

City of Milford



CITY COUNCIL AGENDA

January 11, 2016 - 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

Swearing In/Police Chief Kenneth Brown

Approval of Previous Minutes

Recognition

Adoption/Resolution 2016-02/Downtown Master Plan/Rivertown Rebirth Report/Muldrow & Associates

Appointment/Rivertown Rebirth Committee

Monthly Police Report

City Manager Report

Committee & Ward Reports

Economic Development Committee:

Appraisal Proposal/Masten Realty/Funding Source

Land Installment Concept

Communications & Correspondence

Unfinished Business

Appointment/Holiday Decorating Committee

Schedule Meeting/Charter Review Committee

Approval/Date/Hungry to Help Event

Approval/Mailings/Hungry to Help*

New Business

Adoption/Resolution 2016-01/Appointment DEMEC Director & Assistant Director**

DMI/City of Milford Code Waiver & Approvals/Chapter 77 & Chapter 165/2016 Brewgrass Festival

Introduction/Ordinance 2016-01/Change of Zone of Annexed Lands belonging to Mispillion Realty LLC
Tax Parcel 1-30-3.00-080.02/2.00 +/- Acres/Current Zone MR/Proposed Zone R3

Planning Commission Vacancy

Approval/City of Milford FY15-16 Budget Adjustment/Tyler Technologies/Additional Services Addendum

Monthly Finance Report

Recess into Executive Session

{Pursuant to 29 Del. C. §10004(b)(9)} (Police Chief Kenneth Brown Contract)

{Pursuant to 29 Del. C. §10004(b)(2)} (City Property Lease Agreement)

Return to Open Session

Police Chief Contract

City Property Lease Agreement

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



RESOLUTION 2016-02 *Adoption of Rivertown Rebirth*

WHEREAS, the City Council of the City of Milford has found that it is in the best interest of the City of Milford, its residents, visitors and business and commercial interests to promote the development of the downtown area; and

WHEREAS, the Economic Development Committee recognized the importance of a Downtown Master Plan and presented the idea to City Council who approved the concept in April 2015; and

WHEREAS, the City of Milford and the Delaware Economic Development Office entered into an agreement with Arnett Muldrow & Associates to oversee the preparation of a plan that would promote and encourage commercial development of the downtown area; and

WHEREAS, throughout the month of September 2015, city leaders, business owners, community organizations and residents met during several planning sessions to discuss the future of downtown Milford and ways to develop a holistic plan that would celebrate the beauty of the city's natural resources, encourage the ingenuity of our residents and business owners while preserving the quality of life; and

WHEREAS, the Rivertown Rebirth Report, presented to City Council on January 11, 2016, provides priorities for Milford's downtown district and focuses on ways the Mispillion River can be used for recreation, education and arts, as well as creating and keeping a warm and inviting community; and

WHEREAS, the Economic Development Committee is hereby tasked with developing clear, definitive incentives to assist with existing and expanding businesses and attracting new businesses to Milford that will result in job creation opportunities for local residents.

NOW, THEREFORE, Be It Resolved, by The City of Milford as follows:

'Rivertown Rebirth', as presented in a public meeting on this date, is hereby adopted by the City Council of the City of Milford, Delaware.

Mayor Bryan W. Shupe

City Clerk _____

Date: January 11, 2016

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: Chief E. Keith Hudson

DATE: January 11, 2016

REF: Activity Report/December 2015

Monthly Stats:

A total of 416 arrests were made by the Milford Police Department during December 2015. Of these arrests, 111 were for criminal offenses and 305 for traffic violations. Criminal offenses consisted of 33 felonies and 78 misdemeanors. Traffic violations consisted of 103 special duty radar, 2 drunk-driving and 200 other charges.

Police officers investigated 53 accidents during the month and issued 92 written reprimands.

In addition, they responded to 945 various complaints including city requests and other agency assistance.

DEC 2015 ACTIVITY REPORT

	DEC 2015	TOTAL 2015	DEC 2014	TOTAL 2014
COMPLAINTS	945	13744	1046	14499
CRIMINAL ARRESTS	111	1827	213	2162
Felonies	33	435	60	500
Misdemeanors	78	1392	153	1657
TRAFFIC ARRESTS	305	5363	417	6402
Special Duty Radar	103	1938	133	2509
D.W.I.	2	60	5	61
Other	200	3365	279	3834
REPRIMANDS	92	1331	104	1636
ACCIDENTS	53	686	64	633
Fatal (included in PI)	0	0	0	1
PARKING SUMMONS	1	103	9	246
CRIME PREV. CHECKS	11	354	23	544
FINES RECEIVED	\$ 7,015.43	\$ 111,338.90	\$ 15,133.45	\$ 146,310.85



ELECTRIC DEPARTMENT
(302) 422-1110 FAX (302) 422-1117

180 VICKERS DRIVE
MILFORD, DE 19963

www.cityofmilford.com

To: Eric Norenberg, City Manager
Rick Carmean, Electric Superintendent
Jeff Portmann, Finance Director

From: Jennifer Anderson, Electric Operations Manager

Date: 1/4/2016

Re: December 2015 Work Report

- The Electric Department completed (23) Work Orders/ Trouble Service Calls in December, and has in progress (9) Work Orders still open at the end of the month.

Electric

- 12/1/15 & 12/2/15 Electric Crew changed out various black transformers.
- 12/3/15 & 12/4/15 Electric Crew trimmed trees along distribution lines.
- 12/4/15 Electric Crew hung Christmas wreathes at the Customer Service Department.
- 12/7/15 Electric Crew fixed Christmas lights, replaced receptacles on Walnut St., and trimmed trees along distribution lines.
- 12/8/15 9 a.m. Rick Carmean and Timmy Barnett met with Asplundh Tree Service in regards to hiring them for annual tree trimming.
- 12/8/15 Electric Crew Shut T1 transformer down at DEL2, repaired leaks that were found and put back into service.
- 12/9/15 Electric Crew replaced the Public Works Yard lights with LED lights which are more efficient and cost effective.
- 12/10/15 Electric Crew replaced the collars on lights Downtown and painted flag poles.
- 12/11/15 10:30 a.m. AMP AMI Program Overview WebEx/Conference. Rick Carmean, Jeff Portmann, Debbie Johnson, and Steve Zeveney were in attendance.
- 12/11/15 2 p.m. Rick attended meeting at City Hall in regards to Bayhealth easement.
- 12/11/15 Electric Crew replaced air-break switch on Fisher Ave 120/220 circuit.

- 12/14/15-12/16/15 Electric Crew installed new electric service at 20091 Black Maple Ln. This was a difficult job due to the hilly terrain and placement of home at bottom of ravine.
- 12/17/15 9 a.m. Rick attended Bayhealth Utility Meeting.
- 12/17/15 DELDOT Old Shawnee Rd. Traffic Light Project-Changed over service and replaced rusty transformer at site.
- 12/18/15 Dale Breeding rode the distribution system and noted any street lights that needed repairing.
- 12/21/15 Electric Crew repaired all street lights in need of repair throughout City. Crew installed new services at Lighthouse Estates and 512 Caulk Rd.
- 12/22/15 & 12/23/15 Electric Crew stocked trucks and cleaned engine bays and shop due to rainy weather.
- 12/28/15 Electric Crew set pole at 19 Veteran's Circle for temporary service to pole barn being built.
- 12/29/15 Electric Crew trimmed trees along distribution lines.
- 12/30/15 Electric Crew started tree removal on Bridgeham Ave.
- 12/31/15 Electric Crew finished tree removal on Bridgeham Ave. Crew replaced a bad transformer on Evergreen Ln.

Miss Utility Locates

- There were (111) Miss Utility locates completed in December for the Electric and Water Departments.



