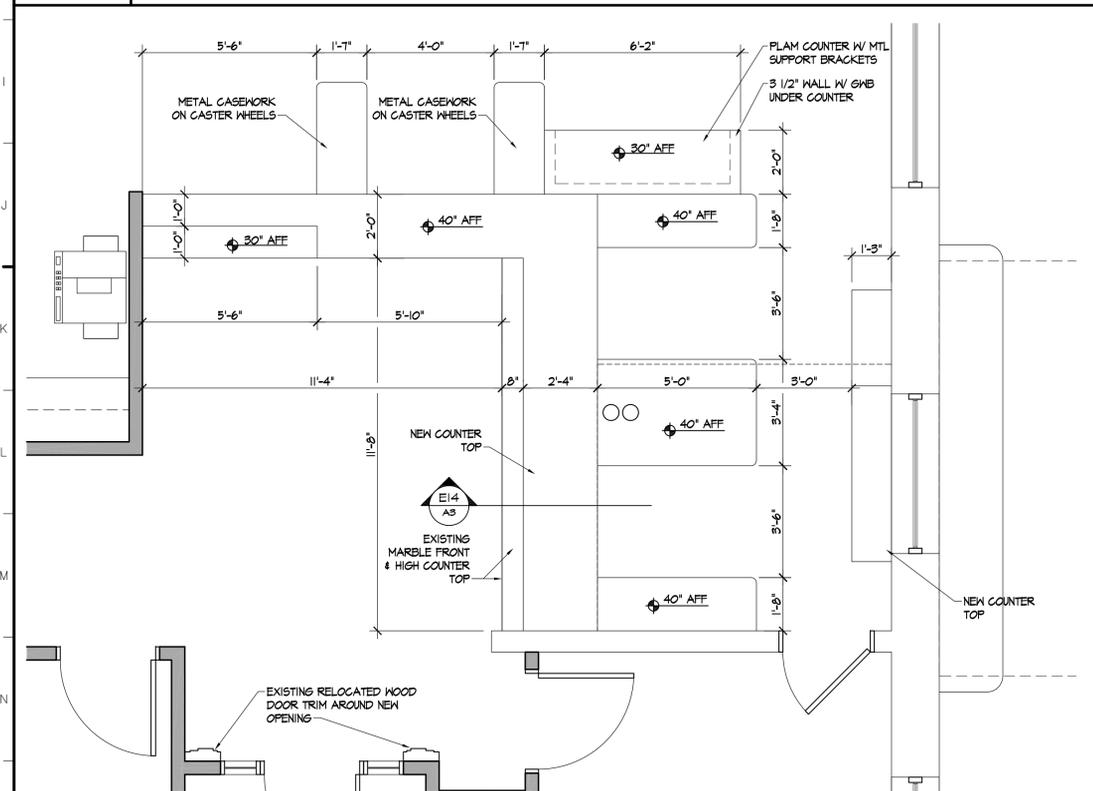
A2

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H1 PLAN @ TOILETS

3/8" = 1'-0"



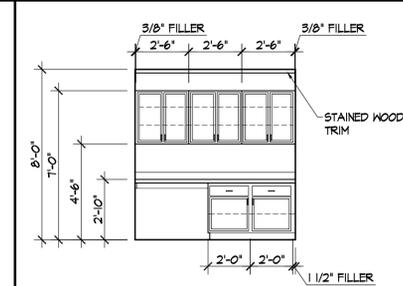
O1 PLAN @ TELLER AREA/LOBBY

3/8" = 1'-0"



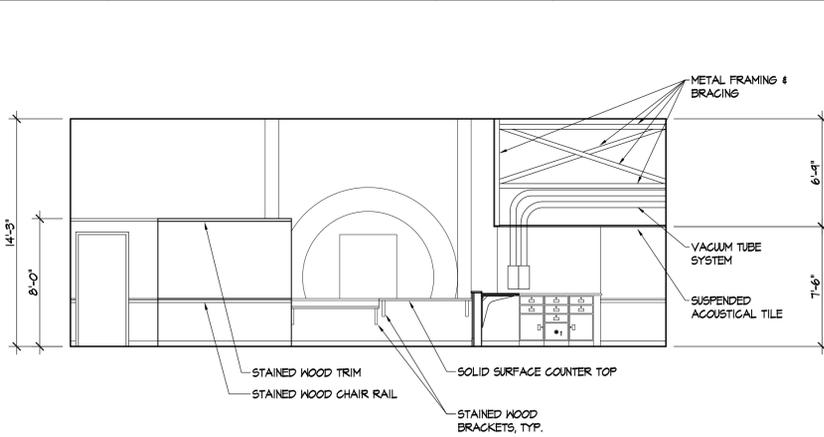
G10 BREAK ROOM CABINET ELEVATION

1/4" = 1'-0"



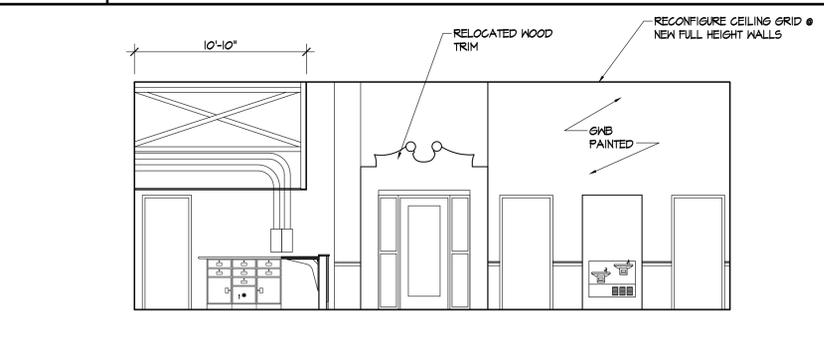
G14 COPY/FAX CABINET ELEVATION

1/4" = 1'-0"



K10 LOBBY ELEVATION

3/16" = 1'-0"



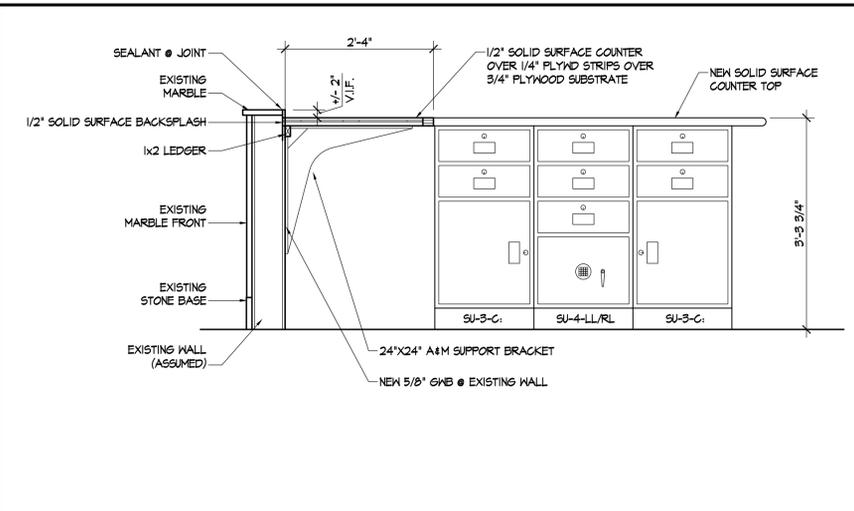
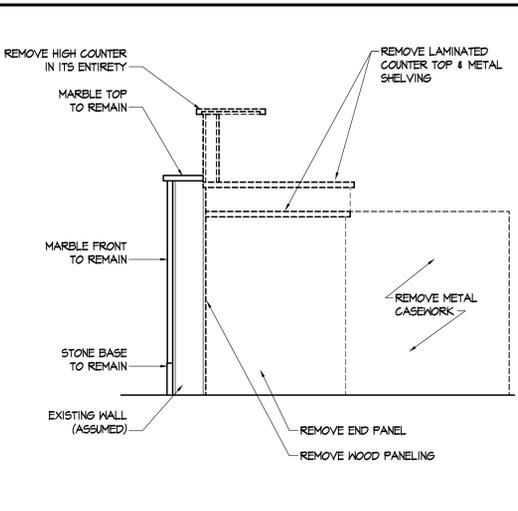
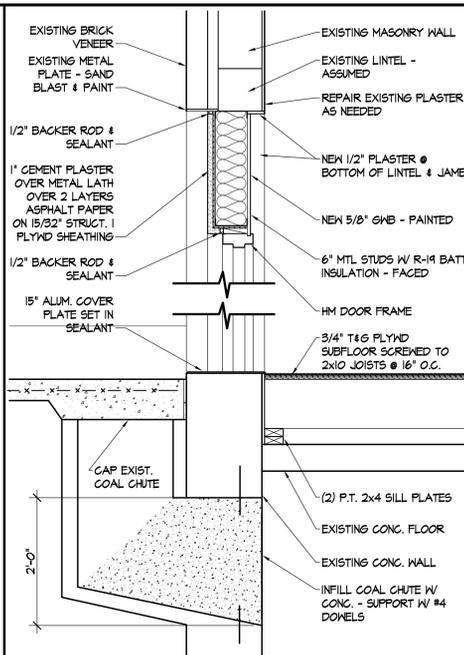
O10 LOBBY ELEVATION

3/16" = 1'-0"

O17 TOILET ELEVATIONS

3/8" = 1'-0"

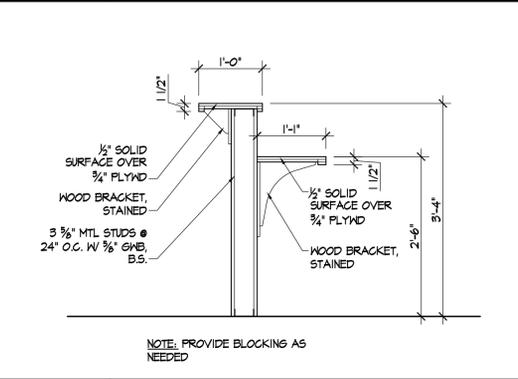
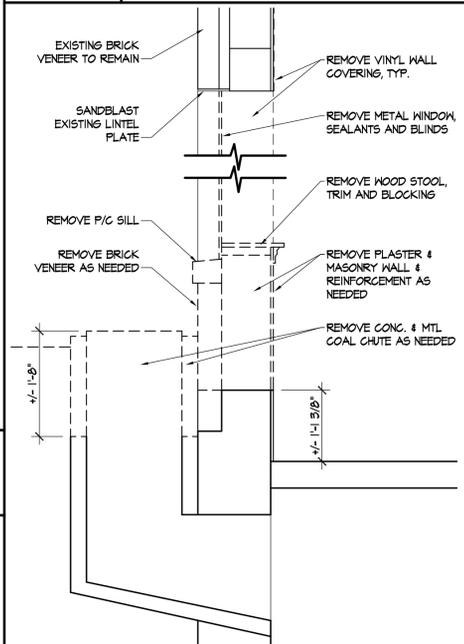
General Notes:



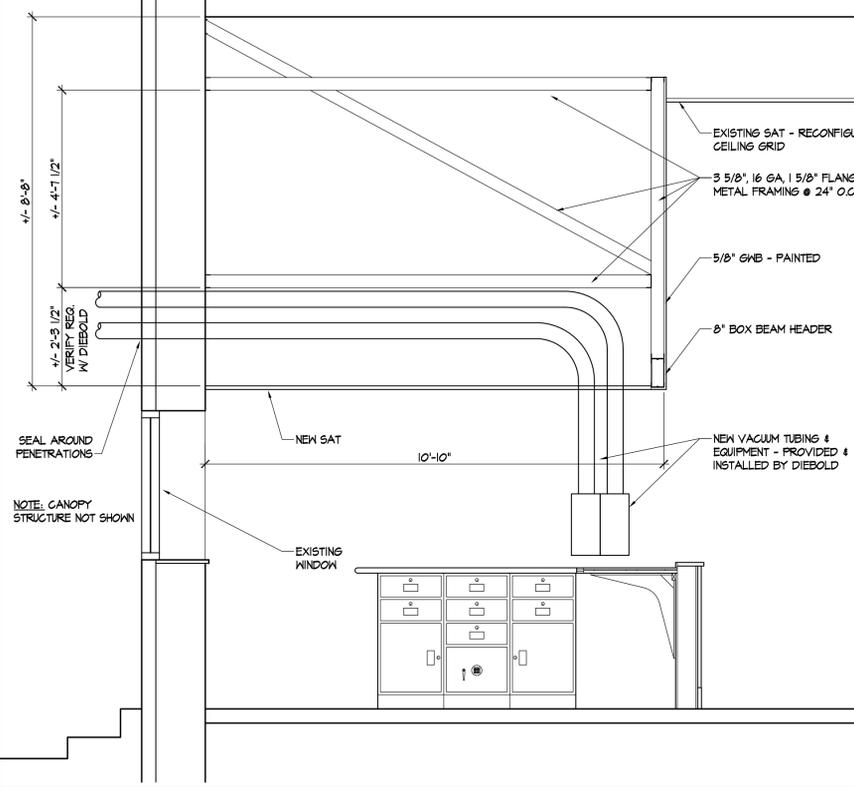
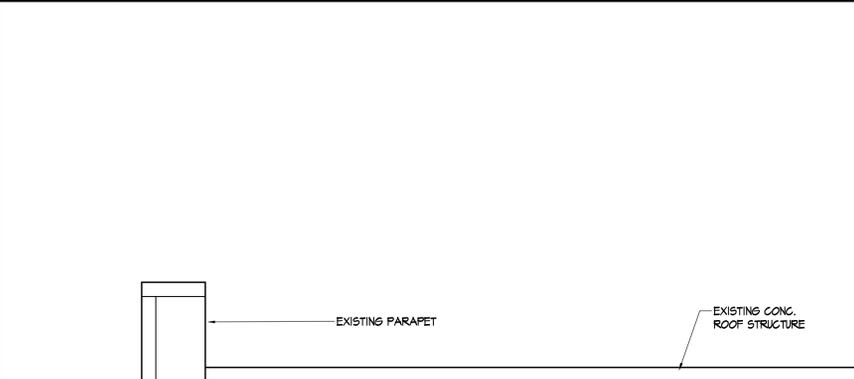
E10 COUNTER DEMO SECTION
 3/4" = 1'-0"

E14 SECTION @ COUNTER
 3/4" = 1'-0"

F6 DETAIL @ NEW DOOR SILL
 3/4" = 1'-0"

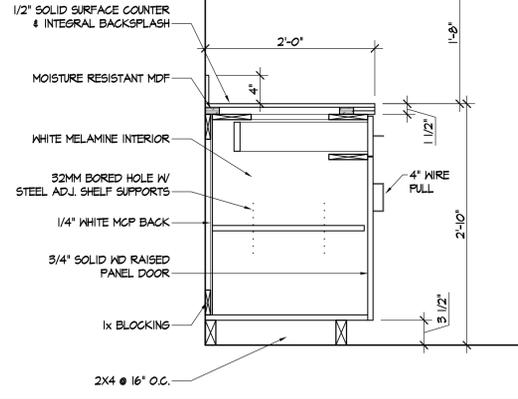
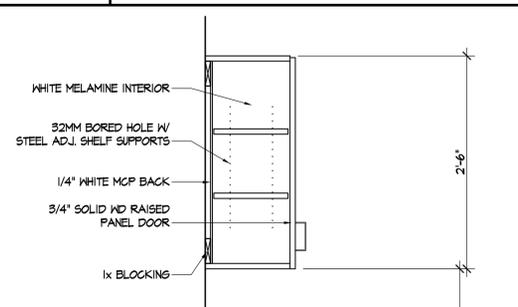
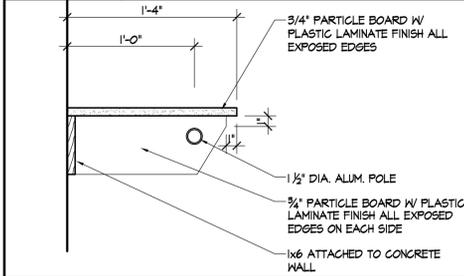


