

MILFORD CITY COUNCIL
MINUTES OF MEETING
August 10, 2009

The Regular 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, August 10, 2009.

PRESIDING: Mayor Daniel Marabello

IN ATTENDANCE: Councilpersons Steve Johnson, Michael Spillane, John Workman, Jason Adkins, Owen Brooks, Jr., James Starling, Sr. and Katrina Wilson

ALSO: Police Chief Keith Hudson and City Clerk/Recorder Terri Hudson

The Monthly Meeting commenced at 7:21 p.m.

INVOCATION AND PLEDGE

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

APPROVAL OF PREVIOUS MINUTES

Motion made by Mr. Workman, seconded by Mr. Brooks to approve the minutes of the July 13, July 23 and July 27, 2009 meetings as presented. Motion carried.

RECOGNITION

Boys and Girls Club/Ellen Degeneres Wacky Chair Contest

Mayor Marabello announced the Milford Boys and Girls Club is participating in the Ellen Degeneres Wacky Chair contest and encouraged everyone to support the club by voting on line for the Milford Chair.

He then read the following proclamation into record:

PROCLAMATION 2009-11

BE GREAT AT THE GREATER MILFORD BOYS & GIRLS CLUB DAYS

WHEREAS, the Greater Milford Boys & Girls Club provides an assortment of fun, informative and educational programs to children each day at its new, state of the art facility;

WHEREAS, in today's world, it is our young people that give our city its competitiveness and it is our responsibility to support and motivate them as they strive for excellence often through creative and unique activities;

WHEREAS, this year, the Delaware State Fair is hosting the Ellen Degeneres "2009 Wacky Chair Contest";

WHEREAS, Members of the Greater Milford Club are participating with nine other Boys and Girls Clubs in designing and creating a "wacky chair" for an episode of the Ellen Degeneres Show in September 2009;

WHEREAS, Imaginative drawings were submitted by the children which has culminated into Artist Mary Ann Quinn cleverly and collectively incorporating those designs onto the chair to accurately reflect the contest's theme "Be Great at the Delaware State Fair";

WHEREAS, Voting for the chairs will take place on the Boys and Girls Clubs of Delaware website <http://www.bgclubs.org> from July 13th through August 28th, 2009; and

WHEREAS, half of the proceeds from the voting and auctioning of the winning and remaining chairs will go back to the Boys & Girls Clubs of Delaware, of which 10% will go to the winning club.

NOW, THEREFORE, I, Daniel Marabello, Mayor of the City of Milford, do hereby proclaim July 24th - August 28th as "Be Great at the Greater Milford Boys and Girls Club Days."

AND I FURTHER urge the citizens of this community to support the Greater Milford Club by voting on their behalf and making additional donations to benefit the Boys and Girls Clubs of Delaware.

Boys and Girls Club Director Maria Edgerton and several members were present to accept the proclamation.

POLICE REPORT

Police Committee Member Wilson presented the monthly police report due to Chairman Morrow's absence. Mr. Starling moved to accept Chief Hudson's report, seconded by Mr. Spillane. Motion carried.

CITY MANAGER REPORT

City Manager Baird read the following report into record:

City Hall (Admin Goal)

We are making final preparations for relocation back to City Hall. The furniture is expected to be delivered and installed the week of August 24. City staff members will be moving themselves with assistance from other departments as needed. It is anticipated that services be fully operational by September 11.

Mr. Baird advised of a small setback. Last Thursday morning, some water was found coming into the basement through the boiler room and the main hallway area. He is currently working with the contractor to determine the possible cause and prevent it from occurring again.

Annual Financial Audit (Finance Goal)

Mr. Portmann and the Finance staff have been diligently working on closing FY08-09 that was effective June 30, 2009. Mr. Portmann has been in contact with the City's auditor Heffler, Radetich & Saitta, LLP and they have scheduled September 21-25, 2009 to be in Milford for field work associated with the City's annual financial audit.

