

MILFORD CITY COUNCIL
MINUTES OF MEETING
August 10, 2015

A Meeting of Milford City Council was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall on Monday, August 10, 2015.

PRESIDING: Mayor Bryan Shupe

IN ATTENDANCE: Councilpersons Garrett Grier III, James Burk, Owen Brooks, Jr. and Katrina Wilson
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 7:01 p.m.

INVOCATION AND PLEDGE

The Pledge of Allegiance followed the invocation given by Councilwoman Wilson.

Required Quorum

Mayor Shupe deferred to City Solicitor Rutt to discuss the procedural process this evening due to having only four council members present.

Solicitor Rutt explained that he was asked whether four council members constitute a quorum, and because there is currently a vacancy, there are only seven council representatives. Therefore, the charter allows the meeting to be held if a majority is present. With only seven council members, four is a quorum. Therefore, it is his opinion that city council can act.

APPROVAL OF PREVIOUS MINUTES

Motion made by Mr. Brooks, seconded by Mr. Burk, to approve the minutes of the June 8th Council Meeting, June 9th and June 10th Finance Committee, June 15th Council Meeting, June 22nd Council Meeting, June 29th Council Meeting, July 9th Police Committee, July 13th Council Meeting and July 27th, 2015 Public Hearing minutes as submitted. Motion carried.

RECOGNITION

No requests received or special guests in attendance.

MONTHLY POLICE REPORT

Police Committee Vice Chair Wilson presented the report on behalf of Chief Hudson. Ms. Wilson moved to accept the monthly police report, seconded by Mr. Burk. Motion carried.

CITY MANAGER REPORT

Mayor Shupe referenced the Utility and Parks and Recreation Department reports included in the packet and asked if council had any questions.

Mr. Brooks noted the street department report that indicated they will be advertising for a crew leader and asked what that person does. Mayor Shupe said he will get that information and provide it at the next meeting.

Mr. Brooks said that normally we have a public works director and employees. He has never heard of a crew leader position

in the past. Mayor Shupe said he is unfamiliar with the position as well.

Mr. Grier moved to accept the City Manager Report, seconded by Mr. Burk. Motion carried.

COMMITTEE & WARD REPORTS

Annexation Committee Report

Chairwoman Wilson reported that the annexation committee met on July 27, 2015 to consider the following annexation request:

Key Properties LLC Representative Mike Fannin had submitted a letter requesting two parcels be annexed into the City of Milford from Sussex County, each parcel consist of 1.28 acres for a total of 2.6 acres. The parcels are located west of Cedar Creek Road (SR 30) and south of Wilkins Road (CR 206) and are currently zoned Agricultural Residential in Sussex County. They are requesting a zone of Institutional Service District and will become part of the overall Bayhealth Medical Campus site.

Mr. Grier moved to accept the following annexation committee and proceed accordingly, seconded by Mr. Brooks:

Property Owner:	Key Properties Group, LLC
Location:	7254 & 7272 Cedar Creek Road, Lincoln
Size:	2.6 +/- acres
Existing Zoning:	AR (Sussex County)
Proposed Zoning:	IS (Institutional Service District)
Tax Map and Parcel Number:	330-15.00-58.01 & 58.04

APPLICANT

A petition by the property owners was submitted on June 17, 2015 to annex 2.6 +/- acres into the corporate limits of the City of Milford. Each property is improved with a dwelling unit but it is anticipated that the applicant will demolish the structures and incorporate these properties into the overall health campus project.

LOCATION

The property is identified as Sussex County tax parcels 330-15.00-58.01 & 58.04 and would be located in the 1st Ward of the City of Milford.

STREETS

The properties have frontage along Cedar Creek Road (State Rt. 30) but it is anticipated that access will be gained through the internal roadways associated with the health campus project.

DRAINAGE

There are currently roadside swales along Cedar Creek Road (State Rt. 30). The health campus project will be required to adhere to DNREC storm-water regulations and obtain required permits from the Sussex Conservation District and State of Delaware.

