

MILFORD CITY COUNCIL
MINUTES OF MEETING
June 25, 2012

The Milford City Council held Public Hearings on Monday, June 25, 2012 in the Joseph Ronnie Rogers Council Chambers at Milford City Hall, 201 South Walnut Street, Milford, Delaware.

PRESIDING: Honorable Mayor Joseph Ronnie Rogers

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

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

City Solicitor David Rutt, Esquire

Mayor Rogers called the Public Hearing to order at 7:02 p.m.

Bob Nash Associates on behalf of Susan S. Phillips requesting the Minor Subdivision of a 1.215 acre parcel into two parcels in an R-1 District at 414 Evergreen Circle, Milford, Delaware; Tax Parcel 1-30-3.07-101.00

City Planner Gary Norris reported this was reviewed by the Planning Commission who recommended approval by a vote of 7-0. He advised that both lots are conforming and when subdivided, exceed the lot size requirements.

Owner Susan Phillips was in attendance along with Matt Metz of Bob Nash Associates.

Mayor Rogers asked for comments or questions from the council; no one responded.

He then opened the floor to public comment. Again, no one responded.

Mr. Pikus moved to approve the Minor Subdivision of 1.215 acres into two parcels at 414 Evergreen Circle, seconded by Ms. Wilson.

Mr. Gleysteen commented that he votes yes adding it meets the requirements and because it was unanimously approved by the planning commission.

Motion carried by unanimous roll call vote.

Revision to 2008 City of Milford Comprehensive Plan, As Amended by the Southeast Milford Master Plan

Adoption/Ordinance 2012-09/Amends 2008 Comprehensive Plan by Replacing Maps (Adds City Parcel <Prior Calhoun Property> to Growth Boundary to Permit Annexation)

City Planner Norris advised this is a small addition to the current Comprehensive Plan. He explained the electric department is planning to build a substation south of the transfer station on Route 113. When the original comp plan was prepared, this land was not included. In order to annex the land, the growth boundary map must be expanded to include this parcel.

At the time the land was purchased in July 2011, the city was unaware of the issue.

The planning commission recommended approval of the amendment to the comp plan by a vote of 7-0.

When questioned about the zoning, Mr. Carmean advised that public services or public utilities are permitted in any zone.

When asked for comments from the public, no one responded. The public comment session was then closed.

Mr. Pikus moved for approval of the amendment to the 2008 City of Milford Comprehensive Plan and adoption of Ordinance 2012-09, seconded by Ms. Wilson:

*AN ORDINANCE AMENDING THE 2008 COMPREHENSIVE PLAN BY REPLACING
URBAN GROWTH BOUNDARY (MAP 4) AND FUTURE LAND USE (MAP 10)*

Section 1.

WHEREAS, the City Council of the City of Milford, on January 26, 2009, adopted the 2008 Comprehensive Plan pursuant to Title 22, Section 702 of the Delaware Code; and

WHEREAS, the Honorable Jack Markell, Governor of the State of Delaware, certified the 2008 Comprehensive Plan on July 7, 2009; and

WHEREAS, the 2008 Comprehensive Plan, as amended on July 25, 2011, allows for an amendment process; and

WHEREAS, the City of Milford has requested an amendment to the Urban Growth Boundary (Map 4) and Future Land Use (Map 10), in accordance with the process set forth in the 2008 Comprehensive Plan; and

WHEREAS, the Planning Commission held a public hearing on June 19, 2012, after which the Commission made a recommendation in regards to the proposed amendments to the Urban Growth Boundary Map and Future Land Use Map related to the above request.

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS: the City Council of the City of Milford hereby amends the 2008 City of Milford Comprehensive Plan, by replacing the reference maps herein as presented to City Council on June 25, 2012.

Section 2.

Council Adoption June 25, 2012

Effective Date July 5, 2012

Motion carried by unanimous roll call vote.

Adjourn

With no further business, Mayor Rogers adjourned the Public Hearings.