Milford
Parks & Recreation
Department

MEMO

TO: Mayor and Council

FR: Brad Dennehy
Director of Parks & Recreation

DA: January 6th, 2016

RE: Monthly update from the Parks and Recreation Department

Mayor and Council,

At your request here are some highlights from the month of December, from the Parks & Recreation Department.

- Coordinated the installation of low voltage LED lights in the park alongside the Mispillion River downtown. Over 20+ lights were installed at ground level, and are unique in the sense that they have a multitude of different color patterns, and can be changed via a cellphone app at different times of the year for different events. This is cutting edge technology and we look forward to the Public's response as the lights are changed for different seasons and events.
- P&R and our contract arborist conducted an interview with Milfordlive in regards to our recently begun city tree diagnostic program. At various times of the year an arborist will come in and diagnose the municipal owned trees in order to keep them looking healthy. This may take the form of applying nutrients, or other applications, and offering advice to the general wellness of the trees under the guise of preventative maintenance.
- Assisted DMI in preparations for the annual December Holiday Stroll, which was well attended.
- Held youth basketball tryouts and began practices (ages 8-13) at the Boys and Girls Club for the up and coming season. All grade levels of basketball has sold out this year

•207 Franklin Street • Milford, Delaware 19963 • Telephone (302) 422-1104 • Fax (302) 422-0409

www.cityofmilford.com



with a wait list for all ages. Keith Short (Recreation Supervisor) has begun discussions on how we can increase this program to offer it to more kids next season, particularly the instructional basketball for the younger kids.

- Parks and Rec. staff finished installing a new mulched in area in the large dog park, utilizing landscape timbers and donated wood chips. We found over the course of the last year that the large dogs were digging up the grass. Instead of attempting to stop the dogs from digging, we gave them their own dedicated area to dig. Over the coming months we will monitor the result to see if it is worth pursuing a similar type of area in the small park.
- Seasonal park technicians were dismissed early December and will not be brought back until mid-March, so the park staff has been reduced down to two individuals (Park Superintendent and one Park Technician). These two individuals are kept busy over winter, with trash removal in the parks, oversight of the cemeteries, yearly maintenance of equipment and P&R facilities, oversight of the playgrounds and Tony Silicato Park Bathroom, special park projects as the weather permits, and snow removal at the Boys and Girls club and P&R buildings (If and when we get snow this season).
- Tony Silicato Memorial park and the Dog Park were both winterized including irrigation equipment, and drinking fountains, however the parks remain open year round.
- 4 staff members took an afternoon/evening field trip to Longwood Gardens, PA to take a look at their winter light display. The trip was twofold, one to look at their light display to see how we could incorporate some new ideas with our own Christmas lights city wide, and two, the logistics of offering P&R trips next year to see the winter lights. P&R staff were impressed with what Longwood Gardens has to offer over winter, and we hope to offer a series of trips there next winter.
- P&R under advice from our insurance carrier developed a van driver policy for any Parks and Rec. employee driving our recently acquired new van. This involves taking a short training course and passing the required test, having all drivers submit a copy of their latest driving record to the City, and signing a safety agreement which outlines the do's and don'ts of driving the van with passengers. The Department intends to utilize our new van for more planned trips and excursions, and safety of our staff and passengers is paramount.
- P&R organized its annual "Disney on Ice" trip to the Wells Fargo center in Philadelphia, via Jorlin Bus Company, the Monday the week after Christmas.

As always, if you require further information please don't hesitate to contact me.

Thank you.



Milford
Parks & Recreation
Department



Recently installed low voltage LED lights at the park downtown. Lights are able to change color, via a cell phone app, and there are several thousand possible light color configurations.

● 207 Franklin Street ● Milford, Delaware 19963 ● Telephone (302) 422-1104 ● Fax (302) 422-0409

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Council Report-Public Works
December 2015

Streets

- No Report.

Solid Waste

- No Report.

Water/Wastewater

- Repaired water leak on West Clarke Avenue
- Repaired water valve box at Milford Crossing Apartments
- Repaired sewer clean outs SW Front Street
- Pulled pumps at lighthouse pumping station
- Pulled pumps at a couple wastewater stations for repair
- Assisted contractor clean out several wastewater stations
- Repaired valve box on Truitt & Northwest Third Streets

MILFORD CITY COUNCIL
MINUTES OF MEETING
January 5, 2016

A Meeting of the Economic Development Committee was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall on Tuesday, January 5, 2016.

PRESIDING: Economic Development Committee Chairman Garrett Grier

IN ATTENDANCE: Mayor Bryan Shupe

Economic Development Committee:
Councilman James Starling

City Manager Eric Norenberg
City Clerk Terri Hudson

Chairman Grier called the meeting to order at 5:31 p.m. He announced that Committee Member Chris Mergner was unable to attend. Finance Director Jeff Portmann and City Planner Rob Pierce were also in attendance.

Mr. Grier explained the purpose of the meeting is to discuss some incentives for potential buyers at the Greater Milford Business Park and Independence Commons. He recalled the meeting when council expressed a great deal of concern about the previous concept presented at their last meeting.

Since that time, Mr. Grier said they had a follow-up meeting with the business who is interested in the business park. The possibility of a lease structure was presented to the owners who were very receptive to the idea.

Mr. Grier explained that the value of the land would be paid back over a time frame that will be determined by the city. At the end of the contract/agreement, the land would be deeded to the business.

Mayor Shupe asked Planner Rob Pierce to discuss some incentives that may be offered during that time frame. The mayor believes the city can provide a tax abatement on the improvements because the land will remain in the city's name. Mr. Grier agrees that will be very attractive to a potential buyer.

Mr. Pierce noted that Kent County would still collect taxes on the improvements because it would be privately owned.

He clarified that this would be structured as a land installment contract, as was recommended by City Solicitor David Rutt. The term is still up for discussion.

Mr. Grier does not feel the city has done a very good job of marketing the business park. Mr. Pierce agreed adding there are two parcels left on the business park (south of Airport Road) side and the goal is to get someone in there and the property developed.

Mr. Grier asked if there will be a different offer to an entity bringing only five jobs and whether it should be altered based on the number of new jobs being created. He feels we need to tie in a job factor. Mayor Shupe agreed and described some possible one-person situations that would not really benefit the city.

Both Mr. Grier and Mayor Shupe feels that an economic development tie in is needed.

The city planner added that even though the business may only be bringing five, ten or fifteen positions, some incentives should be offered but not to the degree of those coming in with thirty or fifty jobs. For example, building permit, impact fees or site plan review fees could be waived. However, there should be thirty plus jobs before the land installment option should be considered.

He emphasized the need for the city to receive the benefit of numerous jobs to justify allowing a business to pay for the land over a twenty plus year period.

Mr. Grier noted that one business wants two acres and will bring in thirty plus jobs. However, typically, a one-acre office

complex will not bring in near that number of jobs.

Mayor Shupe agrees that in the case of a business bringing five, ten or fifteen jobs, the city could start with impact fees waivers. We could also consider building permit fees. The land installment concept should only be considered for those bringing thirty plus jobs. He concurs with Mr. Pierce that if the city holds the land long terms for that business, we need to make sure there is a provision in the agreement that they keep that number of jobs throughout that period of time.

Mr. Grier feels that if they do not maintain the jobs, they need to be forced to purchase the property or surrender their assets/improvements.

Mr. Pierce said a lot of smaller items such as impact and building permit fee waivers are more up front costs. The city does not have to be quite as strict with those over that entire period of time. He suggests possible two or three years. However, any business in a long term lease needs to be audited by the city on an annual basis. Should they dip below the required number in one year, he recommends not penalizing them if they are above that number over the three-year average, for example.

