

MILFORD CITY COUNCIL
MINUTES OF MEETING
February 23, 2015

The City Council of the City of Milford met in Workshop Session on Monday, February 23, 2015 in the Joseph Ronnie Rogers Council Chambers of Milford City Hall, 201 South Walnut Street, Milford, Delaware.

PRESIDING: Mayor Bryan W. Shupe

IN ATTENDANCE: Councilpersons Chris Mergner, Garrett Grier III, S. Allen Pikus, Dirk Gleysteen, Owen Brooks, Jr. and Douglas Morrow, Sr.

City Manager Hans Medlarz, Police Chief Keith Hudson and City Clerk/
Recorder Terri Hudson

COUNSEL: City Solicitor David Rutt, Esquire

The Workshop Session convened at 7:01 p.m.

MSD Superintendent Dr. Phyllis Kohel/Upcoming School Referendum

Mayor Shupe advised that MSD Superintendent Dr. Phyllis Kohel is in attendance with a group of parents and community members to discuss the upcoming school referendum. He explained that after the referendum failed last year, as the Mayor of Milford, he offered assistance to the school administration and became involved with a parent group whose intent was to come up with a long term vision for the Milford School District. This involved not only the referendum but also what the district will look like in the future.

He invited Dr. Kohel and the parent group known as Buccaneer Tomorrow who are working together to address the challenges facing education in Milford and formulate a long-term vision for the district.

Dr. Kohel introduced herself along with Yvette Dennehy who began the presentation.

Mrs. Dennehy reported that after last year's referendum, she gathered a group of like-minded parents to begin a dialog with the district in order to motivate change. Their goal was to create a cohesive relationship with the school board in order to take on issues that come up in a positive manner. One of the first items they wanted to address was the referendum. As a result, there is a new vision in Milford called 'Buccaneer Tomorrow'.

She said there are four main components that deem a school successful—responsible and innovative leadership, inspiring and motivational teachers, a safe and dynamic learning environment and facilities and high quality curriculum. Mrs. Dennehy emphasized that these four components will lead the school to educational success.

Dr. Kohel then informed council that Milford School District has approximately 4,200 students enrolled. That is a number that grows every day. The bulk of the increased enrollment has found its way through the elementary and middle school. With the increase in enrollment, the district's per pupil allocation is slightly over \$1,000 less than the state average of other schools. The district spends approximately \$11,387 per pupil which Dr. Kohel stated is very conservative.

She feels that what is offered to the students and to maintain the current resources, the district spends their money very wisely. There is a great more the district wants to do but there is little money left in their reserves.

Between 2008 and 2010, Delaware schools have had to absorb extra costs because of cuts at both the federal and state levels. Of the total \$58 million in statewide reductions, Milford School District absorbed \$3.4 million in expenses or funding cuts. Previously funded by the state, a portion of the summer school programs and after school programs now has to be paid from local funds.

The state funding for a discipline dean for the buildings was eliminated. Dr. Kohel said it is critical that every building have a discipline dean or a dean of students. Now it comes out of the teacher unit and is primarily paid through the district.

Academic excellence are units the district earns based on the number of students in the school. Every year that amount decreases.

The superintendent noted that all of those program are now paid through local funds.

She said that those people that allege the district is not spending wisely, need to consider the \$3.4 million they have absorbed locally while still offering the programs that are affordable. She said there has been no reduction in teachers and they have maintained every unit earned.

The cost of gas, electric and other utilities have increased just as it has in a home.

Dr. Kohel said the district has approximately 263 teachers district wide. Of those teachers, 54% have a master's degree or higher. In order to stretch every penny, one of the things that was cut was course reimbursement. Because Milford's teachers are dedicated to education, they now have to pay for their own masters or doctoral courses because they feel that is the best thing to do for Milford's students.

She also reported that the student's AP test scores are among the highest among the state. Milford School District has the highest AP passing percentage in both Kent and Sussex Counties.

As a result, the superintendent feels they have done the best they could with the money they have. She encouraged anyone with financial questions to visit CFO Sara Croce.

Mrs. Dennehy continued by stating there is a need to move forward with the referendum. She said time is of the essence because we want our children to benefit from better programs and technologies in the classroom, similar to what surrounding districts have done.

She emphasized the need to help recruit and retain the great teachers Milford has. Milford School District should be poised to welcome incoming professional families who are considering moving to this area.

Mrs. Dennehy feels council members should be aware the city has a lot of economic potential. The new hospital campus will be opening around 2018 and there are a number of proposed re-use ideas in the works for the old hospital.

She noted that Mayor Shupe is working hard to bring new businesses to Milford.

The school district is one of the top priorities for these families when considering a new town. These new professional families will increase the city's tax base and improve the overall economy in Milford.

Mrs. Dennehy said we want to create a school district that the residents and business leaders will have faith in. That is the reason their group, Buccaneer Tomorrow, is not just about passing a referendum. It is about a relationship with the school district, city council, business owners and residents of Milford and the community as a whole. They want to make sure we are holding the school district to fiscal responsibility and offer advice in an engaged environment where parents and citizens can participate versus sitting back and pointing fingers and voicing opinions.

She stated that they also want to make sure we are developing a long range vision for education and for the educational facilities that will take us through the next 20 to 25 years.

She pointed out that many of the neighboring districts have already built new schools including Cape Henlopen, Dover, Caesar Rodney and Lake Forest. Every school district in the State of Delaware has been out, or will be going out, for an operations referendum.

Mrs. Dennehy reiterated that the State of Delaware has cut the district's funding and emphasized the school cannot continue to operate in this manner.

She then presented the plan. She referenced the various schools that already exist including the Morris Early Childhood Center in Lincoln.

Mrs. Dennehy then referenced the proposed site to build the new high school. Currently the schools are at capacity. The new Milford High School would be built on the 190 acre Simpson Crossing site which is adjacent to Redner's Market. She said there are 502 students more than capacity that have been spread throughout the different schools. Another building is needed to house the students and to offer the programs and classroom technology these students deserve.

She reported the State Board of Education used a forecasted growth to approve a building for 1,400 students. The State of Delaware would pay 70% of the \$69 million cost of the new school and the local obligation is 30% or \$21 million.

Mrs. Dennehy explained that if we do not take advantage of the 70%, the State of Delaware will issue that money to other school districts.

He explained that in addition to the land and new building, this would include textbooks, instructional technology, furniture, practice fields, landscaping, parking lots and anything else required.

Mrs. Dennehy advised that the decision to build a new school first starts with the local school district. The Department of Education has to agree with the recommendation and in this case they agree there is a need in Milford.

All the other components are not decided by the Milford School District. The State Department of Education decides that the new school should house 1,400 students based on the University of Delaware forecasted growth prediction model. They also determine the construction budget which in this case is approximately \$69 million. They also authorize the appraisal on the new site. The school finds the land though the Department of Education determines if the land is appropriate for a school.

A number of the current programs were listed in the presentation. She said they are somewhat 'run of the mill' programs offered in schools across the state and country. According to Mrs. Dennehy, Milford wants to offer new programs that are presently being offered in competitive districts. Programs such as health science, culinary, biomedical and early childhood pathway programs could be offered. A Junior ROTC training corp could be offered. These programs will be possible because Milford would have the technology and room when a (science, technology, engineering, arts and mathematics) wing is built at the new high school.

The schools currently being used will continue to be used. The current Milford High School would become Milford Junior High School. That school was originally built to be used as a junior high. It would house grades 7-8 which would leave plenty of room for growth of student population and for new programs.

New practice fields would be built at the new high school but the state of the art football stadium and surrounding fields would continue to be used.

Mrs. Dennehy advised that presently students from the Central Academy are transported back to the old middle school grounds to practice. This would reduce those transportation costs because that would no longer be necessary.

The Milford Central Academy would then house grades 5-6. Thus introducing students to a second Milford school and making them a buccaneer a year earlier. She feels this is especially important because this would occur before the students normally choose out. It would give them that buccaneer identity as they integrate with the upperclassmen who are proud to call themselves a Milford Buccaneer.

Mrs. Dennehy said with the 5th and 6th graders in the Milford Central Academy, advanced 5th and 6th grade education programs could be offered along with a 5th grade pre-AP program, which would be the only one in the State of Delaware.

Currently, the elementary schools house grades 1-5. Under the new plan, the 5th graders, or 120 students, would be moved to the Central Academy. Thus that will free up room in the elementary schools, promote smaller classrooms and provide additional room to grow.

Morris Early Childhood Center would remain the same as there is still room for growth at that school.

Mrs. Dennehy stated that a lot of people still ask questions about the old middle school site. She emphasized that is no longer a viable site for education. The State Department of Education rates the schools to determine if they can continue to be used for education. In this case, the school is no longer viable for education and the reason a new plan was needed.

The school administration and parents understand the old middle school site has a lot of history. Mrs. Dennehy's grandmother graduated from that school (high school at the time) so she understands there are emotional attachments that must be considered.

As a result, they have come up with a plan and would like to separate the green space from the building. The green space could then be used by the city for recreational purposes. The building would then be available for purchase by a private buyer for another purpose.

The intent is to list the Milford Middle School on the National Register of Historic Places. That provides protection of the building but also provides federal historic tax credits for anyone who purchased that piece of property. The goal is to turn the building into housing, apartments or something similar. Doing this would save the district \$200,000 a year which is the cost to currently maintain it even though it is vacant.

Danny Vezmar, who is a native Milfordian who has two children in the Milford School District then spoke. He says when the referendum passes and a new high school is built, his daughter, who is in the 8th grade will become part of the first graduating class. He has another daughter is in the 5th grade at Banneker.

Mr. Vezmar became involved over the past year after the last referendum failed. He learned a great deal about how the school board operates, how the school district operates and how money is spent. He said there is a tiny portion of the budget that is discretionary. Everything else is accounted for. He feels Buccaneer Tomorrow has a great vision and great plan.