Meeting adjourned at 7:10 p.m.

Respectfully submitted,



Terri K. Hudson, MMC
City Clerk/Recorder

MILFORD CITY COUNCIL
MINUTES OF MEETING
June 25, 2012

A Meeting of Milford City Council was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall on Monday, June 25, 2012.

PRESIDING: Honorable Mayor Joseph Ronnie Rogers

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

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

City Solicitor David Rutt, Esquire

CALL TO ORDER

Mayor Rogers called the Council Meeting to order at 7:10 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 communications included in packet.

UNFINISHED BUSINESS

Adoption/Ordinance 2012-11/Senior Citizens Tax Relief/Exemption Increase

Mr. Pikus recommended extending the deadline for applying for the Senior Citizens Tax Exemption to July 31, 2012.

Mr. Carmean noted that council agreed to double the exemption for eligible seniors from \$20,000 to \$40,000 late in the budget process. The original deadline was June 1, 2012.

Mr. Pikus moved to adopt Ordinance 2012-11 and extend the deadline for applying to July 31, 2012, seconded by Mr. Brooks:

AN ORDINANCE TO AMEND CHAPTER 204 OF THE CODE OF THE CITY OF MILFORD BY DOUBLING THE EXEMPTION FROM THE TAXATION OF ASSESSED VALUATION ON REAL PROPERTY FOR ELIGIBLE SENIOR CITIZENS

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

Section 1.

Amend Chapter 204, Taxation, Article I, Tax Relief for Senior Citizens by increasing the exemption of taxation of assessed property values provided to eligible property owners by striking \$20,000 and inserting \$40,000.

§204-1. - Conditions for senior citizen exemption on real property tax.

Every person 65 or more years of age having an income not in excess of \$15,000 per year, exclusive of social security and railroad pensions, and residing in a dwelling owned by him or her which is a part of his or her real property shall be entitled, on proper claim being made thereof, to exemption from taxation on ~~\$20,000~~ \$40,000 of assessed valuation of such real property, in the aggregate, and in the case of jointly owned property or property owned by husband and wife, such exemption shall be granted where the income of both does not exceed \$25,500 per year, exclusive of social security and railroad pensions.

Section 2. Dates.

Council Adoption 06-25-12

Effective Date 07-05-12

Motion carried with no one opposed.

Zoning Code/Sign Recommendations/Councilman Grier

Councilman Grier referenced the enclosed minutes from the June 14th meeting at which time he along with City Planner Gary Norris and Planning Chairman Chuck Rini met to discuss recommendations on the sign ordinance.

He recalled that recently, the city code officials became more aggressive in enforcing some of the sign requirements including the prohibition of flags. Mr. Grier received a letter received from Terri Favata of First Class Properties after moving her business to the old Happy Harry Drug Store location in the Teal Creek Shopping Center. They had placed flags at the new site to inform people they were open for business and shortly afterwards, were asked to remove them.

Mr. Grier advised that the current code prohibits flags (other than United States flags), banners, twirling/spinning, sandwich/A-type, sidewalk/curb signs (nonpermanent) and balloons or other gas-filled figures. However, it also states that allowance shall be determined by the Code Official.

The committee came to the conclusion that if the flags are attractive and not tattered and dirty, they should be permitted. If they are in such disrepair, they should be advised they need to be replaced. In such cases, the code official would handle it.

It was agreed at the meeting to get councils' opinions on the current sign code.

In addition, Mr. Grier said the city planner also recommended that sign packages (for permanent signs) should be submitted with any new site plans. However, that would require an amendment to the sign ordinance (zoning code).

Mr. Brooks advised that the owner of Betty Lou's Restaurant called and informed him she had just opened for business and experienced a similar situation. The building had been vacant for sometime and had also been used by many other businesses. She placed flags outside along with signs indicating it was open as a restaurant business.