Mr. Grier agrees adding that in that situation, they would be given the option to buy out the contract. They could possibly get two or three years in and during that time, they possibly have paid off some other debt and may want to purchase it at that point. He said that is an option that needs to be left open.

Regardless, this option certainly creates a positive cash flow. He explained that if a business borrowed \$125,000 or \$250,000, in this manner they are not required to put down the 20% needed to acquire the loan through a bank or financial institute. In addition, no city property taxes are being paid during this time. Both are substantial savings.

Finance Director Portmann said that in order to encourage them to purchase the property, they will need an incentive on the tax end. Otherwise, they will not be motivated to purchase the land if they have to start paying taxes. For example, if they are given a twenty-year lease/purchase agreement, and in year three they want to buy the parcel, perhaps a tax waiver of some degree should be considered for the remaining seventeen years. If not, he does not believe they will purchase it.

Mr. Portmann advised that the city will be receiving a new appraisal of the property. The proposal will be presented to city council for their approval on Monday. This will provide us with a more up-to-date value of the lots.

Mr. Pierce said he contacted Jamie Masten and asked for an estimate to appraise the remaining parcels. Mr. Masten believes it will be in the range of \$1,900. The appraisal would include the two undeveloped lots on the business park side in addition to those in Independence Commons.

Mayor Shupe reported that DEDO has offered to assist with marketing the business park for the city. Once we have the updated appraisal, they will add the information to their website, brochures etc.

He said he often receives phone calls from them asking what properties are available for a potential business looking for a site.

Mr. Portmann agrees that adding incentives would really make the deal even more attractive. He suggests starting that right away noting that it has taken three to four months to get to this point.

Mr. Pierce stated that both the State of Delaware and Kent County provide forms where a picture of commercial/industrial site and related information can be posted. The City of Dover and Town of Smyrna both have potential properties listed on the Kent County Economic Development Offices' website.

It was confirmed that the city is prohibited from paying any commission on land sales in the business park. That was part of the grant agreement when the city purchased the property. Mr. Pierce suggested paying that out of city funds; Mr. Portmann explained the buyer pays all funds associated with the purchase.

Mr. Grier asked if the committee is interested in having Mr. Rutt structure an agreement for Monday's council meeting; It was agreed a program needs to be developed in which any potential buyer that qualifies could take advantage of.

Mr. Grier emphasized that to qualify, the business must bring a minimum of thirty jobs. However, Council will make the ultimate decision on the number of jobs required.

Mr. Portmann asked if this only applies to the Greater Milford Business Park or if it includes Independence Commons.

Mr. Pierce questioned if this would be ready for Monday; City Manager Norenberg suggests a conceptual at this point noting there is not enough time to develop the entire program before the meeting.

Mr. Pierce said he will present bullet points to give council some idea of the main issues. There is a great deal of legal terminology that needs to be sorted out and later added to the actual plan. However, giving an overview of the incentives, number of jobs required, etc. is possible at this point.

Mr. Grier reiterated that the purpose of meeting today was to have something to present to city council by the January 11th meeting. Mr. Pierce feels we can provide a general outline of the program though an ordinance is really needed which is much more detailed and will take additional time.

Mayor Shupe suggests expanding this into city-owned properties outside of the business parks. That can be discussed though this one contract needs to be addressed in executive session. The actual program that will encompass everything should be discussed during the open session.

Mr. Portmann emphasized that if we focus on one program, we need to ensure that a new company walking into the city tomorrow will have the same offer. There are also many different aspects that can be tied in and that will take sometime. Right now, he recommends staying focused on this business as long as we are able to accommodate the next business in the same manner.

Mayor Shupe said at the same time, we will work toward a more concrete plan.

Mr. Pierce said if we switch gears and focus on some areas in the downtown, we may want to enter into the same type of installment contract but with a business with less than thirty jobs. For example, a restaurant or retail is referenced in our master plan. Logistically, it would not be possible for them to offer thirty jobs. But we could offer the same incentives for lesser jobs in the downtown area because of the many indirect benefits.

Mr. Portmann feels we need an active marketing program to get potential buyers interested in the business parks.

Mr. Grier is confident council will be more favorable to this idea.

Mr. Grier asked if this plan should include other city-owned lands, in addition to the business park. Mr. Pierce recommends this only apply to the business park at this point. He feels we should put another plan in place for the other city-owned lands and that can be done later this year.

Mr. Grier will recommend to council that a land installment contract plan be developed. Mr. Pierce said he will only present a main bullet point outline to get councils' consensus before the actual program is developed. Otherwise, a lot of time may be wasted if council is not in agreement.

Mr. Starling agrees the main points needs to be presented prior to starting any real work.

Mr. Pierce said he can have that completed by Monday. After that, it will take a couple more works to complete the program.

Mr. Grier moved to proceed and present the land installment contract concept to city council at their Monday, January 11, 2016 meeting, seconded by Mr. Starling. Motion carried.

There being no further business, Mr. Grier moved to adjourn the Economic Development Committee meeting, seconded by Mr. Starling. Motion carried.

The Committee Meeting adjourned at 5:51 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

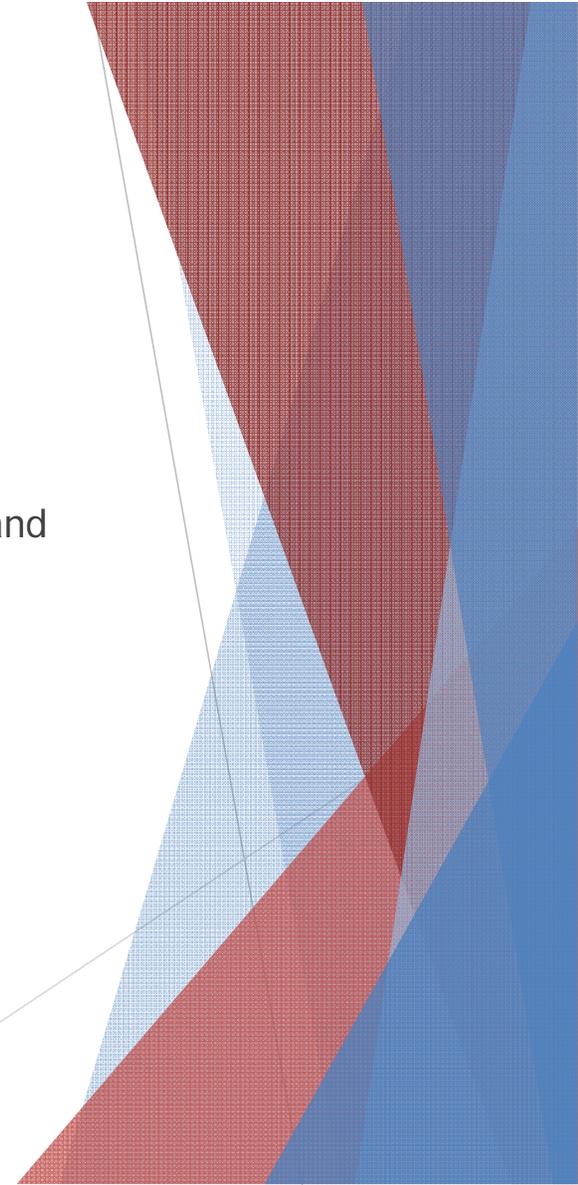


Greater Milford Business Park

Economic Development Incentive Program

Economic Development Incentive Program (EDIP)

- ▶ EDIP is an incentive program designed to foster job creation and stimulate business growth within the Greater Milford Business Park.
- ▶ The program is based on a tiered approach with emphasis on job creation and overall private investment.
- ▶ The program provides for impact fee and other fee waivers, along with the option of a land installment contract.



