

City of Milford



CITY COUNCIL AGENDA

March 9, 2015 - 7:00 P.M.

Joseph Ronnie Rogers Council Chambers
Milford City Hall
201 South Walnut Street
Milford, Delaware

COUNCIL MEETING

Call to Order - Mayor Bryan Shupe

Invocation

Pledge of Allegiance

Approval of Previous Minutes

Recognition

Carlisle Fire Company/Utility Bill Insert**

Proclamation 2015-06/Random Acts of Kindness Day/Celebration of Madison Peterman's Life

Monthly Police Report

City Manager Report

Committee & Ward Reports

Aquarium Funding Committee(s) Recommendation***

Communications & Correspondence

Unfinished Business

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

Introduction/Ordinance 2015-02/Chapter 230/Zoning Amendment/Area Regulations & Floodplain Reference

FOIA Reminder

New Business

Adoption/Resolution 2015-02/Spring Cleanup Week

Business Parking Restrictions/Denny Row

Customer Service Center/Construction Update*

Monthly Finance Report

Adjourn

WORKSHOP

Call to Order-Mayor Bryan Shupe

City Manager Presentation

Adjourn

SPECIAL COUNCIL MEETING

Call to Order-Mayor Bryan Shupe

Executive Session-Pursuant to 29 Del. C. §10004(b)(4) Strategy sessions, including those involving legal advice or opinion from an attorney-at-law, with respect to collective bargaining or pending or potential litigation (Union Contract)

Union Contract

Adjourn

This agenda shall be subject to change to include additional items including executive sessions or the deletion of items including executive sessions which arise at the time of the public body's meeting.

SUPPORTING DOCUMENTS MUST BE SUBMITTED TO THE CITY CLERK IN ELECTRONIC FORMAT NO LATER THAN ONE WEEK PRIOR TO MEETING;
NO PAPER DOCUMENTS WILL BE ACCEPTED OR DISTRIBUTED AFTER PACKET HAS BEEN POSTED ON THE CITY OF MILFORD WEBSITE.

City of Milford



PROCLAMATION 2015-06 Random Acts of Kindness Day

Whereas, in the heart of all of us lies the idea that we hold the power of kindness within us; and

Whereas, no one, no matter how young or how small, is too little to make a difference in our community and our world; and

Whereas, through random acts of kindness, we can promote healthy behaviors and positive dynamics within our community; and

Whereas, we seek to cultivate caring, kindness and compassion within our community by teaching our youth that they can make a difference through random acts of kindness; and

Whereas, at the young age of nine, Madison Peterman had already spent countless hours volunteering and performing quiet acts of kindness, something that came so naturally to her; and

Whereas, Madison was killed in a horrendous vehicle accident, along with her friend and her grandmother on a fateful day in 2009; and

Whereas, still trying to cope with the senseless tragedy, Parents Carrie and Scott Peterman made a decision her birthday should become a celebration of her life by encouraging the community to perform random acts of kindness; and

Whereas, in an effort to continue Madison's legacy, please join with me and the Peterman family by mirroring Madison's acts of kindness, her spirit of compassion and goodwill toward all persons.

NOW, THEREFORE, I, Bryan W. Shupe, Mayor of the City of Milford, on the day of Madison Peterman's 15th birthday, do hereby urge the citizens of our community to join in the observance of Madison Peterman's Random Acts of Kindness Day on March 25, 2015 and that everyone tap into their own human spirit and share kindness with one another thereby nourishing and strengthening our entire community and especially our youth.

BE IT FURTHER RESOLVED, that this resolution be included in the official City of Milford Council Minutes of Milford Delaware and that a copy be provided to the family of Madison Peterman.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Milford, Delaware to be affixed this 9th day of March, Two Thousand and Fifteen.

Mayor Bryan W. Shupe

Attest: City Clerk

Milford Police Department



E. Keith Hudson
Chief of Police



400 N.E. Front Street
Milford, Delaware 19963

TO: Mayor and Members of City Council

FROM: E. Keith Hudson, Chief of Police

DATE: March 9, 2015

RE: Activity Report/February 2015

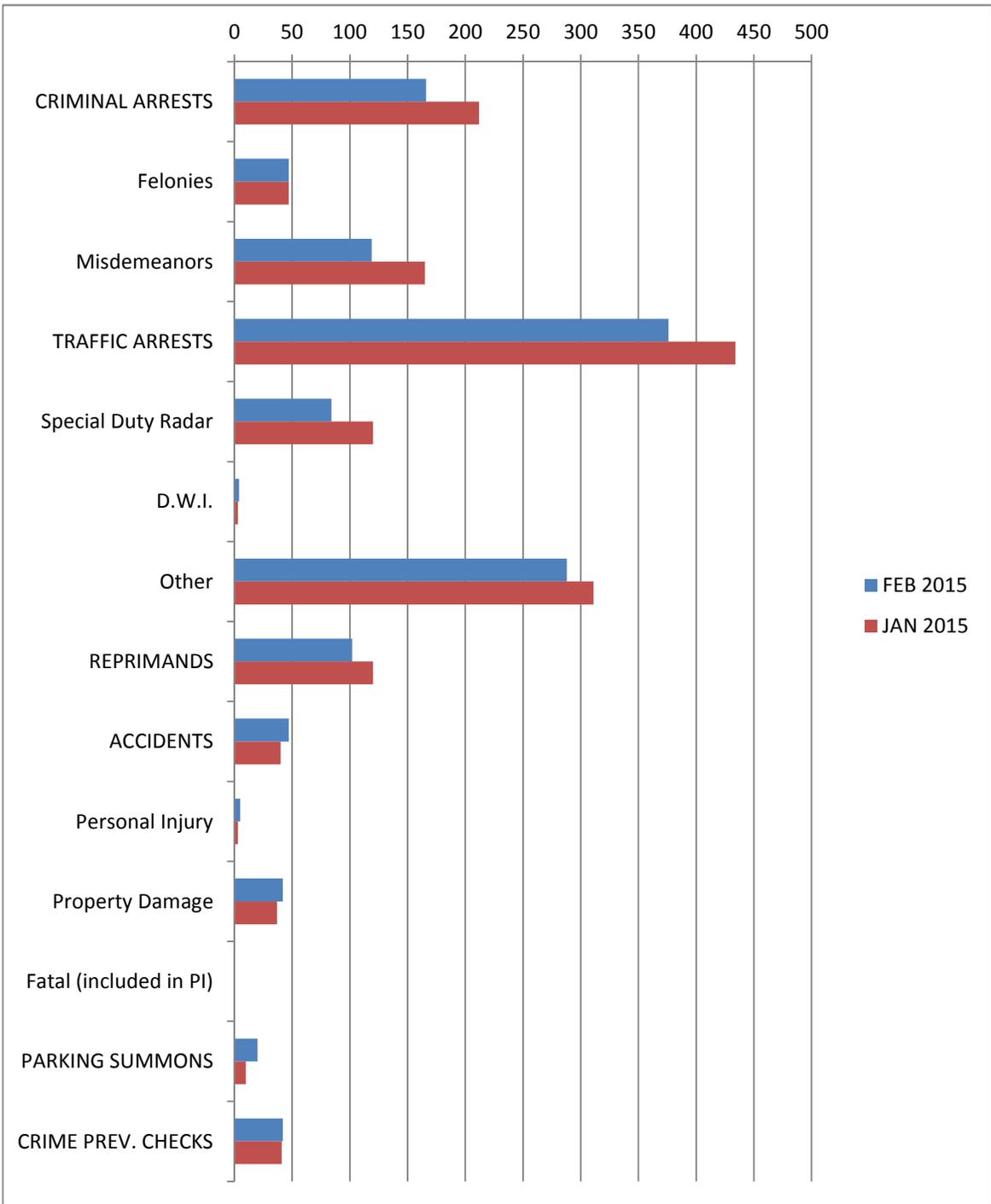
Monthly Stats:

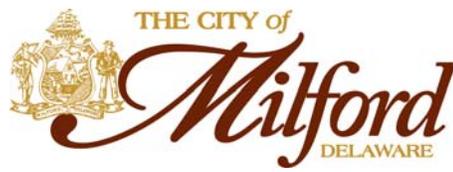
A total of 542 arrests were made by the Milford Police Department during February 2015. Of these arrests, 166 were for criminal offenses and 376 for traffic violations. Criminal offenses consisted of 47 felonies and 119 misdemeanors. Traffic violations consisted of 84 Special Duty Radar, 4 Drunk-Driving charges and 288 other charges.

Police officers investigated 47 accidents during the month (5 personal injury, and 42 property damage) and issued 102 written reprimands. In addition, they responded to 1078 various complaints including city requests and other agency assistance.