E10 SECTION @ ACCESSIBLE CTR
 3/4" = 1'-0"



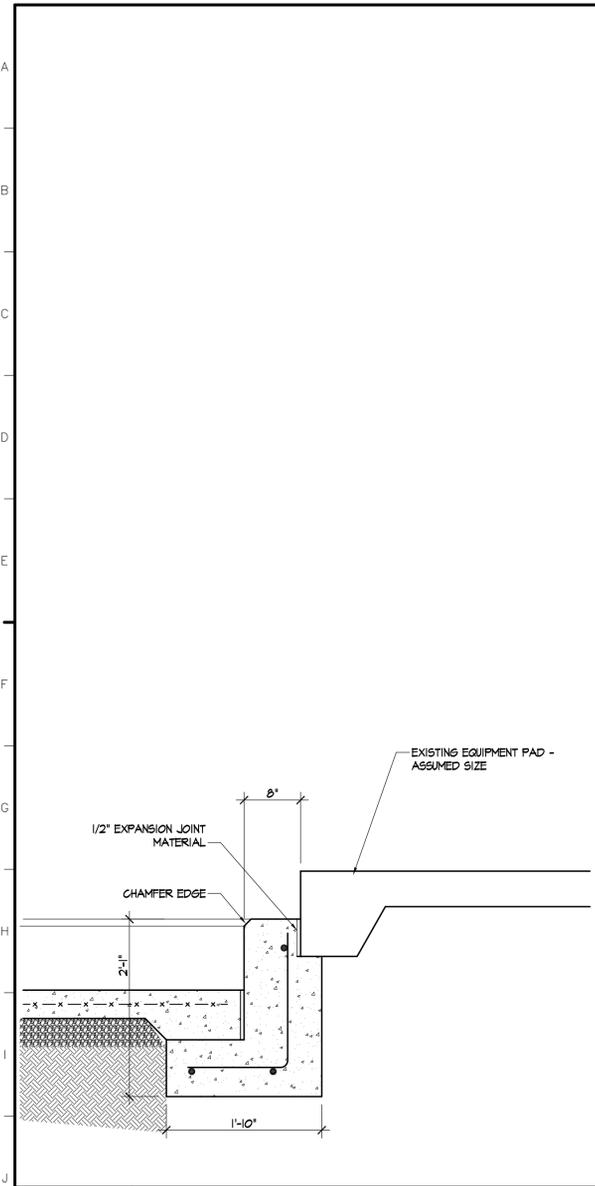
E14 SECTION @ BULKHEAD
 1/2" = 1'-0"

K6 DETAIL @ EXISTING WINDOW SILL
 3/4" = 1'-0"

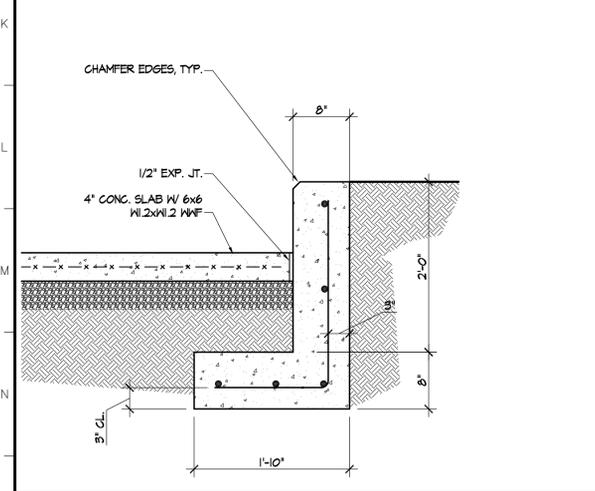


E10 SECTION @ CABINET
 1" = 1'-0"

O6 COAT CLOSET DETAIL
 1 1/2" = 1'-0"



J1 EXISTING EQUIPMENT PAD/ NEW RETAINING WALL DETAIL
 1" = 1'-0"



O1 NEW RETAINING WALL DETAIL
 1" = 1'-0"

Consultant:

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Revision

Project:
**CITY OF MILFORD
 FORMER PNC BANK BLDG
 RENOVATIONS**
 119 SOUTH WALNUT STREET
 MILFORD, DE 19963

Set No.:	Sheet Title:
BID SET	DETAILS
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A3

A
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ROOM FINISH SCHEDULE										
NO.	Name	FLR	Base	Walls				Clg	HT	NOTES
				N	S	E	W			
100	VESTIBULE	VCT	VINYL	PT-I	PT-I	PT-I	PT-I	SAT	8'-0"	
101	LOBBY	GPT	WD	PT-I	PT-I	PT-I	PT-I	EXIST	EXISTING	
102	CONFERENCE	GPT	WD	PT-I	PT-I	PT-I	PT-I	SAT	EXISTING	
103	OFFICE AREA	GPT	WD	PT-I	PT-I	PT-I	PT-I	EXIST	EXISTING	
104	WOMEN'S TOILET	VCT	VINYL	PT-I	PT-I	PT-I	PT-I	SAT	8'-0"	
105	MEN'S TOILET	VCT	VINYL	PT-I	PT-I	PT-I	PT-I	SAT	8'-0"	
106	SUPERVISOR OFFICE	GPT	WD	PT-I	PT-I	PT-I	PT-I	SAT	8'-6"	
107	EMPLOYEE TOILET	VCT	VINYL	PT-I	PT-I	PT-I	PT-I	SAT	8'-6"	
108	I.T. CLOSET	EXIST	EXISTING							
109	JANITOR CLOSET	VCT	VINYL	PT-I	PT-I	PT-I	PT-I	SAT	EXISTING	
110	FILES	EXIST	EXISTING							
111	BREAK ROOM	VCT	WD	PT-I	PT-I	PT-I	PT-I	SAT	8'-0"	

GENERAL FINISH SCHEDULE NOTES:
1. VINYL BASE SHALL BE 6" HIGH COVE BASE.

FINISH LEGEND:
EXIST - EXISTING FINISH TO REMAIN
GPT - CARPET
VCT - VINYL COMPOSITION TILE
GT - CERAMIC TILE
PT-I - PAINT
SAT - SUSPENDED ACOUSTICAL TILE

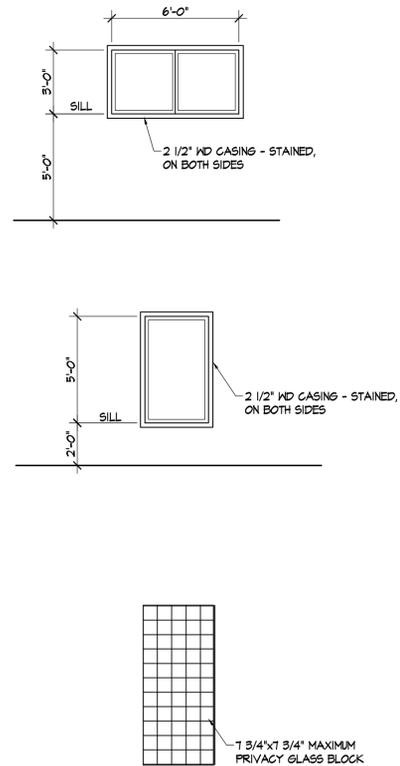
DOOR SCHEDULE												
Number	Type	Mat	Size			Frame		Details			Remarks	
			W	H	TH	Type	Mat	Sill	Jamb	Head	Label	Hdk Set
100	B	ALUM	3'-0"	7'-0"	1 1/2"	--	ALUM	--	--	--	--	--
101	B	ALUM	3'-0"	7'-0"	1 1/2"	--	ALUM	--	--	--	--	--
102	--	WD	3'-0"	7'-0"	1 3/4"	--	HM	--	--	--	--	--
103	--	WD	3'-0"	7'-0"	1 3/4"	--	HM	--	--	--	--	--
104	--	WD	2'-9"	7'-0"	1 3/4"	--	HM	--	--	--	--	--
105	--	WD	3'-0"	7'-0"	NA	--	HM	--	--	--	--	--
106	--	WD	2'-7"	7'-0"	1 3/4"	--	HM	--	--	--	--	--
107	--	WD	3'-0"	7'-0"	1 3/4"	--	HM	--	--	--	--	--
108	--	HM	3'-0"	7'-0"	1 3/4"	--	HM	--	--	--	--	--
109	--	WD	3'-0"	7'-0"	1 3/4"	--	HM	--	--	--	--	--
110	--	WD	3'-0"	7'-0"	1 3/4"	--	HM	--	--	--	--	--
111	--	WD	3'-0"	7'-0"	1 3/4"	--	HM	--	--	--	--	--
112	--	WD	3'-0"	7'-0"	1 3/4"	--	HM	--	--	--	--	--
113	--	WD	3'-0"	7'-0"	1 3/4"	--	HM	--	--	--	--	--

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ARCHITECTS, ENGINEERS & SURVEYORS
SALISBURY, MARYLAND ■ MILFORD, DELAWARE
410.543.9091 302.424.1441

General Notes:

69 FINISH SCHEDULE

NTS



09 WINDOW ELEVATIONS

1/4" = 1'-0"

615 DOOR SCHEDULE

NTS



015 DOOR ELEVATIONS

NTS

Consultant:



Revision

Project:
**CITY OF MILFORD
FORMER PNC BANK BLDG
RENOVATIONS**
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01 --

3/16" = 1'-0"

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21

*MILFORD CITY COUNCIL
MINUTES OF MEETING
December 9, 2013*

The Monthly Meeting of Milford City Council was held in the Joseph Ronnie Rogers Council Chambers of Milford City Hall, 201 South Walnut Street, Milford, Delaware on Monday, December 9, 2013.

PRESIDING: Mayor Joseph Ronnie Rogers

IN ATTENDANCE: Councilpersons Bryan Shupe, S. Allen Pikus, Dirk Gleysteen, Owen Brooks, Jr., Douglas Morrow, Sr., Katrina Wilson and James Starling, Sr.

City Manager Richard Carmean, Police Chief Keith Hudson and City Clerk/
Recorder Terri Hudson

Solicitor David Rutt, Esquire

CALL TO ORDER

Mayor Rogers called the Monthly Meeting to order at 7:00 p.m.

INVOCATION AND PLEDGE

The Pledge of Allegiance followed the invocation given by Councilman Starling.

APPROVAL OF MINUTES

Motion made by Mr. Pikus, seconded by Mr. Shupe to approve the minutes of the November 18, 2013 Council Meeting as presented. Motion carried.

RECOGNITION

No special guests in attendance.

MONTHLY POLICE REPORT

Chairman Morrow presented the police report on behalf of Chief Hudson. Mr. Pikus moved to accept the police report, seconded by Mr. Shupe. Motion carried.

CITY MANAGER REPORT

ADMINISTRATION

I believe that the leak into the basement has finally been permanently repaired. We have not had any problem with the leak after I had the entire ramp caulked at the seam against the building. This held for a short period, but once again the seam opened up. I decided to have a curb style concrete form poured that attaches to the building and covers the seam.

Carlene Wilson has retired and we have hired her replacement who will begin December 23rd. Ms. Wilson was a pleasure to work with and we all miss her personality and dedication to her job. I will announce the identity of the person hired once she fulfills her obligation to her present employer. Mrs. Hudson, our City Clerk led the interview process with Christine Crouch, Deputy City Clerk, assisting. I was also part of the interview board and was impressed with the caliber of applicants. Once we are out of the holiday season, we give Ms. Wilson a luncheon in appreciation of her service.

STREETS AND SOLID WASTE

I am glad to report that the leaf pickup is going well. Most people have stopped raking leaves onto the sidewalk or in the gutter. There is improvement though not everyone is cooperating. More and more people are taking advantage of the service.

Crews have been working with our mechanic to ready our plows and other snow equipment for the coming months. Everyone hopes we don't need to use the equipment, but we have to be prepared.

ELECTRIC

Our hired contractors are on site and working to get our transmission lines built and extended to the new substation. Part of the infrastructure upgrades are to our present distribution lines on the Milford-Harrington Highway and Canterbury Road. Electric Superintendent Rick Carmean feels the project will completely finished by mid-January.

SEWER AND WATER

Several sewer and water issues will be presented and discussed during the meeting.

Mr. Pikus moved to accept the city manager report, seconded by Mr. Gleysteen. Motion carried.

COMMITTEE & WARD REPORTS

Ward One

Mr. Shupe reported the overpass is nearly completed and DelDOT is indicating it will be finished by February.

Southeast Front Street Paving Project

Mr. Brooks is pleased the Southeast Front Street project is finally on the agenda and proceeding.

Holiday Dinners for Needy

Mr. Starling thanked those that donated items for the Thanksgiving dinner for the needy in November.

COMMUNICATIONS & CORRESPONDENCE

Included in packet.

UNFINISHED BUSINESS

Adoption/Ordinance 2013-13/Chapter 84/Amendment/Bicycles, Skateboards and other Conveyances

Ms. Wilson moved to adopt Ordinance 2013-13 amending Chapter 84 as presented, seconded by Mr. Shupe:

Section 1.

WHEREAS, The City of Milford recognizes that individuals may require the assistance of a motorized scooter or wheelchair in order to facilitate movement; and

WHEREAS, Motorized Scooters and Wheelchairs, when operating, crossing, or traveling on or adjacent to public roadways without proper safety and reflective equipment do thereby create a severe risk of injury or death to both the operator and motorist; and

WHEREAS, The City of Milford desires, through the enactment of this ordinance, to identify and establish the minimum level of safety equipment that is necessary in order to safely operate motorized scooters and wheelchairs on public roadways and sidewalks.

WHEREAS, The City of Milford intends to update Chapter 84 of the Code of the City of Milford to allow for reasonable, safe use of conveyances on City streets and sidewalks.

NOW, THEREFORE, THE CITY OF MILFORD ORDAINS:

Section 2.

Article I "Use on Sidewalks," §1 "Prohibited acts; penalties," Subsection B shall be amended as follows:

This section is hereby deleted in its entirety.

Section 3.

Article IV titled "Motorized Scooters and Wheelchairs," is hereby created and will read as follows:

*Article IV: Motorized Scooters and Wheelchairs**§ 84-8 - Definitions.*

"Motorized Scooters and Wheelchairs" shall mean any self-propelled device, regardless of the number of wheels, powered by any style motor, which is designed and intended primarily for use by individuals with mobility disabilities.

"Public Streets" for purposes of this Article IV shall mean roads, highways, sidewalks or any other thoroughfare dedicated, constructed or maintained by the City of Milford or the State of Delaware within the municipal limits.

§ 84-9 - Safety Equipment.