ZONING

The area proposed to be annexed is currently zoned AR in Sussex County under the Sussex County Zoning Ordinance. The applicant requests the property to be zoned IS (Institutional Service District) under the City of Milford's Zoning Ordinance.

SEWER

The area will be served by gravity sewer associated with the Southeast Area utility agreement and the health campus onsite collection system.

WATER

The area will be served with a water main extension from the newly constructed Southeast water tower and existing water main on Wilkins Road associated with the health campus project.

ELECTRIC

The City will extend electric from the substation located on Elks Lodge Road and will provide additional loops from the north on Wilkins Road.

TRAFFIC

Any development of these parcels will be directed through the internal layout of the health campus site. No anticipated traffic impacts associated with this annexation request.

ENVIRONMENTAL ISSUES

The U.S. Army Corp of Engineers will control provisions under Section 404 of wetlands on the parcel.

AREA LAND USES

The properties will be incorporated into the overall health campus project. This area is surrounded by vacant commercial, low density residential, and moderate density residential.

FIRE AND POLICE

The Carlisle Fire Dept. will provide fire and EMS coverage to this area. The City will provide police service.

COMPREHENSIVE LAND USE PLAN

The annexation is consistent with the Southeast Master Plan Future Land Use Plan and is designated as Employment.

PROPERTY TAXES AND OTHER ECONOMIC CONSIDERATIONS

No significant property tax or economic gain expected, except for the fact that the 2.6 acres will be incorporated into the overall health campus project.

ADVANTAGES TO THE CITY

- * The property would be within the planning area of the City of Milford.
- * Identified within the Urban Growth Boundary Area of the 2008 Comprehensive Plan.
- * The properties will be incorporated into the overall health campus project.

DISADVANTAGES TO THE CITY

- * None.

RECOMMENDATION

Based on the issues and comments discussed in this report, the Annexation Committee of the City of Milford recommends approval of the application, following a unanimous vote, with the following comments:

- * Annexation is consistent with the "Comprehensive Land Use Plan".
- * Property is contiguous to existing City Limits.
- * Any changes to the property are subject to review by the City of Milford Planning Commission and/or City Council.
- * Property will be served by City Electric, Sewer, and Water. At present, these utilities are not available to the site.
- * An executive Annexation Agreement is required prior to final City Council approval.
- * Upon Council approval, a Municipal Annexation Plan of Services will be submitted to the Office of State Planning for their approval.

s/Annexation Committee Members:

Chairwoman Katrina Wilson
Councilman Doug Morrow
Councilman James Burk
Planning Commission Chairman Archie Campbell

Motion carried.

COMMUNICATIONS & CORRESPONDENCE

Included in Packet.

UNFINISHED BUSINESS

Adoption/Ordinance 2015-13/Chapter 193-Solid Waste Code/Fee Increase

Mayor Shupe recalled this ordinance being discussed at the last meeting again noting it is a housekeeping ordinance that was needed to comply with the fifty-cent monthly trash increase approved by city council with the adoption of the FY15-16 budget.

The solid waste department has seen a decrease in funds over the past few years due to increased landfill, tipping and associated solid waste costs. Currently funds are being transferred out of a surplus fund account to cover a \$60,000 annual deficit. The proposed fifty-cent solid waste increase per year over the next three years will result in a \$1.50 total increase by year 2017. The increase this year will bring in an additional \$20,000 for a total of \$60,000 by 2017.

Mr. Brooks moved to adopt Ordinance 2015-13, seconded by Mr. Burk:

Ordinance 2015-13
CHAPTER 193-SOLID WASTE MANAGEMENT
§193-11 - Collection and Rate Schedule

WHEREAS, the Solid Waste Department requires increased revenue to offset additional expenses related to operational and maintenance costs beginning with the Fiscal Year 2015-2016 budget; and

WHEREAS, in order to ensure the continued financial viability of the City of Milford's Solid Waste funds, City Council approved the recommended rate adjustments at the time Resolution 2015-08 was adopted; and

WHEREAS, starting in Fiscal Year 2015-201, a fifty-cent monthly increase will be added each year to the monthly Solid Waste fee for the next three years.

