

MILFORD CITY COUNCIL  
MINUTES OF MEETING  
April 28, 2014

A Meeting of Milford City Council was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall on Monday, April 28, 2014.

PRESIDING: Mayor Joseph Ronnie Rogers

IN ATTENDANCE: Councilpersons Bryan Shupe, Garrett Grier III, S. Allen Pikus, Dirk Gleysteen, Owen Brooks, Jr., Douglas Morrow, 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 Councilwoman Wilson.

RECOGNITION

*Proclamation 2014-01/Honoring Gaylord F. Pierce/48 Years of Service/Milford Police Department*

Mayor Rogers presented the following tribute to Former Police Department Employee Gaylord Pierce who retired last August:

*TRIBUTE 2014-01*

*Be it hereby known to all that the Mayor and City Council hereby commend:*

*Gaylord F. Pierce  
In Recognition of Forty-Eight Years of Service with Milford Police Department*

*Gaylord Pierce joined the Milford Police Department after being hired in 1965 by Chief Sydney Steinbeck. A year later, he was injured in an accident while responding to a complaint. In 1967, he was promoted to Patrolman First Class. His commitment to his profession obvious, he continued his rise through the ranks, being promoted to Corporal and then Sergeant in 1968. In May of 1972, it became evident that the injuries sustained in the 1966 accident were taking a toll. He was transferred out of the patrol division but continued his employment as a Police Dispatcher. He remained in that position for twenty-five years and in 1997, became the Terminal Agency Coordinator for the department. On August 1, 2013, he officially retired from the Milford Police Department to care for his devoted and loving wife.*

*The Mayor and Milford City Council, on behalf of the Officials and Employees of the City of Milford, and the Citizens of this Community, do hereby express to Gaylord F. Pierce, sincere and profound appreciate for his extraordinary tenure of dedicated and distinguished public service with the Milford Police Department.*

*Presented during a Regular Meeting of Milford City Council on the 28th day of April Two Thousand and Fourteen.*

*s/Mayor Joseph R. Rogers*

Mr. Pierce was also presented with a specially inscribed pocket watch for his 48 years of service to the police department. City Manager Carmean and Police Committee Chairman Morrow participated in the event.

Chief Hudson and employees of the police department, along with guests and state legislators, honored the long term employee at the time of his retirement.

Also in attendance were Captain Dion Brooks, Lieutenant Kenneth Brown and Lieutenant Edward Huey of Milford Police Department.

*Proclamation 2014-04/Municipal Clerks Week*

The following proclamation was issued by Mayor Rogers prior to the meeting:

MUNICIPAL CLERK WEEK DECLARED  
May 4 - 10, 2014

WHEREAS, the Office of the Municipal Clerk, a vital part of local government and among the oldest of public servants, exists throughout the world; and

WHEREAS, the Office of the Municipal Clerk provides the professional link among the citizens, the local governing bodies and agencies of government at other levels; and

WHEREAS, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; and

WHEREAS, Municipal Clerks continually strive to improve the administration of the affairs of their offices through participation in education programs and professional associations; and

WHEREAS, in 1984 and 1994, Presidents Ronald Reagan and Bill Clinton, respectively, signed a Proclamation officially declaring Municipal Clerks Week the first full week of May, thus recognizing the essential role Municipal Clerks play in local government; and

WHEREAS, it is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk; NOW, THEREFORE, I, Joseph Ronnie Rogers, Mayor of the City of Milford, do hereby proclaim May 4-10, 2014 as Municipal Clerks Week in Milford, Delaware and further extend appreciation to our City Clerk and Deputy City Clerk, and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Milford, in the State of Delaware to be affixed this Twenty-Eighth day of April in the Year of our Lord Two Thousand and Fourteen.

*s/Mayor Joseph R. Rogers*

COMMUNICATIONS

Included in packet.

UNFINISHED BUSINESS

*FY2013-2014 Budget Adjustment/Sewer Reserves Transfer/Washington Sewer Pump Station Project*

The city manager asked that this item be again postponed until the next meeting. He indicated there are still questions on the costs that need to be reviewed with our engineers from Davis, Bowen and Friedel.

*Bid Award/Trash Truck/Solid Waste Department*

As discussed at the April 14<sup>th</sup> meeting, sealed bids were received, publicly opened and read on April 8, 2014 for a 2014 or later model Kenworth Cab and Chassis with a 25-yard Rear Load Packer.