FEBRUARY 2015 ACTIVITY REPORT

	FEB 2015	TOTAL 2015	FEB 2014	TOTAL 2014
COMPLAINTS	1078	2203	1039	2167
CRIMINAL ARRESTS	166	378	132	274
Felonies	47	94	26	73
Misdemeanors	119	284	106	201
TRAFFIC ARRESTS	376	810	364	658
Special Duty Radar	84	204	70	86
D.W.I.	4	7	3	7
Other	288	599	291	565
REPRIMANDS	102	222	136	291
ACCIDENTS	47	87	46	90
Personal Injury	5	8	5	11
Property Damage	42	79	41	79
Fatal (included in PI)	0	0	0	1
PARKING SUMMONS	20	30	20	46
CRIME PREV. CHECKS	42	83	34	54
FINES RECEIVED	\$ 8,905.22	\$ 19,516.45	\$ 6,383.29	\$ 13,038.53





OFFICE OF THE CITY MANAGER
HANS MEDLARZ
TELEPHONE 302-424-3712

201 SOUTH WALNUT STREET
MILFORD, DE 19963
FAX 302-424-3558

March 2015 City Manager's Report

Administration:

- Made additional contacts with key businesses (BAC & Caulk)
- Coordinated Bayhealth campus planning efforts with the Office of State Planning Coordination
- Continued public works agreement effort for S.E. utility expansion
- Started public works agreement effort for the N.W. utility expansion
- Concluded solid waste ordinance revisions
- Continued electric tariff reviews
- Investigated easement issue at north west corner of RT-113 and RT-14
- Continued negotiations with First State Manufacturing associated with the potential land exchange
- Hosted a meeting with Sussex County officials
- Facilitated a parcel consolidation/rezoning effort for Perdue
- Started Watergate force main redesign process regarding sewer transmission capacity increase
- Attended City Managers, Tourism and Chamber meetings
- Initiated meetings with potential Energy Service Companies regarding potential guaranteed savings projects
- Concluded the hiring of the Coordinator of Planning and Economic Development position

Electric Department:

- Received recertification Chemical/Insecticide Application.
- Assisted re-coring of locks for Customer Service Center and Armory
- Cooperated with Downes Associates in resolving Perdue's Primary Metering issues
- Qualified groundsman applications were sent to Electric Department for interview
- Continued electric tariff discussions regarding pending changes
- Took delivery of Terex digger truck
- Installed gateway on computers for radio access
- Licensed electrician repaired all malfunctioning lights at City Hall and installed parking lot light
- Completed trimming on Old Shawnee Rd., Shawnee Rd., Evergreen, and easement behind Shawnee Acres
- Completed electrical relocations in anticipation of Thompsonville Intersection Project
- Completed PLC programming for US Cold Storage, Kent County Pump Station and SeaWatch
- Continued CSP Application 2015-16 season for the Milford School District

Streets and Solid Waste Department:

- Handled several snow events
- Took delivery of the 2015 F450 Dump truck ordered September 2014 off State Contract
- Street Dept. received a compliment from a citizen via the Mayor regarding street clean up
- Made repair attempt on Maple Avenue culvert.
- Redirected quotations for a pipe liner with expected delivery March 9th
- Notification of customers regarding Spring Clean-up week: March 30th-April 3rd via bill inserts, City Website, Milford Live and local papers.
- Continued tagging of customers doors regarding bulk procedures if bulk items are encountered
- Handling of increased number of customers calling to schedule pickups

Water and Sewer Department:

- Assisted in repairs at North Street pump station
- Attended Washington Street water treatment plant design review meeting
- Repaired sewer lateral at 306 Lakeview Ave.
- Assisted Street Department in snow removal activities
- Repaired water leaks at NE. Front & N. Washington St.
- Investigated sink hole on Montgomery St.
- Pumped down pond for Maple Street culvert repair attempt

Selected Area Utilities

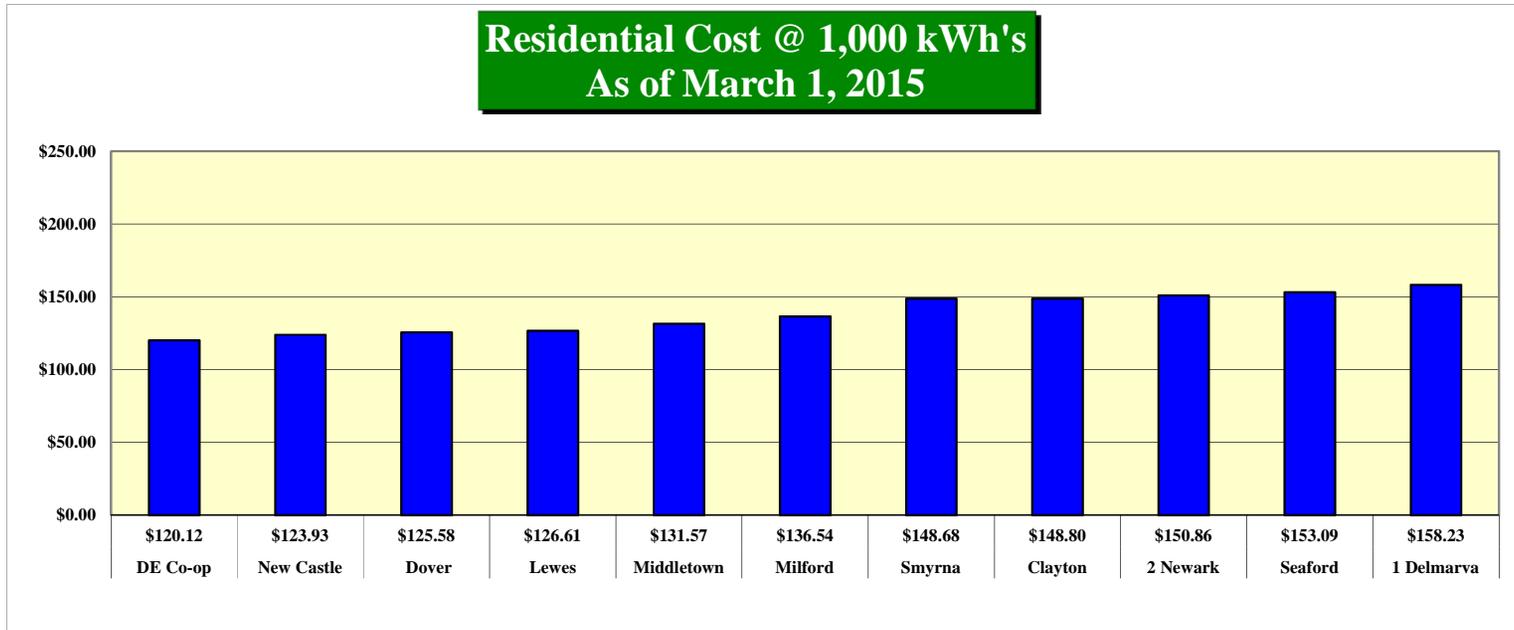
Winter (Oct. - May)

RESIDENTIAL RATE COMPARISON @ 1,000 kWh

		DE COOP	DPL
		<u>% Difference</u>	<u>% Difference</u>
<u>DE Co-op</u>	\$120.12	0.0%	-24.1%
<u>New Castle</u>	\$123.93	3.2%	-21.7%
<u>Dover</u>	\$125.58	4.5%	-20.6%
<u>Lewes</u>	\$126.61	5.4%	-20.0%
<u>Middletown</u>	\$131.57	9.5%	-16.8%
<u>Milford</u>	\$136.54	13.7%	-13.7%
<u>Smyrna</u>	\$148.68	23.8%	-6.0%
<u>Clayton</u>	\$148.80	23.9%	-6.0%
² <u>Newark</u>	\$150.86	25.6%	-4.7%
<u>Seaford</u>	\$153.09	27.4%	-3.2%
¹ <u>Delmarva</u>	\$158.23	31.7%	0.0%

¹ Approximate. DP&L's transmission capacity charge is based on each individual's Peak Load Contribution (PLC) to the overall transmission load. Each customer has a unique PLC that changes every January.

² City of Newark begins Summer Rates in April.





Second Street Players
at Riverfront Theatre

Movies are Coming to Milford

Milford Second Street Players is proud to announce that we were able to raise funds to purchase a commercial quality digital projector and a 16-foot by 16-foot movie screen. This means that in 2015 (our 35th anniversary year) we will be presenting “*Movies at the Riverfront Theater*” (MaRT) at 2 South Walnut Street.

We invite you to attend our first presentation of the documentary by Joan & Sudler Lofland

“Vinyard Shipping Company and WWII Submarine Chasers”

Wednesday March 11, 2015 at 2 PM. Joan has arrange for some of the men who worked on the Sub Chasers to be at the screening.

Feel free to bring a guest.

Thank you

Bob Connelly
VP Second Street Players
302-265-8585
livecheapmakeart@gmail.com

Look for our new logo:



ORDINANCE 2015-01
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 curblineline 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.

PUBLIC NOTICE
PLANNING COMMISSION & CITY COUNCIL PUBLIC HEARINGS
City of Milford Zoning Chapter Amendment
Ordinance 2015-02

NOTICE IS HEREBY GIVEN the Planning Commission of the City of Milford will hold a Public Hearing on an amendment to the City of Milford Zoning Code on Tuesday, March 17, 2015 at 7:00 p.m. or as soon thereafter as possible.

A FINAL PUBLIC HEARING is scheduled on Tuesday, March 23, 2015 at 7:00 p.m. before Milford City Council. Following the hearing, Ordinance 2015-02 may be adopted, with or without amendments.

WHEREAS, the City of Milford deems it necessary to classify, regulate and restrict the height, number of stories and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population and the location, use and extent of use of buildings, structures and land for residence, trade, industry and other purposes; and

WHEREAS, the City creates districts for said purpose and establishes a Board of Adjustment; and

WHEREAS, the City imposes penalties for violations, so as to lessen congestion in the streets; secure safety from fire, panic and other dangers; provide adequate light and air; prevent undue concentration of population and overcrowding of land; facilitate the adequate provision of transportation, water, sewage, school, park and other public requirements; conserve the value of buildings and encourage the most appropriate use of land; and promote the health, safety, morals and general welfare of the City of Milford.

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

Section 1.

An Ordinance to Amend the Code of the City of Milford by Amending Chapter 230 entitled Zoning.

Section 2.

Article III-Use and Area Regulations, 230-11(B).-R-3 Garden Apartment and Townhouse District is hereby amended as follows:

In an R-3 District no building or premises shall be used and no building shall be erected or altered which is arranged, intended or designed to be used except for one or more of the following uses and complying with the requirements so indicated.