Job Creation

- ▶ To calculate full-time equivalent direct jobs, count two part-time jobs as one full-time job. If the total number of part-time jobs add up to a fraction, round up to the next whole number after combining the same. Indirect jobs cannot be used for this calculation.

Impact Fees

- ▶ The City will provide a one-time waiver of the City Water, Sewer and Electric Impact Fees based on job creation levels as outlined in Table 1.
- ▶ The City will audit the business annually for five (5) years, beginning twelve (12) months after the issuance of C of O. If employment falls below the stated level, the buyer is responsible for payment of the waived impact fees.
- ▶ The buyer shall be responsible for the payment of the Kent County Sewer Impact Fee.

Permits and Other Fees

- ▶ The City will provide a one-time waiver of Permits and Other Fees based on job creation levels as outlined in Table 1. These fees include the following;
 - ▶ Building Permit Fee
 - ▶ Water Meter and Service Connection Fees
 - ▶ Sewer Inspection Fees
 - ▶ Electric Service Connection Fee
 - ▶ Preliminary Site Plan Fee
 - ▶ Final Site Plan Fee
 - ▶ Professional service costs associated with planning, engineering and legal review

Permit and Other Fees (cont.)

- ▶ The City will audit the business annually for five (5) years, beginning twelve (12) months after the issuance of C of O. If employment falls below the stated level, the buyer is responsible for payment of the waived fees.
- ▶ The buyer shall be responsible for obtaining all required local, State and Federal approvals and permits for the proposed improvements.
- ▶ The buyer shall be responsible for the payment of the Carlisle Enhancement Fee.

Table 1: Tiered Incentives

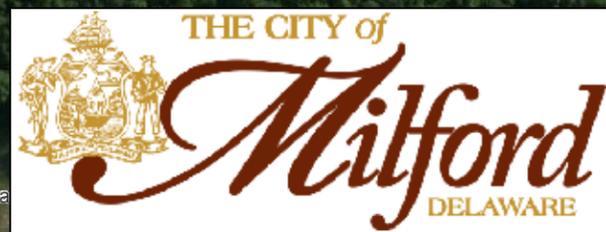
Tier	Jobs Created	Water & Sewer Impact Fee Waivers	Waiver of Permits & Other Fees	Audit Period for Fee Waivers
1	5-9	1	20%	5 years
2	10-14	2	40%	5 years
3	15-19	3	60%	5 years
4	20-24	4	80%	5 years
5	25-29	5	All	5 years
6	30+	All	All	5 years

Land Installment Contract

- ▶ This is a contract between the City and the buyer of real property in which the City provides 0% financing to the buyer to purchase city-owned property for an agreed-upon purchase price and the buyer repays the loan in monthly installments.
- ▶ The City retains the legal title to the property, while permitting the buyer to take possession of the land for most purposes other than illegal ownership/enterprises.
- ▶ Eligibility and length of installment contract shall be based on a combination of job creation and overall private investment amount and shall be approved by City Council on a case-by-case basis.

Land Installment Contract (cont.)

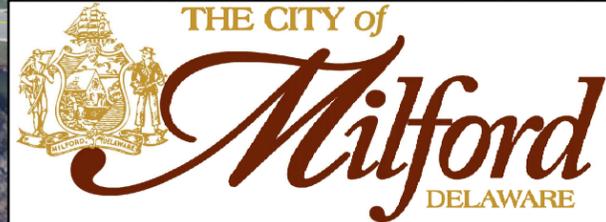
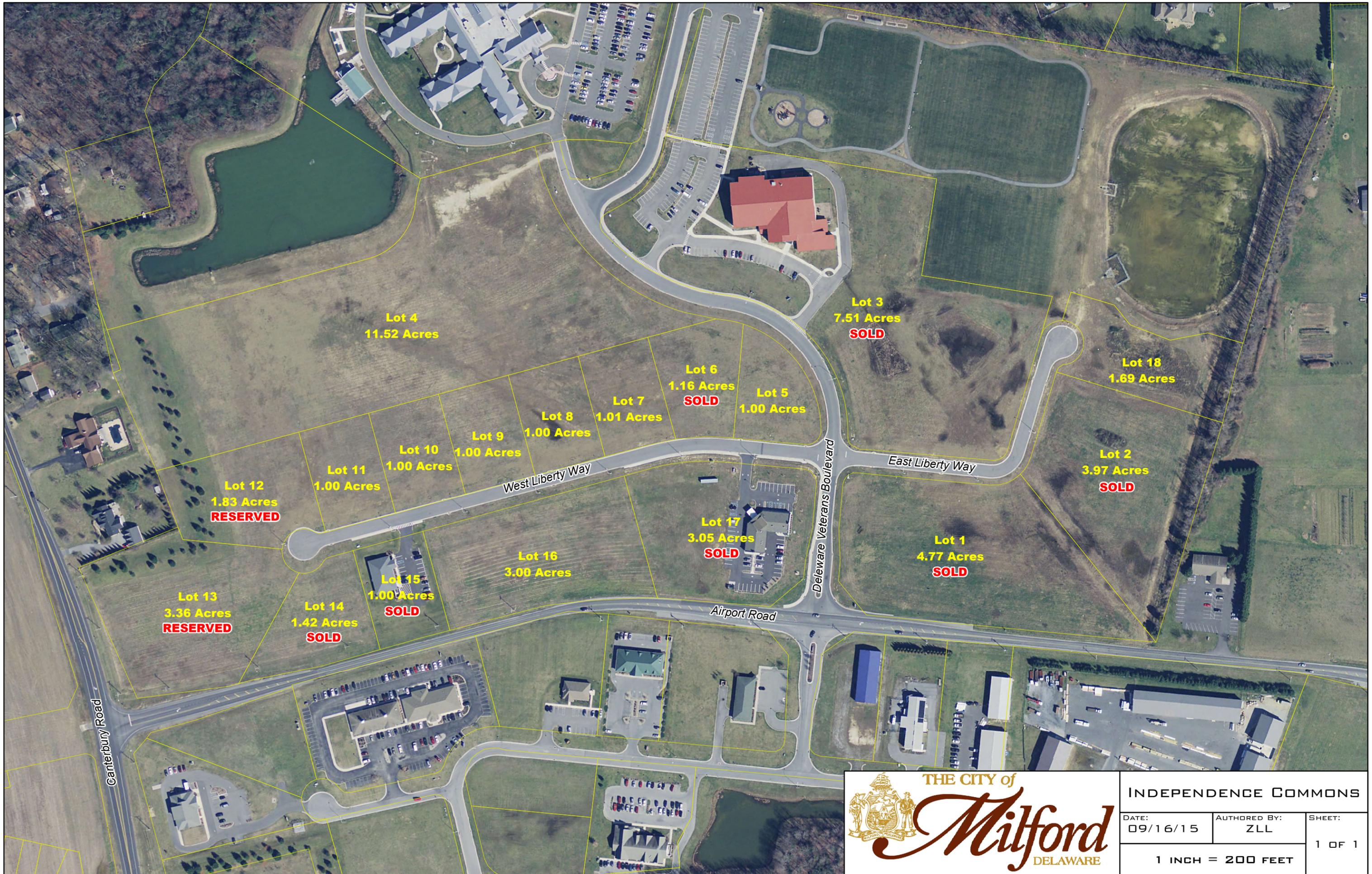
- ▶ The City will audit the business annually to ensure the number of full-time jobs are achieved. Audits will begin thirty-six (36) months from the contract signing and continue until full payment is made to the City.
- ▶ If the employment level falls below the level stated in the contract, as calculated over a three (3) year average, the City has the right to terminate the contract and the buyer has the following two options;
 - ▶ The contract shall become null and void and the buyer shall surrender all improvements on the property to the City; or,
 - ▶ The buyer shall pay the remaining balance of the installment contract to the City in exchange for legal title to the property.