SE Downtown Neighborhood Project (Inspections & Permits Goal)

City Code Officials and myself met with residents of the neighborhood on Thursday, August 6, 2009 and provided an update on efforts for improvements in the neighborhood. The Code Officials have been focusing on removal of abandoned/junked vehicles, progress of the rental inspection program that has exposed dangerous living conditions, and property maintenance issues, especially those associated with vacant buildings. In addition, representatives of Milford Housing Development Corporation (MHDC) were in attendance to discuss various ways that they may be of assistance to the City and the property owners in the area.

The next meeting will be held between mid and late October.

Update of City's Standard Construction Specifications (Engineering Goal)

Mr. Mallamo has started a comprehensive review and update of the City's Standard Construction Specifications. The last update was completed in April 2004 with minor amendments made since then. It is anticipated this review will be completed in late fall and presented to City Council by the end of the year.

Some outside sources will be used to help speed the process along at a minimal expense to the city.

Mispollion Tributary Action Team (Parks and Rec. Goal)

The Tributary Action Team met on Wednesday, July 29, 2009 and the City was represented by Gary Norris and Gary

Emory. The efforts of the TAT has resulted in the preparation of a draft report that defines the watershed, identifies the problem, explains the TAT process and outlines three approaches for improving the health of the watershed. The report has been circulated among TAT members for review and comment and will be the basis of discussion over the coming weeks. The report is expected to be finalized at the next TAT meeting September 2, 2009.

Inflow & Infiltration Study (Engineering Goal)

URS has completed its analysis through metering and weir testing that was conducted over the past 6 weeks and they are now preparing the associated reports for review with the City. Preliminary results have found several areas of the City have high night-time flows that are signs of a significant I&I problem. The City will continue to work with URS on further options to correct this problem as the City spent approximately \$700,000 in FY08-09 on what is believed to be I&I related flows.

N.E. Front Street Streetscaping Project (Admin. Goal)

DBF, DMI and the City have been coordinating with property owners along NE Front Street regarding easements that will be necessary for the project to proceed. The property owners have been supportive thus far and the issues raised have been easily addressed. The Phase I project cost estimate is \$908,728.25 which is well over the \$625,000 budget for the project.

The estimated cost for utility relocation is \$662,300 and while this is still over budget, we are continuing to work with DBF and DMI on ways to bring the project within budget in order to proceed with the project.

Ms. Wilson moved to accept city manager report, seconded by Mr. Brooks.

When asked if there are any questions, Mr. Workman asked the return date of the city manager, administrative assistant and city clerk to city hall. Mr. Baird said the intent was that everyone to return at the same time. Plans were made to move in advance, but for the most part, the city clerk and the rest of the staff will be working out of city hall once the furniture is delivered on September 11th date. However, he is now reluctant to put any staff there until a cause and solution has been determined. He met with the contractor last Thursday and will meet with them again on Wednesday.

Mr. Workman said the curbside recycling has again picked up and encouraged residents to continue to use the service. He emphasized the convenience of the single stream recycling in which all recyclables are mixed together which saves a great deal of time and effort to sort the items.

Mr. Spillane asked the status of the Hearthstone report completed by City Engineer Mark Mallamo in June. Mr. Baird advised there has been continued dialogue with Mr. Mallamo and the design engineers who were involved in the early stages of Hearthstone Manor. They will be meeting with Hearthstone representatives on Thursday to begin the dedication process for their completed phases. At that time, the next steps will be discussed and what is expected of each party.

Mr. Spillane thanked Mr. Baird for putting the topsoil ordinance adopted in 2008 in the specs manual. Mr. Baird reported that the ordinance added to the manual a couple of months ago was put in an incorrect area. It has been corrected and is now properly reflected.

Motion carried.

COMMITTEE REPORTS

HOA Committee

Chairman Spillane advised the HOA Committee will meet tomorrow night, August 11th at 6:00 p.m. at city hall. Currently, there are eight members.

He received one additional application from Joe Palermo of Meadows at Shawnee; however, he has contacted a couple of potential members but has not heard back from them yet.

City Solicitor Willard stated he is unable to attend, but will be available by e-mail.

Mr. Baird advised a revised application prepared by Councilman Spillane was completed by all committee members.