B. Permitted uses. Permitted uses for the R-3 District shall be as follows:

- (1) All uses permitted in an R-2 District and subject to its area regulations, unless otherwise indicated in this section as provided below:
 - (a) Single-family and two-family dwellings shall be subject to the following area regulations:
 - [1] Minimum lot area shall be 7,500 square feet.
 - [2] Maximum ~~lot coverage~~ **building coverage** shall be 45%.
- (2) Garden or low-rise apartments, subject to site plan review and the following requirements:
 - (a) The number of dwelling units per acre shall not exceed 16.
 - (b) ~~Lot coverage~~ **building coverage** shall be a maximum of 20% for any lot developed for garden apartments.
- (3) Townhouses or row dwellings, subject to site plan review and the following requirements:
 - (a) The number of dwelling units per group shall not exceed eight nor be fewer than three.
 - (b) The number of dwelling units per acre shall not exceed 12.
 - (c) Maximum ~~lot coverage~~ **building coverage** shall be 60%.

Section 3.

Article III-Use and Area Regulations, 230-19.4(B)-R-8 Garden Apartment and Townhouse District is hereby amended as follows:

In an R-8 District, no building or premises shall be used and no building shall be erected or altered which is arranged, intended or designed to be used except for one or more of the following uses and complying with the requirements so indicated.

B. Permitted uses. Permitted uses for the R-8 District shall be as follows:

- (1) All uses permitted in an R-1, R-2 and R-3 District, subject to its area regulations, unless otherwise indicated in this section as provided below:
 - (a) Single-family and two-family dwellings shall be subject to the following area regulations:
 - [1] Minimum lot area shall be 7,500 square feet.
 - [2] Maximum ~~lot coverage~~ **building coverage** shall be 45%.
- (2) Garden, low-rise apartments, and condominiums subject to site plan review and the following requirements:
 - (a) The number of dwelling units per acre shall not exceed eight.
 - (b) ~~Lot coverage~~ **building coverage** shall be a maximum of 20% for any lot developed for garden apartments, low-rise apartments and condominiums.
- (3) Townhouses or row dwellings, subject to site plan review and the following requirements:
 - (a) The number of dwelling units per group shall not exceed eight nor be fewer than three.
 - (b) The number of dwelling units per acre shall not exceed eight.
 - (c) Maximum ~~lot coverage~~ **building coverage** shall be 60%.

Section 4.

Article IV-Off-Street Parking and Loading, 230-20(B).--General Provisions is hereby amended as follows:

B. Parking space size. ~~A parking space shall not be less than 200 square feet, with a minimum of 10 feet wide, for any use permitted in this chapter. Upon appeal, however, the Board of Adjustment may grant variances from this size if a particular hardship will occur or if the design of a parking arrangement may be determined to justify a smaller parking space size than is provided for in this article.~~ **Parking space sizes shall be in accordance with §230-21.**

Section 5.

A new Article XIV is hereby created to be entitled Floodplain Management.

Article XIV – Floodplain Management.

See Chapter 130 of this Code for Floodplain Management Regulations.

Section 6. Dates.

Planning Commission Review and Public Hearing: March 17, 2015

City Council Review and Public Hearing: March 23, 2015

Adoption: March 23, 2015

Effective: April 2, 2015

This ordinance shall take effect and be in force ten days after its adoption.

Ordinance 2015-02 is scheduled for adoption, with or without amendments, at the scheduled City Council Meeting on Monday, March 23, 2015. Additional information may be obtained by contacting the City Clerk's Office at Milford City Hall at 302-424-3712 or by accessing the city website at www.cityofmilford.com.

City of Milford



Resolution 2015-02

SPRING CLEAN-UP WEEK

Now, Therefore, Be It Resolved by the Mayor and Council of the City of Milford, in Council met:

WHEREAS, it is desirous to promote the general cleaning of the City of Milford and improve its overall beauty to the maximum enjoyment and benefit of all citizens and visitors; and

WHEREAS, we are fortunate to live in a community blessed with natural assets that we have a continuing responsibility to preserve our environment by keeping it clean, healthy and in order by organizing and carrying out clean-up and fix-up projects which will enhance, restore and maintain the beauty of all properties; and

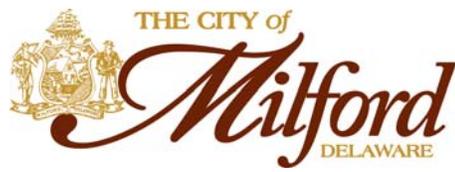
WHEREAS, all maintenance and clean-up debris, including large and bulk items, shall be placed for curbside pickup in order to exemplify cleanliness and beauty.

NOW, THEREFORE, I, Bryan W. Shupe, Mayor of the City of Milford, by the power vested in me, do hereby proclaim the week of March 30, 2015 to April 3, 2015 "Spring Clean-Up Week" in the City of Milford; in the case of inclement weather, "Spring Clean-Up Week" will be extended through April 10, 2015.

IN WITNESS WHEREOF, I hereunto set my hand and caused the Seal of the City of Milford to be affixed this 9th day of March 2015.

Mayor Bryan W. Shupe

City Clerk _____



OFFICE OF THE CITY MANAGER
HANS MEDLARZ
TELEPHONE 302-424-3712

201 SOUTH WALNUT STREET
MILFORD, DE 19963
FAX 302-424-3558

March 2015 City Manager's Supplemental Report

Administration:

- Customer Service Center -- Open Issues

All Departments are providing exemplary cooperation in closing out the remaining issues at the Customer Service Center in an attempt to keep the budget intact. However we encountered some issues which require outside assistance. In order to use the basement safely and efficiently the water intrusion must be contained. Mid Atlantic Waterproofing recently completed a project at the Second Street Players Theater and based on recommendation was asked to provide a proposal. WE are still in negotiation about the scope but it appears the most urgent repairs could be addressed for less than \$10,000. In addition the guttering system for the building is compromised contributing to the basement water intrusion as well as the icing of the walkways. Quality Exteriors from Harrington was contacted to start the inspection and quotation process. They will also take a look at the situation at City Hall. The last issue are two leaking windows on the 2nd floor which must be replaced before this space can be fully utilized year round. This issue important but can wait until City Council addresses the overall utilization of the City owned facilities.

- Retail Business Parking Signage

The City Administration was contacted by HearSay Services of Delaware located adjacent to the Senior Center, requesting two (2) parking spaces on Denny Row be designated for their business. Currently the Milford Pharmacy has such a designation for one space. The Delaware Eye Care Center also located in the same building does not have a "reserved" space but the parking in front of it is restricted to 15 minutes. Speaking to all businesses it became apparent that two (2) spaces per business would not be supported. It is the Manager's recommendation to remove the time restriction and designate one (1) space for each business. Please note that such a designation is not enforceable on a public street and serves as a guidance only.



**CITY OF MILFORD
FUND BALANCES REPORT**

Date: January 2015

Cash Balance - General Fund Bank Balance	\$3,950,652
Cash Balance - Electric Fund Bank Balance	\$3,518,149
Cash Balance - Water Fund Bank Balance	\$2,721,429
Cash Balance - Sewer Fund Bank Balance	\$956,072
Cash Balance - Trash Fund Bank Balance	\$188,681

	General <u>Improvement</u>	Municipal <u>Street Aid</u>	Real Estate <u>Transfer Tax</u>	Solid Waste <u>Reserves</u>
Beginning Cash Balance	(242,512)	1,100,753	1,709,585	0
Deposits	668,224	55,691	29,490	
Interest Earned this Month		155	239	
Disbursements this Month	(242,439)	(54,453)	(41,667)	
Investments				250,000
Ending Cash Balance	\$183,273	\$1,102,146	\$1,697,647	\$250,000

	GF Capital <u>Reserves</u>	Water Capital <u>Reserves</u>	Sewer Capital <u>Reserves</u>	Electric <u>Reserves</u>
Beginning Cash Balance	741,092	5,475,897	3,235,507	5,388,468
Deposits				
Interest Earned this Month	104	323	191	318
Disbursements this Month	(3,499)	(78,524)	(7,749)	(141,917)
Investments	250,000			
Ending Cash Balance	\$987,697	\$5,397,696	\$3,227,949	\$5,246,869

	Water <u>Impact Fee</u>	Sewer <u>Impact Fee</u>	Electric <u>Impact Fee</u>	Economic Development <u>Fund</u>
Beginning Cash Balance	1,236,958	\$830,754	\$351,940	\$1,027,793
Deposits	3,229	\$1,706		
Interest Earned this Month				
Disbursements this Month				
Investments				
Ending Cash Balance	\$1,240,187	\$832,460	\$351,940	\$1,027,793

INTEREST THROUGH THE SEVENTH MONTH OF THE FISCAL YEAR:

General Fund	6,803	Water Fund	2,520
GF Capital Reserves	751	Water Capital Reserves	2,227
Municipal Street Aid	1,061	Sewer Fund	919
Real Estate Transfer Tax	1,382	Sewer Capital Reserves	1,323
Electric Fund	4,553	Trash Fund	3,507
Electric Reserves	2,211		