- A. Daytime Operation: All Motorized Scooters and Wheelchairs operating on Public Streets during daylight hours shall be equipped with at least one of the following:*
- 1. Slow moving vehicle fluorescent triangle on the rear of the device; or*
 - 2. Red safety flag.*
- B. Nighttime Operation: All Motorized Scooters and Wheelchairs operating on Public Streets at night or any other time when lighted lamps are required under 21 Del. C. § 4331 shall be equipped, at a minimum, with all of the following:*
- 1. A lamp emitting a white light which, while the device is on the Public Street, illuminates the Public Street in front of the operator and is visible from a distance of 300 feet in front and from the sides of the motorized scooter or wheelchair.*
 - 2. A red reflector on the rear of the device of the type approved by the Department of Transportation for bicycles, as defined under 21 Del. C. § 4198F(b).*
 - 3. A white, yellow, or red reflector on each side of the device that is visible from a distance of at least 200 feet.*
- C. Every Motorized Scooter and Wheelchair operating on Public Streets shall be equipped with a braking system which enables its operator to stop the device within 25 feet from a speed of 10 miles per hour on dry, level, clean pavement.*

§ 84-10 - Enforcement

This article shall be enforced by the City of Milford Police Department.

§ 84-11 - Fines and Penalties.

A. Any person found in violation of this article shall be penalized as follows:

- 1. First offense: Written Warning.*
- 2. Second offense: \$10 fine.*
- 3. Third offense: \$25 fine.*

4. *Fourth offense: \$50 fine.*

5. *Fifth and subsequent offenses: \$100 fine.*

Section 4. Dates.

Adoption December 9, 2013

Effective January 1, 2014

Motion carried.

Approval/Renewal of First State BMX Lease Agreement

Mr. Pikus asked if BMX provides the city with a copy of their insurance policy; Mr. Rutt explained the city is a loss payee which means they are insured as well. In addition, the city has governmental immunity.

Mr. Pikus asked if someone is hurt and sues BMX, can they come back on the city if they are awarded the maximum amount of their policy; Mr. Rutt said they are unable to come back on the city though they have a million dollars which he feels is substantial.

Mr. Pikus moved to adopt the lease agreement, seconded by Mr. Brooks. Motion carried.

NEW BUSINESS

Award of Bid/Southeast Front Street Rehabilitation Paving Project

The following sealed bids were received, publicly opened and read on October 16, 2013 for the Southeast Front Street Improvement Project:

	SE Front Street Base Bid	SE Front Street Alternate Bid	Columbia Street Base Bid	Columbia Street Alternate Bid
George and Lynch	1,746,262.80	201,595.55	277,410.35	20,771.00
Sam's Construction	1,105,740.00	162,155.00	182,380.00	19,920.00
A-Del Construction	2,008,548.91	210,793.00	277,356.81	21,536.00

Davis, Bowen and Friedel is overseeing the project and has thoroughly reviewed the bids and has been in touch with the references. A letter from Randy Duplechain recommends accepting the proposal offered by Sam's Construction in the amount of \$1,470, 195.00.

Mr. Carmean confirmed this project includes the sidewalk work on Southeast Front Street.

Mr. Pikus recalled the conversation that parking be eliminated on a portion of Southeast Front Street as was requested. Mr. Brooks asked if this was the area between McColley and Marshall Street. Mr. Pikus believes it starts by Calvary Church and runs south to Marshall or McColley where approximately five cars continuously park on the sidewalk. He noted that each of those houses has the capability of using off street parking as was noted by a resident living in the area. The matter will be addressed by the police committee.

Mr. Carmean reminded council that the new curbing will prevent vehicles from jumping the curb. He is confident those residents park in that manner because it is unsafe to park along the street because of the possibility their vehicles may be hit.

Because Southeast Front Street is a state-maintained road, Mr. Carmean will have to confer with DeIDOT to make sure we can eliminate any on-street parking.

Erik Retzlaff of Davis, Bowen and Friedel was present and confirmed the numbers. He reported the total project cost is \$1,705,495.00 which includes their engineering fees. DeIDOT's contribution is estimated at \$798,316.00. In order to

award the \$1,470,195.00 bid to Sam's Construction, Finance Director Jeff Portmann is recommending that \$230,000 be transferred from Municipal Street Aid, \$320,000 from Water Reserves and \$120,000 from Sewer Reserves.

Mr. Pikus confirmed the total project is almost \$2 million; Mr. Carmean said that is because of the additional sidewalk and Columbia Street work that was added.

Mr. Retzlaff verified the sidewalk work would begin east of the Milford Public Library and extend almost to Bridgeham Avenue.

Mr. Brooks moved that the funds be transferred as requested and the bid awarded to Sam's Construction in the amount of \$1,470,195.00, seconded by Mr. Starling. Motion carried.

FY 2013-2014 Budget Amendment/Demolition Projects/Code Enforcement & Inspections

Code Enforcement Officer Lendon Dennis submitted the following request:

On or about April 11, 2013, both properties mentioned above were condemned. I took all necessary steps outlined in the 2006 International Property Maintenance Code to insure buildings were secured, deficiencies identified, owners properly served, and ample time given to correct such discrepancies. Due to noncompliance, Code Enforcement would like to move forward in the razing of the two structures.

I am requesting that funds be transferred from the monies received from grass cutting and transferred to the Demolition line 101-1045-429.68-10.

<i>106 Franklin St</i>	
<i>\$11,858 - Demolition</i>	
<i>\$550 - Asbestos Removal</i>	<i>\$12,408</i>
<i>109 West St</i>	
<i>\$10,500 - Demolition</i>	
<i>\$550 - Asbestos Removal</i>	<i>\$11,050</i>
<i>Grand Total</i>	<i>\$23,458</i>

The official quotes were included in the packet.

Mr. Pikus asked if the city is able to file a lien against the two properties for these amounts; Mr. Rutt stated yes it is a lien that can be collected in the same manner as property taxes that are in arrears. Mr. Pikus asked whether our attorney or staff handles these matters.

Mr. Pikus reported that a lot of liens that should have been filed but never were. He stated they need to be addressed in order for the city to get their money back.

Mr. Pikus moved to transfer \$23,458 from the Grasscutting Revenue Account 101-0000-328.10-30 to Demolition Account 101-1045-429.68-10, seconded by Mr. Gleysteen. Motion carried.

Mr. Carmean then asked about liens being placed against properties for outstanding grasscutting bills. Even though someone has outstanding grasscutting fees, he believes as long as they pay their property taxes we do not place a lien against the property. Mr. Rutt explained the lien is only good on a property for a certain period of time. He said the city could ask to go to a sheriff sale but a grasscutting lien is typically only \$100 or so. Mr. Carmean pointed out that some of our grasscutting bills are in the range of \$4,000 and more. Mr. Rutt said priorities would be considered and judgments, mortgages, and other liens weighed.

Under the Building Code adopted by the City of Milford, demolition costs are treated in the same manner as property taxes. He will determine if that applies to grasscutting fees and provide council with the information at the next meeting.

Mr. Pikus moved to approve the demolition quote at 106 Franklin Street and 109 West Street as presented, seconded by Mr. Starling. Motion carried.

FY 2013-2014 Budget Amendment/Funding Source/Fisher Avenue Sewage Pump Station Budget/Sewer Grinder

Mr. Retzlaff recalled council approving a \$75,000 grinder for the Fisher Avenue Pumping Station in the FY 2013-2014 budget. To save the administrative costs associated with bidding the project, Bearing Construction, who is the contractor at the Washington Street pump station, is willing to undertake the work even though it is at a separate site. He has discussed this with the city manager and public works director who all agree the scope of the work is similar because Bearing is installing a new grinder at the Washington Street Pump Station under their current contract. The only difference is this involves the Fisher Avenue Pump Station.

He also noted the original intent of the sewer bond issued in 2008 was to do sewer improvements at both the Washington Street and Fisher Avenue Pumping Stations.

He emphasized that not bidding the project will save the city some administrative fees. Therefore, they recommend council award the bid through a change order to the Washington Street Pumping Station contract. The contractor will simply move from the existing site to the Fisher Avenue Pump Station to complete the work. Handling this under the Washington Street contract allows it to fall under their maintenance bond and other existing bonds as a means of saving money.

Mr. Carmean reiterated the \$75,000 was approved in this year's budget. According to the city manager, the Fisher Avenue Pump Station was mentioned in the original contract for the Washington Street Pump Station contract. Davis, Bowen and Friedel feel this can be handled through a change order.

When asked the price, Mr. Retzlaff advised the new grinder for Fisher Avenue is \$59,107 which is \$15,000 less than the \$75,000 budgeted. He stated there is already a lump sum figure added to remove and replace a grinder in the existing Washington Street contract which amounts to \$64,500.

Mr. Retzlaff confirmed that council approval is needed to issue the change order. Mr. Carmean said this will prevent having to bid the project independently. Adding in the associated administrative costs will put the total at approximately \$75,000.

Mr. Pikus said that was the original cost of only doing one; Mr. Carmean agreed.

Mr. Carmean asked the solicitor if this can be handled in this manner; Mr. Rutt said he thinks it can be done.

Mr. Pikus moved to approve the Change Order No. 2 to the Washington Street Sewage Pumping Station contract in the amount of \$59,107. Mr. Pikus noted the money is already budgeted. Ms. Wilson seconded motion which carried.

FY 2013-2014 Budget Adjustment/Funding Source/Seabury Avenue Pump Station Rehabilitation Project

Mr. Carmean recalled the council-approved agreement the city entered into with Redner's Market to update the pump station on Seabury Avenue. In that agreement, Redner's pays \$200,000 of the \$400,000. There has been an ongoing problem with Well 9 over the past few years where it has slowly failed. During that time, we were also approached by Redner's to install gas pumps within our wellhead protected areas which is what prompted the agreement.

He requests council approve a \$200,000 transfer from water reserves to pay the city's cost of the project. The city manager noted this project will need to be bid because the cost is over the \$30,000 threshold.

Mr. Shupe moved to transfer \$200,000 from the Water Reserve Account to pay its portion of the Seabury Avenue Pump Station Improvements Project, seconded by Mr. Pikus. Motion carried.

Mr. Rutt advised that Redner's has already provided their portion of the funding.

Approval to Proceed with Bid/Former PNC Bank Renovations

Mr. Carmean said he is requesting council earmark funding for the remodeling and refitting project. Davis, Bowen and Friedel has provided a cost estimate of \$300,000. This will also be bid as is required by the city charter once the money is earmarked and approved.

Mr. Pikus moved to transfer up to \$300,000 from electric reserves to renovate the previous PNC Bank building for use by the city billing office, seconded by Mr. Brooks. Motion carried.

MONTHLY FINANCE REPORT

Chairman Pikus reported that through the fourth month of Fiscal Year 2013-2014 with 33% of the fiscal year having passed, 40.94% of revenues have been received and 30.59% of the operating budget expended.

Cash reserves in the trash fund continue to decrease according to Mr. Pikus. Steps were taken by city council in November to eliminate commercial trash collection to prevent the funds from being depleted.

According to Mr. Pikus, to date, the city has collected \$3.456 million in real estate taxes. We billed out \$3.627 million and he noted that a lot of businesses wait to pay their bill at the end of the year.

Mr. Pikus moved to accept the October 2013 Finance Report, seconded by Mr. Morrow. Motion carried.

ADJOURN

With no further business, Mr. Shupe moved to adjourn the meeting, seconded by Mr. Starling. Motion carried.

Mayor Rogers adjourned the meeting at 7:47 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

MILFORD CITY COUNCIL
MINUTES OF MEETING
December 23, 2013

A Meeting of Milford City Council was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall on Monday, December 23, 2013.

PRESIDING: Mayor Joseph Ronnie Rogers

IN ATTENDANCE: Councilpersons S. Allen Pikus, Dirk Gleysteen, Owen Brooks, Jr.,
Douglas Morrow, Sr., James Starling, Sr. and Katrina Wilson

City Manager Richard Carmean, Police Chief Keith Hudson and City Clerk/
Recorder Terri Hudson

COUNSEL: City Solicitor David Rutt, Esquire

CALL TO ORDER

Mayor Rogers called the Council Meeting to order at 7:00 p.m.

INVOCATION AND PLEDGE

The Pledge of Allegiance followed the invocation given by Councilman Starling.

RECOGNITION

No special guests in attendance.

COMMUNICATIONS & CORRESPONDENCE

All items included in packet.

UNFINISHED BUSINESS

City Hall Boiler Replacement/Funding Source

City Manager Carmean reported that Finance Director Jeff Portmann was unsure if he could get the funding, so Mr. Carmean had previously asked council to use his discretionary funds to pay for the new boiler. Mr. Portmann has since found an overage in property taxes which can be utilized for this purpose. It is recommended that he use that overage to refresh his discretionary account as Mr. Portmann prefers using the property tax dollars to pay the bill.

Mr. Carmean said he is unsure if the check has been cut but if so, Mr. Portmann will simply transfer the money from the tax revenue account and reimburse his discretionary account.

Mr. Pikus moved that the costs of the city hall boiler replacement be transferred from the Property Tax Revenue account and reimburse his Discretionary Account. Mr. Grier seconded motion. Motion carried.

FY 2013-2014 Budget Adjustment/SE Sewer Project/Hall Easement Purchase/Public Works

FY 2013-2014 Budget Adjustment/SE Sewer Project/Hall Easement/Appraisal Fee

FY 2013-2014 Budget Adjustment/SE Sewer Project/Hall Easement/Appraisal Fee (as Amended)

Mr. Carmean reminded council that the city obtained water easements at no cost from Nelson Hall after council approved the placement of the water tower on the Wickersham property off Johnson Road/Route 1. When a sewer easement was needed on the same property, Mr. Hall requested compensation. As a result, Mr. Carmean hired Jamie Masten to appraise the easements. He is asking that all related bills be paid from the sewer reserves because the sewer work was unrelated to the USDA loan or bond issue.

Mr. Rutt explained that Mr. Masten had originally appraised both the sewer and water easements. He appraised the sewer easement at \$19,000 and valued the water easement, which Mr. Hall donated, at almost \$35,000.

Mr. Grier moved to approve payment of \$19,000 from Sewer Reserves to the Revocable Trust of W. Nelson Hall and the Irrevocable Trust of Dorothy I. Hall (\$9,500 each) for the purchase of the sewer easement, seconded by Mr. Pikus. Motion carried.

Mr. Grier moved to approve the payment of \$1,900 from Sewer Reserves for the Nelson Hall appraisal to Masten Realty LLC, seconded by Mr. Pikus. Motion carried.

Mr. Grier moved to approve the payment of \$150 from Sewer Reserves for the Nelson Hall amended appraisal to Masten Realty LLC, seconded by Mr. Pikus. Motion carried.

NEW BUSINESS

Acceptance/City of Milford Audit FY 2012-2013

Finance Chairman Pikus presented the FY 2012-2013 Annual Audit for council review. He then read the following statement, as prepared by the auditors, into record:

The City has seen certain revenues stagnate or decline due to the current economy and has moved aggressively to reduce expenditures accordingly. The City also benefits from strong fund balances and conservative financial practices. The Economic Factors and Next Year's Budget section on the last page of this discussion provide additional information on the subject.

Mr. Pikus said this is mainly due to our finance director who is very frugal as well as the city manager.

Mr. Pikus moved to accept the City of Milford FY 2012-2013 Audit as presented, seconded by Mr. Morrow. Motion carried.

Mr. Carmean said council needs to tell their constituents that they do not allow him to spend any money; in that manner, council can get some credit as well.

Adoption/Resolution 2013-26/FOIA Policy (Amended)

In order for the city to be compliant with the amended Title 29 Chapter 100 of the Delaware Code, our current FOIA Policy needed updating.