Charter Meeting

The Charter Review Committee is meeting Thursday, August 13th at 10:30 a.m. at City Hall.

Chairman Spillane asked that Mr. Willard provide the latest draft of the charter prior to the meeting. Mr. Willard agreed to e-mail the document showing his recommendations.

COMMUNICATIONS

Mayor Marabello reported the German Festival, Art and Jazz Festival and Multi-Cultural Festival will take place on August 22nd. He encouraged everyone to participate.

The mayor also announced the Cemetery Committee consists of himself, Councilwoman Wilson, Parks and Recreation Director Gary Emory, Sipple Monuments Representative Scott Sipple and some other private citizens. The committee has approved some work be done to the wall on Walnut Street. Other work will be done once more money is made available through some planned fundraising efforts.

UNFINISHED BUSINESS

2008 Comprehensive Plan Certification

A letter received from Governor Jack Markell, dated July 7, 2009, advised the Comprehensive Plan for the City of Milford was certified as of July 7, 2009. The certification signifies the comprehensive plan complies with the requirements of Delaware Code Title 22, Section 702.

Mr. Baird advised that action can now be taken on pending applications.

He then acknowledged the efforts and work of City Planner Gary Norris, along with City Planning Commission Chairman Chuck Rini, who were instrumental in making sure the plan came together. He added that with the exception of the mapping, the entire plan was completed in house.

Steve Buckles on behalf of Joy Courtney for a Change of Zone from R-1 (Residential) to OC-1 -Adoption of Ordinance 2009-5

City Planner Norris advised that more than a year ago, an application was submitted from Steve Buckles on behalf of Joy Courtney to rezone a small parcel of land from R-1 to OC-1. At that time, final action could not be taken because it was not in conformance with the city's comprehensive plan. With the acknowledgment of its certification, the proposed zoning is now in conformance. Public hearings were held before both the planning commission and city council. The planning commission recommended approval by a vote of 8-0.

Council postponed action until the comp plan was certified.

Mr. Workman then referred to the following correspondence from Jessica Watson, Program Director of the Sussex Conservation District:

The Sussex Conservation District has no objection to the zoning change from residential to OC-1 for the purpose of resale for the above referenced property. Please note that if future development plans require site disturbance of 5,000 square feet or more, a sediment and stormwater plan will be required to be submitted to the District for review and approval.

He asked the record to reflect this requirement and asked that the owner and future owner be properly informed.

Mr. Adkins moved to adopt Ordinance 2009-5 approving the change of zone at 820 Seabury Avenue from R-1 to OC-1, seconded by Ms. Wilson.

CITY OF MILFORD ORDINANCE 2009-5

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILFORD, DELAWARE PERMITTING A CHANGE OF ZONE FROM R-1 (RESIDENTIAL) TO OC-1 (OFFICE COMPLEX) AT TAX PARCEL 1-30-3.11-055.01 TO ALLOW A DENTAL OFFICE.

Whereas, Steve Buckles has filed an application on behalf of Joy Courtney with the City of Milford for a Change of Zone at 820 Seabury Avenue, Milford, Delaware; and

Whereas, the Planning and Zoning Commission ("Commission") conducted a Public Hearing on February 17, 2009 pursuant to notice required by law; and

Whereas, subsequent to the Public Hearing and discussion by the Commission, the Commission elected by majority vote to forward the application to the City Council with a recommendation for approval; and

Whereas, following a duly advertised Public Hearing on March 23, 2009, the City Council concurs with the recommendation of the Planning Commission and those condition(s) stated in Resolution No. PC09-005 as adopted by the Planning Commission.

Now, Therefore, the City of Milford hereby ordains as follows:

Section 1. The City Council accepts the recommendation made and entered into by the Planning Commission in support of the Change of Zone from R-1 to OC-1 of 1.0 +/- Acres at 820 Seabury Avenue, Milford, Delaware.

Section 2. The City Council hereby approves the Change of Zone of Parcel 1-30-3.11-055.01 to an OC-1 Zoning District.

Section 3. In granting the Change of Zone, the City Council designates any applicable condition(s) set forth in Resolution No. PC09-005 adopted by the Planning Commission on February 17, 2009.