Mr. Grier said he is also concerned about the signs that have been in place for years and years. To suddenly inform their owners they must be removed could be a potential hardship to a business. It was agreed by the ad hoc committee there are a number of portable signs that are unattractive and that new businesses might be made aware of that prohibition.

Mr. Pikus feels that flags in front of these businesses attract customers and should be used as a tool to let people know the business is open, what type of business it is, etc. Mr. Grier agrees and feels those flags should be left to the discretion of the code official. Mr. Pikus agrees they should be allowed if they are not abused.

Mr. Brooks pointed out that we should not have two sets of rules because that has caused the city problems in the past. Mr. Grier agrees that is what makes this difficult. Our ordinance states they are prohibited but allowances can be made by the code official.

Mr. Grier pointed out that some of the message signs are more attractive than a lot of permanent signs.

Ms. Wilson added that a number of businesses change their flags and signs according to what they are promoting or something appropriate to the season or holiday. Mr. Grier stated his intent is not to hinder a business. He explained that he was asked to help with this ordinance and at this point, prefers recommendations from city council.

According to City Planner Gary Norris, the pyramid board across from the barber shop is not legal because it is on a public sidewalk. Mr. Pikus explained it is out only when the business is open.

It was discussed that leaving it to someone's discretion is risky because of so many different opinions. A lot of businesses feel they need message flags to let people know they are open and particularly the smaller businesses around town who have unique hours.

Ms. Wilson finds them appealing and welcoming. Mr. Grier agreed and referenced those in front of First State Properties.

Mr. Carmean said when it comes to ordinances and rules, he wants them in black and white. He does not like gray areas that create a number of calls and complaints to his office. Though these flags and signs can be a help to businesses, he feels council should decide whether they should be allowed or prohibited.

City Solicitor Rutt said that leaving it to the discretion of a code official or any officer leads to issues of arbitrary and capricious, enforcement, discrimination and a number of issues. Therefore, he recommends looking at the sign ordinance and coming up with some certainty what is and what is not allowed. Guidelines could be added that would require them to be removed after hours or that flags could not exceed a certain size.

It was agreed that council does not want to do anything to hamper businesses.

The city manager also suggested adding a provision for temporary signs for grand openings, special sales, etc. with specific conditions.

Council then agreed the sign package should become part of the site plan requirements. Also, provisions for temporary signs should also be developed.

Council members agreed that during the interim, the moratorium on enforcement will continue.

Mr. Norris then discussed shopping centers. He referenced Milford Plaza who leases outparcels to Applebees, a bank, etc. Our ordinance only allows one sign per shopping center. However, the businesses on these pad sites want their own signs.

He said the other option is to allow a 28-foot tall, 225-square foot pylon sign for each business. However, that would result in one sign after another which is not always appealing.

The planner asked if council prefers a sign for each business or one monument sign for the entire shopping center.

Mr. Pikus said he feels that would depend on the amount of space between the signs.

When asked if council has the right to allow only one monument sign at each center with individual stores listed, Mr. Norris said the plus is there is one large sign, the minus is someone driving past cannot see each individual sign.

He said the planning commission is encouraging monument signs for shopping centers. It was noted that currently at Milford Plaza, there is one monument sign listing each store. However, Applebees and the bank have individual pylon signs out front in addition to the La Tonalteca Restaurant.

Ms. Wilson reiterated she likes the idea of one sign versus a number of signs along the roadway which gives a sloppy appearance.

Mr. Grier suggested that some recommendations be provided by council for further consideration at a future meeting.

FY2011-2012 Budget Adjustment/Administration/General Fund Capital Reserves

Mr. Carmean asked that the City Administration/Capital Vehicle Line Item be increased by \$1,740. Council previously approved a budget adjustment of \$27,425 to purchase a Ford F-250; this covers the costs of the options for a total package of \$29,163.

It was noted that the public works director will be using the former city engineer's truck; the city manager is still deciding who will receive his present truck though he may be transferring it to the inspection department.

Mr. Pikus moved for approval as submitted, seconded by Mr. Grier. Motion carried by unanimous roll call vote.