**Greater Milford
Business Park**

Date: 12/28/15	Authored By: ZLL	Sheet: 1 of 1
1 inch = 200 feet		

Source: Esri, DigitalGlobe, GeoEye, Earthstar, Community



THE CITY of Milford DELAWARE			INDEPENDENCE COMMONS		
DATE:	AUTHORED BY:	SHEET:			
09/16/15	ZLL	1 OF 1			
1 INCH = 200 FEET					



January 6, 2016

City of Milford
c/o Rob Pierce
201 South Walnut Street
Milford, Delaware 19963

Dear Rob,

Pursuant to your request, we can complete the appraisal for \$1,950.

We propose to provide a narrative report in conformity with the Uniform Standards of Professional Appraisal Practice, with an opinion of value.

We will include a breakdown for each property individually in the report. Completion of the appraisal shall be in a timely manner and should take less than 30 days to complete. One original and one copy shall be provided to the City of Milford.

Feel free to contact me at (302) 422-1850 or jamie@mastenrealty.com, should you have any questions.

Respectfully,

A handwritten signature in blue ink, appearing to read "Jamie Masten".

Jamie Masten
Certified General Real Property Appraiser



**DELAWARE LEAGUE OF LOCAL GOVERNMENTS
MONTHLY DINNER MEETING
THE DUNCAN CENTER
500 W. LOOCKERMAN STREET, 5TH FLOOR, DOVER**

THURSDAY, JANUARY 28, 2016

REGISTRATION/SOCIAL HOUR: 5:30 P.M. - 6:15 P.M.

DINNER: 6:30 P.M. – 7:15 P.M.

PROGRAM: 7:15 P.M.

PROGRAM:

Join DLLG members, associates and friends to kick off the New Year with keynote speaker David S. Small, Secretary of the Delaware Department of Natural Resources and Environmental Control. Prior to his appointment to the Cabinet position, Mr. Small was Deputy Secretary of DNREC since 2001. His total career in the Department spans 28 years. The Secretary will address current projects and programs affecting municipalities and counties, as well as future regulations and funding proposals under consideration. These include new Clean Water Act proposals for Delaware and MS 4 regulations.

The evening agenda includes the election of Executive Committee members for the new term.

Next Meeting: Thursday, February 25, 2016

WE MUST HAVE YOUR RESERVATIONS NO LATER THAN JANUARY 22, 2016

Mail To/Make Payable to: Delaware League of Local Governments • P.O. Box 484 • Dover, DE 19903-0484
Phone: 302-678-0991 • Email: cfluft@udel.edu

_____ will have _____ attendees
(Municipality/County/Agency)

PLEASE LIST THE NAMES OF THOSE ATTENDING

<u>Name</u>	<u>Title</u>
_____	& _____
_____	& _____
_____	& _____
_____	& _____
_____	& _____
_____	& _____

- () Check enclosed for () dinners @ \$30 each
- () Payment will be made at the door
- () Check mailed for () dinners @ \$30 each

January 8, 16

Dear Community Partner,

Milford Mayor Bryan Shupe and the City of Milford are excited to announce its partnership with Volunteer Delaware and Volunteer Delaware 50+ to initiate a new event, **Hungry to Help!** The inaugural event invites local non-profit organizations and the public to share food and fellowship on March 12, 2016 at the Milford Armory with the goal of increasing volunteerism in the Greater Milford Area.

As Milford's Mayor looked to the needs of the city, he realized one key to its health relies on the promotion and engagement of volunteerism. Within this dialogue, Volunteer Delaware and Volunteer Delaware 50+, saw an opportunity to help create a catalyst for more local involvement. Every day Volunteer Delaware sees a great number of requests for volunteer assistance from a variety of non-profit organizations throughout Sussex and Kent Counties. Schools, museums, shelters, hospitals, state agencies, reading programs and food pantries all need help, just to name a few. Requests for assistance with special one-time events or on-going opportunities are both needed. Every day, every hour, there is a place and time to volunteer.

We want to publicize your organization at the inaugural **Hungry to Help** Volunteer Fair on March 12, 2016 from 10 am to 1 pm at the Milford Armory, 604 N Walnut Street in Milford, DE. At this event, **Milford will combine its need to connect the community and local non-profits with a fun way to enjoy food and fellowship. Each participating non-profit will have space available for members to display their vision, mission and volunteer needs for the organization. Food trucks will offer a variety of food from different cultures as prospective volunteers will have the chance to talk with members of your organization about volunteer opportunities.**

Volunteers make a strong impact upon agencies that struggle with limited budgets. **We would like for you to take a moment to assess your volunteer needs. Think about how volunteer help would enhance some of your one-time events or fulfill your ongoing needs. If currently partnered with Volunteer Delaware 50+ or Volunteer Delaware by listing on the website www.volunteerdelaware.org, kindly check your opportunities to see if they are up to date and also if they are current in Milford. If you are not partnered with Volunteer Delaware 50+ or Volunteer Delaware currently, simply visit the website and explore the opportunities of becoming a member.**

Please check the website at www.volunteerdelaware.org or call 302-515-3020 for further information about this unique opportunity to display your non-profit. Attached you will find a sign-up sheet for local non-profits to reserve a spot at the inaugural **Hungry to Help** Volunteer Fair in Milford, DE. Forms should be mailed to Volunteer Delaware 50+, 546 S. Bedford St. Georgetown, DE 19947 or organizations can call 302-515-3020. Please RSVP by February 28, 2016.

Sincerely,

Ann Gorrin
Volunteer Delaware 50+

City of Milford



Resolution 2016-01

Appointment of DEMEC Director & Alternate Director

WHEREAS, the City of Milford is a member of the Delaware Municipal Electric Company (“DEMEC”), a municipal electric company established pursuant to 22 Del. C. Chapter 13;

WHEREAS, the City of Milford is authorized to appoint an individual to serve on the DEMEC Board of Directors pursuant to 22 Del. C. § 1304(3);

WHEREAS, Article V, Section I of the DEMEC Agreement and Articles of Incorporation, grants the city authority to appoint an alternate director to serve in the absence of the director.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Milford:

- (1) The City Manager shall serve as the director representing the City of Milford on the DEMEC Board of Directors.
- (2) The Electric Department Superintendent shall serve as an alternate director in the absence of the director.
- (3) In the absence of the director, the alternate director shall have full power and authority to act on the City of Milford’s behalf.

This certifies that this is a true and correct copy of the Resolution duly adopted by the City Council of the City of Milford at its meeting on January 11, 2016.

Mayor Bryan W. Shupe

City Clerk _____



December 15, 2015

Milford City Council
201 S. Walnut St.
Milford, DE 19963

Dear Council Members:

Downtown Milford, Inc. is sponsoring the 2nd Annual Brewgrass Festival in Bicentennial and Memorial Parks scheduled for Sunday, June 12, 2016 from 12-6pm. This festival will offer live bluegrass music, food to purchase, and beer tastings from local Delaware and Maryland breweries with a maximum of 500 participants.

Each participant will pay an entrance fee (\$30—pre-registered, \$40 at the door, \$5 for designated driver) and receive a souvenir plastic cup for their tastings. Food, provided by local restaurants and food trucks, will be available for purchase throughout the parks. The parks will be closed off with only one entrance and exit. We have budgeted for security. We would like to park vendor vehicles in the fenced in area where the DMI/Chamber offices were torn down on Washington St. We will not need to close any major roadways other than the road leading into Bicentennial Park.