Bids were received as follows:

| TRASH TRUCK BID                 |   | BID AMOUNT  |                           |
|---------------------------------|---|-------------|---------------------------|
| BIDDER                          | LOCATION  | Proposal #1 | Alternate Bid-Proposal #2 |
| Western Star Trucks of Delmarva | 24360 Ocean Gateway<br>Mardela Springs, MD 21837        | \$164,852   |                           |
| GranTurk Equipment Co., Inc.    | One Schuylkill Parkway – Bldg B<br>Bridgeport, PA 19405 | \$157,895   |                           |
| GranTurk Equipment Co., Inc.    | One Schuylkill Parkway – Bldg B<br>Bridgeport, PA 19405 |             | \$157,203                 |

Joe Pieroschek, representing JG Parks and Sons, was in attendance.

Mr. Carmean noted that Mr. Pieroschek, who sells Western Star Trucks, was present at the previous meeting when the bid was initially discussed. At that time, Mr. Pieroschek provided some new information that needed further review. The city manager then followed up with Wilson Fleet who confirmed they would perform any maintenance work and warranty service needed on the vehicle.

Mr. Carmean stated that he appreciated the information provided by Mr. Pieroschek. He recommends the truck be awarded to the lowest bidder, Western Star Trucks of Delmarva. Mr. Pikus explained that our Public Works Director prefers to see the truck before the bid is awarded; Mr. Carmean asked Mr. Pieroschek if he was comfortable with that condition. Mr. Pieroschek indicated he was very willing to accept that contingency.

Mr. Pikus then moved to award the bid to Western Start Trucks of Delmarva contingent upon Brad Dennehy seeing the vehicle first, seconded by Mr. Gleysteen.

When asked if there were any questions, Ms. Wilson asked who selected this type truck. Mr. Pikus said the public works staff though it was only bid by specs and they prefer to see it. Mr. Carmean said he believes it may be because we have never purchased a Western Star vehicle.

Motion carried.

*Bid Award/Miscellaneous 2014 Street Improvements Project*

Sealed bids were received, publicly opened and read on April 10, 2014 for the 2014 Street Repair Project. Bids were received as follows:

| Miscellaneous 2014 Street Improvements Project |                                  |                                  |
|--|----------------------------------|----------------------------------|
| BIDDER   | TOTAL Contract A<br>Pavement Bid | TOTAL Contract B<br>Concrete Bid |
| Jerry's Paving                                 | \$221,460.15                     | -                                |

| <b>Miscellaneous 2014 Street Improvements Project</b> |              |   |
|---|--------------|---|
| George & Lynch, Inc.                                  | \$300,495.63 | - |
| Delmarva Paving Co., Inc.                             | \$412,495.00 | - |
| Zack Excavating, Inc.                                 | \$357,930.13 | - |

Mr. Carmean advised there will be a temporary change in the number until the concrete bids are received. However, our intent is to move ahead with some streets that are planned this year and recommended the bid be awarded to Jerry's Paving for \$221,460.15.

He referenced the following list of streets to be repaired this year as was noted in his city manager's report at the last meeting:

North Washington Street (4th Street to Rehoboth Boulevard)  
 N.E. 7th Street  
 N.E. 4th Street  
 Bridgeham Avenue (S.E. 2nd to S.E. 4th Street)  
 Park Avenue  
 Lemuel Street  
 Claude Street

The city manager advised that North Washington Street, Park Avenue and South Washington Streets have been removed. He explained that we do not have the money to repair Park Avenue.

In addition, some of the concrete work will be postponed until we receive our municipal street aid next year.

Jerry's Paving will handle the paving project on North Washington Street though the city manager stated we will need them to bid the concrete work.

As reported at the last meeting, the city received no bids for the concrete work so a new bid package is being prepared.

The remaining streets will be repaired:

N.E. 5<sup>th</sup> Street  
 N.E. 7<sup>th</sup> Street  
 New Street  
 Claude Street  
 Lemuel Street  
 Bridgeham Avenue

Mr. Carmean reported that the revised proposal is \$134,788.40 and confirmed we will move forward with that work.

Mr. Brooks moved to approve the revised Jerry's Paving proposal as submitted by the city manager, seconded by Mr. Morrow. Motion carried.