NEW BUSINESS

FY 2011-2012 Budget Adjustment/Legal Fees/Council

Mr. Carmean advised that legal fees cannot be projected and more funds are needed to pay our current bills. Mr. Pikus added that when the budget is created, the amount of legal fees was limited. Because they have to be paid, the transfer is needed.

Mr. Pikus moved to transfer \$2,500 from General Fund Miscellaneous Revenue into Council Legal Expenses 101-1110-411-30-20, seconded by Ms. Wilson. Motion carried by unanimous roll call vote.

FY 2011-2012 Budget Adjustment Legal Fees/ Administration

Mr. Pikus moved to transfer \$1,000 from General Fund Miscellaneous Revenue into Administration Legal Expenses Account 101-1010-411-30-20, seconded by Mr. Grier. Motion carried by unanimous roll call vote.

The city manager noted that Finance Committee Chairman Pikus reviews the bills on a regular basis.

Approval/Mayor to Sign Interconnection Agreements as Amended

Mr. Rutt recalled council authorizing the mayor to sign the blank interconnection agreements at the last meeting. One question that came up was whether the interconnection agreement itself is ready to be enforced because of some issues with the appendix.

He reported a teleconference with city representatives and the purchasers occurred last week. The issues were presented to the purchaser. However, they agreed to sign interconnection agreement and proceed with the purchase with the understanding they assumed all the risks. One issue is that some details need to be worked out with DP&L which could take some time. Their financing is contingent on having this agreement in place.

Mr. Rutt pointed out that the appendices are an estimate and can be amended if needed.

It was made clear they were willing to accept the risk.

Mr. Grier moved to allow Mayor Rogers sign the interconnection agreement with the blanks filled in (identification info, addresses, etc.) and authorize the mayor and city manager approve the amendments as we proceed to prevent the appendices from being brought back to city council. Motion seconded by Ms. Wilson. Motion carried with no one opposed.

Approval/Mayor to Sign Louise Miles Contract of Purchase and Sale & Associated Documents as Required by Charter

Mr. Pikus noted this has been discussed and was previously approved by city council. He moved to authorize Mayor Rogers to sign the contract and related sales and purchasing documents, seconded by Ms. Wilson. Motion carried with no one opposed.

Congratulations

Councilman Pikus felt it was appropriate at this time to offer congratulations to Chief Hudson and City Clerk Terri Hudson who became grandparents after their daughter gave birth to their first grandchild. They welcomed into the world 8 lb. 2 oz. Sadie Elizabeth Howard on Thursday, June 21, 2012.

ADJOURN

With no further business, Mr. Pikus moved to adjourn the meeting, seconded by Mr. Gleysteen. Meeting adjourned at 7:45 p.m.

Respectfully submitted,



Terri K. Hudson, MMC
City Clerk/Recorder

MILFORD CITY COUNCIL
MINUTES OF MEETING
June 25, 2012

The City Council of the City of Milford met in Workshop Session on Monday, June 25, 2012 in the Joseph Ronnie Rogers Council Chambers of Milford City Hall, 201 South Walnut Street, Milford, Delaware.

PRESIDING: Honorable Mayor Joseph Ronnie Rogers

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

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

City Solicitor David Rutt, Esquire

The Workshop Session convened at 7:45 p.m.

Ordinance 2011-28/Chapter 193-Solid Waste/Yard Debris

Below proposed ordinance was reviewed by city council:

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF MILFORD, CHAPTER 193, THEREOF, ENTITLED SOLID WASTE, BY AMENDING CHAPTER 193, SOLID WASTE, TO INCLUDE A DEFINITION FOR YARD WASTE IN ARTICLE I AND AMENDING §193-9 TO §193-12 AS CONTAINED IN ARTICLE II.

ORDINANCE 2011-28

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

Section 1. Chapter 193, Article I, Collection and Disposal, Section §193-1, entitled Definitions, is hereby amended by adding thereto the following definition:

YARD WASTE-- The part of solid waste consisting of leaves, grass clippings, twigs, small branches (less than 4 ft. in length), shrubbery, prunings and other garden material.