Enclosed are two applications for a group gathering license in each park. I've requested the license from 12-7pm to allow for cleanup in both parks. Please sign and return to my attention at the DMI office when Council has approved our request. If you have any questions regarding this event, please contact me at 302.519.6767 or sara@downtownmilford.org.

Thank you for your consideration,

Sara M. Pletcher

Sara M. Pletcher
Brewgrass Festival Chair
DMI Promotions Committee Member

7. I agree to sell the alcoholic beverages for consumption on the premises where sold only except that it is permissible for me to sell up to 10 gallons for off premise consumption by way of a raffle or auction, live or silent.
8. It is understood that alcoholic beverages remaining on the premise that are not opened, may be returned to the licensed wholesaler or retailer from which they were purchased or donated, within 30 days of the date of the gathering.
9. I submit _____ dollars in payment of full license fee at the rate of \$5.00 for one or two days, and \$2.00 per day for each day thereafter, Sundays and Holidays as defined in Title 4 Section 709, require an additional \$5.00.

 (Signature of Applicant) (Title) () - (Phone Number)

I understand, and approve, that the above applicant is making application for a license from the Office of the Alcoholic Beverage Control Commissioner to store alcoholic liquor for resale and consumption on the premises and limited off-premises consumption, during the above scheduled event located at:

 (Complete Address for Event) (Date(s) of Event)

 (Hours of Operation)

 (Signature of Owner of Hall/Home, Landlord or Rental Agent) (Title) () - (Phone Number)

 (Alternate Contact Person) () - (Phone Number)

PLEASE COMPLY WITH THE FOLLOWING REQUIREMENTS:

1. Organizations (other than #2 below) must submit current IRS Tax Form 990, or IRS Department of Treasury letter granting an exemption from federal income tax under Section 501(c)(3)
2. If a candidate, political organization, or party, you must submit proof of current registration with the Delaware Department of Elections.
3. The applicant must submit a floor plan of the area to be licensed. The floor plan must include all seating, bar area, entertainment and liquor storage
4. The completed application along with the proof of non-profit status, floor plan and the appropriate fee, must be **submitted no less than ten (10) days** prior to the date of the event. Timely submission will allow sufficient time for consideration by the OABC Commissioner.

7. I agree to sell the alcoholic beverages for consumption on the premises where sold only except that it is permissible for me to sell up to 10 gallons for off premise consumption by way of a raffle or auction, live or silent.
8. It is understood that alcoholic beverages remaining on the premise that are not opened, may be returned to the licensed wholesaler or retailer from which they were purchased or donated, within 30 days of the date of the gathering.
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City of Milford



NOTICE OF PUBLIC HEARINGS

PLANNING COMMISSION PUBLIC HEARING: JANUARY 19, 2016

CITY COUNCIL PUBLIC HEARING: JANUARY 25, 2016

NOTICE IS HEREBY GIVEN the Planning Commission of the City of Milford will hold a Public Hearing on Tuesday, January 19, 2016 at 7:00 p.m. or as soon thereafter as possible.

A FINAL PUBLIC HEARING is scheduled on Monday, January 25, 2016 at 7:00 p.m. before Milford City Council. Following the hearing, the ordinance may be adopted, with or without amendments.

ORDINANCE 2016-01

Change of Zone of Annexed Lands belonging to Mispillion Realty LLC

Tax Parcel 1-30-3.00-080.02

2.00 +/- Acres

Current Zone MR/Proposed Zone R3

AN ORDINANCE OF THE CITY OF MILFORD, DELAWARE to amend the zoning map of the City of Milford by rezoning 2.00 +/- acres of real property from MR to R3 adjacent to Fieldstone Avenue in Brookstone Trace, Milford, Delaware. Present Use: Vacant. Proposed Use: Garden Apartment/Townhouse. Tax Map and Parcel: 1-30-3.00-080.02

WHEREAS, the City of Milford Planning Commission will consider the change of zone application at a Public Hearing on January 19, 2016; and

WHEREAS, Milford City Council will hold a Public Hearing on January 25, 2016 to allow for public comment and further review of the ordinance; and

WHEREAS, it is deemed in the best interest of the City of Milford to allow a change of zone as herein described.

NOW, THEREFORE, the City of Milford hereby ordains as follows:

Upon the adoption of this ordinance, tax map and parcels 3-30-3.00-080.02, owned by Mispillion Realty LLC located on Fieldstone Avenue in Brookstone Trace, is hereby zoned R3.

Dates:

Planning Commission Review & Public Hearing: January 19, 2016

City Council Introduction: January 11, 2016

City Council Public Hearing: January 25, 2016

Adoption: January 25, 2016

Effective: February 4, 2016

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

For additional information, please contact Rob Pierce in the Planning Department at Milford City Hall either by e-mail at RPierce@milford-de.gov or by calling 302-424-3712.

Advertised: Beacon 12/30/15

Chapter 57-Planning Commission

§ 57-1. Establishment.

There is hereby established, pursuant to 22 Del. C. § 701 et seq., the Milford Planning Commission.

§ 57-2. Membership; terms of office.

The Commission shall consist of nine members to be appointed by the Council. The term of each member so appointed and confirmed shall be for three years, except that of the members first appointed, three shall be appointed to a term of three years, three shall be appointed to a term of two years and three shall be appointed to a term of one year.

§ 57-3. Removal; vacancies.

Any member of the Planning Commission may be removed for cause, after a public hearing, by the Mayor with the approval of the City Council. A vacancy occurring otherwise than by expiration of term shall be filled for the unexpired term in the same manner as an original appointment.

§ 57-4. Ex officio members.

The Mayor and City Manager shall be ex officio members of the Planning Commission and may exercise all of the powers of the regular members; provided, however, that an ex officio member may not hold an office on the Commission and shall have no right to vote on matters coming before the Commission.

§ 57-5. Salaries and compensation.

All members of the Commission shall serve without compensation but may be reimbursed for actual expenses incurred in connection with their official duties.

§ 57-6. Officers; staff; custodian of records.

The Commission shall elect annually a Chairman and Secretary from among its own number and may employ experts, clerical help and other assistants. The Commission may appoint a custodian of its Comprehensive Plan and records, who may be the City Manager or other employee of the Council.

§ 57-7. Rules of procedure; meetings; records.

The Commission shall adopt its own rules of procedure and determine the times of its meetings and methods of notice thereof. All meetings of the Commission at which any official action is taken shall be open to the public, and all records of the Commission shall be public records.

§ 57-8. Powers and duties; reports.

The Milford Planning Commission shall have all the powers and authority vested in municipal planning commissions under the provisions of Title 22, Delaware Code, Chapter 7, subject to the same conditions and limitations set forth therein at the effective date of this chapter. The Planning Commission shall report at each monthly meeting of the Council and shall present copies of its minutes of the preceding month.

City of Milford Planning Commission

CHAIRMAN

Campbell Arthur J. 6 Little Pond Drive

MEMBERS

Sharp Marvin C. 844 NE Front Street

Lane William J. 7 Hickory Branch Ln

Fry Kerri B. 501 S Walnut St

Holloway W. Ed 116 Starland Way

VACANT

Mims Rae M. 4802E Summer Brook Way

Yosifon Michael 126 N Landing Drive

Fulton Andrew P. 15 E Clarke Avenue



CITY HALL
302.424.3712, FAX 302.424.3558

201 SOUTH WALNUT STREET
MILFORD, DE 19963

www.cityofmilford.com

MEMO

TO: Eric Norenberg
City Manager

FR: Christine Crouch
Deputy City Clerk

DA: 01.08.16

RE: **BUDGET ADJUSTMENT**

I respectfully request a budget adjustment from the City Administration Salary and Wages line item (101-1010-413-10-10) be transferred to the Tax Assessor Services line item (101-1010-413.30-11) in the amount of \$5500.00.