Section 4. Dates.

Adopted: August 10, 2009

Effective: August 20, 2009

Motion carried by unanimous roll call vote.

William Jackson and Thomas Payton for a Change of Zone of .292 +/- Acres from R-1 (Residential) to C-3 (Commercial) -Adoption of Ordinance 2009-6

City Planner Norris recalled the application submitted by William Jackson and Thomas Payton for a zoning change from residential to commercial. A public hearing was held before the planning commission who recommended approval by a vote of 6-2. A public hearing was then held by city council at which time several people spoke in opposition of the change.

Mr. Norris advised the comprehensive plan has since been certified to reflect the proposed change of zone.

Mr. Johnson stated the change of zone is to make the property more valuable though nothing is currently planned for the new zone. Mr. Norris said that to his knowledge, the applicant indicated it is a residential rental property with interest in a commercial use and possibly a professional office. The planner recalled Ms. Wilson's concern regarding off street parking at which time Mr. Norris responded that any new use would have to conform with the zoning ordinance and meet

any off street parking requirements for the commercial use.

Mr. Johnson reiterated there is no concrete plan though council is being asked to approve this which would allow many uses in that zone. Mr. Norris stated that is correct and he does not have personal knowledge of what is planned.

Mr. Baird referenced Mr. Johnson's comment about anything is permitted and clarified it would only be those uses permitted in the C-3 district.

Ms. Wilson stated the application indicates the proposed use is for an office, salon and spa. Mr. Baird added that does not restrict the owner to those uses but instead would allow any use in the C-3 zone. However, he is unsure if everything permitted would be practical for that size property.

Mr. Workman agreed that changing the zone often increases the value of the property. He noted the importance that those uses benefit the overall city.

When asked why the zoning in the comp plan changed in that area of town to a commercial use, Mr. Norris explained that because it is a main arterial, the land north and west of Route 113 was designated highway commercial. Considering the amount of traffic volume on Route 113 and the expectation it will increase on that route, in his opinion it should be designated commercial land. He noted that north and south of this property are heavy commercial sites. This is a small residential area between two commercial areas.

When asked the reason for the two dissenting votes, Planning Commission Chairman Chuck Rini stated that Commissioners Kim Stevenson and John Kramlich did not give reasons at the time of the vote. However, the minutes reflect some comments made during the meeting. Ms. Stevenson discussed with the city solicitor that all city property was to be rezoned within an 18-month period; Mr. Willard responded that is not the case and each application is considered on a case-by-case basis though it must conform to the comp plan.

Mr. Rini added that Mr. Kramlich stated he felt that changing this zone would create a commercial island in a residential community.

Mr. Willard then explained that with a change of zone, should the applicant present a concept plan, it is only an idea and the applicant cannot be held to that plan. He explained that we do not want speculative zoning just to increase the value of a property. The analysis on a site plan and zoning should be different. On zoning, there is more of a general application under the guidance of the comp plan. The next analysis should determine whether the infrastructure is there to support any development. Ultimately, the decision is based on the welfare and safety of the city.

The solicitor said that thirdly, council should decide if it adversely affects neighboring properties and this does fit.

He added that Commissioner Stevenson was referring to a proposed 18-month regulation that has not been settled in Delaware. Mr. Willard is only aware of one town that approved a comp plan and then unilaterally rezoned all of their property, without applications, to what that should be. Most towns use the comp plan as their vision and if an applicant wishes to rezone, they are required to apply and the legislative bodies consider it favorably. However, the other analysis' should also be considered.

In this application, Mr. Norris has indicated there is other commercial in the area, the location is on a major highway and is in a designated area by the city to be commercial. Therefore, it should not adversely affect other properties. However, he recalls a neighbor at the public hearing objecting to the application based on what could go there though that is not known at this time.

When asked how close this property is to the residential sites and whether it is surrounded, Mr. Norris advised the homes are south of this property and there may be one north as well. Beyond that, it is farmland. He does not feel a large commercial use would be conducive considering the size of the lot. In addition, off street parking requirements must be met and he believes it would be difficult to fit a high end commercial use.