TOTAL INTEREST EARNED TO DATE \$27,257

REVENUE REPORT

Page Two

58% of Year Expended

Date: January 2015	AMOUNT BUDGETED	MTD	YTD	YTD%
ACCOUNT				
Economic Development Fund	205,578	0	41,457	20.17%
General Fund Reserves	83,294	0	63,294	75.99%
Property Transfer Tax-Police	500,000	41,667	291,667	58.33%
Real Estate Tax	3,769,010	1,943	3,678,339	97.59%
Business License	40,000	12,850	26,900	67.25%
Rental License	85,000	38,600	73,150	86.06%
Building Permits	60,000	1,335	40,073	66.79%
Planning & Zoning	17,394	2,159	8,934	51.36%
Grasscutting Revenue	15,000	0	7,200	48.00%
Police Revenues	502,000	66,585	365,372	72.78%
Misc. Revenues	267,460	2,483	68,669	25.67%
Transfers From	3,215,480	267,956	1,875,696	58.33%
Total General Fund Revenues	\$8,760,216	\$435,578	\$6,540,751	74.66%
Water Revenues	2,644,000	217,044	1,606,960	60.78%
Sewer Revenues	2,659,860	147,035	1,455,974	54.74%
Kent County Sewer	1,700,000	142,513	1,036,689	60.98%
Solid Waste Revenues	1,090,545	87,162	620,526	56.90%
Electric Revenues	24,659,500	2,333,116	14,905,508	60.45%
TOTAL REVENUES	\$41,514,121	\$3,362,448	\$26,166,408	63.03%
YTD Enterprise Expense	43,577			
YTD Enterprise Revenue	43,412			
LTD Carlisle Fire Company Building Permit Fund		106,407		

EXPENDITURE REPORT

Page Three

Date: January 2015

58% of Year Expended

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	YTD%	UNEXPENDED BALANCE
City Manager					
Personnel	446,455	\$37,336	214,493	48.04%	231,962
O&M	177,359	\$5,425	87,389	49.27%	89,970
Capital	14,995	\$7,498	7,498	50.00%	7,497
Total City Manager	\$638,809	\$50,259	\$309,380	48.43%	329,429
Planning & Zoning					
Personnel	160,127	\$4,801	35,584	22.22%	124,543
O&M	47,225	\$1,785	22,039	46.67%	25,186
Capital	0	\$0	0		0
Total P, C & I	\$207,352	\$6,586	\$57,623	27.79%	149,729
Code Enforcement & Inspections					
Personnel	147,175	\$11,085	81,030	55.06%	66,145
O&M	52,900	\$957	22,469	42.47%	30,431
Capital	0	\$0	0		0
Total P, C & I	\$200,075	\$12,042	\$103,499	51.73%	96,576
Council					
Personnel	31,225	\$1,111	13,755	44.05%	17,470
O&M	46,760	\$3,194	28,515	60.98%	18,245
Council Expense	17,000	\$1,449	12,625	74.26%	4,375
Contributions	211,000	\$0	71,000	33.65%	140,000
Codification	3,631	\$0	650	17.90%	2,981
Employee Recognition	9,369	\$0	9,368	0.00%	1
Insurance	31,000	\$0	27,507	88.73%	3,493
REDLG Program	60,000	\$0	0	0.00%	60,000
Armory Expenses	20,000	\$9,952	9,952	49.76%	10,048
Total Council	\$429,985	\$15,706	\$173,372	40.32%	256,613
Finance					
Personnel	352,620	\$26,787	199,904	56.69%	152,716
O&M	61,085	\$2,921	27,935	45.73%	33,150
Capital	0	\$0	0		0
Total Finance	\$413,705	\$29,708	\$227,839	55.07%	185,866
Information Technology					
Personnel	181,080	\$8,730	65,209	36.01%	115,871
O&M	180,765	\$2,220	49,009	27.11%	131,756
Capital	85,430	\$0	84,818	99.28%	812
Total Information Technology	\$447,275	\$10,950	\$199,036	44.50%	248,239

EXPENDITURE REPORT

Page Four

Date: January 2015

58% of Year Expended

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	YTD%	UNEXPENDED BALANCE
Police Department					
Personnel	3,811,255	\$326,487	2,162,433	56.74%	1,648,822
O&M	499,015	\$27,241	288,299	57.77%	210,716
Capital	121,200	\$0	70,204	57.92%	50,996
Total Police	\$4,431,470	\$353,728	\$2,520,936	56.89%	1,910,534
Streets & Grounds Division					
Personnel	442,810	\$29,837	226,571	51.17%	216,239
O&M	448,132	\$22,196	275,498	61.48%	172,634
Capital	82,343	\$2,342	21,132	25.66%	61,211
Debt Service	20,520	\$0	19,207	93.60%	1,313
Total Streets & Grounds	\$993,805	\$54,375	\$542,408	54.58%	451,397
Parks & Recreation					
Personnel	604,225	\$41,866	334,197	55.31%	270,028
O&M	251,515	\$10,082	168,190	66.87%	83,325
Capital	142,000	\$37,797	139,251	98.06%	2,749
Total Parks & Recreation	\$997,740	\$89,745	\$641,638	64.31%	356,102
Total General Fund					
Operating Budget	\$8,760,216	\$623,099	\$4,775,731	54.52%	3,984,485

EXPENDITURE REPORT

Page Five

Date: January 2015

58% of Year Expended

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	YTD%	UNEXPENDED BALANCE
Water Division					
Personnel	281,615	\$21,904	158,914	56.43%	122,701
O&M	1,045,165	\$59,348	490,615	46.94%	554,550
Capital	347,000	\$29,470	29,470	0.00%	317,530
Debt Service	970,220	\$100	301,231	31.05%	668,989
Total Water	\$2,644,000	\$110,822	\$980,230	37.07%	1,663,770
Sewer Division					
Personnel	281,615	\$21,903	158,903	56.43%	122,712
O&M	1,194,475	\$67,407	620,645	51.96%	573,830
Capital	612,500	\$4,979	28,351	0.00%	584,149
Debt Service	571,270	\$12,736	407,893	71.40%	163,377
Sewer Sub Total	\$2,659,860	\$107,025	\$1,215,792	45.71%	1,444,068
Kent County Sewer	1,700,000	\$142,513	1,036,680	60.98%	663,320
Total Sewer	\$4,359,860	\$249,538	\$2,252,472	51.66%	2,107,388
Solid Waste Division					
Personnel	371,835	\$30,168	209,107	56.24%	162,728
O&M	718,710	\$47,767	409,018	56.91%	309,692
Capital	0	\$0	0		0
Total Solid Waste	\$1,090,545	\$77,935	\$618,125	56.68%	472,420
Total Water, Sewer Solid Waste	\$8,094,405	\$438,295	\$3,850,827	47.57%	4,243,578
Electric Division					
Personnel	1,210,610	\$86,305	654,178	54.04%	556,432
O&M	1,723,380	\$103,953	822,006	47.70%	901,374
Transfer to General Fund	2,500,000	\$208,333	1,458,333	58.33%	1,041,667
Capital	325,855	\$23,597	85,965	26.38%	239,890
Debt Service	399,655	\$0	302,060	75.58%	97,595
Electric Sub Total	\$6,159,500	\$422,188	\$3,322,542	53.94%	2,836,958
Power Purchased	18,500,000	\$1,849,153	11,482,401	62.07%	7,017,599
Total Electric	\$24,659,500	\$2,271,341	\$14,804,943	60.04%	9,854,557
TOTAL OPERATING BUDGET	\$41,514,121	\$3,332,735	\$23,431,501	56.44%	18,082,620

INTERSERVICE DEPARTMENTS REPORT

Page Six

Date: January 2015

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	58% of Year Expended	UNEXPENDED BALANCE
				YTD%	
Garage					
Personnel	84,085	6,398	47,920	56.99%	36,165
O&M	69,965	4,924	41,126	58.78%	28,839
Capital	40,000	0	0	0.00%	40,000
Total Garage Expense	\$194,050	11,322	\$89,046	45.89%	105,004
Public Works					
Personnel	198,550	5,417	81,540	41.07%	117,010
O&M	201,160	12,643	83,656	41.59%	117,504
Capital	6,000	0	0	0.00%	6,000
Total Public Works Expense	\$405,710	18,060	\$165,196	40.72%	240,514
Billing & Collections					
Personnel	522,210	39,829	294,927	56.48%	227,283
O&M	229,785	10,496	120,087	52.26%	109,698
Capital	0	0	0	0.00%	0
Total Billing & Collections	\$751,995	50,325	\$415,014	55.19%	336,981
City Hall Cost Allocation					
Personnel	0	0	0		0
O&M	61,530	4,609	27,516	44.72%	34,014
Capital	0	0	0		0
Total City Hall Cost Allocation	\$61,530	4,609	\$27,516	44.72%	34,014

ALL COSTS SHOWN ON PAGE 6 ARE ALSO INCLUDED IN THE VARIOUS DEPARTMENTS LISTED ON PAGES 3-5 OF THE EXPENDITURE REPORT WHO UTILIZE THE SERVICES OF THE DEPARTMENTS LISTED ABOVE. INTERSERVICE FUNDS ARE ENTIRELY FUNDED BY OTHER CITY DEPARTMENTS.

MILFORD CITY COUNCIL
MINUTES OF MEETING
February 9, 2015

The Monthly Meeting of Milford City Council was held in the Joseph Ronnie Rogers Council Chambers of Milford City Hall, 201 South Walnut Street, Milford, Delaware on Monday, February 9, 2015.

PRESIDING: Mayor Bryan W. Shupe

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

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

COUNSEL: City Solicitor David Rutt, Esquire

CALL TO ORDER

Mayor Shupe called the Monthly Meeting to order at 7:00 p.m.

He announced that Former City Manager was filling in for City Manager Hans Medlarz who had another commitment this evening.

INVOCATION & PLEDGE

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

APPROVAL OF MINUTES

Motion made by Mr. Pikus, seconded by Mr. Grier to approve the minutes of the January 12, 2015 Council Meeting and January 26, 2015 Workshop. Motion carried.