He explained that the market value of homes in Kent and Sussex Counties are determined by the counties. The county says the average market value for homes is \$150,000 in Milford School District. The assessed values are different and is what taxes are based on.

Mr. Vezmar said that at least 50% of the people living in his neighborhood are transplants that enjoy paying \$1,500 a year versus \$18,000 to \$20,000 a year they were paying in other states. Right now, the \$150,000 market value home in Kent County, assessed slightly above \$29,000, would be assessed at \$10,000 in Sussex County. School taxes on the average \$150,000 home is approximately \$360 a year. That would increase over the next three years. In year one, it will increase to \$428. In year two, it will increase to \$536 and to \$588 in year three. After year three, it would then go down. It spikes during the three-year construction period, then starts to decrease.

He explained that additional cost per month comes out to \$5.69 (first year), \$14.72 (second year) and \$19.06 (third year). Mr. Vezmar reiterated that beginning in year four, it would begin to decrease again because the loan (\$20.8 million) is being paid down.

Mr. Vezmar felt that most people would be questioning the cost to them. However, they met with a group of parents last week and were pleasantly surprised that more questions were being asked about the potential and opportunity this tax increase would provide.

He explained that the brand new 1,400 student facility will set the district up for the next 20-25 years plus, based on the growth estimates for this area. It results in phenomenal new programming for students in the high school level. It potentially could stop some of the students from opting into Techs and SASs in our area that are presently drawing some of the best and brightest students.

Though the average \$19 a month tax increase seems high, considering what it will provide the children in Milford significantly outweighs what is being paid in by property owners.

Mr. Vezmar advised that their parent group has partnered very strongly with the school superintendent and the school board. They are here to ask for help in selling this vision and to educate people this is the right thing to do for the Milford community for many reasons.

He pointed out there is a lot of research about what a new school does to property values. A study in Connecticut showed an 11% increase in property values for areas where a new school was built. The benefits to a community for building a new facility is not just about the new facility, but being able to operate it as a state of the art facility.

He announced that May 5th is the date of the referendum which was pushed back because of a late appraisal and the time it took the state for evaluate the property. However, that is all in place now and they are prepared for the vote that day.

They planned a number of events to get people to the schools in hopes to build community support. They are also prepared to continue this presentation anywhere and everywhere and to both small groups and large groups.

Mr. Pikus asked if the \$21 million will be a bond issue; CFO Sara Croce confirmed it will involve 30-year bonds. She explained the school currently has debt service they are paying for the Mispillion project. In conjunction, they will be paying them off as well. After three years, it is estimated to be approximately \$4 million.

Mr. Gleysteen said that in meeting with his constituents, since the last referendum failed, the school district has made a better effort in presenting their case of the operations portion of the budget. He questions the state's claim that education is a priority when they cut \$3.4 million and another 10% from the transportation fund.

However, he said everyone has needs and wants. He might want a new refrigerator but he needs to put groceries in it. Mr. Gleysteen feels the operation budget is what needs to be competitive with surrounding school districts and makes this an great educational system. His problem is the middle school is in the 2nd ward which is his ward. He is very concerned about what will happen to it. Last fall he took his youngest to colleges including the University of Delaware. He said that every single college or university has significantly older buildings than the middle school. All of those old buildings are being used for dorms or classrooms. It does not make sense to him that Milford School District has to spend \$70 million, even though the referendum will only be \$21 million, then pointed out the other \$50 million is still coming from taxpayers including people in Milford. Therefore, it is a much bigger cost to Milford than the \$20 million.

Mr. Gleysteen asked why these two issues were bundled together.

Ben Muldrow, a member of Buccaneer Tomorrow, said that the state determines whether the district can do anything with the middle school or not. They come in and evaluate the site. It has to receive a score of .5 or better to have money invested in it. It did not meet that criteria. As a result, the State of Delaware is unwilling to give Milford School District any money because it does not meet the FCI (facility condition index) rating. The estimated cost to renovate the building was \$36 million.

Mr. Muldrow emphasized that the money would have to be paid solely from local funds because the state is unwilling to contribute any money because it did not meet the FCI score.

He explained that his daughter goes to the academy which is mobbed on any school day. That school was built for two grades and it currently houses three.

The studies show that we are 500 students over capacity in the district's existing facilities. Nothing can be done in the middle school in terms of education unless we spend \$36 million out of our own pockets. In addition, the \$36 million investment will only stabilize that building. It would not position it to accommodate a population of 1,400 students.

Mr. Muldrow said this group understands the neighbors surrounding the whole middle school site has a strong desire for it to contribute to that neighborhood. That is why we are proposing what they are and still have the passive space, still contribute to the quality of life in that neighborhood and put the front side of that property back on the tax rolls while having a productive use.

He also emphasized the \$36 million will only renovate the building to the state educational standards. However, that does not mean that a private entity has to spend that amount of money. He said he is a preservationist by heart and knows there are buildings all over the country that are much older than the middle school and are being used in an educational environment. In this case, it is simply the nature of that building as an educational structure.

Mr. Vezmar confirmed that the new school would be built in the 2nd ward. He pointed out there is some economic benefit property values for the new building to be in that ward as well and in Milford in general.

Mr. Gleysteen said he does not understand nor do most of his constituents understand how a business such as Caulk successfully transitions their buildings, which are older than the middle school and continue using them. He said it appears the school board has a different opinion and asked the formula.

Mr. Vezmar explained there are areas in Caulk in which the use is very limited because the building is more than 100 years old. As a result, there are weight restrictions in several buildings. Mr. Gleysteen pointed out that as Caulk adds on, it continues to meet their needs.

Mr. Vezmar advised that any improvements that are made must meet the current construction standards.

Mr. Gleysteen asked why there is a different standard for the University of Delaware versus Milford School District. A number of people answered it is the difference in state facility versus a private university. Mr. Gleysteen stated that the University of Delaware is not private.

Milford Education Association President Shawn Snyder noted that Delaware State University is a state university; University of Delaware similar in nature to the University of Pennsylvania. Both are publicly funded but private institutions.

He explained he knows a little about both universities. The state regulatory aspects of the high school and public education in Delaware is completely different entities. They are governed by different formulas and different bureaucracies. In a private industry, there is little bureaucracy and basically they can do what they want as long as they meet building codes.

Mr. Snyder said the school districts have a much more stringent bureaucratic way of handling their facilities. It is completely out of the district's control.

The DuPont structure, which is being referred to as the middle school, and believes there are only five left in the State of Delaware. All of them, with the exception of one which he believes is in the Seaford School District, referendums are going to replace in the near future.

The current high school, which was built in 1963, is the oldest high school in Kent or Sussex County by approximately twenty years. This is something the voters agree is needed throughout the state and a decision needs to be made and in his opinion, will be great for the district or possibly catastrophic if we continue to have a building that is 50, 60 or 70 years older than our competition.

Mr. Snyder said as someone that works there, he sees this as an absolute need adding that he has a child in pre-k right now.

Mr. Gleysteen asked if there are any other schools in the State of Delaware who have gotten a historic designation so it can be used for a private use.

Mr. Muldrow pointed out that he has worked with communities all over the country that have taken public schools and turned them back into the private sector. The historic registers does not issue any strict protection but does qualify the building for the federal historic tax credit which is a 20% tax credit for owner reuse and 30% for owner-occupied. He can provide four different case studies where such schools have become residential use. They have been very popular and works well particularly because the older schools were built in a residential area, they seemed to be structures that easily fit in a residential district.

Mr. Gleysteen asked if this has been done on the eastern shore; Mr. Muldrow is unsure of the exact locations but if a residential product is made available to a community that is priming itself for growth, then having a diversity of housing stock available to new residents is always beneficial.

Mr. Pikus said his constituents have also called him and want to know what will happen to the fields and track. He asked if that area will be deeded to the city; Mr. Vezmar clarified that it will be returned to the city for use by the community. Mr. Pikus said his constituents asked him if the city has enough money in the budget to buy that land from the school and he said he does not think so.

Mr. Vezmar explained that is a concept for the property. Their goal is not to lose that green space which is used by a number of residents and in particular, the track is used and little league teams use those fields to practice.

Others in attendance referenced the Milford Memorial Hospital Fair and Relay for Life are a couple of events held there.

Mr. Pikus said his constituents told him they want that land left as it exists and they did not want it filled up with townhouses.

Ms. Croce reported that the school administration is currently in discussions with the Office of Management and Budget and the Department of Education in hopes of subdividing that property. In that manner, it would become two separate parcels. However, there is a complete Delaware Code process that needs to be followed where it has to be offered to other state agencies, etc.

Dr. Kohel clarified that the land would remain in the name of Milford School District and they would lease it to the city for \$1 a year.

School Board President Marvin Schelhouse asked to respond to the question about why they bundled two items in the previous referendum. Traditionally, he said a school goes out for an operations referendum. Milford School District has not done that for a very long time.

He said we are doing that now because the state and federal governments have cut back on our funding which has created that need.

In addition, Mr. Schelhouse pointed out we are overcrowded in our elementary school and central academy. Therefore, there is a need to address that problem. An opportunity arose to purchase 190 acres for \$3.5 million. There is the potential to lose this land if we do not go out now for a referendum for a new school.

With no further questions, Mayor Shupe adjourned the Workshop Session at 7:44 p.m.

Respectfully submitted,



Terri K. Hudson, MMC
City Clerk/Recorder

Attachment:

Buccaneer Tomorrow Presentation



BUCCANEER

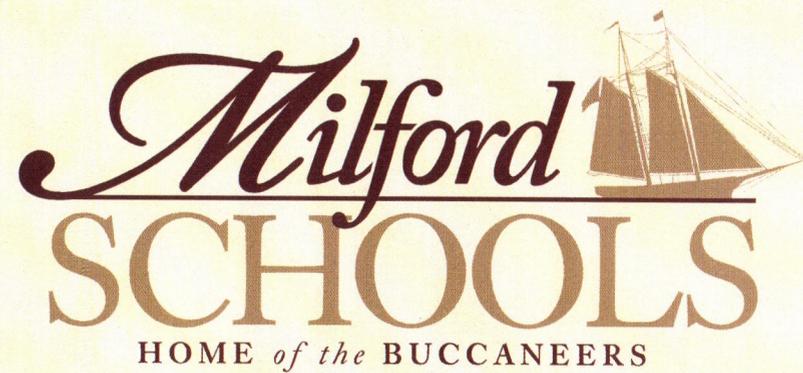
TOMORROW

ONE COMMUNITY. ONE FUTURE.