Mr. Willard agrees with Mr. Norris noting that DELDOT may have some entrance/exit issues adding that those concerns will be controlled at the site plan level.

Ms. Wilson moved for adoption of Ordinance 2009-6 approving the change of zone from R-1 to C-3, seconded by Mr. Starling.

Ordinance 2009-6

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILFORD, DELAWARE TO AMEND THE ZONING MAP OF THE CITY OF MILFORD BY REZONING FROM R-1 (RESIDENTIAL) to C-3 (COMMERCIAL) .29 ACRES LOCATED AT 805 NORTH DUPONT BOULEVARD, TAX PARCEL MD-16-174.17-01-09.00-000.

Whereas, the City of Milford has been requested by William Jackson and Thomas Payton to rezone .29 acres located at 805 North DuPont Boulevard; and

Whereas, the Planning Commission has reviewed the application and has presented item to be considered by the City Council, and;

Whereas, the City Council held an advertised public hearing on May 26, 2009 to allow for public comment on the application; and

Whereas, it is deemed in the best interest of the City of Milford to change the permitted zone from R-1 to C-3 in a plot located 316 feet northeast of Rogers Drive.

Now, Therefore, the City of Milford hereby ordains as follows:

Upon the adoption of this ordinance, the land currently zoned R-1 (Single Family Residential District) located at 805 North DuPont Boulevard, Tax Parcel MD-16-174.17-01-09.00-000, is hereby zoned C-3 (Highway Commercial District).

Adopted: August 10, 2009

Effective: August 20, 2009

Motion passed by the following 5-2 roll call vote:

No-Johnson, Spillane,

Yes-Workman, Adkins, Brooks, Starling, Wilson

Silicato-Wood Development/City Buy Back Agreement

Mr. Baird recalled at the last meeting council asked for the difference in the cost of installing the pipe now versus waiting until the Silicato construction was completed and proceeding with the county. He reported the cost to proceed along with the Silicato work is \$212,045. By waiting, the total cost would be \$357,862. The major difference is the installation of the 18-inch ductile iron force main of \$40,000 which is a 15% increase over the previous estimate because of the tighter construction area. The other cost increase of \$105,000 is related to the jack and bore required by going further across the newly constructed area. The overall savings by proceeding at this time are \$145,817.

He then reported that last Wednesday, Mr. Baird and Mr. Duplechain met with Kent County Public Works Director Hans Medlarz to review the options associated with the force. Based on some alternatives, Mr. Medlarz requested the city defer any action on the Silicato agreement because other options are being pursued with less easements. The costs will be similar to the preliminary proposal. However, it appears there will be less disruptions on roadways which will be in the best interest of the county from a long term maintenance aspect as well.

Mr. Baird's recommendation is not to take any action at this time.

Mr. Workman asked if Mr. Baird spoke to the county before or after Mr. Silicato indicated he was willing to do this combined work and this was brought to council. Mr. Baird explained there were conversations with the county before the proposal was presented to council. The agreement was the result of a meeting with the city, the county and the USDA. Mr. Silicato was then approached and asked if he would be interested. After the last council meeting, Mr. Medlarz reviewed the plans and decided that another option would be more feasible.

The city manager emphasized that this is a county project being done on behalf of the city. Therefore, it is their decision where the alignment is installed. Mr. Workman agreed the county needs to make that decision and take control of the project.

The consensus of council was that no action be taken on the matter.

NEW BUSINESS

Adoption of Fiscal Year 2009-2010 Tax Warrant

When asked for a comparison to last year's tax warrant, City Manager Baird reported that exemptions slightly increased due to the change in senior citizen income limits that almost doubled. Additional changes were made based on recent city council actions. Overall, the total collected is slightly less than last year.

Mr. Workman moved to adopt the following Tax Warrant, seconded by Ms. Wilson:

GREETINGS:

The Charter of the City of Milford provides the following:

"Article X, Section 10.11: Attached to said tax list shall be a warrant, under the Seal of the City of Milford, Signed by the Mayor and Attested to by the Secretary, commanding the City Manager to make collection of Taxes as stated in the Tax Lists."