*City of Milford Alcohol Code Waiver:*

*Downtown Milford, Inc./Farmers Market/Mispillion River Brewery/Beer Sales (Tastings)*

*Downtown Milford, Inc./Farmers Market/Dogfish Head Brewery/Beer Sales/Consumption (Tastings)*

Following the related approval made at the April 14, 2014 Council Meeting, Downtown Milford submitted a letter explaining their request. The letter was received at city hall on April 16<sup>th</sup> and states as follows:

*Downtown Milford is planning its 2014 Riverwalk Farmers Market. Beer tastings by Mispillion River Brewery are planned for July 19, 2014 from 10:00 a.m. to noon at the farmers market in the area of South Walnut Street and Mispillion Riverwalk.*

*Because Chapter 77 of the Milford Code prohibits possession of open containers of alcohol and consumption of alcohol in public places, we request council permission that tastings be permitted in the area for this special event. Those consuming alcohol would be restricted to a confined area as required by Delaware State Law.*

*An application for the proper license has been submitted to the State of Delaware Division of Alcohol and Tobacco Enforcement. We understand the State of Delaware requires city approval in advance of their approval. We will strictly adhere to all rules and regulations.*

*ADDITIONALLY, we plan a second event:*

*Downtown Milford is planning its 2014 Riverwalk Farmers Market. Beer tastings by Dogfish Head Brewery are planned for August 23, 2014 from 10:00 a.m. to noon at the farmers market in the area of South Walnut Street and Mispillion Riverwalk.*

*Because Chapter 77 of the Milford Code prohibits possession of open containers of alcohol and consumption of alcohol in public places, we request council permission that tastings be permitted in the area for this special event. Those consuming alcohol would be restricted to a confined area as required by Delaware State Law.*

*An application for the proper license has been submitted to the State of Delaware Division of Alcohol and Tobacco Enforcement. We understand the State of Delaware requires city approval in advance of their approval. We will strictly adhere to all rules and regulations.*

When asked if council will continue to approve ongoing events involving alcohol, Mr. Rutt advised that the code does require council approval.

At the previous meeting, a motion was approved for a blanket approval because at that time, nothing official has been submitted. When the official request was received on April 16<sup>th</sup>, it was determined the request was for two different breweries and two specific dates and times. Therefore, the previous approval was invalid.

Mr. Grier amended the previous approval by council and moved to approve the alcohol waiver required by Chapter 77 of the City of Milford Code and allow beer tastings by Mispillion River Brewery on July 19, 2014 at the Downtown Farmers Market from 10:00 a.m. to noon. Mr. Pikus seconded motion. Motion carried.

Mr. Grier amended the previous approval by council and moved to approve the alcohol waiver required by Chapter 77 of the City of Milford Code and allow beer tastings by Dogfish Head Brewer on August 23, 2014 at the Downtown Farmers Market from 10:00 a.m. to noon. Mr. Morrow seconded motion. Motion carried.

## NEW BUSINESS

*Bid Award/PNC Building Renovations/DBF, Inc.*

Mr. Carmean reported that the bids on this project were due today. However, Davis, Bowen and Friedel, who is overseeing the bid, has allowed the bidders some additional time. This is due to their unfamiliarity with the pneumatic system and the delay will provide sufficient time for them to obtain associated costs.

The new bid opening date is May 6, 2014. DBF will present the bids for council approval at the May 12<sup>th</sup> council meeting.

The city manager then explained that due to so many items being removed and placed on an upcoming agenda before council can take action, they will remain under old business until properly disposed of.

*Fund Allocation/\$3.5 Million Water Improvements Project/Previous Referendum Items*

The city manager reported the Public Works Committee met and discussed using in-house funds versus going to referendum for the \$3.5 million needed for water improvements in the city.

DBF Engineer Erik Retzaff had recommended placing the \$3.5 million into a special fund. However, the committee felt it was not necessary to move the funds out of reserves. The project will be completed in phases and the money will be paid from reserves as needed, with council approval.

He explained the first phase involves mapping for the valve project. The money has been earmarked and will be kept in reserves.

Mr. Carmean does not believe there are any reasons to pull the funds from reserves and deposit them in a separate line item. He anticipates the work needed for this project will come in below the \$3.5 million estimate due to prevailing wage savings. Instead, we will handle it in-house and address it step-by-step as is normally done.

Mr. Pikus then emphasized the city has saved a substantial amount by purchasing and renovating the PNC bank versus the construction of the new billing office on South Washington Street.

When asked what action is needed, Mr. Carmean said he is unsure how to handle; Mr. Morrow pointed out the money is already in reserves as was noted by the city manager. Mr. Carmean agreed and stated that no action is needed by city council. Mr. Rutt agreed.

ADJOURN

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

The Council Meeting adjourned at 7:29 p.m.

Respectfully submitted,



Terri K. Hudson, MMC  
City Clerk/Recorder