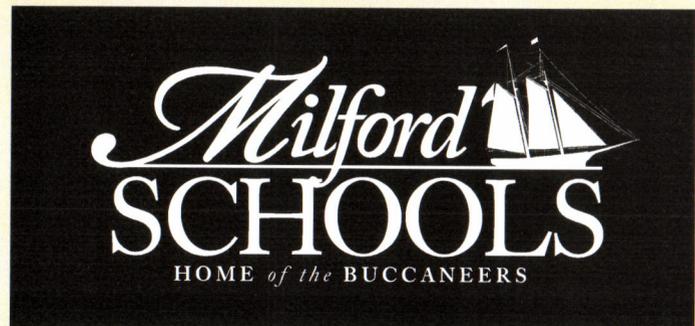
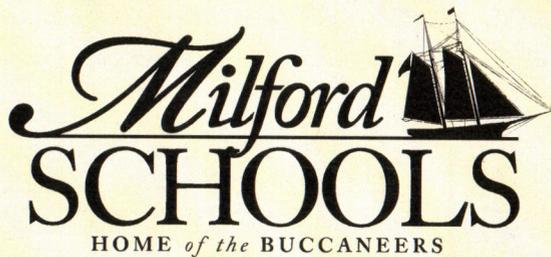
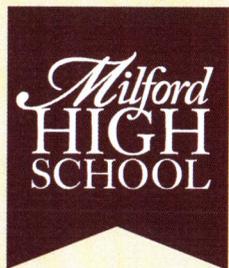
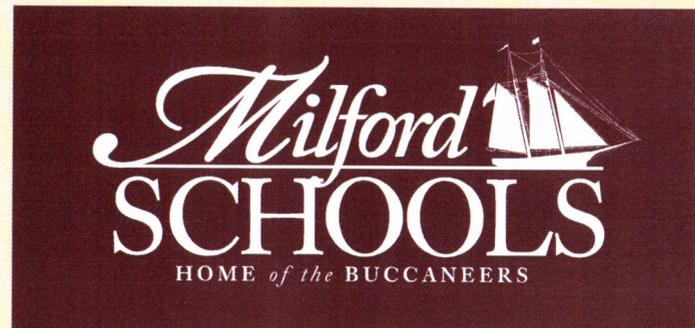
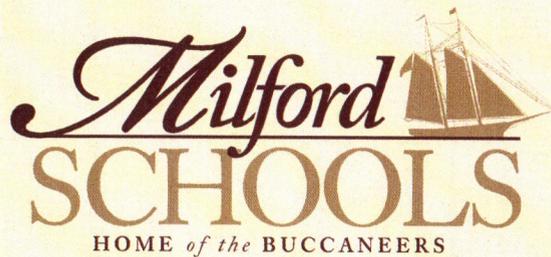
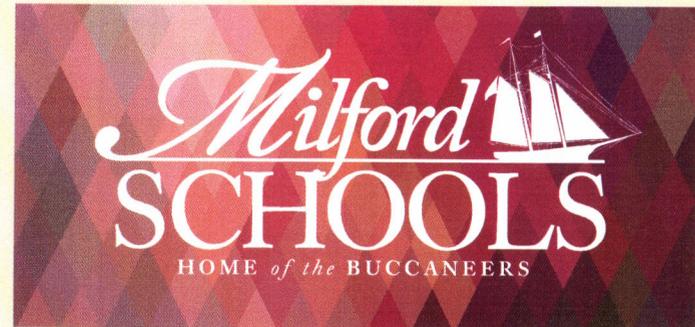
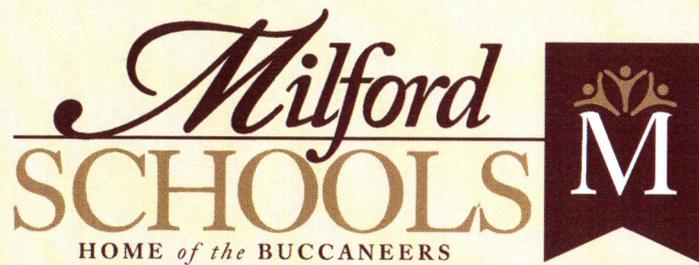


Milford 
SCHOOLS
HOME of the BUCCANEERS

We have a new vision for education in **Milford**

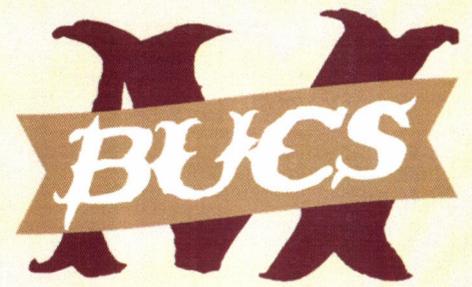
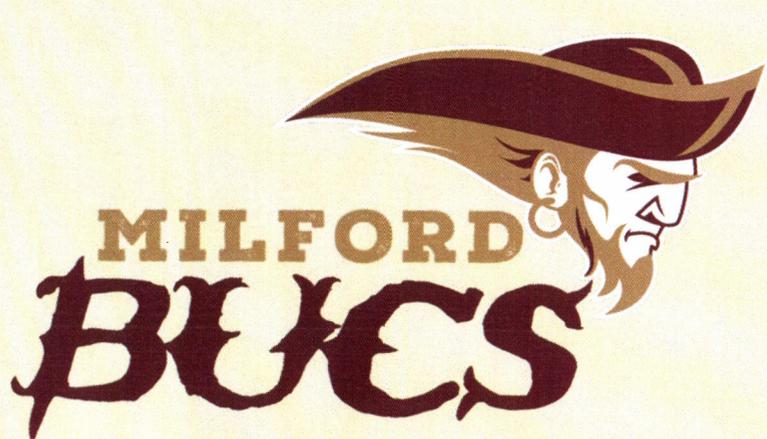


DISTRICT IDENTITY





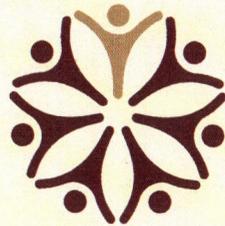
MILFORD
BIG GAME BEERS



In 2014, the parents began to organize.

They represent the voice of tomorrow.

The Buccaneers of Tomorrow.



BUCCANEER
TOMORROW

ONE COMMUNITY. ONE FUTURE.

VISION IDENTITY



BUCCANEER
TOMORROW

ONE COMMUNITY. ONE FUTURE.



BUCCANEER
TOMORROW

ONE COMMUNITY. ONE FUTURE.

Responsible &
Innovative
Leadership

Inspiring &
Motivational
Teachers

Educational
SUCCESS

Safe & Dynamic
Learning
Facilities

High
Quality
Curriculum

Milford 
SCHOOLS
HOME of the BUCCANEERS



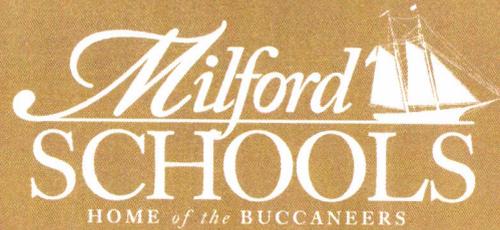
-STEP 1-

Responsible & Innovative Leadership



BUCCANEER
TOMORROW

ONE COMMUNITY. ONE FUTURE.



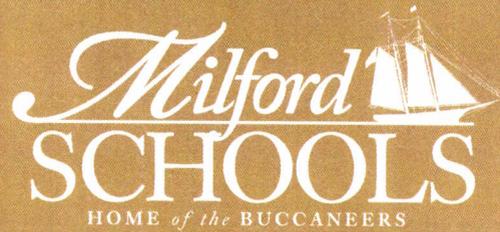
QUICK FACTS

4,203

Students Enrolled in 2013-14 school year

\$11,387

per pupil (*State Average is \$12,734*)



QUICK FACTS

\$3.4 Million

Amount of Additional Operating Cost
Absorbed by Milford Schools

STATE CUTS

- The state has eliminated a number of funding sources including the following:
 - **Reading Specialists**
 - **Math Specialists**
 - **Extra Time Program**
 - **School Climate and Discipline**
 - **Tax Relief**
 - **Academic Excellence Part II**
 - The State has also shifted 10% of pupil transportation costs to local districts
-

STATE CUTS

- The State has also shifted 10% of pupil transportation costs to local districts



\$340,000 a year

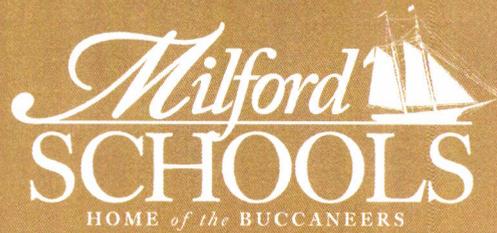
-STEP 2-

Inspiring & Motivational Teachers



BUCCANEER
TOMORROW

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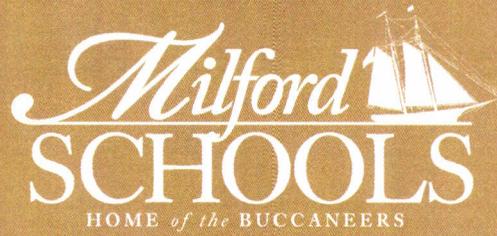
QUICK FACTS