THEREFORE, YOU, THE CITY MANAGER, DULY APPOINTED BY THE COUNCIL OF THE CITY OF MILFORD, ARE HEREBY COMMANDED TO COLLECT THE TAXES AS LEVIED IN THE FOUR WARDS AS FOLLOWS:

Assessed Per Billing Register	\$756,994,775.00
Exemptions	[123,671,000.00]
TOTAL ASSESSED VALUE	\$633,323,775.00
	x .0046
ESTIMATED TAX PER PROPERTY VALUES	\$2,913,289.37
Senior Citizen Discount	[12,512.00]
TOTAL TAXABLE (Fiscal Year 2009-2010)	\$2,900,777.36

Given this 10th day of August in the Year of Our Lord 2009

Mayor Daniel Marabello

Attest: Teresa K. Hudson, City Clerk

Motion carried by unanimous roll call vote.

Planning Commissioner Terms

Mayor Marabello reported there is still a vacancy on the planning commission. In addition, the terms of the following three members will expire on September 1, 2009:

John Kramlich-1st Ward
James Burke-2nd Ward
Marvin Sharp-3rd Ward

The new terms will be three-year terms.

No new applications have been received; the mayor asked council to review the current resumes and be prepared for a vote at the August 24th meeting.

Those persons still interested are as follows:

Keith Gramling-1st Ward
Michael Ward-1st Ward
Frank Bason-1st Ward
Patty Atkinson-1st Ward
Paul Hayes-2nd Ward
Lorraine Piper-3rd Ward
Archie Campbell-3rd Ward

The mayor confirmed that all wards are currently equally represented. Therefore, the additional member can come from any of the four wards.

Mr. Workman recommended we continue with the process previously used for selecting commissioners and ask they come before council and be interviewed. The mayor asked if only the new applicants should go through the process, as council has already interviewed some of the candidates and referenced Paul Hayes.

The mayor will contact the applicants and have them attend the next meeting for an interview session. Also at that meeting, reappointments will be considered on the current commissioners whose term expire September 1st.

Planning Commission Chairman Chuck Rini thanked council for staggering the terms of the commissioners to expire on different years. He then asked for a clarification of the expiration date and not just the month and year. His concern is what will occur at the September meeting if the new appointments are not made until September. Mayor Marabello responded that to prevent any lapses, those terms would be extended for one month.

Because of a concern expressed that the interviews would be rushed, council agreed a special meeting would be scheduled. A date will be decided by the mayor who will follow up to assure council members are available.

Overview/Southeast Master Planning Efforts

City Planner Gary Norris recalled that two years ago, there were three large parcels (Red Cedar Farm, Isaacs Farm & Mills Farm) east of Route 1 annexed into the City of Milford. The Office of State Planning required a Memorandum of Understanding or Memorandum of Agreement be prepared. The agreement was prepared and signed off by the city, Department of Agriculture, Office of State Planning, DELDOT and DNREC. The city was required to do a number of things including the preparation of a master plan for that area. Mr. Norris has been working on that over the past year and has been meeting with representatives from several state agencies. A series of meetings will be scheduled to begin this fall. Currently, there are 1,000 property owners in that southeast planning area. Preliminarily, those property owners will be invited to several meetings to obtain their input on development, land use, transportation problems and environmental problems.

Mr. Baird added that this land use plan will be a much broader prospective than that of the comprehensive plan. He explained the reason there are many property owners is because the whole southeast area identified in the land use plan is the boundary line for this master plan. It contains a number of large developments, some proposed developments as well as a great deal of farmland.

He wanted council to be aware this process is starting to be kicked off and this information will be presented to the planning commission at their next meeting.

Property owners will be asked to gauge their interest and involvement to determine the size of the facility needed to house the forum being proposed.

More information will follow.

Use of Funds/City Hall Building Account

The city manager submitted the following correspondence:

I am requesting to use funds from the City Hall Building Account for the following:

City Hall Roof Replacement: \$14,900.00 -

Two proposals received both for the same estimate. The City is recommending Grant & Sons Roofing due to the fact they are locally owned and have previously worked for the City.