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

Section 1. §193-11 - Collection and Rate Schedule of the Solid Waste Management Code is hereby amended to read as follows:

§193-11- Collection and 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~~

Effective:

July 1, 2015 - \$24.00 monthly - one container

July 1, 2016 - \$24.50 monthly - one container

July 1, 2017 - \$25.00 monthly - one container

- D. Non-residential properties:

~~\$23.50 monthly - one container~~

Effective:

July 1, 2015 - \$24.00 monthly - one container

July 1, 2016 - \$24.50 monthly - one container

July 1, 2017 - \$25.00 monthly - one container

E. Multi-unit rental complex.

~~\$23.50 monthly - one container per unit or three-cubic-yard dumpster(s).~~

Effective:

July 1, 2015 - \$24.00 monthly - one container per unit or three-cubic-yard dumpster(s)

July 1, 2016 - \$24.50 monthly - one container per unit or three-cubic-yard dumpster(s)

July 1, 2017 - \$25.00 monthly - one container per unit or three-cubic-yard dumpster(s)

Section 2. Dates

Adopted: August 10, 2015

Effective Date: As stated

Motion carried.

Adoption/Ordinance 2015-14/Appendix B/Electric Rules and Regulations

The mayor recalled this ordinance also being introduced at the last council meeting. This ordinance rescinds two new fees that were presented as part of the complete overhaul of the Electric Rules and Regulations on June 22nd of this year. The fees being removed are the deposit return request processing fee and the budget billing fee. The city prefers to encourage budget billing and believes this would have the opposite effect.

Because of associated costs with the software changes, neither of these fees would be cost effective for the city. As a result, customer service, the IT Department and Electric Department recommend the two fees be removed from the ordinance.

Mr. Grier moved to adopt Ordinance 2015-14 based on the previous conversations regarding these two deposits, seconded by Mr. Burk:

AN ORDINANCE OF THE CITY OF MILFORD AMENDING THE CITY OF MILFORD CODE,
SECTION 22, APPENDIX 1, ELECTRIC RATES AND REGULATIONS,
BY REPEALING THE DEPOSIT RETURN REQUEST PROCESSING FEE AND BUDGET BILLING FEES

WHEREAS, City Council previously adopted Ordinance 2015-10 on June 22, 2015, which imposed a new Deposit Return Request Processing Fee and a new Budget Billing Fee; and

WHEREAS, City Council finds this is not in the best interest of the City of Milford Electric Customers nor is it cost effective when comparing associated costs required to implement.

NOW, THEREFORE, BE IT RESOLVED, Appendix B-City of Milford Electric Rates, Appendix 1 and Regulations is hereby amended by rescinding and removing the following language:

Section 1. APPENDIX 1– FEE SCHEDULE (Section 22)

~~Deposit Return Request Processing Fee.....20% of Deposit (not to exceed \$15.00)~~

~~Budget Billing Fee (Sec 5.8)~~

For Residential Customers	\$1.00/Month
For SGS and MGS Customers	\$5.00/Month
For all Others	\$10.00/Month

Section 2. DATES.

Introduction: July 27, 2015

Adoption (Projected): August 10, 2015

7

7

7

Motion carried.

Appointment/Charter Review Committee

Mayor Shupe reported that this has been discussed during the past couple council meetings as well. He was hoping that to finalize the appointments tonight by having one council person from each ward volunteer to serve on the committee. Unless someone present wants to volunteer, he prefers to postpone the matter until the next meeting.

Mr. Brooks asked what the mayor's intent was; Mayor Shupe said he previously discussed council reviewing the charter every few years to make sure it is still properly serving the city. In addition, this will provide a good review for any new council member not familiar with the charter.

He anticipates this will involve a long, detailed process and it would be more helpful to have a committee member from each ward. They can then come back with a recommendation to a full council.