263

Teachers in Milford School District

54%

have a Masters Degree or Higher



QUICK FACTS

AP Test Scores

Milford Schools has the highest AP passing percentage
in Kent & Sussex Counties

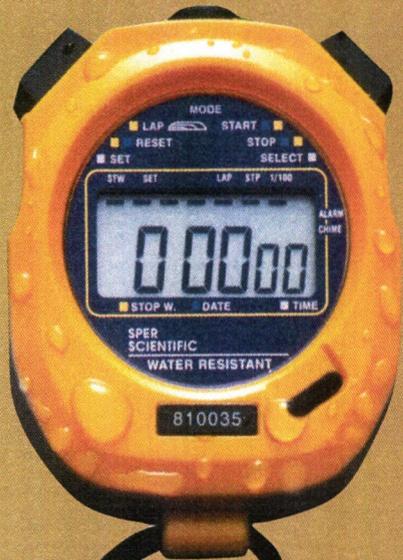
-STEP 3-

Safe & Dynamic Learning Facilities



BUCCANEER
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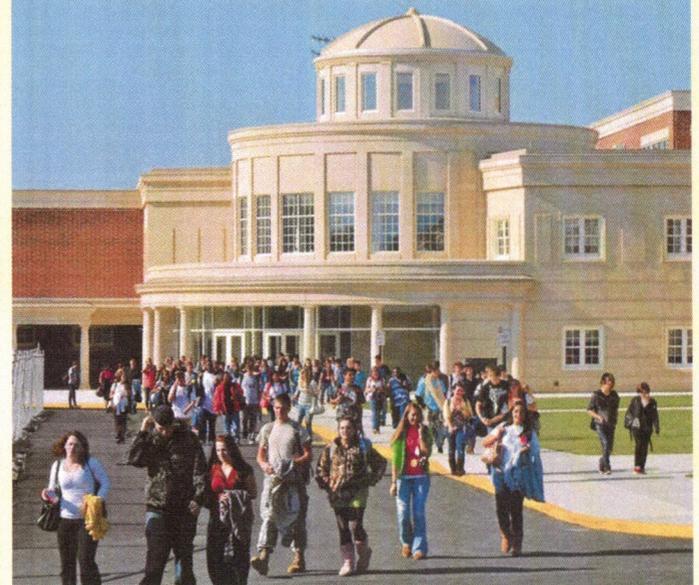
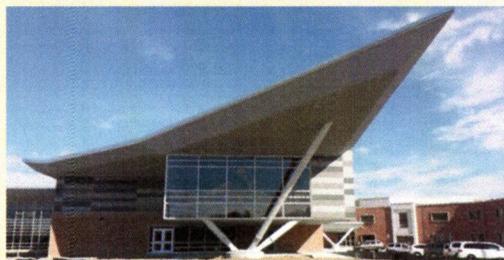
WHY NOW?

- Time is of the essence
 - We want our children to benefit from better programs/competitive classroom technology
 - Need help recruiting and retaining teachers
 - Need new programs to retain our district students and attract incoming professional families
-

WHAT DO I NEED TO KNOW?

- We are creating a school district that residents & business leaders have faith in
 - We are combining fiscal responsibility with uplifting engagement
 - We are developing a long range vision for education & educational facilities
-

NEIGHBORING SCHOOLS



The Plan



BUCCANEER
TOMORROW

ONE COMMUNITY. ONE FUTURE.

Facilities Master Plan

- Milford High School
- Milford Central Academy
- Mispillion Elementary
- Lulu Ross Elementary
- Benjamin Banneker Elem.
- Morris Early Education



SCHOOL CAPACITIES

School	Capacity*	Total Students**	Difference
E. Morris Early Childhood Center	425	426	+1
B. Banneker Elementary School	415	535	+120
L. Ross Elementary School	570	631	+61
Mispillion Elementary School	465	571	+106
Milford Central Academy	850	1042	+192
Milford High School	1036	1058	+22
District Totals	3761	4263	+502

**Consistent with calculation in Del. Code Title 14 Chapter 4 §405 (d) **Projected for 2014 – 2015 School Year*

THE NEW MILFORD HIGH SCHOOL

- 190 Acre \$3.5 million site location
 - State board of education used forecasted growth to approve building for 1400 students
 - \$69,493,700 school construction with \$20,848,100 local obligation
-

THE NEW MILFORD HIGH SCHOOL

Land & Building
All New Textbooks
Instructional Technology
Furniture
Practice Fields & Landscaping
Parking Lots

DECISION	MILFORD SCHOOL DISTRICT	DELAWARE DEPT. OF EDUCATION
MILFORD NEEDS A NEW SCHOOL	✓	✓
SCHOOL CAPACITY SHOULD BE 1400		✓
CONSTRUCTION BUDGET IS \$69,000,000		✓
AUTHORIZE APPRAISAL ON NEW SCHOOL LOCATION		✓

CURRENT PROGRAMS

BUSINESS, FINANCE & MARKETING

- o Accounting
- o Administrative Services
- o Marketing Management

AGRICULTURE SCIENCE

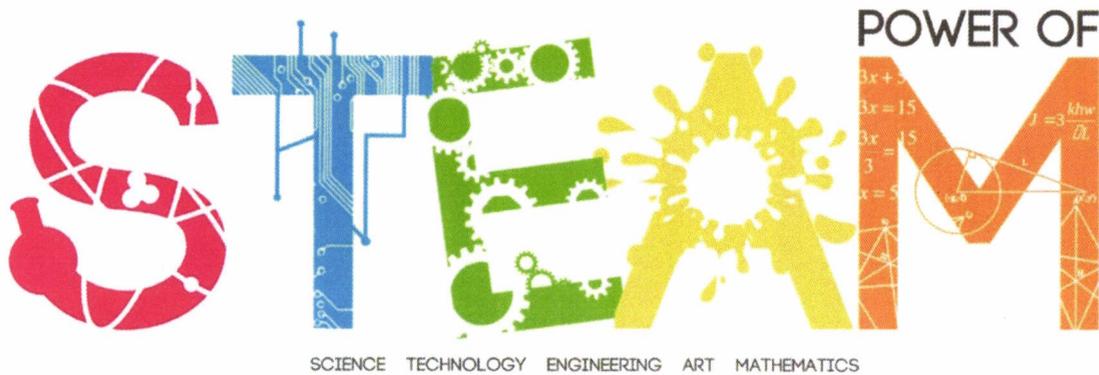
- o Environmental Sci. & Natural Resources
- o Greenhouse Mgmt. & Production
- o Food Science
- o Animal Science
- o Agricultural Structures
- o Drafting and Design - CAD
- o Ag Power & Technical Systems

TECHNOLOGY EDUCATION

- o Communication Technology
- o Communication Tech Research & Dev.

JOBS FOR DELAWARE GRADS (JDG)

NEW PROGRAMS



ART + SCIENCE = PROGRESS

**Health Science
Culinary
BioMedical
Early Childhood Pathway
Preschool
Junior Reserve Officers'
Training Corps (JROTC)**



MILFORD JR. HIGH SCHOOL

- Grades 7-8 would occupy the current high school, which was originally constructed as a junior high school
 - Plenty of instruction space & room to grow programs
 - Football stadium & athletic fields would remain
-

MILFORD CENTRAL ACADEMY

- Grades 5-6 would occupy the Academy
 - Introduce students to a second Milford school & make them a Buccaneer before normal school choice occurs
 - With access to the campus resources, position the Academy to offer the most advanced 5th grade education in the state
 - Promote 5th grade Pre-AP program
-

ELEMENTARY SCHOOLS

- Between 104-120 5th grade students would be removed from each school
 - Positions schools to accommodate smaller class size as schools continue to grow
-

MORRIS EARLY CHILDHOOD CENTER

- Between 104-120 5th grade students would be removed from each school
 - Positions schools to accommodate smaller class size as schools continue to grow
-

OLD MIDDLE SCHOOL SITE

- State department of education FCI number of .78
 - Needs a .5 or lower to receive building funds
 - No longer a viable educational environment
-

OLD MIDDLE SCHOOL SITE

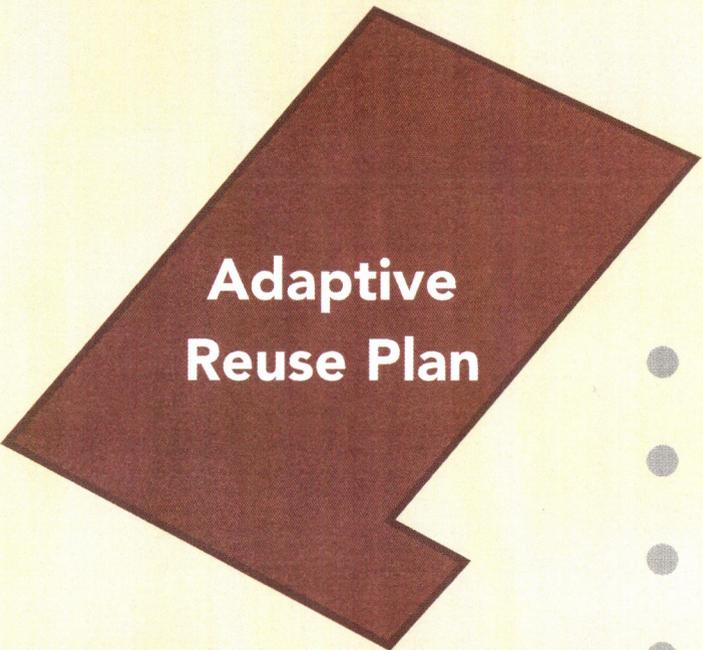


**Adaptive
Reuse Plan**

Open Green Space Park

- 2 Softball/Baseball Fields
- Tennis Court
- On-site Parking
- Track

OLD MIDDLE SCHOOL SITE



Adaptive Reuse Plan

- National Register of Historic Places
 - Federal historic tax credit
 - Return the property tax roles
 - Save almost \$200,000 a year
-

The Numbers



BUCCANEER
TOMORROW

ONE COMMUNITY. ONE FUTURE.