Mr. Morrow moved for adoption of Resolution 2013-26/FOIA Policy, seconded by Mr. Brooks:

WHEREAS, requests are made of the City of Milford for public records, certain documents, correspondence and reports by person(s); and

WHEREAS, it is the policy of this State of Delaware and the City of Milford that the business of government be performed in an open and public manner so that citizens can "observe the performance of public officials" and "monitor the decisions that are made by such officials in formulating and executing public policy," 29 Del. C. §10001, and that policy is guaranteed and implemented by the Freedom of Information Act, 29 Del. C. 100 (the "Act" or "FOIA"); and

WHEREAS, pursuant to 29 Del. C. § 10003, the City Council of the City of Milford hereby designates the City Clerk to serve as the FOIA Coordinator for the City of Milford; and

WHEREAS, the City Clerk shall serve as the point of contact for all FOIA requests and coordinate the responses thereto and may designate other employees to perform specific duties and functions hereunder; and

WHEREAS, the City Clerk and/or designee shall maintain a document tracking all FOIA requests and the document shall include the requesting party's contact information, the date the public body received the request, the public body's response deadline, the date of the public body's response (including the reasons for any extension), names, contact information and dates of correspondence with individuals contacted in connection with requests, the dates of review by the public body, the names of individuals who conducted such reviews, whether documents were made available, the amount of copying and/or administrative fees assessed, and the date of final disposition; and

WHEREAS, the City Clerk and/or designee shall make every reasonable effort to respond to a request within fifteen (15) days and if unable to do so, shall cite one of the reasons hereunder why more time is needed and provide a good-faith estimate of how much additional time is required to fulfill the request; and

WHEREAS, the City is not required to create records that do not exist at the time the request is made; and

WHEREAS, the City may authorize certain exemptions from such fees and charges, as deemed appropriate; and

WHEREAS, all requests for Law Enforcement Records fall under the jurisdiction and policies and procedures of the Milford Police Department and shall be immediately forwarded to the Chief of Police or his designee or made directly at the Milford Police Department.

NOW THEREFORE, IT IS HEREBY RESOLVED that the Mayor and Council authorize the following fees be charged for complying with a request under the FOIA, as applicable:

(1) Photocopying fees. - In instances in which paper records are provided to the requesting party, photocopying fees shall be as follows:

Standard-sized, black and white copies: The first 20 pages of standard-sized, black and white copies material shall be provided free of charge. The charge for copying standard sized, black and white public records for copies over and above 20 shall be \$0.10 per sheet (\$0.20 for a double-sided sheet). This charge applies to copies on the following standard paper sizes: 8.5" x 11", 8.5" x 14", and 11" x 17".

Oversized copies/printouts: The charge for copying oversized public records shall be as follows: 18" x 22", \$2.00 per sheet; 24" x 36", \$3.00 per sheet; documents larger than 24" x 36", \$1.00 per square foot.

Color copies/printouts: An additional charge of \$1.00 per sheet will be assessed for all color copies or printouts for standard-sized copies (8.5" x 11", 8.5" x 14", and 11" x 17") and \$1.50 per sheet for larger copies.

(2) Administrative fees. -- Administrative fees shall be levied for requests requiring more than 1 hour of staff time to process. Charges for administrative fees may include staff time associated with processing FOIA requests, including, without limitation: identifying records; monitoring file reviews; and generating computer records (electronic or print-outs). Administrative fees shall not include any cost associated with the public body's legal review of whether any portion of the requested records is exempt from FOIA. The public body shall make every effort to ensure that administrative fees are minimized, and may only assess such charges as shall be reasonable required to process FOIA requests. In connection therewith, the public body shall minimize the use of non-administrative personnel in processing FOIA requests, to the extent possible.

Prior to fulfilling any request that would require a requesting party to incur administrative fees, the public body shall provide an itemized written cost estimate of such fees to the requesting party, listing all charges expected to be incurred in retrieving such records. Upon receipt of the estimate, the requesting party may decide whether to proceed with, cancel, or modify the request.

Administrative fees will be billed to the requesting party per quarter hour. These charges will be billed at the current hourly pay grade (prorated for quarter hour increments) of the lowest-paid employee

capable of performing the service. Administrative fees will be in addition to any other charges incurred under this section for copying fees.

When multiple FOIA requests are submitted by or on behalf of the requesting party in an effort to avoid incurring administrative charges, the public body may in its discretion aggregate staff time for all such requests when computing fees hereunder. Notwithstanding the foregoing, any Freedom of Information Act policy adopted by a public body pursuant to subsection (b) of this section hereunder may include provisions for the waiver of some or all of the above administrative fees; provided that such waiver shall apply equally to a particular class of persons (i.e., nonprofit organizations).

(3) Microfilm and/or microfiche printouts. -- The first 20 pages of standard-sized, black and white material copied from microfilm and/or microfiche shall be provided free of charge. The charge for microfilm and/or microfiche printouts over and above 20 shall be \$0.15 per sheet.

(4) Electronically generated records. -- Charges for copying records maintained in an electronic format will be calculated by the material costs involved in generating the copies (including but not limited to DVD, CD, or other electronic storage costs) and administrative costs.

(5) Payment. -- The public body may require all or any portion of the fees due hereunder to be paid prior to any service being performed pursuant to this section.

Motion carried.

ADJOURN

With no further business, Mr. Pikus moved to adjourn the Council Meeting, seconded by Mr. Grier. Motion carried.

Mayor Rogers adjourned the meeting at 7:12 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

MILFORD CITY COUNCIL
MINUTES OF MEETING
December 23, 2013

The City Council of the City of Milford met in Workshop Session on Monday, December 23, 2013 in the Joseph Ronnie Rogers Council Chambers of Milford City Hall, 201 South Walnut Street, Milford, Delaware.

PRESIDING: Mayor Joseph Ronnie Rogers

IN ATTENDANCE: Councilpersons S. Allen Pikus, Dirk Gleysteen, Owen Brooks, Jr.,
Douglas Morrow, Sr., James Starling, Sr. and Katrina Wilson

City Manager Richard Carmean, Police Chief Keith Hudson and City Clerk/
Recorder Terri Hudson

COUNSEL: City Solicitor David Rutt, Esquire

The Workshop convened at 7:12 p.m.

Municipal Lien Issues/Solicitor David Rutt

City Solicitor Rutt explained that at the last meeting, council discussed liens against properties for numerous reasons but in particular unpaid grass cutting fees.

Through further research, Mr. Rutt determined that the Delaware statute is written with itemized items related to municipal liens. He verified that grass cutting was listed and is a lienable charge.

He presented the following information, prepared by his associate Jason Adkins:

Issue: Whether all government liens or just tax assessments take priority over existing mortgages/liens. The specific question arose in reference to grass cutting charges.

Answer: Yes, grass cutting assessments hold a priority equivalent to a tax assessment. However, not all government charges are liens capable of taking priority over existing liens (e.g. mortgages). Under 25 Del. C. § 2901, the items that may take priority are specifically enumerated under the definition of "Lien." These include "Charges for the costs of removing weeds, grasses, refuse, rubbish, trash or other waste material done through public expenditure." § 2901(a)(3) indicates that these liens "shall have preference to and priority over all other liens on such real property, including liens of a date prior in time to the attaching of the liens created by this section." I copied the list of items below (Note – (j) is specifically identified as not taking priority)

§ 2901. Lien of taxes and other charges; Notice of Lien.

(a)(1) Except as otherwise provided, "lien" or "liens" as used in this section shall arise whenever the following charges, as defined in this section, are levied or imposed by the State or any political subdivision thereof (including the Levy Court or county council of any county, any united, consolidated or incorporated school district, or any incorporated town or city in this State) and such charges become due:

a. Real property taxes, including penalty and interest thereon;

b. School taxes, including taxes for a vocational-technical high school district or county vocational-technical center district, including penalty and interest thereon;

c. Service charges for maintenance or use of sewer systems, including penalty and interest thereon;

d. Service charges for maintenance or use of water systems, including penalty and interest thereon;

e. Service charges for garbage collection;

f. Charges for the costs of razing or demolition of buildings done through public expenditure;

g. Charges for duly authorized improvements or maintenance to the exteriors of buildings or property done through public expenditure;

- h. Assessments for the installation of sewer lines, water mains, sidewalks and curbing, including penalty and interest thereon;*
- i. Fines imposed by any court and/or civil penalties imposed by the City of Wilmington or any department of the City of Wilmington, for local building, housing, sanitation, or animal code citations or violations. The unpaid amounts of such fines and/or civil penalties may be added to local property tax billings for the property which was the subject of said citation or violation when authorized by local ordinance. "Fines" as used in this section shall also include any civil judgment awarded to the State or any political subdivision thereof entered pursuant to § 4101 of Title 11;*
- j. Fees imposed by law or ordinance of any political subdivision of the State, which shall include, without limitation, municipal corporations, for registration of ownership of any vacant buildings located within the political subdivision, the imposition of which fees is final and non-appealable; and*
- k. Charges for the costs of removing weeds, grasses, refuse, rubbish, trash or other waste material done through public expenditure.*

25 Del. C. § 2118. Priority of mortgages and other instruments securing future advances and certain other advances; modifications of mortgages and other instruments.

(b) In addition to the stated indebtedness, a mortgage or other instrument given for the purpose of creating a lien on real property may secure disbursements and other advances thereunder for the payment of taxes, assessments, maintenance charges, insurance premiums or costs relating to the property encumbered by such mortgage or other instrument, for the discharge of liens having priority over the lien of such mortgage or other instrument, for the curing of waste of the property that is the subject of the lien, for the indemnification obligations regarding environmental liabilities of the property that is the subject of the lien, and for the payment of service charges and expenses incurred by reason of default, and including late charges, attorneys' fees and court costs, if such mortgage or other such instrument states that it shall secure any such advances and disbursements, together with all interest thereon.

Any mortgage or other instrument to which this subsection applies, and all such stated indebtedness, disbursements and other advances expressed therein and interest thereon, shall have preference to and priority over any lien, other than those liens the priority of which is governed by § 2901 of this title, which is subsequent in time to the time such mortgage or other such instrument is recorded or filed in the proper office as provided by law.

Mr. Rutt further explained that beside property taxes, liens can be filed for sewer, water, garbage, demolition, maintenance, assessments, installation fees of sewer lines, fines, special fees and grass cutting charges.

Mr. Rutt advised that as soon as the charge is incurred, there is an automatic lien with priority over every other lien. The only exception is federal taxes. The statute requires the city to keep a record of the lien which is good for two years. The city manager is authorized to institute any type of collection proceeding in any court of competent jurisdiction.

He emphasized the lien only attaches to the affected property. To attach every property a person owns, a Notice of Lien must be recorded. It is good for three years and can be renewed for an additional three years.

Mr. Rutt is unsure if it becomes a super lien (has priority) though he believes it does. When the notice of lien is completed, the lien has priority as of the date it is filed.

Simply put, he explained there is a lien placed on a property anytime money is spent and the municipality is not paid for that governmental function.

Mr. Pikus feels this should be Don Williams' responsibility; Mr. Carmean agreed adding that he has the right to assign that duty to another employee.

Mr. Pikus said that it appears that right now, the city needs to keep a log of the money owed. He asked the city manager if that is being done; Mr. Carmean said yes, it has been done for a number of years. However, we need to start acting on the liens before they expire.

Mr. Rutt also referred to the charter that specifically addresses taxes assessed upon properties and unpaid tax bills. He explained that unpaid taxes constitute a first lien against all properties of the delinquent taxpayer in the City of Milford. It spells out the procedure and in this case, the city manager may institute suit before any Justice of the Peace, Court of Common Pleas or Superior Court of the State of Delaware.

A copy of the Delaware Code and City Charter addressing these items was added to the council packet.

When asked about the procedure, Mr. Rutt explained the city manager would begin with a Notice of Levy, then follow the process of the sheriffs' sale. To attach a property and sell it requires the matter is filed in Superior Court which is the court of jurisdiction for the sale of real property.

Mr. Carmean asked what would happen if we were unable to collect miscellaneous fees on a \$200 outstanding bill. Mr. Rutt noted the fees would include the Prothonotary filing, court costs, cost of the return of sale, deeds, sale charges, hand bills, etc. Mr. Pikus asked if the city manager handles this or the city solicitor; Mr. Rutt said it can be either the city solicitor or an employee of the municipality having custody and control over the records.

Mr. Pikus pointed out that Mr. Rutt's fees can also be added to the amount being collected. Mr. Rutt suggests the city use a law firm because an artificial entity (municipality, corporation, LLC) cannot represent itself and must have an attorney under court rules.

Mr. Pikus asked if we filed a lien on a piece of property, would Mr. Rutt add his charges to what the property owner owes. Mr. Rutt explained the petition for the levy will show the amount of the lien and all other charges listed which could include attorney fees. Someone coming in to rescue a property would be required to pay everything in order to get the lien discharged.

Mr. Carmean said he will follow up with Mr. Rutt to get this process started. Most recently, two properties were demolished so we need to move quickly to get our money or sell the lots.

Mr. Pikus recommended the city manager provide Don Williams with a copy of the law and charter.

ADJOURN

Mayor Rogers took the opportunity to wish everyone a Happy Holiday and Great New Year.

With no further business, the meeting was adjourned at 7:22 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

Milford Police Department



E. Keith Hudson
Chief of Police



400 N.E. Front Street
Milford, Delaware 19963

TO: Mayor and Members of City Council

FROM: E. Keith Hudson, Chief of Police

DATE: January 13, 2014

RE: Activity Report/December 2013

Monthly Stats:

A total of 368 arrests were made by the Milford Police Department during December 2013. Of these arrests, 98 were for criminal offenses and 270 for traffic violations. Criminal offenses consisted of 23 felonies and 75 misdemeanors. Traffic violations consisted of 53 Special Duty Radar, 2 Drunk-Driving charges, and 215 other charges.

Police officers investigated 53 accidents during the month (7 personal injury, and 46 property damage) and issued 128 written reprimands. In addition, they responded to 1,078 various complaints including city requests and other agency assistance.

Monthly Activities:

The School Resource Officer continues to work actively on the State of Delaware mandated safety plan for each school. The plans have been completed for several schools and are near completion for the remaining schools. This process required on-going discussions to acquire permission to use off-site evacuation facilities for students and faculty to use in the case of an emergency.

At the request of Milford School District, a K-9 Narcotics Exercise was conducted at Milford Senior High School. In addition to Milford's K-9 Units, K-9's from Milton and Dewey Beach Police Departments also participated. Fortunately, no drugs were found. The school also took this opportunity to perform a lock-down drill. District officials were extremely pleased with the work of the K-9's and their handlers. Following the completion of the exercise, the handlers put on a brief training demonstration for district officials showing the capabilities of the dogs.

K-9 units were utilized three times as a precautionary presence on suspects known to have fight or flight risks and with large, non-violent crowds.

One unit had a bite apprehension involving a felon resisting arrest with the use of violence.