Section 2. Chapter 193, Article II, Yard Waste, Section §193.10, entitled Containers, is hereby amended by renumbering §193.10 to §193.9, and deleting and adding thereto the following new §193-9:

§193-9 - Containers. Leaves, grass clippings, tree trimmings, shrubbery or other garden and yard waste or matter for collection by the city shall only be placed in an approved yard waste container provided by the City of Milford. Containers will only be provided to those residents who request a container. ~~adequate containers so as to confine said materials, except as allowed in §193-11. The container shall not exceed 30 gallons in capacity.~~

Section 3. Chapter 193, Article II, Yard Waste, Section §193.9, entitled Unlawful Acts; Containment Required, is hereby amended by renumbering §193.9 to §193.10 and deleting and adding thereto the following new §193-10:

§193-10 - Unlawful Acts; Containment Required.

It shall be unlawful to deposit or place any leaves, grass trimmings, tree trimmings or other vegetative debris or matter into a city street or drainage gutter. Said materials shall only be deposited in ~~adequate containers/receptacles or confined in such a manner as to prevent said material from being blown or washed into adjoining yard areas or streets~~ approved yard waste containers as provided for in §193-9.

A. Exemption. Containers not required for loose leaf collection as provided for in §193-11(B)

Section 4. Chapter 193, Article II, Yard Waste, §193.11, entitled Loose Leaf Curbside Collection, is hereby deleted and repealed:

~~§ 193-11. - Loose leaf curbside collection.~~

~~[Added 10-11-2004 by Ord. No. 2004-102 [26]]~~

- ~~1. Loose leaves may also be raked and placed behind the curb for removal by the City's leaf vacuum at no additional cost.~~
- ~~2. Leaves must be free of stones, branches, brush and grass clippings or they will not be collected in this manner.~~
- ~~3. It is illegal to place, sweep or blow leaves and other yard waste into the street, storm drains or catch basins.~~

Section 5. Chapter 193, Article II, Yard Waste, is hereby amended by adding a new §193.11, entitled Collection Procedures, to read as follows:

§193-11. – *Collection Procedures.*

- A. *The City will provide for the collection of leaves, branches and tree trimmings from April 1 through October 31 of each year, provided that such refuse is deposited into the yard waste containers provided for in §193-9. Disposal of leaves, branches and tree trimmings that will not fit into the container shall not be the responsibility of the City of Milford. Property owners will be responsible for removing and disposing of all yard waste which does not fit into the approved yard waste container.*
- B. *The City will provide for loose leaf curbside collection from November 1 through January 31 in accordance with the following conditions.*
 1. *Loose leaves shall be raked and placed behind the curb for removal by the City's leaf vacuum.*
 2. *Leaves must be free of stones, branches, brush and grass clippings or will not be collected.*
 3. *It is illegal to place, sweep or blow leaves and other yard waste into the street, storm drains or catch basins.*

Section 6. Chapter 193, Article II, Yard Waste, is hereby amended by renumbering §193-12 to §193-13.

Section 7. Chapter 193, Article II, Yard Waste, is hereby amended by adding a new §193.12, entitled Collection Schedule, to read as follows:

§193-12. – *Collection Schedule.*

- A. *The city will collect yard waste as described in §193-11A once every other week.*
- B. *The loose leaf curbside collection as described in §193-11B will be collected once each week.*
- C. *The City Manager shall divide the city into districts and schedule the collection of yard waste and loose leaf curbside collection, in these districts on the day or days and at the times that shall be most efficient and convenient to the city.*
- D. *Adequate notice of the collection schedules shall be given to the residents with the dates and times and any changes thereto.*

City Manager Carmean then discussed the amendments to the proposed ordinance. The city will offer yard containers to those residents who wish to participate in the yard waste program. Currently, we have 500 containers that can be used; any more than that will need to be purchased.