MARKET VALUE VS. ASSESSMENT VALUE

\$150,000 home

\$29,250 in Kent

\$10,350 in Sussex

HOW MUCH WILL IT COST ME?

\$360

Now

\$428

Year 1

\$536

Year 2

\$588

Year 3

HOW MUCH WILL IT COST A MONTH?

\$5.69

Per Month

Year 1

\$14.72

Per Month

Year 2

\$19.06

Per Month

Year 3

MAXIMUM INCREASE

\$19 *a month*

On May 5, 2015

the citizens of Milford will have the ability to
invest in the future of their community and show their belief
in the importance of public education.



BUCCANEER
TOMORROW

ONE COMMUNITY. ONE FUTURE.

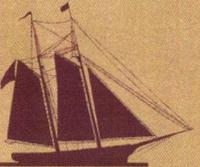


BUCCANEER

TOMORROW

ONE COMMUNITY. ONE FUTURE.



Milford 
SCHOOLS
HOME of the BUCCANEERS

MILFORD CITY COUNCIL
MINUTES OF MEETING
February 23, 2015

A Meeting of Milford City Council was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall on Monday, February 23, 2015.

PRESIDING: Mayor Bryan Shupe

IN ATTENDANCE: Councilpersons Chris Mergner, Garrett Grier III, S. Allen Pikus, Dirk Gleysteen, Owen Brooks, Jr. and Douglas Morrow, Sr.

City Manager Hans Medlarz, Police Chief Keith Hudson and City Clerk/
Recorder Terri Hudson

COUNSEL: City Solicitor David Rutt, Esquire

CALL TO ORDER

Mayor Shupe called the Council Meeting to order at 7:46 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Shupe.

RECOGNITION

No special guests in attendance.

COMMUNICATIONS

Mayor Shupe reported that Bayhealth announced today their selection of CannonDesign as their lead architectural and engineering partner for the new health campus project in Milford.

Bayhealth also announced that a firm has been chosen for the purpose of re-imagining the Clarke Avenue facility.

The mayor is pleased with Bayhealth's progress and he and City Manager Medlarz are working with the Office of State Planning to assist them in moving the project as quickly as possible.

Mayor Shupe also reported that he and Councilman Grier have been working with the Delaware Economic Development Office who will be offering grant money to begin some strategic planning for the downtown area, in addition to addressing the increasing number of large vacant buildings throughout the town.

He will be bringing the proposal to council in the near future.

He announced that Delaware Today was in Milford this past week to do interviews. Former Milford Chronicle Reporter Gwen Guerke was interviewed along with other residents. The city will be featured in the April issue whose article is entitled "What's Making Milford so Hot Right Now".

UNFINISHED BUSINESS

Adoption/Ordinance 2014-18/Chapter204/Amendment/Taxation

Mayor Shupe advised that this ordinance, discussed on numerous occasions, was developed to address some taxation rules and specifically supplemental bills, appeals and deadlines. Article VII of the city charter has jurisdiction over the main issues such as city taxation, assessment, rates, etc.

The ordinance is in its final version and is being presented for adoption this evening.

Mr. Medlarz explained this ordinance establishes rules related to improvements that are made to properties during the tax year, as revised by the assessor. If not, the change would not be posted until the following year.

It also provides an appeal process for the property owner; if not appealed, the change will become record.

Mr. Pikus moved to adopt Ordinance 2014-18, seconded by Mr. Gleysteen.

WHEREAS, the taxation of real property constitutes a significant portion of the annual municipal revenues necessary to facilitate governmental operations; and

WHEREAS, it is in the best interest of the City of Milford, as well as its residents, to ensure that all properties are fairly and properly assessed for the purposes of taxation; and

WHEREAS, City Charter Article VI Taxation, Assessors and Assessment of Taxes, Paragraph 7.14 Assessment, Payment and Collection of Payment for Taxes for New Construction, gives the Mayor and Council the authority to enact an ordinance accordingly; and

WHEREAS, rules are hereby established regarding exemptions, dates, deadlines, appeals and annual and supplemental bills.

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

Section 1.

Article II, entitled Exemption of New Improvements Added to Property, Sections 204-6 thru Section 204-11, is hereby rescinded.

Section 2.

A new Article II, entitled Authority to Exempt Real Property from Taxation, is hereby added to read as follows:

ARTICLE II – Authority to exempt real property from taxation.

§ 204-6. The city council shall have the power to exempt real property located within the city from municipal property taxes when, in the opinion of the tax assessor, the same will best promote the public welfare. The city assessor shall be empowered to grant tax exemptions in the same fashion as a county exemption, pursuant to 9 Del. C. § 8105 and 8110, and upon the receipt of an application to the City of Milford filed by the organization to establish its entitlement to such exemptions.

§ 204-7. No assessment shall be made against that portion of a parcel during the period in which the portion qualifies for agricultural, horticultural or forest uses as more fully defined by 9 Del. C. § 8330 through 8337, inclusive.

Section 3.

A new Article III, entitled Annual Tax Bill, is hereby added to read as follows:

ARTICLE III – Annual Tax Bill.

§204-8. The tax year shall run from October 1st through September 30th each year based on assessed values as of June 30th.

§ 204-9. Property taxes shall be payable on or before September 30th of each year.

§ 204-10. To every tax not paid after the said date established in 204-9, there shall be added and collected a penalty, for each month that said tax remains unpaid. A penalty of one percent per month, or fraction thereof, shall be charged on all unpaid property taxes. City Council, by resolution, may impose a date later than that established in 204-9 for the addition and collection of penalties.

Section 4.

A new Article IV, entitled Supplemental Assessments and Tax Bills, is hereby added to read as follows:

ARTICLE IV- Supplemental Assessments and Tax Bills

§204-11. Supplemental Assessment Required.

- A. Changes, including zoning and construction, shall require reassessment of the property at its fair market value as of the date of the last City-wide revaluation. A supplemental assessment will be determined for the amount of difference between the value stated on the regular assessment roll(s) and the new fair market value.
- B. Supplemental tax bills shall be issued when there is an increase in taxable value caused by any change as stated in 204-11. More than one tax year may be affected by the increase in value, causing more than one supplemental bill to be issued. Even when a property has been sold, the original owner may be billed for any change in value relating to the dates of their ownership.
- C. The increase in assessed value resulting from the reassessment is reflected in a prorated assessment that covers the period from the first day of the month following the supplemental event to the end of the fiscal year.

§204-12. - Assessment Appeals.

- A. Appeal date deadlines.

Appeal filing deadline (Annual billing)	August 31st
Appeal filing deadline (October billing)	November 30th
Appeal filing deadline (January billing)	February 28th
Appeal filing deadline (April billing)	May 31st
- B. Right to appeal is lost if appellant has missed the designated appeal date.
- C. Appeals/refunds for errors or opinions of value from appellants will not be heard for prior years.
- D. The assessment as revised, shall be the listed value for the year under appeal, and shall be the basis for the levy and collection of taxes, unless adjusted by the Board of Appeals during the annual appeals process.

Section 5.

Dates.

Introduction 02-09-15

Adoption 02-23-15

Motion carried.

Introduction/Ordinance 2015-01/Chapter 193/Solid Waste Management

Mr. Medlarz introduced the following ordinance:

Chapter 193-Solid Waste
 CODE OF THE CITY OF MILFORD
 PART II - GENERAL LEGISLATION

CHAPTER 193 - SOLID WASTE MANAGEMENT

SECTION 1. This ordinance hereby repeals all provisions of Chapter 193 Solid Waste Management of the Code of the City of Milford.

SECTION 2. Chapter 193 Solid Waste Management, is hereby replaced with language as follows:

ARTICLE I. General Provisions

193-1. Mandatory Residential Collection.

The maintenance of the public health, safety, sanitation and aesthetics requires that all residential properties in the City of Milford accept, arrange and pay for solid waste collection and disposal services in accordance with this chapter. Residential properties include detached homes, duplexes, townhouses and condominiums.

193-2. Non-Residential and Multi-Unit Rental Complex Services.

Solid waste services through the City of Milford are optional for non-residential entities and multi-unit complexes in common ownership. Upon request containers may be provided, in accordance with the fee established in Section 193-11. Those opting not to utilize solid waste collection through the city shall be required to make arrangements for the disposal and/or collection of the same by a private collector/hauler at no cost to the city.

193-3. Containers Required.

The city shall specify the type of container to be used for each specific collection. Use of any other type container than specified by the city is prohibited. The city will provide containers to the customer as required by the desired level of service at no up-front cost to the customer. If any container is lost or destroyed, another container shall be provided at cost to the customer. Multi-unit rental complexes under common ownership may utilize a city approved dumpster.

193-4. Special and Holiday Collections.

A. Special Collections.

A special collection will occur one week in the spring and one week during the fall of each year. Customers shall be able to put out additional bulk items during these weeks without an additional charge. Adequate notice of the special collection dates and details shall be provided to customers.

B. Holiday Collections.

The city observes the following six holidays in which trash services will not occur:

*New Years
Memorial Day
July 4th
Labor Day
Thanksgiving
Christmas*

If the holiday or observed holiday falls on a Monday, collection will be the following day affecting all workdays including Saturdays. If holiday falls on any other weekday, only the collections after that day are shifted by one day.

C. Holidays such as Martin Luther King Birthday, Presidents Day, Good Friday, Election Day and Veterans Day will not affect collections.

193-5. Bills, Payments and Deposits.

A. The rates as established shall be an assessment and shall be billed to customers on a monthly basis. All bills for service are due and payable each month for normal and additional services performed. Monthly charges, if not paid by the due date, shall accrue interest at the rate of 1 1/2% per month until paid.

B. Bills are rendered for any indicated period of service, either special or monthly, and will show the proper charge as determined by the applicable rate schedule. Bills shall be considered as duly rendered when delivered at or mailed to the recorded address of the customer, as provided by him for that purpose.