RECOGNITION

Proclamation 2015-03/City of Milford Goes Red Month & Wear Red Day

Cardiology Manager Cathy Mundorf of Bayhealth Medical Center requested the City of Milford assist the American Heart Association by promoting the month of February in the city as "Heart Month." Bayhealth is involved in a number of related events such as "Go Red" whose purpose is to increase heart healthy awareness for women.

Mayor Shupe read the following proclamation, proclaiming February 2015 as City of Milford Goes Red Month and Saturday, February 14, 2015 to be Wear Red Day in the City of Milford:

*Proclamation 2015-03
City of Milford Goes Red Month & Wear Red Day*

WHEREAS, heart disease is the number one killer of women yet is often preventable; and

WHEREAS, cardiovascular diseases cause one in three women's deaths each year, killing approximately one woman every minute; and

WHEREAS, an estimated forty-three million women in the U.S. are affected by cardiovascular diseases; and

WHEREAS, heart disease kills more women than all forms of cancer combined but is often undiagnosed; and

WHEREAS, ninety percent of women have one or more risk factors for developing heart disease yet only one in five American

women believe that heart disease is her greatest health threat; and

WHEREAS, women comprise only twenty-four percent of participants in all heart-related studies; and

WHEREAS, since 1984, more women than men have died each year from heart disease, and the gap between men and women's survival continues to widen; and

WHEREAS, women are less likely to call 911 for themselves when experiencing symptoms of a heart attack than they are if someone else were having a heart attack; and

WHEREAS, the American Heart Association's Go Red for Women movement has been impacting the health of women for ten years and more than 627,000 women's lives have been saved and 330 fewer women are dying every day; and

WHEREAS, in honor of the 11th Birthday of National Wear Red Day on February 7, 2015, Go Red for Women is asking all women across America to Go Red by wearing red and speaking red:

**Get Your Numbers: Ask your doctor to check your blood pressure and cholesterol.*

**Own Your Lifestyle: Stop smoking, lose weight, exercise and eat healthy.*

**Realize Your Risk: Women think it will not happen, but heart disease is the cause of one in three female deaths each year.*

**Educate Your Family: Make healthy food choices for you and your family; teach your kids the importance of staying active.*

**Don't Be Silent: Tell every woman you know that heart disease is their number one killer.*

**Raise your voice at GoRedForWomen.org.*

NOW, THEREFORE, I, Bryan W. Shupe, Mayor of the City of Milford, do hereby proclaim the month of February 2015 as City of Milford Goes Red Month and Saturday, February 14, 2015 to be Wear Red Day in the City of Milford and urge all citizens to show their support for women and the fight against heart disease by commemorating this day by wearing the color red and by increasing awareness, speaking up about heart disease and empowering women to reduce their risk for cardiovascular disease.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Milford, Delaware to be affixed this 9th day of February, Two Thousand and Fifteen.

Mayor Shupe then presented Ms. Mundorf with the proclamation.

Proclamation 2015-04/National African-American History Month

Mayor Shupe then proclaimed February as African-American History Month in Milford and read the following proclamation into record:

*Proclamation 2015-04
African-American History Month - February 2015*

WHEREAS, much of the City of Milford's honor, strength and stature can be attributed to the diversity of cultures and traditions that are celebrated by the residents of this area; and

WHEREAS, African Americans have played significant roles in the history of the State of Delaware and the City of Milford's economic, cultural, spiritual and political development while working tirelessly to maintain and promote their culture and history; and

WHEREAS, as a result of their determination, hard work, intelligence and perseverance, African Americans have made valuable and lasting contributions to the State of Delaware and the City of Milford by achieving exceptional success in all aspects of society including business, education, politics, science and the arts; and

WHEREAS, Americans have recognized black history since 1926, first as Negro History Week, later as Black History Month and today as National African-American History Month; and

WHEREAS, National African-American History Month is a time for all Americans to remember the stories and teachings of those who helped build our nation, took a stance against prejudice to build lives of dignity and opportunity, advanced the cause of civil rights and strengthened families and communities; and

WHEREAS, during National African-American History Month, all Americans are encouraged to reflect on past successes and challenges of African Americans and to continue improving society so that we live up to the ideals of freedom, equality and justice.

NOW, THEREFORE, I, Bryan W. Shupe, Mayor of the City of Milford, do hereby proclaim the month of February 2015 to be AFRICAN-AMERICAN HISTORY MONTH in the City of Milford; I further encourage all residents to join me in honoring the many contributions made by African Americans throughout this community and to participate in the many educational events honoring the contributions of Black Americans.

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

Councilwoman Wilson thanked Mayor Shupe for recognizing African-Americans in Milford. Mr. Starling asked that Mayor Shupe provide President Jean Wylie with a copy.

MONTHLY POLICE REPORT

Police Committee Chairman Morrow presented the monthly police report. Mr. Pikus moved to accept the monthly police report, seconded by Mr. Grier. Motion carried.

CITY MANAGER REPORT

City Manager Medlarz submitted the following report:

Administration:

- " Made contact with a number of key businesses
- " Attended a symposium with School District officials
- " Coordinated Bayhealth campus utilities with representatives
- " Started mediation process between residents and Carlisle Fire Company regarding downtown siren use
- " Hosted an afternoon with Senator Carper and the Mayor
- " Coordinated design aspects of the DeIDOT Safe Routes to School project
- " Completed Rural Development compliance review
- " Coordinated possible public works agreement for S.E. utility expansion
- " Developed framework for solid waste ordinance revisions
- " Started electric tariff reviews
- " Distributed copy of the "Smoking Prohibited" ordinance adopted by Council in December to Americans for Nonsmokers Rights Foundation, Berkeley.
- " Completed annual bond disclosure documents

Electric Department:

- " Attended Thompsonville Overpass preconstruction and on site coordination meetings
- " Worked through connection issues regarding Watergate townhouse bldg. 3
- " Conducted several electric tariff meetings
- " Attended AMP Workshop "Basic Cost of Service Concepts" in Philadelphia
- " Continued tree trimming operations along Old Shawnee Rd. and Evergreen Terrace
- " Completed foundation for City Hall lighting Project
- " Partially completed electric relocation for Thompsonville Project up to a conflict point with Verizon Placed Lighthouse Christian Church transformer pads
- " Received delivery of the Wire Puller from Sauber Mfg.

- " Rewired and replaced 3 CTs, tested and replaced Perdue primary electric meter
- " Installed 2 solar meters at the following addresses
- " Repaired meter pan damage at 100 Causey Ave.
- " Compliance Environmental completed an Inspection on warehouse and
- " Compliance Environmental is working with Department on 2014 SARA 312 Chemical Inventory Report

Streets and Solid Waste Department:

- " Crews & office staff have been notifying customers of proper bulk pickup arrangements
- " Clearing City streets in anticipation of ordinance revisions
- " Completed leaf vacuum season by the first week of February
- " Culvert under Maple Avenue was reinspected and alternate repair options investigated
- " Prepared for major snow event

Water and Sewer Department:

- " Pulled & cleaned sewer pumps at S.E. Second Street pump station
- " Supporting Teal Construction at different sites
- " Repaired water leak at S.E. Second St. and Montgomery St.
- " Cleared several sewer backups.
- " Attended start-up of 10th Street water plant generator
- " Assisted in well draw down at Seabury Avenue water plant
- " Investigated as built conditions for sewer force main in Watergate subdivision
- " Participated in several meetings with CB&I with regards to the pile load testing
- " Attended S.E. water treatment plant pre-bid meeting

Mayor Shupe reported that he and City Manager Medlarz met with Milford School District officials to learn more about their referendum plans and what it means for the city at large. Superintendent Phyllis Kohel will be addressing council and taking questions and comments at the next council meeting on February 23rd in hopes of gaining city and council support.

The mayor also advised that he and the city manager continue to work with Bayhealth as they proceed with the plans for their new facility. They ensured them the city will provide all the support and assist with the infrastructure that is needed to complete that project that is west of Route 1 and adjacent to State Route 30 and Wilkins Road.

Mayor Shupe said he and Mr. Medlarz had spent time with Senator Carper and his staff discussing the city's initiatives. The mayor asked the senator how the city can encourage institutions of higher learning to consider moving to Milford to provide educational opportunities in this area.

Senator Carper's staff has been in contact with the President of Wesley College whom the mayor and City Manager Medlarz met with last week. They will also be meeting with the President of Delaware Tech Terry Campus in April.

As a result, they are exploring many opportunities for the vacant buildings in Milford including the current Milford Memorial Hospital.

He thanked Senator Carper's office for their efforts.

Mayor Shupe noted that he and the city manager have been talking with the Delaware Economic Development Office about strategic planning. They are still in the infant stages but hope to create a partnership and obtain some funding to get this accomplished.

He also referenced several bullet points in the city manager's report in regard to the electric, streets and water and sewer departments.

Mr. Gleysteen asked what is occurring with the residents and the Carlisle Fire Company in regard to sirens. Mayor Shupe advised that some residents had concerns about the fire whistle being too loud or going off too often. Mr. Medlarz met with

the fire chief and residents to discuss this. One of the things he explained to the residents is that not only does the fire whistle alert the fireman there is an alarm, it also warns residents to expect fire trucks and emergency vehicles on our streets.

Mayor Shupe stated that the siren is going off approximately five times a day and sounds one or two times during the night. The residents felt that with today's technology, firefighters can be texted or paged which could eliminate the need for the siren and associated noise.

The two groups are continuing to talk.