He said that initially residents were going to be required to purchase the containers, however, Mr. Carmean feels that would not be worth the process needed to accomplish that.

Though the city manager chose not to prolong the meeting by having Public Works Director Brad Dennehy provide council with the photos he has taken of various yard waste situations, most of what Mr. Carmean observed cannot be addressed for a \$23.50 fee. He emphasized that whole trees are being cut down and piled on the curb for city crews to collect. As a result of these ongoing issues, it was decided that containers will be offered to our customers who want to participate. He noted that several council members, including Mr. Brooks, who do continuous yard work, were given containers for a test run. All find the containers to be adequate.

Mr. Carmean advised the city will be pick up yard debris every two weeks as is done with recycling. Half the town will be picked up one week and the other the following week.

The city manager added that if the container is filled by the customer during the off-week, they will have the option of calling public works and arrange for an additional pickup. Currently, our crews are riding the entire city unknowing who or how many residents have put yard debris out to be picked up.

He explained there is a potential workman compensation issue being created by our employees pulling branches out of huge piles while attempting to chip them.

A question was raised about if a resident who already has a can needs the one provided by the city. Mr. Carmean explained that the city will provide tippable cans that can be lifted and dumped mechanically. When the containers are stuffed with a large amount of yard waste, they become extremely heavy which has created the problems for our employees.

Joe Palermo of 5 Misty Vale Court, Meadows at Shawnee, recalled a discussion that occurred last year when it was stated that 32 gallon containers could be used. He stated that a number of his neighbors, including himself, purchased 32 gallon cans for this use, which they put out on Wednesdays to be picked up.

Mr. Palermo thought the only outstanding issue was whether yard waste would be picked up once a week or once a month. He asked if the city is now going to require an additional can.

Mr. Brooks stated that a resident does not have to take the can. Mr. Palermo explained that he already has a can and asked why he needs another one. He then asked if this is optional and not mandatory, Mr. Carmean stated yes.

Mr. Grier clarified the question is whether a resident can continue to use the 32 gallon cans. It was then emphasized they will no longer be permitted. Mr. Pikus explained our crews are unable to lift these heavy cans and instead want it picked up like our regular trash.

Ms. Wilson feels it is not really optional because if the 32-gallon can is jam packed, it becomes too heavy which can result in injury to our employees. The recommendation is that our residents obtain the city-issued containers.

Mr. Palermo said he is unaware of that problem occurring yet. Most of the residents he knows purchased 32 gallon containers from Ace Hardware. He has not seen anyone that was unable to lift those containers. Ms. Wilson stated she understands and Mr. Palermo's neighbors would be upset if the city crews did not pick up their yard debris because it is not in the correct container.

Mr. Carmean said he has to agree with Mr. Palermo and that most of the time the crews try to haul anything that is put out. However, our insurance carrier is much happier with the tipping cans versus the standard container that must be lifted and dumped manually.

Mr. Brooks then advised that the problem at Meadows at Shawnee is the lack of space. According to their HOA rules, the containers must be kept out of sight. Mr. Palermo advised that he had to build a wrap around his garbage pail. He also has a 32-gallon agriculture pail and is unaware of any problems created by its weight.

The city manager said he is unaware of any injuries up to this point with the lift cans. However, this change was recommended by Public Works Director Brad Dennehy and our solid waste employees agreed.

Mr. Carmean forgot that the HOA's did not allow residents to leave their cans out so he does not have an answer. Mr. Brooks explained that Mr. Palermo has a trash container, a recycling container, a 32-gallon container and now another container being issued by the city. He said he only has so much room in his garage. On the other hand, we also must consider city employees and the prevention of injuries.

Mr. Palermo said the common sense solution is that if a pail is found to be heavy and burdensome, it should not be picked up by crews.

Mr. Brooks feels that if that occurs, the resident would call the city office and complain.