C. The charges imposed under this ordinance shall be a lien against any owner-occupied property served and shall be and remain a lien for ten years from the date of assessment of such charge. Such lien shall have priority over any other lien, encumbrance or conveyance even though such other lien or liens may be of a

date prior to the time of attaching of this lien. The City Manager shall have the same authorities, remedies and powers with respect to the collection of this charge as are provided for the collection of taxes.

- D. Any customer, upon receipt of a bill, having reason to doubt its accuracy shall bring or mail the bill within five days to the city for investigation.*
- E. Nonpayment of two (2) consecutive months will trigger suspension of trash collection and removal of all city-issued containers.*
- F. Creation of new rental accounts, not part of a multi-unit rental complex under common ownership, will require a \$100 reimbursable deposit. Unpaid balances will be applied when account is terminated.*

193-6. Violations and Penalties.

- A. Unless otherwise prescribed herein, any person violating any of the provisions of Chapter 193 shall, upon conviction thereof before a Justice of the Peace, be sentenced to pay a fine of not less than \$25 nor more than \$300, together with costs of prosecution.*
- B. Every violation of this chapter shall be deemed a separate offense for each and every day a violation shall continue and shall be subject to the penalty imposed by this section for each and every such separate offense.*

193-7. Supplemental Regulations.

The City Manager is hereby authorized to administer Chapter 193 of the City of Milford Code pertaining to the solid waste collection system

ARTICLE II. SOLID WASTE

193-8. Definitions

As used in this chapter, the following terms shall have the meanings indicated: SOLID WASTE-Commonly referred to as trash or garbage, consisting of everyday items that are discarded which may include food wastes, containers and product packaging and other miscellaneous wastes from residential or commercial sources. Solid Waste does not include yard waste, inert waste such as construction debris, hazardous waste, toxic waste or medical waste.

193-9. Unlawful Acts and Containment Requirement

- A. It shall be unlawful to deposit or place any trash or garbage into any yard waste container or recycling container.*
- B. No solid waste or any other similar materials shall be placed in the street, drainage gutter or on the sidewalk.*
- C. No solid waste of any description shall be disposed of within the limits of the city in any manner other than that prescribed herein. Deposit of solid waste upon any land, alley, street, public place, vacant lot, watercourse, ditch or any other method of disposal not in accordance with this chapter shall be a violation as prescribed herein.*

193-10. Collection Procedures

- A. General.*
 - (1) All collection of solid waste materials from residences and other approved establishments shall be by city public works crews or contractors hired or contracted by the City Council.*
 - (2) On designated collection days containers shall be placed just behind the curblin without interfering with vehicular or pedestrian traffic.*
 - (3) Containers shall be placed no earlier than 3:00 p.m. of the day preceding the day of collection and not later than 7:00 a.m. on the scheduled day of collection and shall be removed to a point at the side or rear of the structure not later than 7:00 p.m. of the day of collection.*
- B. Multi-Unit Rental Complex Collection. Owners and/or designee of multi units rental complexes desiring to utilize containers for mass storage may do so, provided that the container and the placement of the container is approved by the City Manager or his designated representative. In no case shall the container be in excess of three (3)-cubic yards' capacity.*
- C. Items Prohibited*
 - (1) The scope of the service rendered by the city in the collection and removal of solid waste materials is intended to serve the needs of its customers' related activities. It is considered to be*

- beyond the scope of such service to collect or remove solid waste materials generated by clearing, construction, demolition and any other such activity producing quantities of solid waste.
- (2) Rock, scrap building materials, appliances containing freon or other trash resulting from construction, remodeling or destruction by fire, the elements, acts of God or other causes resulting from a general cleanup of vacant or improved property or trees, brush and/or debris cleared from a property in preparation for construction or landscaping shall not be collected and removed by the city. Such materials will be removed at the expense of the customer.
 - (3) Tires will not be collected. Items too bulky or heavy to be removed during the regular city collection maybe removed after special arrangements have been made by the customer.
- E. Items piled alongside the container will not be picked up, nor will containers not provided by the city.
- F. Mandatory Additional Container.
- (1) Any additional items found outside container will not be picked up. Items will be tagged and customer informed of pending additional container issuance.
 - (2) Additional container delivery and associated fee will be triggered after two (2) consecutive incidents related to additional items or three (3) incidents in any rolling six months period.
 - (3) Payment of additional container will be the responsibility of customer until account is terminated.

193-11. Collection & Rate Schedule

- A. The city will collect solid waste as described in this Article II once every week.
- B. The City Manager shall divide the city into districts and shall schedule the collection of solid waste in these districts on the day or days and at the times that shall be most efficient and convenient to the city. Adequate notice of the collection schedules shall be provided to all customers and any changes thereto.
- C. Residential properties
\$23.50 monthly - one container
- D. Non-Residential properties:
\$23.50 monthly - one container
- E. Multi-unit rental complex.
\$23.50 monthly - one container per unit or three (3)-cubic yard dumpster(s).
- F. Additional trash container - \$20
Additional yard waste container - \$12

ARTICLE III. YARD WASTE

193-12. Definitions

As used in this chapter, the following terms shall have the meanings indicated:

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

193-13. Containers Required;

- A. Depositing or placing any yard waste or matter into any garbage container, recycling container or on any city street or in a drainage gutter is prohibited.
- B. Mandatory Additional Yard Waste Container.
 - (1) Any additional yard waste found outside container will not be picked up. Excessive yard waste will be tagged and customer informed of pending additional yard waste container issuance.
 - (2) Additional container delivery and associated fee will be triggered by two (2) consecutive incidents related to excessive yard waste or three (3) incidents in any rolling six months period.
 - (3) Payment for additional yard waste container will be the responsibility of customer until account is terminated.

193-14. Collection Procedures

- A. The city will collect yard waste provided that such yard waste is deposited into the yard waste containers issued by the city. Disposal of yard waste that will not fit into the container shall be the responsibility of the customer.

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 they 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.*

193-15. Collection & Rate Schedule.

A. The city will collect yard waste as described in Section 193-14A every two weeks.

B. The loose leaf curbside collection as described in Section 193-14B will be collected once each week.

ARTICLE IV. RECYCLING

193-16. Definitions

As used in this chapter, the following terms shall have the meanings indicated:

RECYCLING-Unbagged Recycling materials including cardboard, glass bottles and jars (any color), junk mail and envelopes (all types), magazines and catalogs, metal cans (tin/steel/aluminum), milk jugs, bleach/detergent bottles and shampoo bottles, narrow-neck plastic bottles, newspapers, paperboard (cereal/tissue boxes), telephone and soft cover books, pizza boxes (free of food residue). Recycling materials does not include bags, styrofoam (all types), hardback books (pages are acceptable, remove hard cover), light bulbs (all types), household batteries, electronics, broken glass/mirrors/window glass, empty aerosol spray cans, paint cans.

193-17. Unlawful Acts and Containment Requirement

It shall be unlawful to deposit or place any recycling material into any solid waste container or yard waste container or on any city street or in a drainage gutter.

193-18. Collection Procedures

The City will provide for the collection of recycling material, provided that such material is deposited into a recycling container provided by the city. Disposal of excessive material that will not fit into the container shall be the responsibility of the customer.

193-19. Collection Schedule

The City will collect recycling material once every two weeks.

ARTICLE V. BULK ITEMS

193-20. Definitions

As used in this chapter, the following terms shall have the meanings indicated:

BULK ITEMS-Unbagged garbage other than regular household trash, such as furniture, appliances, large items including, but not limited to lawn mowers, barbeque grills, hot water heaters, air conditioners, televisions, doors, cabinets and kids toys.

Note: Bulk items does not include materials generated by clearing, construction, demolition and any other such activity producing quantities of solid waste, rock, scrap building materials, appliances containing freon or trash resulting from construction, remodeling or destruction of fire, the elements, acts of God or other causes resulting from a general cleanup of vacant or improved property or trees, brush and/or debris cleared from a property in the preparation for construction or landscaping. Any yard waste material is not considered a bulk item and shall not be collected and removed by the city. Such materials shall be removed by the customer.

193-21. Unlawful Acts

It shall be unlawful to place any bulk material or any hazardous chemical on a city street or near a drainage gutter.

193-22. Collection Procedures

- A. Customers are required to contact our Customer Service Department to schedule a pickup.*
- B. Customer without prior pick-up arrangements will be tagged and notified of subsequent billing.*
- C. Items not removed by customer in subsequent weeks will be removed and billed accordingly.*

193-23. Collection & Rate Schedule

- A. The bulk fee shall be determined on a sliding scale based on the number of large items picked up from the residence as follows:*
- B. A minimum of \$50 will be billed for each pickup of up to five items.*
- C. Each additional item will be billed at \$10.*
- D. The city will collect bulk material every Wednesday.*
- E. The city will not collect bulk material during those weeks in which a holiday is observed and trash services do not occur. Refer to Section 193-4(b) for holidays that apply.*

*ARTICLE VI. TEMPORARY SUSPENSION OF SERVICES**193-24. Authority*

- A. The City Manager or designee may suspend trash and recycling (and yard waste when applicable) collection services for on an owner-occupied residences only if the home is unoccupied between a minimum of three months and a maximum of twelve months.*
- B. A "Temporarily Suspend Garbage Service Application" must be completed in order to place the service on hold.*
- C. A "Temporarily Suspend Garbage Service Application" must be received by the Customer Service Department at least five business days prior to the start of the suspension period.*
- D. The Solid Waste Department will collect the trash, recycling and yard waste (if applicable) containers at the start of the suspension and redeliver them on the expected date of return.*
- E. The residence for which the suspension has been approved shall remain vacant during the suspension period.*
- F. Service will automatically be reactivated at the end of the approved suspension period, unless a request for an additional period of temporary suspension has been requested and approved by the City Manager or designee prior to the automatic reactivation. Failure to request an extension prior to the reactivation date will result in the resumption of the monthly solid waste fee. Continuation of a suspension of service after reactivation requires a new "Temporarily Suspend Garbage Service Application" to be filed with the appropriate fee.*
- G. When a suspension is active, the customer may not use any other city trash/recycling/yard waste services, including someone else's container or bulk service.*
- H. No credit will be issued should customer fail to submit and complete the "Temporarily Suspend Garbage Service Application."*
- I. Partial or retroactive payments of monthly fees are prohibited.*

193-25. Suspension Fee

- A. At the time of the suspension request, the following service fees shall be paid by the customer:*
 - (1) A fee of \$35 for removal and storage of the container(s).*
 - (2) A fee of \$35 for redelivery of the container(s).*
- B. Service fee shall be paid at the time the "Temporarily Suspend Garbage Service Application" is submitted to the Customer Service Department.*

193-26. Noncompliance, Violations and Penalties

- A. Noncompliance of this article will result in the immediate reactivation of the solid waste services.*
- B. The account will be billed the full service fees for the entire suspension period and a \$100 account reconciliation fee assessed for noncompliance.*
- C. Violations and Penalties set forth in Section 193-6 shall also apply to Article VI.*

*SECTION 3. Dates.**Introduction 02-23-2014*

Ordinance is effective ten days after adoption.