Thank you.

Additional Services Addendum

This Additional Services Addendum (“Addendum”) is made by and between Tyler Technologies, Inc. with offices at One Tyler Way, Moraine, OH 45439 (“Tyler”) and the City of Milford, Delaware (“Client”).

WHEREAS, Tyler and Client are parties to an original agreement for the provision of Unifers and Support services dated on or about July 1, 2010 (“Support Agreement”); and

WHEREAS, Tyler and Client desire to exercise the Additional Services clause under Article 23 of the Agreement;

NOW THEREFORE, in consideration of the mutual promises hereinafter contained, Tyler and Client agree as follows:

1. Tyler shall assist the Client in maintaining its assessments by providing the services as more particularly described in Section 2 below (the “Services”).
2. Client shall remit to Tyler a per diem rate of \$685 per day, with a half day (4 hour) minimum, for all Services provided by Tyler staff. Tyler staff will be available to perform work related to the following:
 - Perform inspections, measure improvements, photograph improvements, and change data as required
 - Value all new improvements
 - Field visits to verify sales as needed
 - Perform other related tasks as requested
 - Appeal Hearings
3. The total amount of Services invoiced by Tyler to Client under the terms of this Addendum shall not exceed Twenty Thousand Dollars (\$20,000.00). The per diem rate includes any necessary expenses.
4. Tyler will perform the Services in a professional, workmanlike manner, consistent with industry standards.
5. If Client believes any delivered Services do not conform to the warranties in this Addendum, Client will provide Tyler with written notice within fifteen (15) days of Client’s receipt of the applicable invoice. The written notice must contain sufficient detail of the issues Client contends are in dispute. Tyler will provide a written response to Client that will include either a justification of the invoice, an adjustment to the invoice, or a proposal addressing the issues presented in Client’s notice. Tyler and Client will work together as may be necessary to develop an action plan that outlines reasonable steps to be taken by each of Tyler and Client to resolve any issues presented in Client’s notice. Client may only withhold payment of the amount(s) actually in dispute until Tyler completes the action items outlined in the plan. If Tyler is unable to complete the action items outlined in the action plan because of Client’s failure to complete the items agreed to be done by Client, then Client will remit full payment of the invoice.
6. Client agrees to provide Tyler with written notice within thirty (30) days of becoming aware of a dispute. Client agrees to cooperate with Tyler in trying to reasonably resolve all disputes, including, if requested by either party, appointing a senior representative to meet and engage in good faith negotiations with Tyler’s appointed senior representative. All meetings and discussions between senior representatives will be deemed confidential settlement discussions not subject to disclosure under Federal Rule of Evidence 408 or any similar applicable state rule. If Client and Tyler fail to resolve the dispute, either party may assert its respective rights and remedies in a court of competent jurisdiction. Nothing in this section shall prevent Tyler or Client from seeking necessary injunctive relief during the dispute resolution procedures.

- 7. This Addendum shall be governed by and construed in accordance with the terms and conditions of the Support Agreement.
 - 8. All other terms and conditions of the Support Agreement shall remain in full force and effect.
-

IN WITNESS WHEREOF, the parties hereto have executed this Additional Services Addendum to Support Agreement as of the dates set forth below.

Tyler Technologies, Inc.
Appraisal & Tax Division

Client: City of Milford, Delaware

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

Date: _____

**CITY OF MILFORD
FUND BALANCES REPORT**

Date: November 2015

Cash Balance - General Fund Bank Balance	\$4,708,247
Cash Balance - Electric Fund Bank Balance	\$4,465,169
Cash Balance - Water Fund Bank Balance	\$1,772,108
Cash Balance - Sewer Fund Bank Balance	\$1,476,806
Cash Balance - Trash Fund Bank Balance	\$216,949

	General <u>Improvement</u>	Municipal <u>Street Aid</u>	Real Estate <u>Transfer Tax</u>	Solid Waste <u>Reserves</u>
Beginning Cash Balance	431,520	1,134,382	1,568,353	0
Deposits	6,500	56,787	80,417	
Interest Earned this Month	50	136	183	
Disbursements this Month			(48,334)	
Investments				250,000
Ending Cash Balance	\$438,070	\$1,191,305	\$1,600,619	\$250,000

	GF Capital <u>Reserves</u>	Water Capital <u>Reserves</u>	Sewer Capital <u>Reserves</u>	Electric <u>Reserves</u>
Beginning Cash Balance	783,807	6,189,189	3,126,195	5,241,139
Deposits				
Interest Earned this Month	198	708	360	596
Disbursements this Month		(8,800)		(1,835)
Investments	250,000			
Ending Cash Balance	\$1,034,005	\$6,181,097	\$3,126,555	\$5,239,900

	Water <u>Impact Fee</u>	Sewer <u>Impact Fee</u>	Electric <u>Impact Fee</u>	Economic Development <u>Fund</u>
Beginning Cash Balance	\$1,348,165	889,297	383,115	944,028
Deposits	7,979	4,216	1,800	
Interest Earned this Month				
Disbursements this Month				
Investments				
Ending Cash Balance	\$1,356,144	\$893,513	\$384,915	\$944,028

INTEREST THROUGH THE FIFTH MONTH OF THE FISCAL YEAR:

General Fund	4,781	Water Fund	1,343
GF Capital Reserves	874	Water Capital Reserves	3,030
Municipal Street Aid	705	Sewer Fund	801
Real Estate Transfer Tax	996	Sewer Capital Reserves	1,585
Electric Fund	2,964	Trash Fund	2,832
Electric Reserves	2,457		

TOTAL INTEREST EARNED TO DATE \$22,368

REVENUE REPORT

Page Two

42% of Year Expended

Date: November 2015	AMOUNT BUDGETED	MTD	YTD	YTD%
ACCOUNT				
Economic Development Fund	175,805	0	74,196	42.20%
General Fund Reserves	300,000	0	19,201	6.40%
Realty Transfer Tax-Police	575,000	48,334	236,667	41.16%
Real Estate Tax	3,731,000	211	3,721,927	99.76%
Business License	35,000	200	3,100	8.86%
Rental License	85,000	150	2,500	2.94%
Building Permits	60,000	5,391	33,251	55.42%
Planning & Zoning	15,000	5,100	12,882	85.88%
Grasscutting Revenue	16,000	0	8,000	50.00%
Police Revenues	437,000	8,929	228,284	52.24%
Misc. Revenues	268,000	29,565	76,184	28.43%
Transfers From	3,215,480	267,958	1,339,784	41.67%
Total General Fund Revenues	\$8,913,285	\$365,838	\$5,755,976	64.58%
Water Revenues	2,901,930	75,711	1,048,036	36.12%
Sewer Revenues	2,306,500	69,790	949,423	41.16%
Kent County Sewer	1,700,000	39,068	670,356	39.43%
Solid Waste Revenues	1,113,855	76,143	439,397	39.45%
Electric Revenues	26,070,126	854,076	10,308,615	39.54%
TOTAL REVENUES	\$43,005,696	\$1,480,626	\$19,171,803	44.58%
YTD Enterprise Expense		24,410		
YTD Enterprise Revenue		44,858		
LTD Carlisle Fire Company Building Permit Fund		116,309		