When asked how long this review will take and whether it will take two or three months, Mayor Shupe said we will need to discuss how often the committee will meet. He believes it might be helpful to add a time line as well.

Mr. Brooks recalled the last time the charter was reviewed in its entirety took seventeen three-hour committee meetings over a year and a half. The mayor, city solicitor, city clerk and some council members were involved.

Mayor Shupe agrees it is a big commitment. Mr. Brooks then volunteered to represent the third ward noting that Mr. Morrow works during the day.

Mr. Burk hopes that this may not take as long depending on when it was last reviewed prior to 2008-2009. Mr. Brooks noted that he had a charter that was dated in 2010 though his original charter was undated.

Mr. Brooks also pointed out there are several codes that need to be reviewed as well. He recalled the firearms ordinance that was omitted by error during the codification in 1996. Chief Hudson agreed there were a number of ordinances that were not included during that process.

Mr. Burk moved to postpone any appointments to the charter review committee, seconded by Mr. Grier. Motion carried.

Milford Parade Committee Contributions/Utility Bill Inserts

Mayor Shupe advised the city clerk received an e-mail this past Thursday asking for support of the upcoming Milford Community Parade on Wednesday, October 21st.

They are asking for council to approve copying their contribution letters which can then be mailed to all City of Milford utility customers. In order to accommodate their request and get the inserts copied and added to the bills as quickly as possible, it was added to tonight's agenda.

Mr. Grier said this has been done in the past. He then moved to approve the request, seconded by Mr. Burk. Motion carried.

Authorize/DBF Proposal/Well 11R/Engineering & Construction Services

The mayor explained this proposal is for the work needed to bring Seabury Avenue Well 11R online. The well was constructed earlier this year under a previous contract. The proposal before council includes the design, installation, administration and inspections necessary to install the well pump, motor, piping, electrical and controls. That work is required in order to connect the new well into the existing water treatment facility. This work also includes the proper abandonment of existing well 11.

PE Erik Retzlaff of Davis, Bowen and Friedel was present and informed council this is a follow-up to the replacement well drilled in June. The original well that currently exists pumps approximately 67 to 70 gallons per minute. The new well yields about 250 gallons or four times more than the current well.

The proposal covers the work required to install the pump, connect it and get it operating.

When asked if this was part of the USDA project, Mr. Retzlaff advised that half the cost of this work is being paid through the Redner's Market 2013 water service agreement.

Mayor Shupe added that funding is already in place to cover this expense.

When asked the cost, Mr. Retzlaff advised the city's share of the Redner's agreement is \$200,000.

Mr. Burk moved for authorization of the DBF Engineering and Construction Services Proposal relating to Replacement Well 11-R at the Seabury Avenue Water Treatment Facility, seconded by Mr. Brooks. Motion carried.

Authorize/DBF Proposal/Truitt Avenue Rehabilitation & Cemetery Road Expansion Phase 2

Mayor Shupe informed council this proposal covers the expenses associated with the preparation of the bid documents and bidding assistance for pavement mill and overlay, and handicap ramp replacement along Truitt Avenue and also related to the construction of the next phase of roadways within the city-owned cemetery.

He explained that the reason the projects are being combined is so that the millings obtained from Truitt Avenue can be used as base material for the new cemetery road.

The Truitt Avenue portion of the project bid documents will also include unit price contingency items for the removal and replacement of curb and gutter and sidewalk if funds are available to perform the additional work.

Mr. Brooks asked if there will be any extra millings that can be used on Mispillion Street and recalled previous conversations about that possibility. Mayor Shupe that can be discussed though he knows we have some other big projects such as Airport Road where we may want to do the same thing.

PE Erik Retzlaff added that this proposal will allow DBF to prepare the documents and obtain bid prices from the contractors.

Ms. Wilson moved to authorize the DBF proposal for Survey, Design and Bid Procurement services relating to the Truitt Avenue Rehabilitation & Cemetery Road Expansion Phase 2 projects, seconded by Mr. Grier. Motion carried.