Though unable to speak for others, Mr. Palermo said that now he is aware of this, he would never put a heavy pail out to be picked up. To him, it is common sense.

Ms. Wilson suggests the city contact the HOA presidents to inform their residents they can keep their cans that will only be picked up with a minimal amount of yard waste.

Chuck Rini of 119 Ginger Lane, Knotts Landing, agrees with Mr. Palermo that all cans under the jurisdiction of an HOA must be out of sight. He stores his trash and recycle bins in the garage. Some homeowners have fences around their cans because of the smell they create in a garage. He asked if the purpose of the new cans is to allow the waste to be recycled and used for compost.

Mr. Carmean explained that is what is being done now.

Mr. Rini asked to discard corn husks, banana peels and potato skins into the yard waste container to reduce our trash weight. He noted it is all recyclable for compost.

The city manager stated he is unsure but will confirm whether corn husks can be included though banana peels, apple cores, potato skins are not allowed.

Mr. Carmean said he will bring this ordinance back before council for further discussion. In the meantime, he will give these issues some additional consideration and in particular, the HOA situation. He emphasized this was not initiated by our crews because they are willing to pickup anything. Instead, it is a matter of insurance.

Washington Street Sewer Pump Station/DBF Erik Retzlaff

Mr. Retzlaff said he is present to push along the rehabilitation project. This station is along the river and one of the largest pumping stations in the city. He then presented the following PowerPoint:

Washington Street Sewage Pumping Station Rehabilitation Project

Project Need

- *Facility was constructed in 1977 and the pumps, piping and equipment have outlived their useful life*
- *Grinder continuously clogging; requiring constant maintenance*
- *Pumps not operating as designed and facility is easily overwhelmed during periods of high sewage flow resulting in significant costs to have an outside septic company assist with pumping and hauling the excess*

Current Status

- *Both pumps are failing*
- *One of the pumps is leaking and in need of immediate replacement*
- *City installed a bypass connection in December to facilitate this project*

Scope of Repairs

- *Replace both pumps, grinder and all internal piping and valves*
- *Replace electrical service, motor controls and instrumentation*
- *Replace existing roof and other housekeeping improvements*
- *Install odor control system*
- *Coordinate electrical improvements with the Water Plant replacement project as facility is served from the Water Plant*

Project Funding

- *Project was included in Bond Issuance for Sewer Improvements that also included the current I&I work*
- *Originally budgeted \$1,900,000 for pump station improvements at Washington Street and Fisher Avenue*
- *\$1,000,000 was transferred to the I&I work leaving \$900,000 for the improvements*
- *Estimated Construction Costs for the project are \$676,700*
- *Engineering Design & Bid Procurement Phase Costs are \$61,800*
- *Construction Phase Costs are estimated at \$51,150*

Mr. Pikus asked if the cost of this project is connected to the \$4 million water project; Mr. Retzlaff stated no. Mr. Pikus asked if there is a possibility of obtaining a grant for this work. Mr. Retzlaff explained the time frame needed for the application process will not benefit the city because this project needs to move forward.

Mr. Retzlaff then noted that a major item that will need to be coordinated is the service to the pump station site that goes through the water plant and to the pumping station. As a result, some type of temporary service needs to be put in place to keep it running.

Mr. Brooks asked the total cost needed. According to Mr. Retzlaff, the project is included in the bond issuance for sewer improvements (I&I work). He reported the original budget of \$1.9 million was earmarked for the Washington Street and Fisher Avenue pumping stations. Of that, \$1 million was moved to pay for the I&I work which cut the budget in half. Based on the estimates for construction improvements, the total project is \$795,000. The \$900,000 balance should more than cover the work as estimated.

Mr. Brooks then confirmed that no work will be done to the Fisher Avenue pumping station; Mr. Retzlaff stated that is correct though there could be some funding left to do some minor work. Also, minimal repairs could be done to the Washington Street pumping station though he recommends a major overhaul due to the age of the facility.