From day one in his new position as city manager, Mr. Medlarz has been working with city staff to update the solid waste management code. The amended ordinance addresses several issues encountered by customers over the holiday season. With the city manager's experience and input from employees, a final draft has been prepared and is being presented for introduction.

Mr. Medlarz feels this ordinance addresses the concerns that both council and residents have expressed.

He said the ordinance adopted last year was not working because customers were required to call in order to have bulk or large items picked up. As a result, sofas, chairs, appliances, etc. were being left on the curb. It became such a problem that our crews are now picking the items up despite not being in compliance with the ordinance.

Council commented their intent was never to allow these items to remain curbside and wanted those customers taking advantage of the system to pay their fair share. They will be tagged and if it occurs again, the items will be removed and additional trash containers issued. The customer will then be billed accordingly.

The additional containers will be billed at a slight discount because of the economy of scale considering the truck and crews are already on site.

He recalled when Mr. Pikus contacted him with problems regarding multi-unit complexes in the same ownership. In reviewing the ordinance, a couple complexes were still being billed under the previous ordinance which had not been in effect for a couple years. Mr. Medlarz spoke with each complex owner/manager and determined their concerns involved the deposit. Presently there is no deposit on trash and a renter can move out and leave a \$200 clean up bill which the city is unable to recoup.

Though everyone is on board with the trash deposit for tenants, Mr. Medlarz pointed out the owner has an equal interest with the city because they want their multi-family complexes kept clean and orderly. Therefore, an exception was made for persons moving to a multi-unit complex because the owner/manager will most likely clean it up before the city arrives. In the case of a single family home, the owner would most likely depend on the city as a solution to a substantial amount of trash left by a tenant versus taking it to the transfer station.

The holiday schedule was also changed. Street Supervisor Norman Brady confirmed that his staff is willing to work on some holidays to prevent the cumbersome schedule changes that have created a lot of questions and telephone calls in the past.

He pointed out there has been a lot of interaction between property owners, residents and staff and Mr. Medlarz feels this is a good document.

Mr. Pikus said he spoke with the Randy Marvel who owns the larger multi-family complexes and he is extremely satisfied and appreciated the work and effort that went into the ordinance.

Mr. Brooks expressed concern that the trash crews are getting the proper breaks during the extreme cold weather we have recently encountered. The city manager said he has discussed this with Superintendent Tim Webb who assured him he was taking care of them.

NEW BUSINESS

Approval/Modified and New Job Descriptions:

GIS Tech Position

Planning/Economic Development Position

Electric Superintendent

General Public Works Superintendent

GIS Tech Position

The city manager reported that some changes and modifications were needed to some current job descriptions, in addition to a new description for the planner/economic development position which is a combination of two previous positions. This significantly modifies the locator position by adding new responsibilities.

Mr. Medlarz explained the GIS Tech Position will take the city into the 21st Century in terms of mapping for the city. Currently the city has no mapping capabilities other than some electrical components. All other work is handled by our engineers and the city manager feels Milford is large enough that we should have this data available both in the field and in the office.

This is a rewrite of the utility locator position which is currently vacant. If we had a staff member with this ability and the application had been developed, a utility employee could pull up to a construction site and pull up our GIS data base layer and accurately locate the utilities.

He noted that it must be within an 18-inch error tolerance so it is important to be as close as possible to prevent any liability.

This employee will work closely with and be supervised by the planning coordinator.

Both the electric superintendent and the city manager support the new position and believe it will benefit the city into the future.

Mr. Medlarz hopes to have a fully functional GIS layer for at least the electric within the next year. Our engineers should be able to help import a lot of the data they have collected. He expects both applications to be up and running within the next two years.

The city manager confirmed we are presently using Davis, Bowen and Friedel to handle both the utility and civil engineering aspects. Each department handles its own locates right now using paper. This person would maintain and update the data base as needed.

Mr. Medlarz confirmed the current budget includes a locator which is presently vacant. This position will most likely not be filled until close to July.

Mr. Pikus moved to approve the amended job description and title to be known as GIS Technician, seconded by Mr. Brooks. Motion carried.

Mr. Medlarz said that now officially allows him to start looking for someone to fill this position.

Planning/Economic Development Position

The city manager recalled this position having been discussed for at least two years. The position involves dual duties of a planner and some economic responsibilities. It is a complex position with a number of obligations. The description requires GIS capabilities because Mr. Medlarz feels that is an essential tool in the planning world today.

This person will also oversee the GIS Technician.

They are currently in the hiring process and at the interview stage. Mr. Medlarz needs approval of the job description before an offer is made to an applicant.

The city manager emphasized this is another general fund position with very limited financial resources.

Mr. Pikus asked if a job description has been written highlighting all these duties; Mr. Medlarz pointed to the job description included in the packet.

Mr. Pikus asked if there is someone who can handle the multi-task duties; Mr. Medlarz says he hopes so.

Mr. Mergner asked who handles these tasks at this time. The city manager said Mayor Shupe handles a portion of the duties and Mr. Medlarz handles many of them. Mayor Shupe added they frequently work together to accomplish many of the duties.

Mr. Pikus said the funding for this position was originally supposed to be paid from the economic development fund. Mr. Medlarz explained this position is partially funded through the general fund and partially funded through the economic development fund. He plans to present this in the next budget as a partial enterprise expense and partial general fund-funded position. He explained the economic development side is a supporting role and not the lead role.

Mr. Pikus likes the concept.

Mr. Medlarz emphasized this position is already a funded position. A candidate may not start for a couple more months so we are well positioned to make a decision. If unable to find the right person, he will continue to look in lieu of hiring two different people.

Mr. Grier said he is fully supportive of the dual roles as has been discussed for several years.

Mr. Grier moved to approve the job description for the Planning/Economic Development Position as presented in hopes of finding the appropriate candidate being hired as quickly as possible, seconded by Mr. Gleysteen. Motion carried.

Electric Superintendent

Mr. Medlarz advised that he found an error in the current job description which was triggered by the changes made to the Public Works Superintendent. The line of responsibility and reporting person for the electric superintendent were left out of the description. Therefore, new language was added stating that the electric superintendent reports to the city manager.

No other changes were needed.

Mr. Grier moved to amend the Electric Superintendent job description in that he reports directly to the city manager, seconded by Mr. Brooks. Motion carried.

General Public Works Superintendent

The last job description changes the Public Works Director position to a Public Works General Superintendent. Previously, the electric superintendent, though the language was not in the job description, reported to the public works director.

With the change in the Public Works Director's job description, all superintendents, as well as the planning coordinator, will report to the city manager. That removes one layer of administration and is more streamlined in a more competitive environment.

Mr. Medlarz advised that this was written based on his previous public works experience. Though the electric superintendent does not report to this individual, he expects them to work in close coordination.

Though there are a lot of responsibilities, the position will not stand alone if hard decisions have to be made which will be with the assistance and guidance of the city manager.

The electric superintendent will be responsible for electrical mapping and the general public works superintendent will be handling the general public works mapping.

He has a vision that in two years, the city will have functional mapping and two superintendents that work closely on the mapping side as well as the coordination on the planning side.

When asked how quickly this position will be filled, Mr. Medlarz explained it would be great if someone qualified would walk through the door after the new fiscal year begins.

He noted that in this fiscal year, there were two key administrative level positions unfilled for almost the entire year (planner and public works director). That does not mean there has been a savings, because a project is always popping up which means that money has been spent.

Mr. Gleysteen moved to approve the Public Works General Superintendent, seconded by Mr. Pikus. Motion carried.

Airport Road Repair Status Update

Mayor Shupe recalled the letter the city manager and he drafted to be sent to Milford's legislators expressing concerns about the proposed reductions of funds by Governor Markell. In that letter, the need for repairs to the Airport Road was stressed. As a result, the mayor wanted to give council an update on Airport Road and what should be expected in the near future.

City Manager Medlarz recalled previous discussions that the Community Transportation Funds (CTF) are crucial for this project. Without that and Municipal Street Aid (MSA), which is also under consideration for reduction, the city would have difficulty making these repairs without issuing long-term debt. He does not recommend issuing long-term debt for only one road project.

In order for council to consider a road debt project, it would need to be well balanced within the city.

Mr. Medlarz stressed the importance of legislative support and has already talked with two of our legislators. He hopes city council has heard from our legislators as well. They are asking for some patience because they are in the budget process and do not want to jump to any conclusions.

The city manager does not expect a commitment from any of the legislators until they see what is happening to CTF and MSA. However, we need to continue working to prevent any major reduction. The city manager plans to be at all league and SCAT meetings where he can talk with our legislators.

Under councils' authorization, he contracted with John D. Hynes & Associates, Inc. a geotechnical firm out of Salisbury who conducted pavement and subsoil borings to identify the structural deficiencies of the road. Mr. Medlarz explained that in a cracked pavement environment, as soon as the moisture gets into the subsoil, there is not enough pavement strength on top to avoid flexing which creates alligatoring from the freezing and thawing effect.