Demolition of 209 S. Washington Street - \$8,375.00

Current Account Breakdown:

\$ 150,000-Initial Budget

\$ 1,171.99-Previously Used

\$60,092.81-Lower Level Refit

\$14,900.00-Roof Replacement

\$8,375.00-Demolition

\$65,460.20 - Remaining Balance

Mr. Baird advised there have been some roof leaks in the corner areas at city hall. An analysis determined the best course of action was to replace the entire roof. Two proposals of \$14,900 were received. One was from a contractor in the Clayton area and the other was from Grant & Sons.

The second proposal is demolition of the home at 209 South Washington Street at a cost of \$8,375. Following demolition, the property will be graded off, leveled and seeded and become a vacant lot until the city makes a decision about its future use.

Following payment to these contractors, the account will have a balance of \$65,460.20.

Mr. Baird confirmed that the roof replacement will not interfere with the employees moving back to city hall.

Ms. Wilson moved for approval of the funds as requested by the city manager, seconded by Mr. Adkins. Motion carried.

MONTHLY FINANCE REPORT

With Chairman Morrow absent due to a family obligation, he had stated that council could proceed with a review of the June finance report. If not, he will review the finance report at the workshop meeting in two weeks.

It was agreed to defer the matter until the August 24th workshop.

ADJOURN

Mr. Baird announced the invitation for the annual Perdue Community Dinner at Shawnee Country Club on September 23rd did not contain a time but will start at 5:00 p.m.

Mr. Workman moved to adjourn the Council Meeting, seconded by Mr. Adkins. Motion carried.

The Council Meeting was adjourned at 8:33 p.m. by Mayor Marabello.

Respectfully submitted,

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

Terri K. Hudson, CMC
City Clerk/Recorder

MILFORD CITY COUNCIL
MINUTES OF MEETING
August 10, 2009

On Monday, August 10, 2009, a Public Comment Session was scheduled in the Joseph Ronnie Rogers Council Chambers of Milford City Hall at 201 South Walnut Street, Milford, Delaware, prior to the commencement of the official City of Milford Council Meeting to allow the public to comment about issues of interest that impact the City of Milford.

PRESIDING: Honorable Mayor Daniel Marabello

IN ATTENDANCE: Councilpersons Steven Johnson, Michael Spillane, John Workman, Jason Adkins, Owen Brooks, Jr., James Starling, Sr. and Katrina Wilson

ALSO: City Manager David Baird, Police Chief Keith Hudson and City Clerk/Recorder Terri Hudson

No person(s) signed up to speak.

Respectfully submitted,



Terri K. Hudson, CMC
City Clerk/Recorder

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PRESIDING: Honorable Mayor Daniel Marabello

IN ATTENDANCE: Councilpersons Steven Johnson, Michael Spillane, John Workman, Jason Adkins, Owen Brooks, Jr., James Starling, Sr. and Katrina Wilson

ALSO: City Manager David Baird and City Clerk/Recorder Terri Hudson

Call to Order

Mayor Marabello called the Special Council Meeting to order at 6:02 p.m.

Executive Session - Pursuant to 29 Del. C. §10004(b)(6); Discussion of the content of documents, excluded from the definition of "public record" in §10002 of this title where such discussion may disclose the contents of such documents.

Mr. Brooks moved to go into Executive Session reference 29 Del. C. §10004(b)(6) to discuss some documents excluded from the definition of "Public Record" as permitted in the Freedom of Information Act, seconded by Mr. Starling. Motion carried.

Mayor Marabello recessed the Special Meeting at 6:03 p.m. to go into a Closed Session.

Return to Open Session

City Council returned to Open Session at 7:18 p.m.

Ms. Wilson moved to instruct the City Manager to reject the proposal as presented, seconded by Mr. Workman. Motion carried by unanimous roll call vote.

The Special Council Meeting concluded at 7:21 p.m. with Mayor Marabello immediately proceeding with the Regular Monthly Meeting.

Respectfully submitted,



Terri K. Hudson, CMC
City Clerk/Recorder