When asked what work is needed at Fisher Avenue, Mr. Retzlaff explained that it is less work than needed at Washington Street. Mr. Carmean confirmed that several upgrades were done there over the years. This pump station is not nearly as antiquated as Washington Street. The Fisher pump station has also increased in size and the equipment is in much better

operating condition. Mr. Retzlaff agreed it is a newer design with provisions built in to allow for bypass pumping. One of the major concerns was on the suction side and discharge side of the pump and the valves that allow the pump to be removed. Unfortunately, there is no way to tell if those valves will hold. To turn the valve off and disconnect the piping would be difficult without an over abundance of water which could result in a huge spill.

Mr. Brooks then asked if it was possible to bypass around it; Mr. Retzlaff said the provision was installed to allow for bypassing this past December. The repairs to the remainder of the station need to occur.

Mr. Pikus asked the options; Mr. Retzlaff explained the options are to either make some small repairs or do the big project which is what he recommends. Also, one of the major items included in the sewer bond issuance was odor control. He noted that odor complaints are continuously received during the Bug N Bud and Riverwalk Festivals as a result of the pump station.

Mr. Gleysteen asked the difference between the estimated construction phase costs and estimated construction costs. Mr. Retzlaff advised the construction phase costs include the inspection and contract administration costs. The engineering design phase is based on fixed costs in DBF's contract. The construction phase costs are estimated and based on the amount of time they will need to administer the contract and the number of inspections which can fluctuate depending upon the quality of the contractor that will be hired.

Mr. Gleysteen confirmed there is approximately \$113,000 in total engineering design phase costs. He asked if Mr. Retzlaff would provide a copy of the estimate for the engineering design phase costs and the construction phase costs to the city manager. Mr. Retzlaff responded by explaining that those costs were broken down in the proposal.

Mr. Gleysteen then noted that the original budget of \$1.9 million for the Washington Street and Fisher Avenue pump station improvements. He commented that it appears to be substantially more than what is needed.

Mr. Carmean clarified this was something he did not work on and asked Mr. Retzlaff to explain why \$1 million of the \$1.9 million was dedicated to the I&I work. Mr. Retzlaff believes the rehabilitation work on the pump station will be based on the cost of bypass pumping. That is why they recommended the city purchase a bypass pump they can use and maintain on their own. That will provide the ability to fluctuate the flow rate as needed and allow it to be utilized at the other large stations.

Mr. Brooks then read from the presentation 'included in Bond Issuance for Sewer Improvements that also included the current I&I work'. Mr. Retzlaff verified the I&I work was not included in the \$1.9 million which was specifically for the pump station improvements. He believes the I&I was part of the total bond issue which was approximately \$6 million and included the North Front Street Sewer Project completed under the Clean Water SRF program last year.

It was confirmed the cost of the bypass pump is \$56,000. In some months, the city was paying Clean Delaware \$30,000. Mr. Carmean said the worst scenario is if we had a bad spill into the river.

Mr. Gleysteen agrees the bypass pump is a wise decision based on paying out \$30,000 for only one month.

The city manager noted that bypass pump can be used on other stations if there is a problem. It was reconfirmed by Mr. Retzlaff that the bypass pump can be maintained in-house by city staff.

Mr. Gleysteen asked the capacity of the proposed replacement pumps; Mr. Retzlaff advised the original pumps were sized to handle 2,000 gallons a minute. The replacement pump will be the same manufacturer and same capacity.

The size of the bypass pump is able to handle Fisher Avenue which is the pump station with the largest flow. It can easily meet the needs of the other pumping stations.

Mr. Carmean will put policies in place to ensure regular and proper maintenance of this equipment. He reported that another major problem is the valves on our 1,800 hydrants.

When asked the next step, Mr. Retzlaff stated that city council needs to approve the proposal. Because the proposal was not included, the item will be added to the next council meeting.

With no further discussion, the Workshop Session concluded at 8:15 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Terri K. Hudson".

Terri K. Hudson, MMC
City Clerk/Recorder