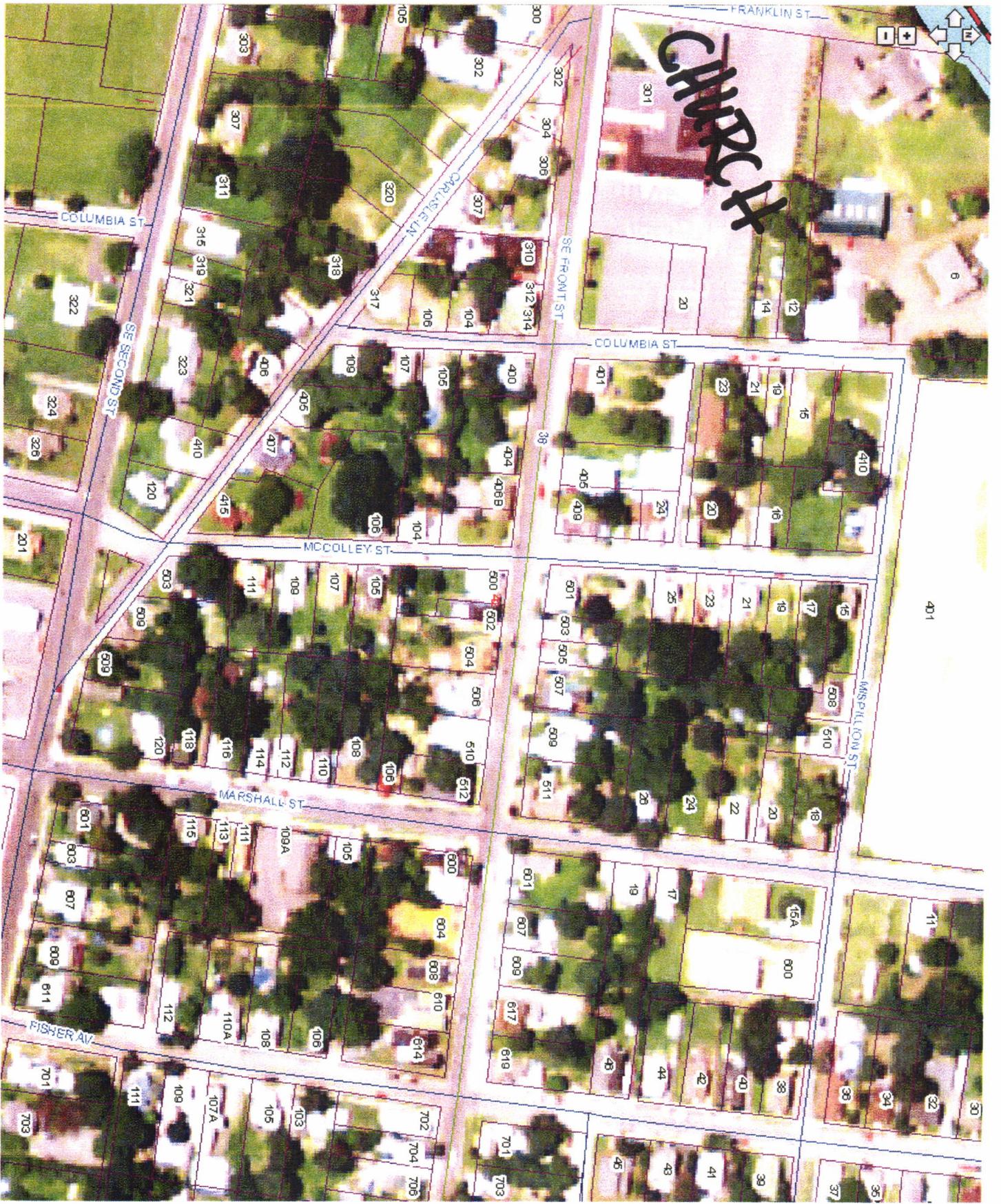
The units also assisted patrol units with two large violent crowds. They conducted one sniff for CDS (controlled dangerous substance) which resulted in 3.5 grams of crack cocaine being seized (\$350.00 street value).

DECEMBER 2013 ACTIVITY REPORT

	DEC 2013	TOTAL 2013	DEC 2012	TOTAL 2012
COMPLAINTS	1078	13177	956	14855
CRIMINAL ARRESTS	98	1654	97	2023
Felonies	23	315	7	512
Misdemeanors	75	1285	90	1511
TRAFFIC ARRESTS	270	4551	321	7006
Special Duty Radar	53	994	118	2972
D.W.I.	2	37	3	105
Other	215	3526	200	3929
REPRIMANDS	128	1602	91	1599
ACCIDENTS	53	595	49	550
Personal Injury	7	74	2	58
Property Damage	46	521	47	492
Fatal (included in PI)	0	1	0	1
PARKING SUMMONS	17	207	33	194
CRIME PREV. CHECKS	49	446	29	589
FINES RECEIVED	\$ 7,069.74	\$ 118,973.40	\$ 13,484.17	\$ 177,250.62

There will be no City Manager Report this month.





Milford, Delaware, Code of Ordinances >> PART II - GENERAL LEGISLATION >> **Chapter 75 - ALARMS**
>> **ARTICLE I False Alarms** >>

ARTICLE I False Alarms

[Adopted 6-11-2001 by Ord. No. 5-2001¹]

§ 75-1. Definitions.

§ 75-2. Excessive false alarms prohibited.

§ 75-3. Alarm maintenance.

§ 75-4. Fines and penalties.

§ 75-1. Definitions.

For the purpose of this article, the following definitions shall be applicable unless the context clearly indicates to the contrary:

ALARM SYSTEM — Includes any mechanical or electrical device used for the detection of burglar, robbery, fire or other hazard within a building, structure or facility or for alerting others to the commission of an unlawful act or hazard, or either or both, within a building, structure or facility, including all necessary equipment designed and installed for the detection of burglar, robbery, fire or other hazard in a single building, structure or facility or for alerting others of the commission of an unlawful act within a building, structure of facility.

ALARM USER — Includes any person, firm, partnership, corporation or other entity or any agent, officer or employee thereof on whose premises an alarm system is maintained within the City.

CALENDAR YEAR — January 1, 2003, through December 31, 2003, for the first year and shall be January 1 through December 31 for each subsequent year.

[Added 1-13-2003 by Ord. No. 2002-11]

FALSE ALARM — The activation of an alarm system through negligence of the alarm user causing the police, fire company or other emergency personnel to respond. Negligence does not include, for example, alarms caused by hurricanes, tornadoes, earthquakes, mechanical failures, malfunctions, or improper installations. However, during the course of the calendar year, an alarm user that has had mechanical failures, malfunctions, or improper installations causing three false alarms, beginning with the fourth alarm, such mechanical failure, malfunction or improper installation within the calendar year, that occurrence, and each occurrence to follow, shall constitute negligence.

[Amended 1-13-2003 by Ord. No. 2002-11]

§ 75-2. Excessive false alarms prohibited.

Alarm users shall not cause more than three alarm signals within a calendar year that elicit notification to the Milford Police Department and/or the Carlisle Volunteer Fire Company where it is discovered that a situation requiring a response by the notified department does not exist, and that is further defined as a false alarm.

§ 75-3. Alarm maintenance.

Every alarm user shall maintain its alarm system in such a manner as to minimize the number of incidents of false alarms to the Milford Police Department and/or the Carlisle Volunteer Fire Company.

§ 75-4. Fines and penalties.

[Amended 1-13-2003 by Ord. No. 2002-11]

- A. Any person violating any provision of this article, and upon conviction thereof, shall be subject to a fine as set forth below for false alarms responded to by the Milford Police Department and/or the Carlisle Volunteer Fire Company within a calendar year.

Number of False Alarms	Fine Per False Alarm
<u>4</u> to 5	\$50.00
<u>6</u> to <u>9</u>	\$100.00
<u>10</u> to 15	\$200.00
<u>16</u> and over	\$250.00

- B. Payment of fines shall be to the City of Milford and forwarded to the Milford Police Department within 30 days of the violation.

FOOTNOTE(S):

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Editor's Note: This ordinance also repealed former Art. I, False Fire Alarms, adopted 2-10-1986. ([Back](#))

JOIN us...January 20th...

Western Sussex
2014

M.L.K.

DAY OF CELEBRATION honoring:
Dr. Martin Luther King

"50 YEARS
And Counting..."



KEYNOTE SPEAKER:

Dr. Harry Williams
PRESIDENT, DELAWARE STATE UNIVERSITY



**OUTSTANDING
COMMUNITY RECOGNITION**

Mrs. Brenda Whitehurst
YOUNG WOMEN'S CHRISTIAN ASSOCIATION - DE
Management - Marketing/Office - Southern DE

Heritage Shores Country Club
BRIDGEVILLE, DELAWARE

APPEARING:

G. L. Brittingham ~ Alberta Smith
and Gospel Creation (Creative Dance)

ADVANCED SALE TICKETS - \$22
(Not Available at the Door)

For TICKETS CALL: 302-629-4949

Or VISIT: www.easternshoreafram.org/MLK-Page

**Rise & Shine
Prayer
Breakfast**

STARTS:
8:00AM

FOLLOW US:



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5729 West Denneys Road
Dover, Delaware 19904

December 12, 2013

Mr. Richard D. Carmean
City Manager
City of Milford
201 S. Walnut Street
Milford, Delaware 19963

RE: Important Information—Price Adjustments

Dear Mr. Carmean:

At Comcast, we are committed to constantly improving our customers' entertainment and communications experience in your community, and we continue to invest in making their services even better. As we make these and other investments, we periodically need to adjust prices due to increases we incur in programming and other business costs. Starting January 31, 2014, new prices will apply to select Video and Internet services and equipment as reflected in the enclosed notice.

Among these price changes, we have itemized a Broadcast TV Fee in order to identify some of the rising costs of retransmitting broadcast television signals. In the past, a portion of these costs (but not all) were included within the basic service rate. In recent years, the cost of retransmitting broadcast television signals has increased significantly, and going forward we want to address these increasing costs through a separate itemized charge. As we introduce this new Fee in your community, customers initially will see a reduction in their basic TV service rate in the same amount, while other video service tiers will see an increase.*

We promise to continue to provide our customers with a consistently superior experience, including 24/7 customer service, two-hour appointment windows, and on-time arrival. We back up our services with the Comcast Customer Guarantee (visit www.comcast.com/guarantee for details).

We know you may have questions about these changes. If I can be of any further assistance, please contact me at 302-672-5936.

Sincerely,

R. Thomas Worley, Senior Director
Comcast
Government & Regulatory Affairs

Enclosure

If a customer was receiving services on a promotional basis, or under a minimum term agreement associated with a specific rate, as of January 19, 2014, the customer will not be affected by the Broadcast TV Fee during the applicable period.

Dear Valued Customer,

At Comcast, we are committed to constantly improving your entertainment and communications experience, and we continue to invest in making your services even better. As we make these and other investments, we periodically need to adjust prices due to increases we incur in programming and other business costs. Starting January 31, 2014, or with your next bill statement thereafter, new prices will apply to select Video and Internet services and equipment as reflected in this notice.

Among these price changes, we have itemized a Broadcast TV Fee in order to identify some of the rising costs of retransmitting broadcast television signals. In recent years, the cost of retransmitting broadcast television signals has increased significantly, and going forward we want to address these increasing costs through a separate itemized charge. As we introduce this new Fee in your area, initially there will be a reduction in the Limited Basic TV service rate in the same amount as the Broadcast TV Fee, while other video service tiers will see an increase as provided in the schedule below.*

We promise to continue to provide you a consistently superior experience, including 24/7 customer service, two-hour appointment windows and on-time arrival. We back up our services with the Comcast Customer Guarantee (visit www.comcast.com/guarantee for details).

We know you may have questions about these changes. Feel free to visit us at www.xfinity.com/questions or call us at 800-266-2278. Thank you for choosing Comcast. We value you as a customer, and look forward to continuing to serve you.

**If you were receiving services on a promotional basis, or under a minimum term agreement associated with a specific rate, as of January 19, 2014, you will not be affected by the Broadcast TV Fee during the applicable period.*



TRIPLE PLAY PACKAGES

TRIPLE PLAY PACKAGES ¹

	CURRENT	NEW
Starter XF Triple Play Bundle Includes Digital Starter for primary outlet, Performance Internet and XFINITY Voice Unlimited™	\$141.99	\$147.49
SurePrice ³	\$124.99	No Change
SurePrice ³ (for 12 month promotion customers subscribing before 12/18/2013)	\$119.99	No Change
Preferred XF Triple Play Bundle Includes Digital Preferred for primary outlet, Performance Internet and XFINITY Voice Unlimited™	\$154.99	\$160.49
SurePrice ³	\$134.99	No Change
SurePrice ³ (for 12 month promotion customers subscribing before 12/18/2013)	\$129.99	No Change
HD Preferred XF Triple Play Bundle Includes Digital Preferred for primary outlet, HD Technology Fee, Starz®, Performance Internet and XFINITY Voice Unlimited™	\$164.99	\$170.49
SurePrice ³	\$144.99	No Change
SurePrice ³ (for 12 month promotion customers subscribing before 12/18/2013)	\$139.99	No Change
HD Preferred Plus XF Triple Play Bundle Includes Digital Preferred for primary outlet, HD Technology Fee, HBO®, Starz®, Blast!® Internet and XFINITY Voice Unlimited™	\$184.99	\$190.49
SurePrice ³	\$164.99	No Change
SurePrice ³ (for 12 month promotion customers subscribing before 12/18/2013)	\$159.99	No Change
HD Premier XF Triple Play Bundle ² Includes Digital Premier with DVR or AnyRoom® DVR Service for primary outlet, HD Technology Fee, Blast!® Internet and XFINITY Voice Unlimited™	\$209.99	\$215.49
SurePrice ³	\$184.99	No Change
SurePrice ³ (for 12 month promotion customers subscribing before 12/18/2013)	\$179.99	No Change
HD Complete XF Triple Play Bundle ² Includes Digital Premier, The Movie Channel®, with AnyRoom® DVR Service for primary outlet, three Digital Additional Outlets with digital converters and remotes, HD Technology Fee, Blast!® Internet, Wireless Gateway and XFINITY Voice Unlimited™	\$239.99	\$245.49
SurePrice ³	\$224.99	No Change
SurePrice ³ (for 12 month promotion customers subscribing before 12/18/2013)	\$219.99	No Change
Economy XF Triple Play Includes Digital Economy for primary outlet, Economy Plus Internet and Xfinity Voice Local with More®	\$89.85	\$92.85

MULTILATINO PAQUETE TRIPLE ¹

	CURRENT	NEW
MultiLatino Max Paquete Triple Includes MultiLatino Max for primary outlet, Performance Internet and XFINITY Voice Unlimited™	\$136.99	\$142.49
SurePrice ³	\$124.99	No Change
SurePrice ³ (for 12 month promotion customers subscribing before 12/18/2013)	\$119.99	No Change
MultiLatino Ultra Paquete Triple Includes MultiLatino Ultra for primary outlet, Performance Internet and XFINITY Voice Unlimited™	\$149.99	\$155.49
SurePrice ³	\$134.99	No Change
SurePrice ³ (for 12 month promotion customers subscribing before 12/18/2013)	\$129.99	No Change
MultiLatino Ultra HD Paquete Triple Includes MultiLatino Ultra for primary outlet, HD Technology Fee, Starz®, Performance Internet and XFINITY Voice Unlimited™	\$159.99	\$165.49
SurePrice ³	\$144.99	No Change
SurePrice ³ (for 12 month promotion customers subscribing before 12/18/2013)	\$139.99	No Change
MultiLatino Ultra HD Plus Paquete Triple Includes MultiLatino Ultra for primary outlet, HD Technology Fee, HBO®, Starz®, Blast!® Internet and XFINITY Voice Unlimited™	\$179.99	\$185.49
SurePrice ³	\$164.99	No Change
SurePrice ³ (for 12 month promotion customers subscribing before 12/18/2013)	\$159.99	No Change
MultiLatino Total HD Paquete Triple ² Includes MultiLatino Ultra and DVR or AnyRoom® DVR Service for primary outlet, HD Technology Fee, HBO®, Showtime®, Starz®, Cinemax®, Sports Entertainment Package, Blast!® Internet and XFINITY Voice Unlimited™	\$209.99	\$210.49
SurePrice ³	\$184.99	No Change
SurePrice ³ (for 12 month promotion customers subscribing before 12/18/2013)	\$179.99	No Change