He added that continuous frozen conditions are better than freezing and thawing processes which creates much more damage. The city manager is hoping there will be less damage as the weather warms up this spring.

He, along with our city engineers and some paving contractors, will put together a budget to work on the worst sections this year. That will be presented to council and once that is authorized, they will share the information with our legislators.

Our legislators are anxious to know the cost, though we are unable to provide that at this point because we want to ensure it is right.

When asked if the whole road will be done, Mr. Medlarz stated that any pavement that has not flexed by now should wait. It will end up looking like an extremely large checkerboard though it will be functional and safe.

Mr. Brooks recalled when Mr. Medlarz was city engineer and had a three to five-year road improvement plan. The majority of our streets were in good condition because the issues were addressed before they became a problem.

Mr. Medlarz said that once this is addressed, we will look at all the roadways and decide whether or not a three or five-year plan is needed. Financially, we cannot afford anything else at this point but need to keep our legislators focused on this matter.

Potential Fire Siren Elevation Change

City Manager Medlarz then recognized Fire Chief Duane Fox who was in attendance.

He reported the city continues the mediation process between residents and Carlisle Fire Company regarding the downtown fire siren. Two options are being considered; one is a change in elevation to the top of the water tower which would eliminate some of the reflecting sound off the downtown buildings. The city manager has contacted Southern Corrosion who is the maintenance company for our storage tanks. A quote has not yet been received.

The second possible option is a "blackout" during the late night hours.

The fire chief feels that the elevation change would not adversely impact the siren and may actually benefit it.

Mr. Medlarz explained that we would be moving a fire alarm siren from a general fund item to an enterprise fund structure and asked which fund is responsible.

He noted that if the siren were at the 125-foot level, the sound will not be hitting the walls of the buildings adjacent to the siren. Therefore, there will be no reverberation as is currently heard when you are outside.

The president and chief have agreed to discuss the blackout period with the board though no promises were made.

As an engineer, former fireman and as the city manager, Mr. Medlarz is able to see all sides. He tries to make our citizens understand the fire company does not do this because they want to be a problem in downtown Milford. After the first two-hour meeting, everyone was better educated in understanding the needs of the fire department and the purpose of the siren.

Carlisle Fire Chief Duane Fox then confirmed there are two working sirens. One is on Marshall Street and the other is down from city hall on Pearl Alley.

Mr. Medlarz confirmed the Marshall Street siren is lower than the one downtown.

He said the fire company has agreed that once they have a fair chance to evaluate a fully elevated unit, Fire Chief Fox may decide not to utilize the Marshall Street siren.

Mr. Medlarz clarified that the sirens belong to the fire company though they are the responsibility of the city.

The city manager will bring the issue back before council, but wanted to inform council what is occurring.

Mayor Shupe thanked the fire chief for informing our citizens that the sirens do not necessarily alert other fireman, but to alert citizens there will be emergency vehicles throughout the city.

Authorization/Customer Service-Former PNC Building Renovations/Reisinger Contract/Change Order 3

Mr. Pikus asked why we are not done with this; Mr. Medlarz pointed out this project began before his tenure. Mr. Medlarz said he is presenting the change order that he discussed with Mr. Carmean.

Mr. Medlarz said he was going to bring Mr. Carmean to the meeting to discuss it; Mr. Pikus feels Mr. Medlarz should have.

The city manager stated that he was at the PNC building last week along with Mayor Shupe and other city officials. One of the compressor units did not sound right and it was determined the unit froze up over the weekend. He will have it repaired though it will not need a change order. Electric Superintendent Rick Carmean feels it is better for us to use the mechanical contractor the city has on call for the repairs rather than issue another change order.

When questioned, Mr. Medlarz recalled Change Order 3 was authorized by the former city manager. He explained that once city staff began visiting the building, they saw things that needed to be changed. He said that we could have hired the best architect in the world, but it is difficult for staff to fully comprehend the layout from the drawings. Once it was built, they began expressing concerns about such things as the lack of a counter divider or outlets that were needed for adding machines, etc.

Mr. Medlarz recalled when he was the city engineer, he would come in with change orders and council might ask him what he would do if council voted no. Depending on the amount, sometimes he would tell them he would have to pay for it. In this case, if council does not approve it, Mr. Carmean will have to pay for it though Mr. Pikus said that he would not pay for it.

Mr. Pikus then stated that the city set aside \$2 million to build a new billing office on the river; Mr. Medlarz pointed out it was not that much. Mr. Pikus said it was very close to \$2 million and asked if Mr. Medlarz had the exact figure. Mr. Medlarz said no though there seems to be a lot of numbers floating around. The \$2 million Mr. Pikus mentioned is the highest he has heard. However, the lowest number he has heard is significantly higher than what is being spent on the refurbished customer service center here.

Mr. Pikus pointed out it was part of the bond issue.

Mr. Medlarz reiterated this occurred before his time. He said the lowest number he has been quoted for the new customer service center is more than double the \$357,000.

He offered to get Mr. Pikus the numbers as they were historically developed from the finance director.

Mr. Brooks recalled the city hiring experts to investigate the building before the city purchased it. They reported what needed to be done and what was in good condition. Their overall opinion was it was a good purchase for \$600,000.

He then reminded council of the most recent renovation of city hall at a cost of \$2.7 million.

Mr. Medlarz noted that he and Rick Carmean made a decision to pay for any other issues by using city staff or other parties versus a change order.

He believes there could be a problem with the gutters because the small walkway between the buildings is fully iced over as a result of dripping gutters. Fortunately no leaks have been observed inside. He said that these issues should have been addressed and now that we are aware of it, we cannot ignore it—particularly the icy walkway.

Because the duct work for the electrical conduit does not meet fire code, it will need to be added to the punch list. Mr. Medlarz expects there will be some discussions with the contractor who will say some of these issues were existing conditions because the PNC Bank had fully operated the electrical services.

Mr. Medlarz wants to make sure everything is addressed correctly to prevent any potential liabilities later on.

Mr. Pikus asked when we will get to move in though he understands all of these things need to be fixed. Mr. Medlarz said the electric walk thru is tomorrow and the fire marshal inspection is Wednesday.

Mr. Medlarz then noted that we still need telephone service because that was not included in the contract.

Mr. Pikus said he cannot believe we have no phones; Mr. Medlarz explained we do not have a phone service provider.

Mr. Pikus moved to authorize Reisinger Contract Change Order No. 3 be paid from electric reserves for continued renovations to the Customer Service Office/former PNC Building, seconded by Mr. Morrow. Motion carried.

Approval/Hickory Glen-Preliminary Plan (Major Subdivision) One Year Extension

Phillip Tolliver, Principal of Morris and Richie Associates submitted the following request:

On behalf of our client, Eric Dunn of Dunn Development, and in regards to the above referenced plan, we hereby formally request a twelve (12) month extension for the previously approved Preliminary Plan. The Preliminary Plan was previously granted approval by the Milford City Council on February 24, 2014, and is therefore scheduled to expire on February 24, 2015 in accordance with Section 200-4.A(5) of the City Subdivision Ordinance. We have been diligently working on developing the construction plans related to this project and this 12-month extension is necessary in order to obtain all necessary State, County, and City approvals related to the final engineering plans.

Mr. Medlarz advised that City Engineer Erik Retzlaff is present and is familiar with this situation. Also in the audience was Phillip Tolliver.

The city manager reminded council this subject is on the western side of Milford in the area of Baltimore Air Coil. It is part of the infrastructure study that includes Homestead, Draper Farm and Crop Production Services and the Hickory Glen Subdivision.

The study is in draft form and has been shared with Mr. Tolliver who is considering the options.

The planning commission felt that the extension is warranted.

Mr. Medlarz hopes that next time we see this development, he hopes to be presenting the public works agreement versus another extension.

Once all entities have reviewed the study, a proposed cost share arrangement for utilities extensions in the northwest corridor will be presented for council approval.

Mr. Morrow moved to approve a one-year extension of the Hickory Glen Preliminary Major Subdivision Plan, seconded by Mr. Brooks.

Motion carried with Mr. Gleysteen casting the one dissenting vote. Mr. Gleysteen said he feels that one year is sufficient for what they have gone through already.

Bid Award/Milford Water Treatment Facility Award

Brandon Kohler, Project Engineer of Davis, Bowen and Friedel submitted the following recommendation:

The bids for the above referenced project were received on February 19, 2015. We have evaluated the bids and the associated documentation submitted by each of the Contractors and all documentation is in order. Please find enclosed a tabulation of all of the bids received. Based on our review of the bids we recommend that the Contract be awarded to Kuhn Construction Co. Kuhn Construction Co.'s total base bid is \$613,750.00. This Recommended Bid is within the City's proposed budget for this project.

Mr. Medlarz emphasized this is associated with the water tank. There were clarifications to the specifications issued and he felt the bids were very competitive.

The city manager is pleased to report that the recommended bid comes in below the budgeted amount for this project. Mr. Pikus was pleased adding that is a good situation that the city has not been in for a long time.

Mr. Medlarz said the installation for the piles has been challenging and the test pile actually failed under load at 60 tons versus 80 tons. The city has an obligation which could be the difference between our budgeted funds and the lowest bid. Additional lengths were included in the bid which he agrees is reasonable because it is needed to protect both parties. He will bring that issue back to council.

Mr. Medlarz supports the engineer's recommendation which is a conditional award based on USDA's concurrence.

Mr. Pikus moved to conditionally award the bid to Kuhn Construction Company in the amount of \$613,750.00, seconded by Mr. Morrow. Motion carried.

ADJOURN

Mayor Shupe adjourned the Council Meeting at 8:52 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Terri K. Hudson". The signature is fluid and cursive, with a large initial "T" and "H".

Terri K. Hudson, MMC
City Clerk/Recorder