Mr. Brooks agrees that there is a critical need for sirens in the downtown area where there are more pedestrians and traffic tends to be more congested. He agrees the intent is for vehicles to reduce their speed and make people aware the firefighters will be responding. He recalled years ago, the traffic lights would blink each time there was an alarm. He emphasized the alarm is a caution and warning system in addition to alerting the firemen.

Mayor Shupe believes this is a matter of educating our residents.

Mr. Pikus noted that most of the complaints come from those in the downtown area.

No motion made.

COMMITTEE & WARD REPORTS

Ms. Wilson reported that she has received complaints about the condition of the grass in the big dog area due to its heavy use. It has become very thin causing the ground to be rough and uneven. The area for small dogs is in much better condition. She asked if it would help if the two areas were rotated so one wasn't used more than the other.

She explained that most people understand the weather has created some of the problems and perhaps we did not allow enough time for the grass to establish.

Mayor Shupe said he was there last week and there is a lot of activity so it is heavily used. He will follow-up with parks and recreation and get back with Ms. Wilson.

Mr. Starling and Ms. Wilson thanked Chief Hudson for installing the speed sign up on North Street Extended in an attempt to slow traffic down and in particular, motorcycles in the area.

COMMUNICATIONS & CORRESPONDENCE

Circle of Light Fundraiser

Ms. Wilson advised that Circle of Light has been helping homeless women, children and some men in this area for several years. A fundraising luncheon, "Lunch with a Purpose," will be held on March 4th at the Atlantic Sands Hotel in Rehoboth Beach. They are asking for donations such as a product, service or gift card that can be auctioned at the event. The proceeds go directly to the program whose recipients are in the Milford School District area.

Mayor Shupe announced the flyer will be distributed to each council member. Any donated items can be taken to the Presbyterian Church after which they will be transported to Rehoboth Beach.

Mayor's Prayer Breakfast

Mayor Shupe announced the annual Community Prayer Breakfast, honoring Milford's Mayor, will be held Saturday, March 21, 2015 beginning at 7:30 a.m. The buffet breakfast will be in the Crystal Room of the Milford Senior Center.

Guest speaker is Debra Puglisi Sharp who will share the inspiring message of her personal transition from victim to survivor. Debra, an R.N., is an inspirational speaker who has been featured on Oprah, 20/20, Montel, John Walsh Show, A&E

Biography and the Bonnie Hunt Show.

Those attending will also be inspired with the musical talents and spirituality of Elder Isaiah Kilgo-Felder of Inner Circle Outreach Ministries and Pastor Joel Andrus of Lighthouse Christian Center.

He invited council to attend and asked they contact city hall for tickets.

UNFINISHED BUSINESS

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

Mayor Shupe reported that as has been discussed the last two meetings, this ordinance was developed to address some taxation rules and specifically supplemental bills, appeals and deadlines. Article VII of the City Charter has jurisdiction over city taxation, assessment, rates, etc. This addresses some problems encountered by city staff and after several meetings, new language is proposed to be added to Chapter 204 and some obsolete sections removed. Presently, that chapter governs the senior citizen's relief program and other miscellaneous tax issues.

The mayor advised this is the first step in the ordinance adoption process.

Mayor Shupe introduced Ordinance 2014-18 and encouraged council to contact him with the need for further clarification.

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, 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 removed:

ARTICLE II - Exemption of New Improvements Added to Property

~~*§ 204-6. - Eligibility for new improvement exemption of real property taxes.*~~

~~*The exemption shall only apply to the increase in assessed value resulting from substantial rehabilitation, renovation or improvements of existing properties (residential, commercial, industrial, etc.) located within the city limits. New construction does not qualify.*~~

~~*The building permit for the said improvements must be issued prior to June 30, 2013 and shall be valid for a period of one year. The exemption shall be based on the change in the improvement assessment value only. The land assessment is not eligible for exemption under this article.*~~

~~*§ 204-7. - Amount of the exemption.*~~

~~*The amount of the exemption shall be determined by subtracting the value of construction per the building permit from the improvement assessment value following the new construction.*~~

~~*§ 204-8. - Application of the exemption and limitations.*~~

~~*The dollar amount of the exemption shall be multiplied by the property tax rate in the first full tax year following the issuance of a certificate of occupancy by the City. The dollar amount of the exemption shall be limited to a maximum of \$1,000 for residential properties and limited to a maximum of \$5,000 for all other properties. The exemption shall only be good for one year immediately following the issuance of a certificate of occupancy.*~~

~~§ 204-9. - Appeals.~~

~~An aggrieved taxpayer may appeal from the disposition of an exemption claim in the same manner as is provided for appeals from assessments generally.~~

~~§ 204-10. - Due date for payment of property taxes.~~

~~Property taxes shall be payable on or before September 30th of each year.~~

~~§ 204-11. - Penalties.~~

~~To every tax not paid after the said date established in § 204-10, there shall be added and collected a penalty, for each month that the 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 § 204-10 for the addition and collection of penalties.~~

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

<i>Appeal filing deadline (Annual billing)</i>	<i>August 31st</i>
<i>Appeal filing deadline (October billing)</i>	<i>November 30th</i>
<i>Appeal filing deadline (January billing)</i>	<i>February 28th</i>
<i>Appeal filing deadline (April billing)</i>	<i>May 31st</i>

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 and adjusted by the board of assessment appeals shall be the listed value for the year under appeal and shall be the basis for the levy and collection of taxes for the city.

Section 5. Dates

Introduction 02-09-15

Adoption (Projected) 02-23-15

The ordinance is scheduled for adoption at the February 23, 2015 meeting.

Ratification/Comcast Agreement

City Solicitor Rutt advised the agreement added to the packet is not the latest version. Last Wednesday, he met with the Comcast representative for a couple of hours at which time they reviewed the entire contract. There are still a few questions he is waiting for answers to.

Mr. Rutt reiterated that the proposed amendments are still under review by various Comcast representatives including a regional vice president in Maryland and a vice president in New Hampshire. He feels we are very close to a final document.

Mr. Rutt reported that last year, the Comcast franchise fee totaled \$100,000; as a result, the ten-year agreement calculates into a \$1 million contract.

Mr. Grier noted the various changes in the term of the contract which was initially fifteen, then reduced to five, then changed to ten years. Mr. Rutt agreed it started as a fifteen-year contract with three five-year extensions. He changed it to five years with one five-year extension. However, the industry standard is ten years which is the term of the Smyrna, Dover and Felton contracts. He has reviewed a number of contracts from other municipalities from Virginia and Maryland as well.

He confirmed this is a non-exclusive contract which means Comcast cannot prevent another service provider from coming into the service area.

Mr. Rutt then explained that he removed the competitive equity section which stated that if the city entered into an agreement with another service provider, they would have the ability to match their terms if favorable to Comcast. They discussed that issue in depth though it is still unresolved.

The solicitor pointed out that in addition to Verizon who is providing cable service to areas just outside city limits, Amazon and Google are becoming aggressive in that field. Google started franchising in Florida and is now in North Carolina.

When asked if there is a penalty for terminating the contract prior to the conclusion of the ten years, Mr. Rutt explained there are liquidated damages included. Originally, Comcast had put \$250 a week, but Mr. Rutt changed it to \$75 a day to mirror the \$100,000 we receive annually.

He verified the original contract was a 15-year term with three automatic 5-year extensions.

Mr. Rutt feels the new contract will generate more revenue because the prior agreement was based strictly on video. This contract includes advertising, movies, etc.

Ms. Wilson noted that this is the first year the city has really negotiated the contract and appreciates the solicitor trying to do what is best for the city.

Mr. Rutt said he tried to persuade them to go with a different area programming. However, that is not possible because when they built out several years ago, they ran fiber optics from Sussex north and the change would be cost prohibitive.

He said there is a provision for the city to have a public channel, but any associated costs would be the responsibility of the city. The wiring was estimated to cost approximately \$50,000 a mile. However, that remains an option should technology change in the future that would reduce the costs.

Mr. Carmean said we should see a lot of competition for Comcast over the ten-year period of the contract.

NEW BUSINESS

State of Delaware/DNREC/Mosquito Control Spray Agreement

Mayor Shupe advised that Delaware Mosquito Control Section Division of the Fish and Wildlife, Department of Natural Resources and Environmental Control utilizes an Integrated Pest Management program to control mosquitoes in Delaware. The process for approving this process is explained in the packet.

Mr. Pikus recalled that the Meadows at Shawnee residents had problems with this spraying. He asked if that subdivision can be eliminated. Mr. Carmean said that the state used to spray there until concerns were raised by that development. Since that time, the city informs those residents prior to the spraying.

Mr. Brooks said that Joe Palermo told him that they were not informed their development was being sprayed.

Mr. Pikus moved to approve the DNREC Mosquito Control Spray Agreement, seconded by Mr. Gleysteen. Motion carried.

FY 2014-2015 Budget Adjustment/Shawnee Acres Trench Repair Project/Municipal Street Aid

Mr. Carmean said the city received a complaint from DelDOT regarding a utility pipe that runs beneath a street in Shawnee Acres. It was installed in the late 1990's and roadway had settled over the years.

Jerry's Paving did the work and funding needs to be approved so payment can be made.

Mr. Pikus moved to authorize \$5,120 be paid from Municipal Street Aid for the Shawnee Acres Trench Repair work, seconded by Mr. Brooks. Motion carried.

Authorization/Legislative Letter/CTF & MSA Issues

Mayor Shupe reported that Governor Markell's budget includes a reduction in the Municipal Street Aid Fund from \$5 million to \$3 million which is reflected in the Bond Bill. In addition, he has recommended legislative CTF funds be cut from \$16,750,000 to \$8,375,000.

Both Delaware League and SCAT have stressed the importance for each municipality to contact their representatives and senators and emphasize the critical value of this funding source and how any reduction will impair street operations and improvements.