Certification of Voter List/2015 Special 2nd Ward Election and USDA Sewer Borrowing Referendum

Mayor Shupe noted that Chapter 68 of the City of Milford code, requires the Voter Registration list be presented to council prior to an election. As a result, approval of the voter registration list for the September 1st referendum and the 2nd Ward Special Election is needed. This will enable the city clerk's office to provide the final Ward 2 voter list to the candidates.

Mr. Burk moved for approval of the Voter Registration list to be used in the Special Referendum and 2nd Ward Special Election on September 1, 2015, seconded by Mr. Brooks. Motion carried.

Appointment/Special Election 2nd Ward Clerk

The mayor also reported that Article II, Section 2.01 of the City Charter also requires City Council appoint an election clerk(s) for each Ward in which there is a contest. As a result, a clerk from 2nd ward needs to be appointed for this special election. Richard Wilson of 11 Nelson Street has been recommended to fill the 2nd Ward Clerk position.

Ms. Wilson moved to appoint Richard Wilson as the 2nd Ward Clerk for the September 1, 2015 Special Election, seconded by Mr. Burk. Motion carried.

Adoption of FY 2015-2016 Tax Warrant

7

7

7

Article VII-Taxation, Assessors and Assessment of Taxes, states that no later than the second month of a new fiscal year, the city manager shall make available to the council a list containing the names of all taxable properties, the amount of each assessment, and the tax due for each property.

Attached to the tax list shall be a warrant, signed by the Mayor and attested by the City Clerk, commanding the City Manager to collect the property taxes as stated and set forth in the tax list.

Mr. Burk moved to adopt the 2015-2016 Tax Warrant as presented, seconded by Mr. Grier:

GREETINGS:

The Charter of the City of Milford provides the following:

"Article VII, Section 7.12: Attached to said tax list shall be a warrant, under the Seal of the City of Milford, Signed by the Mayor and Attested to by the City Clerk, commanding the City Manager to make collection of Taxes as stated in the Tax Lists."

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

Assessed Per Billing Register	\$1,038,989,692
Exemptions	[229,097,900.00]
TOTAL ASSESSED VALUE	\$809,891,792.00
x .0046	
ESTIMATED TAX PER PROPERTY VALUES	\$3,725,502.25
Senior Citizen Discount	[30,912.00]
TOTAL TAXABLE (Fiscal Year 2015-2016)	\$3,694,590.25
Due Date:	September 30, 2015

Motion carried.

Adoption/Resolution 2015-18/Scheduling FY 2015-2016 Board of Revision & Appeals

Mayor Shupe referenced Section 7.06 of Article VII that requires city council to establish a date by resolution, when Council will sit as a Board of Revision and Appeal. The deadline for property tax value appeals is August 31, 2015.

Mr. Grier moved to adopt Resolution 2015-18, scheduling the Board of Revision and Appeal on September 14, 2015, seconded by Ms. Wilson:

WHEREAS, the provisions of Article VII, Section 7.06 of the Charter of the City of Milford state that Council shall cause a copy of the General Assessment to be hung in two public places in the City of Milford and there to remain for the space of ten days for public information; and

WHEREAS, attached to said copies shall be notice of the day, hour and place that Council will sit as a Board of Revision and Appeal for said General Assessment.

NOW, THEREFORE, BE IT RESOLVED, that on Monday, September 14, 2015 at 7:00 p.m., the City Council of the City of Milford will sit as a Board of Revision and Appeal for the 2015-2016 General Assessment.

Motion carried.

Introduction Ordinance 2015-18/Building Construction Code/Chapter 88/Fees

Mayor Shupe stated that Building Inspector Don Williams has determined there is a need to review and update the city building permit fees from time to time. Fees for a building permit are based on the estimated value of work associated with the fee which changes periodically. It has been recommended that the fee schedule be handled in the same manner as the Planning, Zoning and Engineering fees which are established by a resolution of council.

This ordinance cleans up the language in Chapter 88-Building Construction related to building code fees in both the International Residential Code and the International Building Code.