MultiLatino Plus Paquete Triple Includes MultiLatino Plus for primary outlet, Economy Plus Internet and Xfinity Voice Local with More®	\$84.85	\$85.85
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MultiLatino Extra Paquete Triple Includes MultiLatino Extra for primary outlet, Economy Plus Internet and Xfinity Voice Local with More®	\$94.85	\$96.85
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DOUBLE PLAY PACKAGES ¹

	CURRENT	NEW
Blast Plus with HBO® Includes Digital Economy, Streampix and HBO® for primary outlet and Blast!® Internet	\$89.95	\$91.95
SurePrice ³	\$69.99	No Change

XFINITY® TV

BASIC SERVICES

	CURRENT	NEW
Limited Basic	\$21.25	\$19.75
Expanded Basic ⁴ Includes standard definition digital converter and remote for primary outlet	\$48.70	\$50.20
Broadcast TV Fee	N/A	\$1.50

DIGITAL SERVICES

	CURRENT	NEW
Digital Economy Includes Limited Basic, additional digital channels and a standard definition digital converter and remote for the primary outlet, access to Pay-Per-View programming and Music Choice	\$39.95	No Change
With XFINITY Voice or Internet Service	\$34.95	\$37.95
Digital Starter Includes Limited Basic, Expanded Basic, additional digital channels, MoviePlex, access to Pay-Per-View and On Demand programming and Music Choice	\$69.95	No Change
Digital Preferred Includes Digital Starter, additional digital channels, Encore®, access to Pay-Per-View and On Demand programming and Music Choice	\$87.90	No Change
Digital Preferred with HD Technology Fee Includes Digital Preferred for primary outlet and HD Technology Fee	\$97.85	No Change
Digital Preferred with DVR Service Includes Digital Preferred for primary outlet and DVR Service	\$105.85	No Change
Digital Premier Includes Digital Preferred for primary outlet, HBO®, Showtime®, Starz®, Cinemax®, and Sports Entertainment Package	\$137.85	No Change
MultiLatino Plus Includes Limited Basic, MultiLatino, standard definition digital converter and remote for primary outlet	\$29.95	\$30.95
MultiLatino Extra Includes Digital Economy, MultiLatino for primary outlet	\$39.95	\$41.95
MultiLatino Max Includes MultiLatino Extra, additional digital channels, access to Pay-Per-View and On Demand programming	\$59.95	\$69.95

Refer to the last page for additional information. For information about XFINITY policies and terms of service, go to www.comcast.com/policies.

MISCELLANEOUS FEES (PER OCCURRENCE UNLESS NOTED)

	CURRENT	NEW
Service Protection Plan ²² (per month) Inside home wiring protection for your cable TV, high-speed Internet and phone services.	\$3.95	No Change
Returned Payment Item (each)	\$30.00	No Change
Convenience Fee - Agent For payment made by phone with a Customer Care Representative	\$5.99	No Change
Convenience Fee - Payment Center For payment made at the front counter with a Customer Care Representative	\$5.99	No Change
Late Fee - DE	\$8.00	No Change
Late Fee - MD	10% past balance due	No Change
Signal Amplifier	\$35.00	No Change
Self Install Kit ²³	\$15.00	No Change
Self Install Kit Shipping and Handling	\$9.95	No Change
Self Install Kit Shipping and Handling (Priority Shipping)	\$29.95	No Change
Name Change Fee (for changes made to an account holder's legal name)	\$1.99	No Change
Bill Statement Reprint (for up to 12 bill statement copies requested by phone or in person with a Customer Care Representative)	\$5.00	No Change
Field Collection Charge Visit to customer's residence required to collect past due balance or unreturned equipment.	\$25.00	No Change
Unreturned or Damaged Equipment Fees ²⁴	Replacement Cost	No Change

XFINITY® INTERNET ²⁶

Voice/Data Modem DOCSIS 3.0 Kit (for purchase, one-time charge)	\$99.00	No Change
Additional IP Address (per IP Address) (monthly)	\$6.95	No Change
Wireless Adapter (each, one-time charge)	\$30.00	No Change
In-Home Service Visit Internet, per occurrence	\$40.00	No Change
Professional Internet Installation (per occurrence)	\$99.00	No Change
Wireless Networking On-Site Professional Set-Up (with Xfinity TV, Xfinity Voice or Xfinity Internet) (per occurrence)	\$49.95	No Change
Wireless Networking On-Site Professional Set-Up (Separate Trip, per occurrence)	\$99.95	No Change
Wireless Networking On-Site Professional Set-Up (Additional Device, per occurrence)	\$29.95	No Change
Extreme 505 Activation Fee	\$249.00	No Change
Extreme 105 or Extreme 505 Professional Internet Installation (per occurrence)	\$249.00	No Change
Unreturned or Damaged Equipment Fees ²⁴	Replacement Cost	No Change

XFINITY® VOICE ²⁵

	CURRENT	NEW
XFINITY Voice – Unlimited™	\$44.95	No Change
With TV and Internet Service	\$39.95	No Change
XFINITY Voice – Local with More®	\$34.95	No Change
With TV and/or Internet Service	\$24.95	No Change

CAREFREE MINUTES® INTERNATIONAL CALLING PLANS

Carefree Minutes International Calling Plans are additional call plans to specific countries or international regions.

	CURRENT	NEW
Carefree Minutes Asia 100	\$4.95	No Change
Carefree Minutes Latin America 300	\$9.95	No Change
Carefree Minutes Mexico 300	\$9.95	No Change
Carefree Minutes Mexico 100	\$4.95	No Change
Carefree Minutes Western Europe 100	\$4.95	No Change
Carefree Minutes Worldwide 300	\$14.95	No Change

OTHER CHARGES (PER MONTH UNLESS OTHERWISE INDICATED)

	CURRENT	NEW
Text Messaging For Local with More®	\$2.95	No Change
Voice Mail	\$3.95	No Change
Additional Line without Calling Features	\$11.95	No Change
Additional Line with Calling Features	\$21.95	No Change
Voice/Data Modem	\$7.00	\$8.00
4 Line Voice/Data Modem	\$7.00	\$8.00
Voice/Data Modem DOCSIS 2.0 Kit (for purchase, one-time charge)	\$99.00	No Change
Voice/Data Modem DOCSIS 3.0 Kit (for purchase, one-time charge)	\$149.00	No Change
New Activation Fee (per occurrence)	\$29.95	No Change
In-Home Service Visit Voice, per occurrence	\$40.00	No Change
Standard Installation (per occurrence)	\$99.00	No Change
Unreturned or Damaged Equipment Fees ²⁴	Replacement Cost	No Change

XFINITY® INTERNET ²⁶

	XFINITY Internet Service Only		with XFINITY TV or Voice Service	
	CURRENT	NEW	CURRENT	NEW
Economy Plus	\$39.95	No Change	\$29.95	No Change
Performance Starter ²⁷	\$49.95	No Change	\$49.95	No Change
Performance	\$66.95	No Change	\$51.95	\$53.95
Blast! ®	\$76.95	No Change	\$61.95	\$63.95
Extreme 105 ²⁸	\$114.95	No Change	\$99.95	No Change
Extreme 505 ²⁹	\$399.95	No Change	\$399.95	No Change
			CURRENT	NEW
Voice/Data Modem (monthly)			\$7.00	\$8.00
Wireless Gateway (monthly)			\$7.00	\$8.00
Ciena 3931 Modem & Netgear Wireless Router ³⁰ (monthly)			\$19.95	No Change
Voice/Data Modem DOCSIS 2.0 Kit (for purchase, one-time charge)			\$79.00	No Change

Refer to the last page for additional information. For information about XFINITY policies and terms of service, go to www.comcast.com/policies.

XF TRIPLE PLAY PACKAGE REWARDS / MULTILATINO PAQUETE TRIPLE REWARDS	Regular Price		Starter XF and MultiLatino Max		Preferred XF and MultiLatino Ultra	
	CURRENT	NEW	CURRENT	NEW	CURRENT	NEW
	HBO® 6	\$18.95	No Change	\$18.95	No Change	\$18.95
Showtime® 6	\$16.95	No Change	\$16.95	No Change	\$16.95	No Change
Starz® 6	\$16.95	No Change	\$16.95	No Change	\$16.95	No Change
Cinemax® 6	\$16.95	No Change	\$16.95	No Change	\$16.95	No Change
The Movie Channel® 6	\$16.95	No Change	\$16.95	No Change	\$16.95	No Change
Sports Entertainment Package 8	\$8.95	No Change	\$8.95	No Change	\$8.95	No Change
HD Technology Fee 9	\$9.95	No Change	\$9.95	No Change	\$9.95	No Change
3D Technology Fee 11	\$0.00	No Change	\$0.00	No Change	\$0.00	No Change
DVR Service 9,10,11	\$8.00	No Change	\$8.00	No Change	\$8.00	No Change
AnyRoom® DVR Service 9,11,12	\$10.00	No Change	\$10.00	No Change	\$10.00	No Change
Digital Additional Outlet Service 13	\$9.95	No Change	\$9.95	No Change	\$9.95	No Change
with HD 11	\$9.95	No Change	\$9.95	No Change	\$9.95	No Change
with DVR Service 9,10,11	\$17.95	No Change	\$17.95	No Change	\$17.95	No Change
with AnyRoom® DVR Service 9,11,12	\$19.95	No Change	\$19.95	No Change	\$19.95	No Change
with AnyRoom® DVR Service 11 (client)	\$9.95	No Change	\$9.95	No Change	\$9.95	No Change
Blast!® Speed Upgrade	\$10.00	No Change	\$10.00	No Change	\$10.00	No Change
Extreme 105 Upgrade 28	\$48.00	\$46.00	\$48.00	\$46.00	\$48.00	\$46.00

Refer to the last page for additional information. For information about XFINITY policies and terms of service, go to www.comcast.com/policies.

**XF TRIPLE PLAY PACKAGE
REWARDS / MULTILATINO
PAQUETE TRIPLE REWARDS**

	HD Preferred XF and MultiLatino Ultra HD		HD Preferred Plus XF and MultiLatino Ultra HD Plus		HD Premier XF and MultiLatino Total HD		HD Complete XF	
	CURRENT	NEW	CURRENT	NEW	CURRENT	NEW	CURRENT	NEW
HBO® 6	\$15.00	No Change	Included	No Change	Included	No Change	Included	No Change
Showtime® 6	\$10.00	No Change	\$10.00	No Change	Included	No Change	Included	No Change
Starz® 6	Included	No Change	Included	No Change	Included	No Change	Included	No Change
Cinemax® 6	\$10.00	No Change	\$10.00	No Change	Included	No Change	Included	No Change
The Movie Channel® 6	\$10.00	No Change	\$10.00	No Change	\$10.00	No Change	Included	No Change
Sports Entertainment Package 8	\$8.95	No Change	\$8.95	No Change	Included	No Change	Included	No Change
HD Technology Fee 9	Included	No Change	Included	No Change	Included	No Change	Included	No Change
3D Technology Fee 11	\$0.00	No Change	\$0.00	No Change	\$0.00	No Change	\$0.00	No Change
DVR Service 9,10,11	\$8.00	No Change	\$8.00	No Change	Included	No Change	N/A	No Change
AnyRoom® DVR Service 9,11,12	\$10.00	No Change	\$10.00	No Change	\$10.00	No Change	Included	No Change
Digital Additional Outlet Service 13	\$9.95	No Change	\$9.95	No Change	\$9.95	No Change	Included for three additional outlets	No Change
with HD 11	\$9.95	No Change	\$9.95	No Change	\$9.95	No Change	Included for three additional outlets	No Change
with DVR Service 9,10,11	\$17.95	No Change	\$17.95	No Change	\$17.95	No Change	\$17.95	No Change
with AnyRoom® DVR Service 9,11,12	\$19.95	No Change	\$19.95	No Change	\$19.95	No Change	\$19.95	No Change
with AnyRoom® DVR Service 11 (client)	\$9.95	No Change	\$9.95	No Change	\$9.95	No Change	Included for three additional outlets	No Change
Blast!® Speed Upgrade	\$10.00	No Change	Included	No Change	Included	No Change	Included	No Change
Extreme 105 Upgrade 28	\$48.00	\$46.00	\$38.00	\$36.00	\$38.00	\$36.00	\$38.00	\$36.00

Certain services available separately or as a part of other levels of service. Comcast service is subject to Comcast's standard terms and conditions of service. Unless otherwise specified, prices shown are the monthly charge for the corresponding service, equipment or package. Prices shown do not include applicable taxes, franchise fees, FCC fees, Regulatory Recovery Fee, Public Access fees, other state or local fees or other applicable charges (e.g., per-call toll or international charges). After a notice of an increase in rates, you may change your level of service at no additional charge for a period of 30 days from the effective date of the change. Please refer to your billing statement for your Local Franchising Authority's name and address. Prices, services and features are subject to change. If you are a video service customer and you own a compatible digital converter or CableCARD device, please call 1-800-XFINITY for pricing information or visit www.comcast.com/equipmentpolicy.

- Requires a Voice/Data Modem, except for HD Complete Triple Play.
- AnyRoom® DVR Service is included with HD Premier Triple Play, MultiLatino Total HD Paquete Triple and HD Complete Triple Play if AnyRoom® DVR Service is installed on primary outlet.
- SurePrice only available for 12 months to XF Triple Play or MultiLatino Paquete Triple Play customers after 12 month promotional package.
- Requires purchase of Limited Basic.
- SurePrice only available for 12 months to Blast Plus with HBO® customers after 6 month promotional package.
- Requires digital converter or CableCARD and Limited Basic.
- Requires digital converter and purchase of Limited Basic and cannot be combined with Expanded Basic. Family Tier programming included in Digital Services except for MultiLatino.
- Requires Digital Starter or MultiLatino Max.
- Not available to customers with Limited Basic service only.
- Subject to availability.
- Requires HD Technology Fee.
- Sold only with one or more Digital Additional Outlet Service with AnyRoom DVR Service for maximum 3 clients. Requires professional installation.
- Not Available to Limited Basic only customers. Digital service tier on additional outlet corresponds to digital service tier on primary outlet.
- Includes digital adapter and remote. Not available to customers with Limited Basic only.
- Does not provide access to premium services, pay-per-view, video-on-demand, the interactive electronic programming guide or other two-way interactive services.
- Requires digital converter and Limited Basic.
- Requires digital converter and Limited Basic to receive Streampix on television. Streampix included with the following tiers of service: Blast Plus™, HD Preferred Plus XF Triple Play, HD Premier XF Triple Play or HD Complete XF Triple Play, MultiLatino Ultra HD Plus Paquete Triple, and MultiLatino Total HD Paquete Triple. HD content requires subscription to HD Technology/HD Service fee. Streaming to iOS device requires Xfinity TV app. Internet service with bandwidth of at least 600 Kbps and a subscription to Limited Basic. Streaming to laptop/computer requires equipment meeting minimum requirements posted at <http://customer.comcast.com/help-and-support/internet/requirements-to-run-xfinity-internet-service/>, Internet service with bandwidth of at least 600Kbps and a subscription to Limited Basic.
- Price of Pay-Per-View and On Demand Movie or Event is displayed prior to the completion of the Pay-Per-View or On Demand ordering process.
- Not available to customers with Expanded Basic.
- Does not include Extreme 505 or Extreme 105 Internet Service installation charge, wireless networking, professional internet installation, Voice installation fees or activation fees.