Mr. Medlarz and Mayor Shupe drafted a letter in response and are asking for councils' support. The letter will be sent to Senators Simpson and Bonini and Representatives Kenton, Peterman and Wilson.

Mayor Shupe said an emphasis was put on some of the projects that will require this funding. He then read the following paragraph from the letter:

The City of Milford maintains Airport Road and 10th Street representing a substantial section of roadway formerly under DelDOT's jurisdiction. All of you undoubtedly received calls from constituents regarding the condition of these two roads. Even just basic repairs are estimated above \$1.0 million. Therefore, the City Council unanimously selected this project as the highest priority and requests your mutual consideration for an allocation out of the Community Transportation Fund.

He explained that work has been needed on Airport Road for a long time and it getting progressively worse. He and City Manager Medlarz agreed that it needs immediate attention. In addition to expressing concerns about the funding concerns in the letter, they felt it was important to emphasize the high priority of Airport Road.

Mr. Brooks pointed out that a few years ago, Airport Road was considered a back road. Now it is a major thruway and is heavily-traveled day and night.

Mr. Brooks moved to authorize this letter be signed by Mayor Shupe and City Manager Medlarz and it is sent to the legislators as previously stated, seconded by Ms. Wilson. Motion carried.

MONTHLY FINANCE REPORT

Through the sixth month of Fiscal Year 2014-2015 with 50% of the fiscal year having passed, 55% of revenues have been received and 48% of the operating budget expended.

Mr. Pikus reported our expenses are down. We are still waiting for a reimbursement of \$500,000 for the Southeast Front Street project which will bring the General Improvement Fund to a positive balance. Though several accounts that are down, he said the city is in fine shape.

Mr. Pikus moved to accept the finance report, seconded by Mr. Gleysteen. Motion carried.

ADJOURN

Mayor Shupe adjourned the meeting at 7:52 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

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 will begin 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

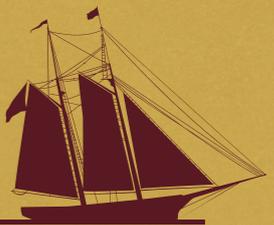


BUCCANEER

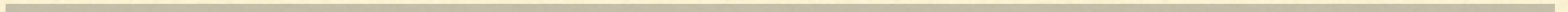
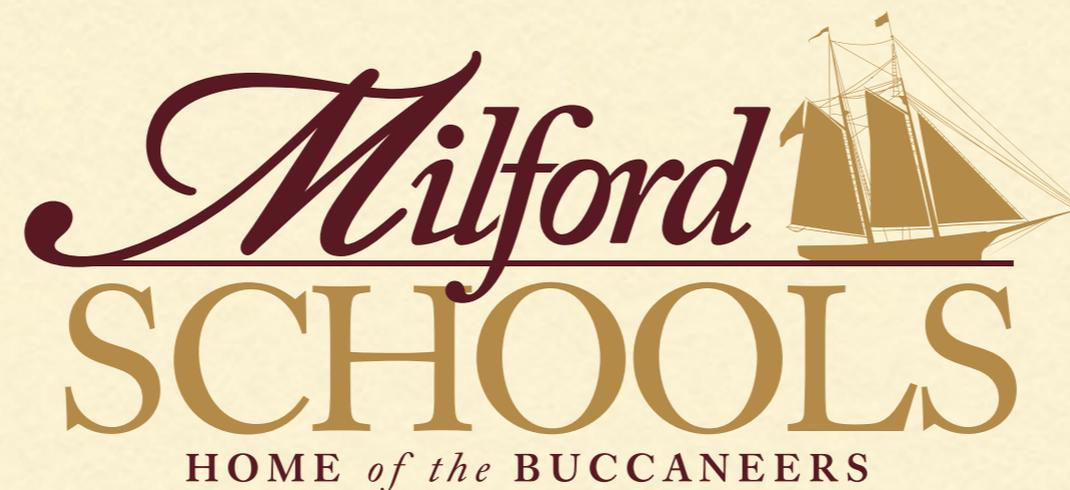
TOMORROW

ONE COMMUNITY. ONE FUTURE.

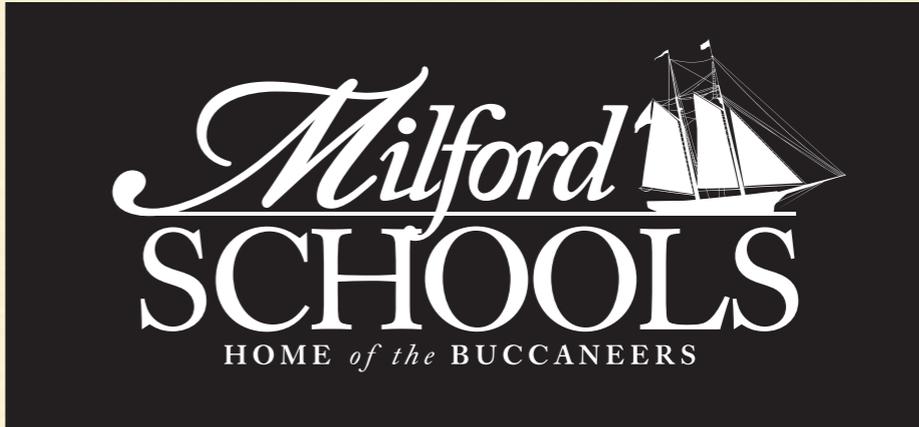
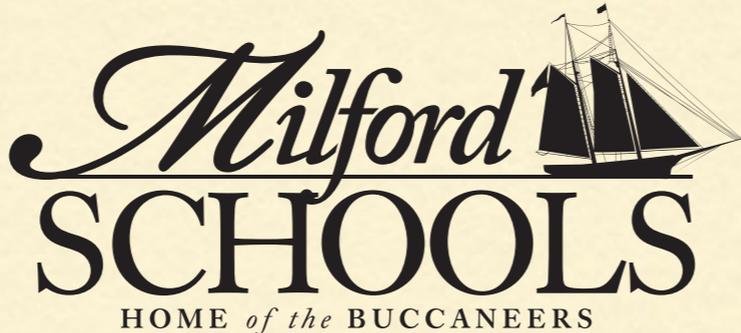
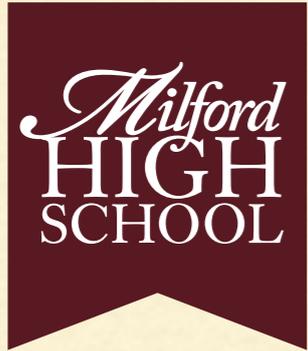
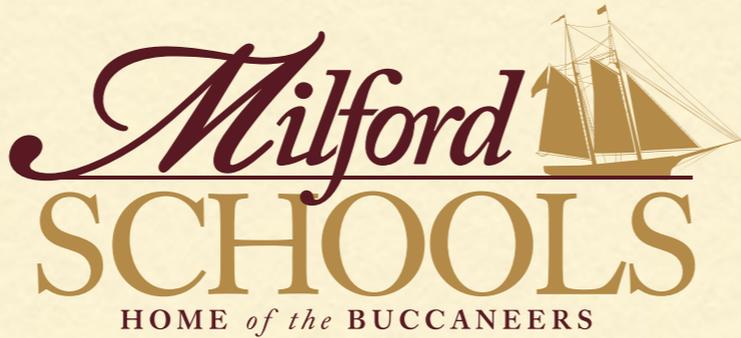


Milford 
SCHOOLS
HOME *of the* BUCCANEERS

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



DISTRICT IDENTITY





MILFORD
BIG GAME HEROES



MILFORD
BUCKS



B



MK
BUCKS

In 2014, the parents began to organize.

They represent the voice of tomorrow.

The Buccaneers of Tomorrow.



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VISION IDENTITY



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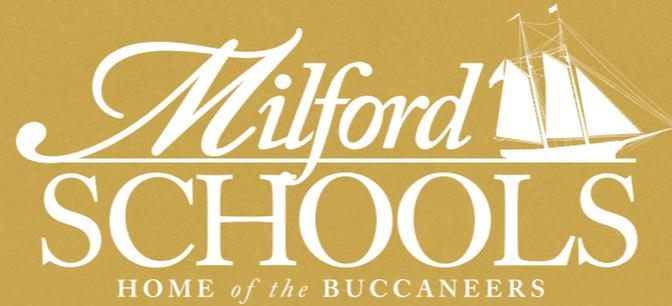
-STEP 1-

Responsible & Innovative Leadership



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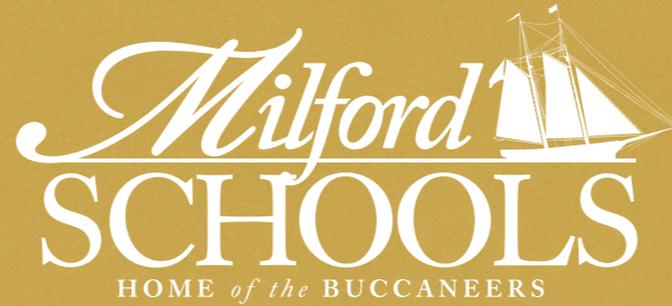
QUICK FACTS