Mayor Shupe noted this ordinance is scheduled for August 24th at which time a resolution will be presented with any updated building permit fees and associated costs.

Mayor Shupe then introduced the following ordinance:

ORDINANCE 2015-15
Chapter 88-Building Construction

WHEREAS, the City of Milford has adopted a Building Construction Code whose current standards reference the International Residential Code and the International Building Code; and

WHEREAS, said code proposes that a fee for each plan examination, building permit and inspection be fixed by City Council from time to time; and

WHEREAS, the purpose of the fees are to defray the municipal costs of administering the code.

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

Section 1.

Article I-International Residential Code-Chapter 88-Building Construction, of the Code of the City of Milford, is hereby amended by deleting and repealing §88-2(A)(3)(a) Section R108 Fees.

Section 2.

Article II-International Building Code-Chapter 88-Building Construction, of the Code of the City of Milford, is hereby amended by deleting and repealing §88-4(A)(4)(a) Section 108 Fees.

Section 3.

Article I-International Residential Code-Chapter 88-Building Construction, of the Code of the City of Milford, is hereby amended by inserting the following language:

Fee schedule. Permit fees shall be set by resolution adopted by City Council and maintained by the City Clerk's Office.

Section 4.

Article II-International Building Code-Chapter 88-Building Construction, of the Code of the City of Milford, is hereby amended by inserting the following language:

Fee schedule. Permit fees shall be set by resolution adopted by City Council and maintained by the City Clerk's Office.

Section 5.

Dates.

Introduction: August 10, 2015

Adoption (Projected): August 24, 2015

Effective: September 3, 2015

7

7

7

Non-Metered Electrical Service Areas/Unauthorized Use

The mayor informed council that several individuals have been found plugging into open receptacles with anything from personal appliances to computers. In a recent incident, a resident reported to the parks and recreation director that two individuals who were regularly connecting to outlets in the Bicentennial Park. This has also occurred in the downtown area where receptacles were in place for use by holiday lights, festivals and other organized events.

This matter will be sent to the Public Works Committee for further review and recommendation.

Mayor Shupe wanted council to be aware of this situation and the manner in which it will be handled is being discussed. He hopes to bring a recommendation from the public works committee to council.

When asked if there is anything on the books right now, Chief Hudson explained there is a theft of service charge in Title 11 of the Delaware Code. However, it would be difficult to convict someone in court because it is not prohibited in our current electric code which was confirmed by the city solicitor. There is a section that deals with tampering, but it involves meters and electric customers specifically. Something more specific is needed about unauthorized use of electric in public areas.

Both Chief Hudson and the city solicitor agree that language needs to be added to our code to address this problem and allow the city to take action against these individuals.

Mr. Grier asked how many areas in the city have unmetered electric and provide power; Chief Hudson believes it is mainly in the various park areas.

Mr. Rutt said that is the reason it needs to be discussed by the public works committee. An amendment to the electric code will then be considered for theft of services.

Ms. Wilson feels this is a problem associated with growth. She pointed out that the city is growing in population and culturally. These are issues we are seeing as a result.

When Mr. Brooks asked how we would stop this, Chief Hudson advised that the power has since been disconnected though it can be turned back on by any organization that wants to use it.

*Chapter 77/Alcohol Waiver/B&G Club-Arena's Running of the Goat Event
Authorize/B&G Club/Closure & Private Use of Municipal Parking Lot/Adjacent to Arena's*

Mayor Shupe advised that Arena's Sports Bar is hosting an Inaugural Running of the Goat in downtown Milford on Friday, August 21st that will benefit the Boys and Girls Club. The course covers a large area of the downtown area including the Mispillion Riverwalk and Goat Island Nature Preserve and finishes at Arena's Sports Bar. Included is a post 5k event in the parking lot in front of Arenas for participants and guests. It will include live entertainment and local beer.

In addition to the request of the waiver to the city alcohol ordinance, permission is also needed to close the municipal parking lot in front of Arena's, adjacent to NE Front Street, beginning at 4:00 p.m. on Friday.