For information about XFINITY policies and terms of service, go to www.comcast.com/policies.

- Standard installations include installations up to 125 feet from existing Comcast plant. Custom installations include installations which require in-wall wiring or installations in extensive drop ceilings, basements, or crawl spaces.
- See <http://www.comcast.com/spp> for information on Service Protection Plan.
- Does not apply to CableCARD Self Install Kit.
- Please contact 1-800-XFINITY for questions regarding equipment replacement charges.
- Requires a Voice/Data Modem. Unlimited Local and Long Distance package pricing applies only to direct dialed calls from home to locations in U.S., Canada, Puerto Rico and certain other U.S. territories. Plans do not include other international calls. For more information regarding XFINITY Voice pricing go to <http://www.comcast.com/corporate/about/phonetermservice/comcastdigitalvoice/cdvstatepricing.html>.
- Voice/Data modem required. For more information regarding XFINITY Internet go to <http://www.comcast.com/highspeedinternet>.
- Download speed up to 6 Mbps and upload speed up to 1 Mbps. Many factors affect speed. Actual speeds may vary and are not guaranteed.
- Not available in all areas. May require installation and non-refundable installation charge.
- Requires 3 year contract. Cienna 3931 modem & Netgear router additional. Activation and professional installation fees additional. Extreme 505 does not qualify for Comcast 30-day money back guarantee.
- Requires Extreme 505

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90 / 74R-305

November 26, 2013

CITY OF MILFORD
201 S. Walnut Street
Milford, Delaware 19963

Attn: Gary Norris, AICP

RE: Request - Petition for Annexation of Property
Tax Map No. MD-00-174.00-02-27.00
Site Address: Carpenter Pitt Road and State Hwy 408A

Ladies and Gentlemen:

We are requesting the above-referenced tax parcel be annexed into the City of Milford from Kent County, 6.481 +/- Acres, currently zoned AR.

General Location Description: The property is located east of DE Route One, situated between State Hwy 408-A (east) and Carpenter Pitt Road (north). The parcel is contiguous to lands within the City of Milford (north).

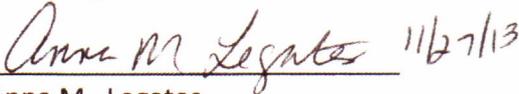
The reason for our request is to bring the property into compliance with the City of Milford's Comprehensive Plan. We are applying for C-3 Zoning, Highway Commercial, which is consistent with Milford's Plan.

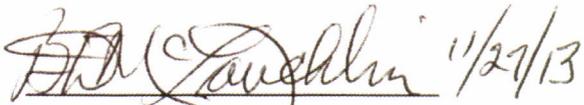
An enclosure titled "Reasons to Annex - Supplementary" provides additional rationale. We believe there are many potential benefits to the City of Milford represented by this application.

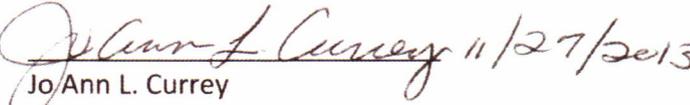
Also enclosed are the Annexation Application, Land Use Application Cover Sheet, sealed survey, deed, legal description, two aerial maps indicating the features of our unimproved land with abutting properties and roadways, and a map from the Comprehensive Plan. A check for the required fees is attached.

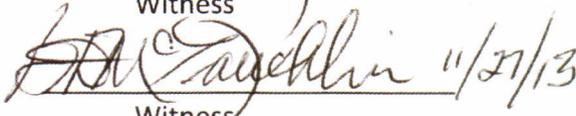
We extend a special thank you to City employees who assisted us, in person or by telephone, as we assembled the required documents. Your knowledge, guidance, and patience are appreciated.

Sincerely,


Anna M. Legates


Witness


Jo Ann L. Currey


Witness

Phone: 410-251-2672 cell
AnnaLegates@gmail.com

Enclosures

REASONS TO ANNEX - Supplementary

Tax Parcel #MD-00-174.00-02-27.00

Annexation: Legates – Currey

COMPREHENSIVE DEVELOPMENT PLAN:

- The annexation complies with Milford's Future Land Use Map, designated as Highway Commercial - part of the urban growth area.
- Milford is a viable growing community. This annexation will provide a site for good jobs. The area is prime for responsible growth indicated in the Plan. It supports the City's goals for economic development and jobs.

ADDITIONAL SUPPORT FOR ANNEXATION:

- **Proximity to Water System/Wastewater Collection**
This property is near Milford's water system and the County's wastewater collection system which currently serves a number of developed properties in this area north of DE Route 1 and the US Route 113 split. Control of this area will permit the City to implement additional water main looping and transportation improvements as described in the City's infrastructure plan.
- **Strategic Goals**
This annexation is consistent with Milford's goal for diverse and vibrant businesses. Milfordians are active and healthy and desire activities and facilities that will provide a variety of opportunities. This was acknowledged by the University of Delaware's Institute of Public Administration when Milford was recently selected as a "Complete Community" program.
- **Multi-faceted Uses**
If annexed, this property can fulfill a variety of needs: dining, retail, entertainment, and small to large corporate functions.
- **Uniquely Situated**
The land is uniquely situated for commercial activity to attract both residents and visitors. Milford was described by State planning and transportation agencies as a "jurisdiction with room to grow." This land provides ample space for smart growth.
- **Adjacent to Municipal Lands**
This parcel borders City of Milford mixed-use properties: commercial, residential and proposed institutional; large tracts of land to the north are in the City of Milford.
- **Complete Community Options**
This area conforms with the mixed use component of a "complete community" whereby the land can be developed for the most intense purposes to coincide with neighboring land uses of various types and levels of density.
- **Economic Development -- Employment Opportunities -- Revenue**
 - The City has an active advisory group, focused on economic development. The creation of jobs for pre and post-development projects is a major boost to the local economy with long-term benefits to residents and visitors. Fees, permits, taxes, and other potential revenues will positively affect the city's finances, providing a positive impact in perpetuity.
 - Transfer taxes and miscellaneous fees will help offset infrastructure improvements that may require county and state participation.

NEIGHBORING LANDS:

Adjacent to municipal lands: Hampton Inn, Lighthouse Estates, lands of a future church, proposed day care or school – recreational facility etc



Land Use Application Cover Sheet

File Name: Legates Annexation
 File Number: 13-203

CITY OF MILFORD
 Date Stamp
DEC 16 2013

RECEIVED

Instructions for Applicants:

Please read and follow all instructions on your application carefully. If you have any questions about the process or your project, it is strongly recommended that you speak with staff prior to submitting your application to help ensure that processing can advance in a timely manner. Every application must include this cover sheet, the application/checklist and all required items. No applications will be accepted if violations exist or if any fees owed the City are delinquent.

Specify Type of Land Use Application to be submitted (check all that apply):

- Preliminary Site Plan
- Preliminary Major Subdivision
- Final Minor Subdivision
- Final Site Plan
- Final Major Subdivision
- Variance/Appeal
- Change of Zone
- Conditional Use
- Annexation

Please Type or Print Legibly

Property Owner: Anna M. Legates + JoAnn L. Currey			Phone: 410-251-2672
Address: 12 West Street			Cell: same "
City: Dewey Beach	State: DE	Zip: 19971	Fax: 302-227-7479
E-Mail: AnnaLegates@GMAIL.COM			
Contact Person For This Application: Anna M. Legates			Phone: 410-251-2672
Address: 12 West Street			Cell: same "
City: Dewey Beach	State: DE	Zip: 19971	Fax: 302-227-7479
E-Mail: Anna Legates @GMAIL.com			
Applicant Name and/or Company: Anna M. Legates + JoAnn L. Currey			Phone:
Address: same as above			Cell:
City:	State:	Zip:	Fax:
E-Mail:			
Site Address: Carpenter Pitt Road + State Hwy 408A			Zoning: AR
Tax Map & Parcel Number (s): MD-00-174.00-02-27.00-			Acreage: 6.481 +/-
Description of Proposal: Owners request the above tax map parcel to <u>LOO0</u> be annexed into the City of Milford, and zoned C-3, Highway Commercial in compliance with the latest approved Comprehensive Plan.			
I/We certify that the information provided in this application, including all submittals and attachments, is true and correct to the best of my/our knowledge.			
Signature of Applicant:		Date: 11/27/13	
Signature of Property Owner:		Date: 11/27/13	

REVISED: 11.15.11



Annexation Application

CITY OF MILFORD

File Name: Legates Annexation
 File Number: 13-203

DEC 16 2013

RECEIVED

A Land Use Application for Annexation is deemed complete when it is accompanied by the required items identified below. Please be advised that additional information may be required during the review process in order to respond to or resolve particular issues. No application shall be considered complete if any of the required information is missing.

Current County Zoning: AR Requested Zoning: C-3 Comprehensive Plan Designation: C-3

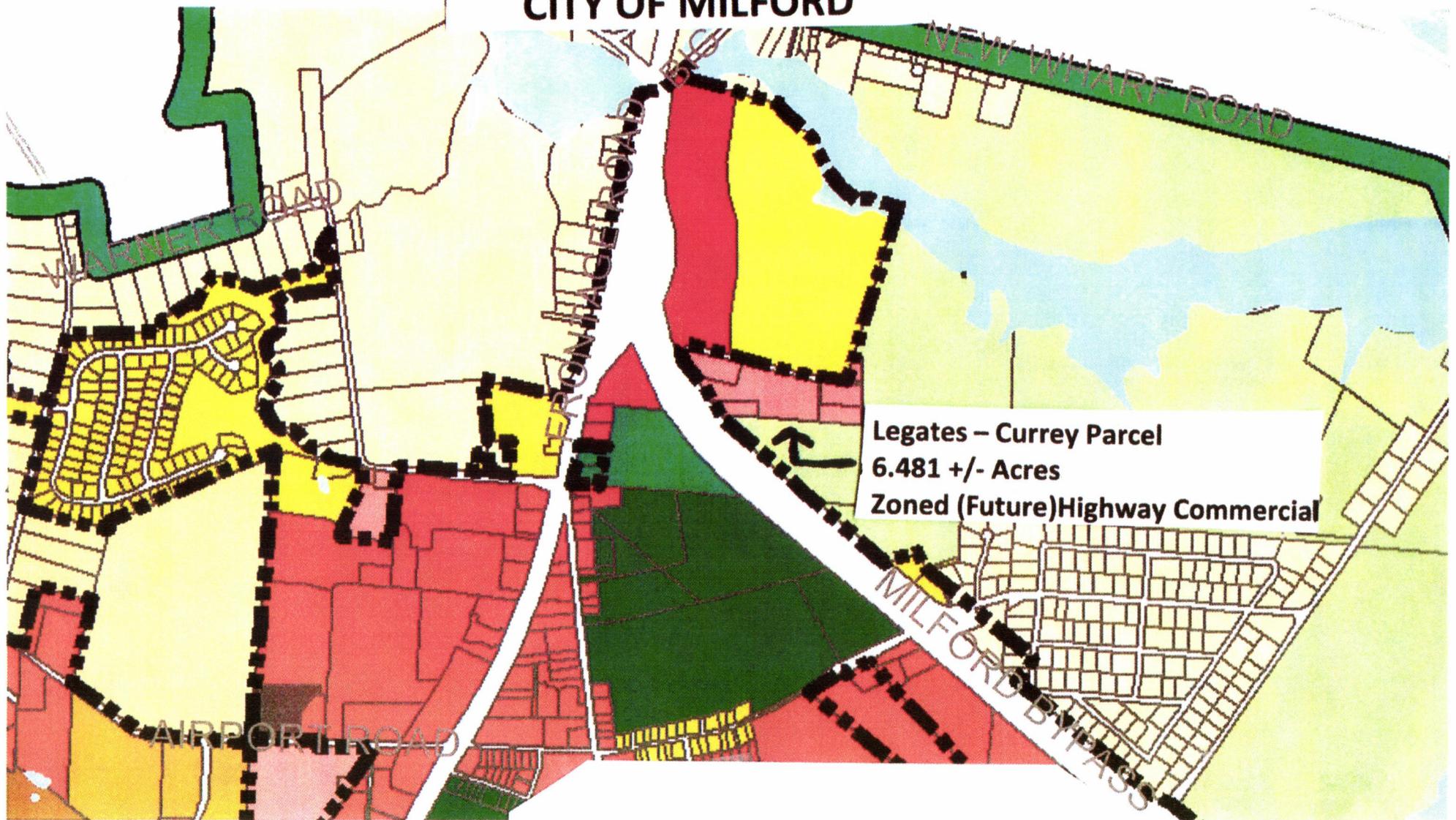
REQUIRED ITEMS		For Staff Use ONLY	
		Verified	Waived
<input checked="" type="checkbox"/>	1. Land Use Application Cover Sheet.	cc	
<input checked="" type="checkbox"/>	2. Petition for annexation, signed by ALL property owners with signature of each petitioner duly witnessed; petition must contain:	cc	
	A. Site address;		
	B. Tax map number (s);		
	C. Size of property in acres;		
	D. Reasons for request;		
	E. General location description (proximity to closest roadways, streets and intersections).		
<input checked="" type="checkbox"/>	3. A full legal description of the property in Word format.	cc	
<input checked="" type="checkbox"/>	4. Current recorded deed showing legal description and ownership.	cc	
<input checked="" type="checkbox"/>	5. Current sealed survey (no larger than 11" x 17"), drawn to scale, showing: <u>plus 2 aerial maps</u>		
	A. Property identified for annexation indicating existing location of City limits;		
	B. Date, scale and north arrow;		
	C. Existing right-of-ways and improvements;		
	D. Existing utilities; <u>Unimproved Lot - no utilities</u>		
	E. Existing natural features;		
	F. Existing structures and other improvements;		
	G. All structures, natural features and other improvements on abutting property.		
<input checked="" type="checkbox"/>	6. Application fee (see page 2). <u>5,740.50</u>	cc	

I/We certify that the information provided in this application, including all submittals are attachments, is true and correct to the best of my/our knowledge.