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

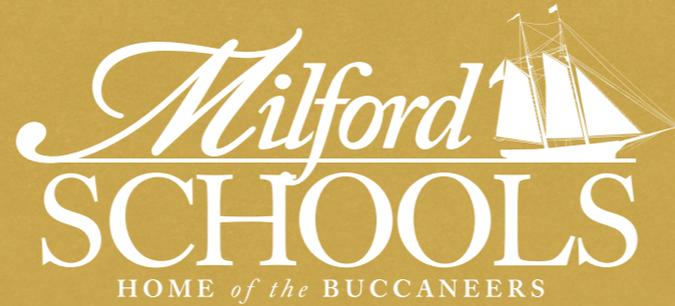
-STEP 2-

Inspiring & Motivational Teachers



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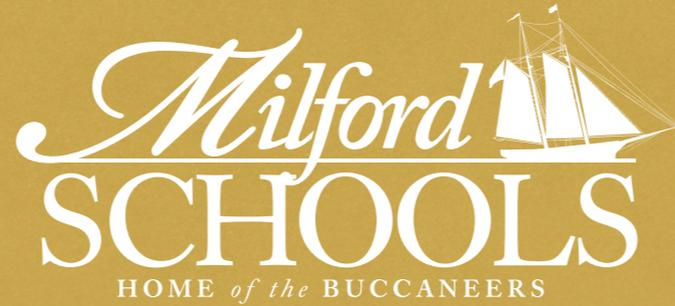
QUICK FACTS

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

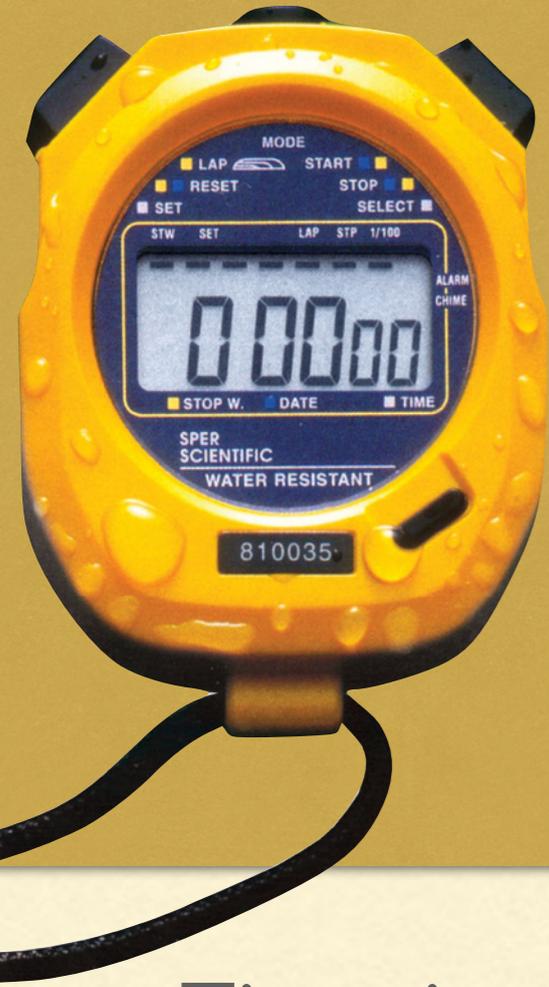
-STEP 3-

Safe & Dynamic Learning Facilities



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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

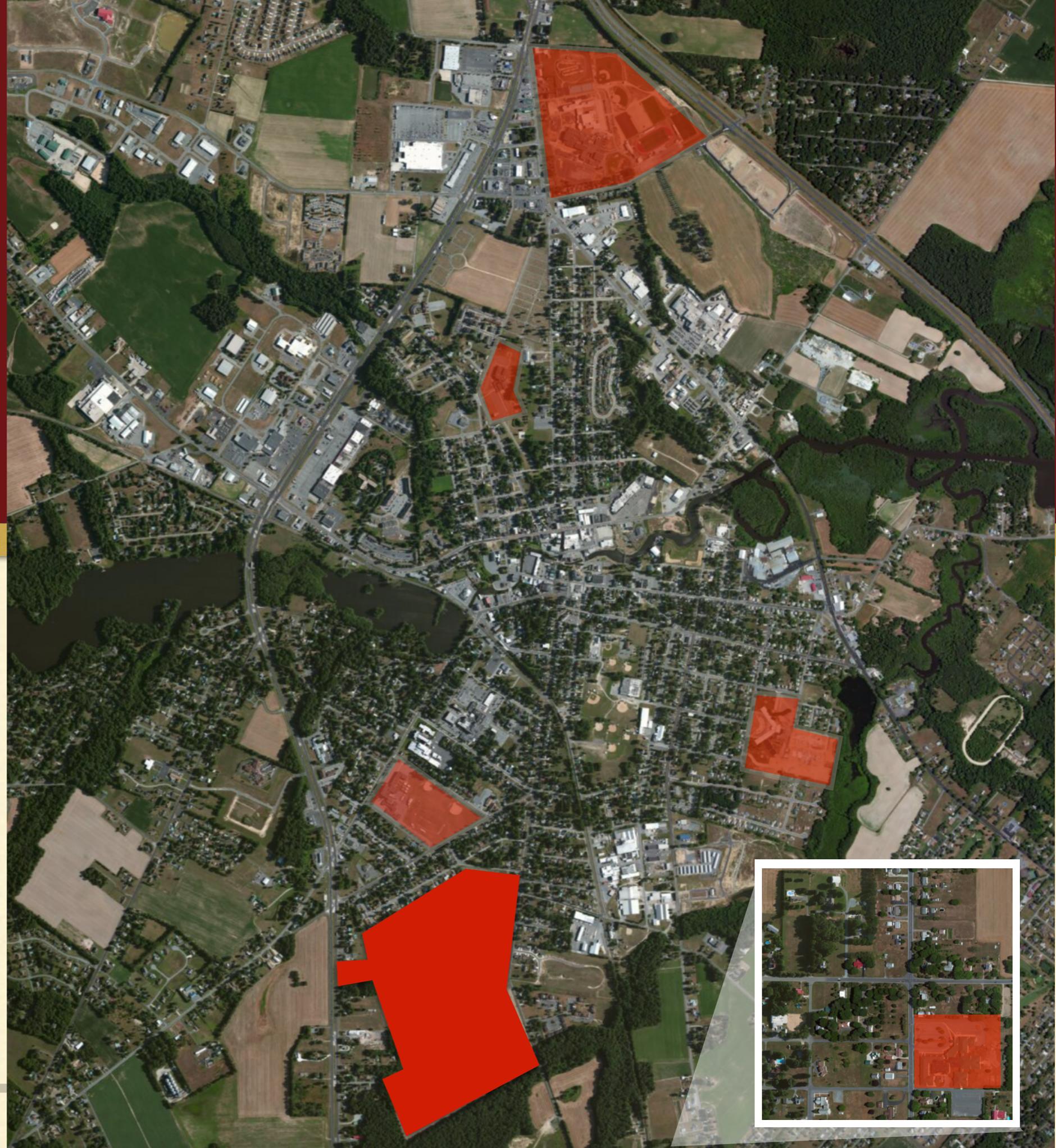


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Facilities Master Plan

- 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

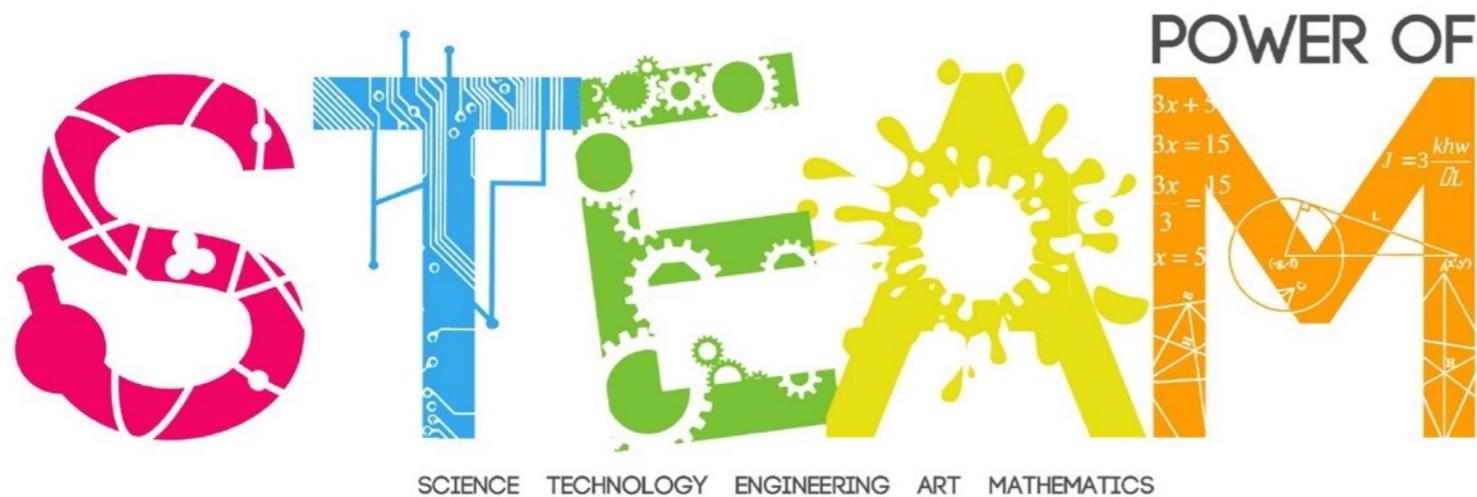
- o Environmental Sci. & Natural Resources
- o Greenhouse Mgmt. & Production
- o Food Science
- o Animal Science
- o Agricultural Structures
- o Drafting and Design - CAD
- o Ag Power & Technical Systems

TECHNOLOGY EDUCATION

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

JOBS FOR DELAWARE GRADS (JDG)

NEW PROGRAMS



SCIENCE TECHNOLOGY ENGINEERING ART MATHEMATICS

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



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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.



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BUCCANEER TOMORROW

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