Mr. Grier moved to approve the alcohol waiver required for Arena's Post 5K Event on Friday, August 21st, seconded by Mr. Burk. Motion carried.

Mr. Grier moved to approve the use and closure of the municipal parking lot in front of Arena's, seconded by Mr. Burk. Motion carried.

Chapter 77/Alcohol Waiver/DMI-Eat in the Street Event

The mayor reported that Downtown Milford, Inc. is planning its 3rd Annual Eat in the Street Event on September 20, 2015 from 5:30 to 8:30 p.m. This event will be held at the Milford Senior Center in the event of inclement weather.

Mayor Shupe advised that Downtown Milford works with restaurants and businesses who participate in this event where tables and chairs are placed down the middle of Walnut Street. The event has grown and this year 125 tickets will be sold. Food is prepared by local establishments; a beer and wine service is also included.

Downtown Milford will be closing Walnut Street from Park Avenue to SW Front Street. Approximately 25 other persons will be serving and assisting the event.

The event benefits Downtown Milford, Incorporated.

Mr. Burk moved to authorize the alcohol waiver and allow alcohol be served to participants at the 3rd Annual Eat in the Street Event on September 20, 2015, seconded by Mr. Grier. Motion carried.

Authorize/DNREC Wastewater Asset Management Program

Mayor Shupe deferred to City Planner Rob Pierce.

Mr. Pierce recalled in May the City of Milford submitted a non-matching grant application to the State of Delaware, Department of Natural Resources and Environmental Control (DNREC), Financial Assistance Branch (FAB) for the Wastewater Asset Management Incentive Program. The application was reviewed by the Delaware Water Infrastructure Advisory Council and approved for \$70,000 in grant funding applied for.

The city is required to complete an Asset Management Plan by October 1, 2017 based on the EPA Framework for Asset Management and centered on five core categories:

- (1) current state of assets
- (2) level of service
- (3) critical assets
- (4) minimum life cycle cost
- (5) long term funding plan

A draft agreement was included in the packet. It describes the required deliverables, milestones and project costs associated with the plan.

Mr. Brooks made a motion to accept the DNREC grant offer in the amount of \$70,000 and authorize Mayor Shupe to sign the associated paperwork, seconded by Ms. Wilson. Motion carried.

Authorize/DHSS Drinking Water Asset Management Program

Mr. Pierce advised this program has the same guidelines though the application is through the State of Delaware, Department of Health and Social Services (DHSS), Division of Public Health for the Drinking Water Asset Management Incentive Program. The application was approved by the Delaware Water Infrastructure Advisory Council for \$90,000 in grant funding.

An agreement is expected in a couple of weeks according to Mr. Pierce.

He explained that the combination of grants will allow the city to implement an asset management program by purchasing hardware and software for the city's GIS system. In addition, all water and sewer maps previously created by DBF will be updated and a recordkeeping system established for maintenance of aging infrastructure.

Mr. Grier made a motion to accept the DHSS grant offer in the amount of \$90,000 and authorize Mayor Shupe signing all applicable documents, seconded by Mr. Brooks. Motion carried.

7

7

7

Mayor Shupe advised that because three council members were absent and because this is the final report of Fiscal Year 2014-2015, he recommends the report be postponed until the August 24th meeting.

EXECUTIVE SESSION

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

Mr. Grier moved to go into Executive Session reference a personnel update, seconded by Mr. Brooks. Motion carried.

Mayor Shupe recessed the Council Meeting at 7:48 p.m. for the purpose of an Executive Session as is permitted by Delaware's Freedom of Information Act.

Return to Open Session

City Council returned to Open Session at 8:06 p.m.

Personnel Update

Mayor Shupe reported that no action is needed as a result of the discussion in the Executive Session.

ADJOURN

With no further business, Mr. Grier moved to adjourn the Council Meeting, seconded by Mr. Burk. Motion carried. Meeting adjourned at 8:08 p.m.

Respectfully submitted,



Terri K. Hudson, MMC
City Clerk/Recorder