Signature of Applicant: Anne M. Legates Date: 11/27/13
 Signature of Property Owner: Anne M. Legates Date: 11/27/13

	FOR STAFF USE ONLY			
	DAC	Planning Commission	City Council	BOA
Applicant				n/a
Owner				

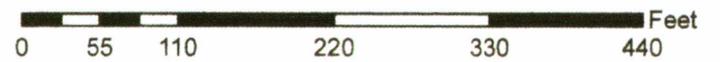
COMPREHENSIVE PLAN CITY OF MILFORD



Supplement to Annexation Request - November 2013

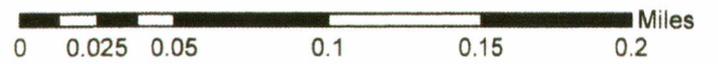


Legates – Currey Annexation





Legates – Currey Annexation



City of Milford
RESOLUTION 2014-01

Annexation/Lands belonging to Anna M. Legates & JoAnn L. Currey
Tax Parcel No. MD-174.00-02-27.00-00001
6.481 +/- Acres
Current Zone AR-1/Proposed Zone C-3

COMMITTEE DIRECTED TO INVESTIGATE ANNEXATION

Whereas, a Petition, signed by the legal property owner and duly witnessed, requesting annexation into the City of Milford, situated east of Delaware Route 1, between County Road 408A (east) and Carpenter Pit Road (north), legally described as follows:

Reference: Tax Map MD-00-174.00-02-27.00-00001

All that certain tract, piece and parcel of land, lying and being situate in Milford Hundred, Kent County, and the State of Delaware, as depicted on a survey prepared by Bob Nash Associates, Inc., dated 30 July 2013, fronting on the northeasterly right-of-way line of State Highway Route 408A, at sixty (60) feet wide, and a twelve (12) foot wide access, adjoining lands now or formerly of David A. & Jean W. Morgan, lands now or formerly of Carl J. & Cindy L. Popelas, lands now or formerly of Robert E. & Edgar W. Cannon, and lands now or formerly of J. & R. Scarborough, Inc., being more particularly described as follows, to wit:

Beginning at a found iron pipe at a corner for lands now or formerly of David A. & Jean W. Morgan, and at a point on the northeasterly right-of-way line of State Highway Route 408A, at sixty (60) feet wide, said point being distant 2,600 feet, more or less, from the right-of-way intersection of N.E. Tenth Street; thence running with said right-of-way line of 408A and deflecting right along a 2,173.85 foot radius curve, the chord of which bears North 31 degrees 55 minutes 29 seconds West 230.82 feet, an arc distance of 230.93 feet to a found concrete monument at a corner for lands now or formerly of Carl J. & Cindy L. Popelas; thence proceeding with said Popelas lands the following two (2) courses and distances:

- 1) South 76 degrees 35 minutes 48 seconds East 340.28 feet to a set capped rebar, and
- 2) North 13 degrees 21 minutes 42 seconds East 208.72 feet to a set capped rebar on line of a twelve (12) foot wide access,

thence running with said access road South 76 degrees 39 minutes 47 seconds East 600.00 feet to a set capped rebar on line of lands now or formerly of Robert E. & Edgar W. Cannon; thence proceeding with said Cannon lands South 03 degrees 41 minutes 11 seconds West 337.35 feet to a found iron pipe on line of lands now or formerly of J. & R. Scarborough, Inc.; thence continuing with said Scarborough lands North 86 degrees 05 minutes 27 seconds West 487.62 feet to a found iron pipe at a corner for aforementioned Morgan lands, thence running with said Morgan lands, the following two (2) courses and distances:

- 1) North 02 degrees 23 minutes 45 seconds East 130.08 feet, and finally,

2) North 89 degrees 11 minutes 34 seconds West 396.68 feet to the place of beginning, CONTAINING 6.481 acres of land, more or less.

has been submitted to the City Council of the City of Milford.

Now, Therefore, a Committee, composed of three (3) elected members of City Council and one (1) member of the Planning Commission has been appointed by the Mayor to investigate the possibility of annexing said property, said Committee to be comprised of Chair Katrina Wilson, Douglas Morrow, S. Allen Pikus and Planning Commission Chairman James Burk.

Be It Further Resolved, that said Committee shall submit a written report containing its findings and conclusions, including the advantages and disadvantages of the proposed annexation both to the City and to the property proposed to be annexed and said report shall further contain the committees' recommendations whether or not to proceed with the proposed annexation and the reasons therefor.

NOW, THEREFORE, I, Teresa K. Hudson, City Clerk of the City of Milford, do hereby certify that the foregoing resolution was duly and regularly adopted by the City Council of the City of Milford at a Council Meeting held the 13th day of January 2014 by a majority vote.

City Clerk



CITY HALL
302.424.3712, FAX 302.424.3558

201 SOUTH WALNUT STREET
MILFORD, DE 19963

www.cityofmilford.com

MEMO

TO: Richard D. Carmean
City Manager

FR: Christine Crouch
Deputy City Clerk

A handwritten signature in dark ink, appearing to be "CC", written over the name "Christine Crouch".

DA: 01.07.14

RE: **BUDGET ADJUSTMENT**

I respectfully request a budget adjustment from the Property Tax Revenue account (101-000-311-10-10) be transferred to the Planning & Zoning Engineering line item (101-1035-419.30-50) in the amount of \$10,000.00 due to unexpected fees associated with the review of land use applications and the Comprehensive Plan mapping project.

Thank you.

**CITY OF MILFORD
FUND BALANCES REPORT**

Date: November 2013

Cash Balance - General Fund Bank Balance	\$3,907,814
Cash Balance - Electric Fund Bank Balance	\$4,670,280
Cash Balance - Water Fund Bank Balance	\$2,507,466
Cash Balance - Sewer Fund Bank Balance	\$881,577
Cash Balance - Trash Fund Bank Balance	\$377,970

	General <u>Improvement</u>	Municipal <u>Street Aid</u>	Real Estate <u>Transfer Tax</u>	Solid Waste <u>Reserves</u>
Beginning Cash Balance	456,744	1,034,890	1,698,880	0
Deposits	12,674		19,994	
Interest Earned this Month	50	110	113	
Disbursements this Month	(4,747)		(41,667)	
Investments				250,000
Ending Cash Balance	\$464,721	\$1,035,000	\$1,677,320	\$250,000

	GF Capital <u>Reserves</u>	Water Capital <u>Reserves</u>	Sewer Capital <u>Reserves</u>	Electric <u>Reserves</u>
Beginning Cash Balance	2,285,693	5,088,171	3,460,853	10,557,442
Deposits				
Interest Earned this Month	141	313	213	775
Disbursements this Month	(1,186)	(203)		
Investments	250,000			
Ending Cash Balance	\$2,534,648	\$5,088,281	\$3,461,066	\$10,558,217

	Water <u>Impact Fee</u>	Sewer <u>Impact Fee</u>	Electric <u>Impact Fee</u>
Beginning Cash Balance	1,109,421	\$764,565	\$298,332
Deposits	16,345	\$8,638	\$4,200
Interest Earned this Month	57	\$41	\$16
Disbursements this Month			
Investments			
Ending Cash Balance	\$1,125,823	\$773,244	\$302,548

INTEREST THROUGH THE FIFTH MONTH OF THE FISCAL YEAR:

General Fund	3,914	Water Fund	959
GF Capital Reserves	854	Water Capital Reserves	1,803
General Improvement Fund	183	Water Impact Fees	341
Municipal Street Aid	415	Sewer Fund	303
Real Estate Transfer Tax	640	Sewer Capital Reserves	2,917
Electric Fund	1,804	Sewer Impact Fees	247
Electric Reserves	4,037	Trash Fund	2,854
Electric Impact Fees	96		

TOTAL INTEREST EARNED TO DATE \$21,367

REVENUE REPORT

Page Two

Date: November 2013	AMOUNT BUDGETED	MTD	YTD	42% of Year Expended YTD%
ACCOUNT				
Budgeted Fund Balance	161,840	0	61,840	38.21%
General Fund Capital Reserves	40,000	0	40,000	100.00%
Property Transfer Tax-Police	500,000	41,666	208,333	41.67%
Real Estate Tax	3,581,965	1,812	3,629,528	101.33%
Business License	35,000	300	3,800	10.86%
Rental License	85,000	300	1,650	1.94%
Building Permits	80,000	6,586	27,138	33.92%
Planning & Zoning	10,000	0	4,950	49.50%
Grasscutting Revenue	5,000	416	2,080	41.60%
Police Revenues	315,000	14,065	61,020	19.37%
Misc. Revenues	282,260	4,086	59,790	21.18%
Transfers From	3,215,480	267,958	1,339,784	41.67%
Total General Fund Revenues	\$8,311,545	\$337,189	\$5,439,913	65.45%
Water Revenues	2,715,000	204,494	1,172,424	43.18%
Sewer Revenues	2,385,670	179,727	1,028,919	43.13%
Kent County Sewer	1,464,600	123,914	733,122	50.06%
Solid Waste Revenues	1,303,000	99,030	532,673	40.88%
Electric Revenues	25,520,985	1,760,601	10,870,227	42.59%
TOTAL REVENUES	\$41,700,800	\$2,704,955	\$19,777,278	47.43%
YTD Enterprise Expense		32,147		
YTD Enterprise Revenue		36,131		
LTD Carlisle Fire Company Building Permit Fund		92,411		

EXPENDITURE REPORT

Page Three

Date: November 2013

42% of Year Expended

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	YTD%	UNEXPENDED BALANCE
City Manager					
Personnel	355,220	\$52,458	169,557	47.73%	185,663
O&M	154,065	\$25,225	59,416	38.57%	94,649
Capital	0	\$0	0		0
Total City Manager	\$509,285	\$77,683	\$228,973	44.96%	280,312
Planning & Zoning					
Personnel	125,100	\$14,384	53,059	42.41%	72,041
O&M	31,840	\$4,457	15,390	48.34%	16,450
Capital	0	\$0	0		0
Total P, C & I	\$156,940	\$18,841	\$68,449	43.61%	88,491
Code Enforcement & Inspections					
Personnel	143,785	\$10,633	52,693	36.65%	91,092
O&M	45,630	\$628	15,236	33.39%	30,394
Capital	0	\$0	0		0
Total P, C & I	\$189,415	\$11,261	\$67,929	35.86%	121,486
Council					
Personnel	31,225	\$1,707	9,850	31.55%	21,375
O&M	46,150	\$4,269	16,534	35.83%	29,616
Council Expense	17,000	\$485	12,083	71.08%	4,917
Contributions	322,000	\$0	82,000	25.47%	240,000
Codification	4,000	\$0	650	16.25%	3,350
Employee Recognition	9,000	\$3,761	3,761	0.00%	5,239
Insurance	27,220	\$0	13,610	50.00%	13,610
Capital-Transfer to Reserves	61,840	\$0	61,840	100.00%	0
Total Council	\$518,435	\$10,222	\$200,328	38.64%	318,107
Finance					
Personnel	341,725	\$25,879	129,346	37.85%	212,379
O&M	52,465	\$2,346	17,456	33.27%	35,009
Capital	0	\$0	0		0
Total Finance	\$394,190	\$28,225	\$146,802	37.24%	247,388
Information Technology					
Personnel	176,860	\$8,444	42,219	23.87%	134,641
O&M	176,790	\$13,531	61,479	34.78%	115,311
Capital	50,000	\$8,150	29,257	58.51%	20,743
Total Information Technology	\$403,650	\$30,125	\$132,955	32.94%	270,695

EXPENDITURE REPORT

Page Four

Date: November 2013

42% of Year Expended

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	YTD%	UNEXPENDED BALANCE
Police Department					
Personnel	3,791,065	\$265,443	1,369,435	36.12%	2,421,630
O&M	499,040	\$21,273	199,509	39.98%	299,531
Capital	107,810	\$0	107,498	99.71%	312
Total Police	\$4,397,915	\$286,716	\$1,676,442	38.12%	2,721,473
Streets & Grounds Division					
Personnel	438,755	\$29,025	145,068	33.06%	293,689
O&M	379,635	\$23,782	143,668	37.84%	235,967
Capital	55,000	\$0	0	0.00%	55,000
Debt Service	45,560	\$0	0	0.00%	45,560
Total Streets & Grounds	\$918,950	\$52,807	\$288,734	31.42%	630,216
Parks & Recreation					
Personnel	519,805	\$29,749	203,938	39.23%	315,867
O&M	245,151	\$16,093	155,676	63.50%	89,475
Capital	57,809	\$15,397	55,432	95.89%	2,377
Total Parks & Recreation	\$822,765	\$61,239	\$415,046	50.45%	407,719
Total General Fund					
Operating Budget	\$8,311,545	\$577,119	\$3,225,658	38.81%	5,085,887

EXPENDITURE REPORT

Page Five

Date: November 2013

42% of Year Expended

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	YTD%	UNEXPENDED BALANCE
Water Division					
Personnel	300,425	\$23,156	115,143	38.33%	185,282
O&M	1,070,445	\$65,143	407,074	38.03%	663,371
Capital	525,000	\$0	1,820	0.00%	523,180
Debt Service	819,130	\$20,454	67,788	8.28%	751,342
Total Water	\$2,715,000	\$108,753	\$591,825	21.80%	2,123,175
Sewer Division					
Personnel	300,425	\$23,154	115,137	38.32%	185,288
O&M	1,063,445	\$149,465	495,698	46.61%	567,747
Capital	347,000	\$8,718	38,927	0.00%	308,073
Debt Service	689,400	\$0	25,471	3.69%	663,929
Sewer Sub Total	\$2,400,270	\$181,337	\$675,233	28.13%	1,725,037
Kent County Sewer	1,450,000	\$58,064	733,121	50.56%	716,879
Total Sewer	\$3,850,270	\$239,401	\$1,408,354	36.58%	2,441,916
Solid Waste Division					
Personnel	362,410	\$28,524	141,598	39.07%	220,812
O&M	775,590	\$54,611	334,227	43.09%	441,363
Capital	165,000	\$0	0	0.00%	165,000
Total Solid Waste	\$1,303,000	\$83,135	\$475,825	36.52%	827,175
Total Water, Sewer Solid Waste					
	\$7,868,270	\$431,289	\$2,476,004	31.47%	5,392,266
Electric Division					
Personnel	1,248,005	\$88,789	437,856	35.08%	810,149
O&M	1,625,800	\$124,440	644,248	39.63%	981,552
Transfer to General Fund	2,500,000	\$208,334	1,041,667	41.67%	1,458,333
Capital	1,005,950	\$0	4,161	0.41%	1,001,789
Debt Service	641,230	\$0	55,241	8.61%	585,989
Electric Sub Total	\$7,020,985	\$421,563	\$2,183,173	31.09%	4,837,812
Power Purchased	18,500,000	\$1,420,854	7,722,258	41.74%	10,777,742
Total Electric	\$25,520,985	\$1,842,417	\$9,905,431	38.81%	15,615,554
TOTAL OPERATING BUDGET					
	\$41,700,800	\$2,850,825	\$15,607,093	37.43%	26,093,707

INTERSERVICE DEPARTMENTS REPORT

Page Six

Date: November 2013

ACCOUNT	AMOUNT BUDGETED	MTD	42% of Year Expended		UNEXPENDED BALANCE
			YTD	YTD%	
Garage					
Personnel	79,700	5,992	30,079	37.74%	49,621
O&M	66,355	4,979	28,560	43.04%	37,795
Capital	0	0	0		0
Total Garage Expense	\$146,055	10,971	\$58,639	40.15%	87,416
Public Works					
Personnel	185,195	14,453	72,007	38.88%	113,188
O&M	200,915	8,974	46,966	23.38%	153,949
Capital	27,100	6,794	8,504	31.38%	18,596
Total Public Works Expense	\$413,210	30,221	\$127,477	30.85%	285,733
Billing & Collections					
Personnel	488,145	34,527	174,201	35.69%	313,944
O&M	241,020	18,378	122,392	50.78%	118,628
Capital	0	0	0		0
Total Billing & Collections	\$729,165	52,905	\$296,593	40.68%	432,572
City Hall Cost Allocation					
Personnel	0	0	0		0
O&M	59,700	2,213	19,120	32.03%	40,580
Capital	0	0	0		0
Total City Hall Cost Allocation	\$59,700	2,213	\$19,120	32.03%	40,580

ALL COSTS SHOWN ON PAGE 6 ARE ALSO INCLUDED IN THE VARIOUS DEPARTMENTS LISTED ON PAGES 3-5 OF THE EXPENDITURE REPORT WHO UTILIZE THE SERVICES OF THE DEPARTMENTS LISTED ABOVE. INTERSERVICE FUNDS ARE ENTIRELY FUNDED BY OTHER CITY DEPARTMENTS.