EXPENDITURE REPORT

Page Three

Date: November 2015

42% of Year Expended

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	YTD%	UNEXPENDED BALANCE
City Manager					
Personnel	481,755	\$15,234	222,970	46.28%	258,785
O&M	143,905	\$14,321	87,393	60.73%	56,512
Capital	0	\$0	0		0
Total City Manager	\$625,660	\$29,555	\$310,363	49.61%	315,297
Planning & Zoning					
Personnel	164,730	\$12,628	60,800	36.91%	103,930
O&M	40,130	\$2,619	11,414	28.44%	28,716
Capital	0	\$0	0		0
Total P, C & I	\$204,860	\$15,247	\$72,214	35.25%	132,646
Code Enforcement & Inspections					
Personnel	150,420	\$11,290	55,430	36.85%	94,990
O&M	67,940	\$2,930	21,465	31.59%	46,475
Capital	0	\$0	0		0
Total P, C & I	\$218,360	\$14,220	\$76,895	35.21%	141,465
Council					
Personnel	31,225	\$2,621	12,659	40.54%	18,566
O&M	45,480	\$1,603	14,290	31.42%	31,190
Council Expense	19,365	\$428	13,835	71.44%	5,530
Contributions	211,000	\$1,960	69,660	33.01%	141,340
Codification	4,500	\$0	4,496	99.91%	4
Employee Recognition	9,000	\$0	0	0.00%	9,000
Insurance	24,365	\$4,880	14,640	60.09%	9,725
DEDO/Downtown Grant	23,250	\$0	0	0.00%	23,250
Armory Expenses	20,000	\$3,050	6,048	30.24%	13,952
Total Council	\$388,185	\$14,542	\$135,628	34.94%	252,557
Finance					
Personnel	359,015	\$27,265	133,828	37.28%	225,187
O&M	58,855	\$2,406	26,811	45.55%	32,044
Capital	6,425	\$0	6,424	99.98%	1
Total Finance	\$424,295	\$29,671	\$167,063	39.37%	257,232
Information Technology					
Personnel	189,010	\$8,948	44,006	23.28%	145,004
O&M	175,480	\$15,322	50,407	28.73%	125,073
Capital	62,760	\$0	50,331	80.20%	12,429
Total Information Technology	\$427,250	\$24,270	\$144,744	33.88%	282,506

EXPENDITURE REPORT

Page Four

Date: November 2015

42% of Year Expended

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	YTD%	UNEXPENDED BALANCE
Police Department					
Personnel	3,897,786	\$285,400	1,381,633	35.45%	2,516,153
O&M	496,719	\$54,209	269,160	54.19%	227,559
Capital	84,000	\$805	80,900	96.31%	3,100
Total Police	\$4,478,505	\$340,414	\$1,731,693	38.67%	2,746,812
Streets & Grounds Division					
Personnel	470,530	\$29,753	147,565	31.36%	322,965
O&M	458,605	\$26,387	148,445	32.37%	310,160
Capital	120,000	\$0	0	0.00%	120,000
Debt Service	17,140	\$0	0	0.00%	17,140
Total Streets & Grounds	\$1,066,275	\$56,140	\$296,010	27.76%	770,265
Parks & Recreation					
Personnel	578,680	\$41,082	245,412	42.41%	333,268
O&M	259,923	\$31,567	98,912	38.05%	161,011
Capital	241,292	\$25,693	55,019	22.80%	186,273
Total Parks & Recreation	\$1,079,895	\$98,342	\$399,343	36.98%	680,552
Total General Fund					
Operating Budget	\$8,913,285	\$622,401	\$3,333,953	37.40%	5,579,332

EXPENDITURE REPORT

Page Five

Date: November 2015

42% of Year Expended

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	YTD%	UNEXPENDED BALANCE
Water Division					
Personnel	310,855	\$25,039	115,375	37.12%	195,480
O&M	1,029,160	\$69,946	344,038	33.43%	685,122
Capital	583,000	\$0	28,933	4.96%	554,067
Debt Service	978,915	\$0	95,379	9.74%	883,536
Total Water	\$2,901,930	\$94,985	\$583,725	20.12%	2,318,205
Sewer Division					
Personnel	310,855	\$24,036	115,366	37.11%	195,489
O&M	1,151,560	\$93,735	376,717	32.71%	774,843
Capital	286,630	\$0	48,842	17.04%	237,788
Debt Service	557,455	\$0	25,471	4.57%	531,984
Sewer Sub Total	\$2,306,500	\$117,771	\$566,396	24.56%	1,740,104
Kent County Sewer	1,700,000	\$171,734	803,020	47.24%	896,980
Total Sewer	\$4,006,500	\$289,505	\$1,369,416	34.18%	2,637,084
Solid Waste Division					
Personnel	390,810	\$30,253	145,081	37.12%	245,729
O&M	723,045	\$55,918	269,102	37.22%	453,943
Capital	0	\$0	0		0
Total Solid Waste	\$1,113,855	\$86,171	\$414,183	37.18%	699,672
Total Water, Sewer Solid Waste	\$8,022,285	\$470,661	\$2,367,324	29.51%	5,654,961
Electric Division					
Personnel	1,256,805	\$92,871	438,806	34.91%	817,999
O&M	1,708,726	\$118,941	577,673	33.81%	1,131,053
Transfer to General Fund	2,500,000	\$208,334	1,041,667	41.67%	1,458,333
Capital	635,000	\$3,200	5,795	0.91%	629,205
Debt Service	344,595	\$0	0	0.00%	344,595
Electric Sub Total	\$6,445,126	\$423,346	\$2,063,941	32.02%	4,381,185
Power Purchased	19,625,000	\$1,365,740	8,032,557	40.93%	11,592,443
Total Electric	\$26,070,126	\$1,789,086	\$10,096,498	38.73%	15,973,628
TOTAL OPERATING BUDGET	\$43,005,696	\$2,882,148	\$15,797,775	36.73%	27,207,921

INTERSERVICE DEPARTMENTS REPORT

Page Six

Date: November 2015

ACCOUNT	AMOUNT BUDGETED	MTD	42% of Year Expended		UNEXPENDED BALANCE
			YTD	YTD%	
Garage					
Personnel	87,380	6,559	32,295	36.96%	55,085
O&M	73,580	6,180	22,994	31.25%	50,586
Capital	0	0	0		0
Total Garage Expense	\$160,960	12,739	\$55,289	34.35%	105,671
Public Works					
Personnel	162,720	5,437	27,344	16.80%	135,376
O&M	208,075	15,363	52,530	25.25%	155,545
Capital	0	0	0		0
Total Public Works Expense	\$370,795	20,800	\$79,874	21.54%	290,921
Billing & Collections					
Personnel	539,665	51,779	211,538	39.20%	328,127
O&M	208,420	20,172	82,889	39.77%	125,531
Capital	20,000	0	17,285	86.43%	2,715
Total Billing & Collections	\$768,085	71,951	\$311,712	40.58%	456,373
City Hall Cost Allocation					
Personnel	0	0	0		0
O&M	57,630	4,360	20,917	36.30%	36,713
Capital	0	0	0		0
Total City Hall Cost Allocation	\$57,630	4,360	\$20,917	36.30%	36,713

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
November 2, 2015

A Special Meeting of the Milford City Council was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall, 201 South Walnut Street, Milford, Delaware on Monday, November 2, 2015.

PRESIDING: Mayor Bryan Shupe

IN ATTENDANCE: Councilpersons Christopher Mergner, Garrett Grier III, Lisa Peel, James Burk,
Owen Brooks Jr., Douglas Morrow Sr., James Starling and Katrina Wilson

City Clerk/Recorder Terri Hudson

Mayor Shupe called the Special Meeting to order at 5:41 p.m. The purpose of the meeting was to review applications received for the position of City Manager and discuss subsequent elements of the hiring process, should a candidate be chosen.

Search Manager Catherine Tuck Parrish of Novak Consulting Group was in attendance. Ms. Parrish advised that of the three final candidates, one had withdrawn from the process. However, the two remaining candidates are very interested in the position.

She informed council that both candidates took a tour of the city with Mayor Shupe today. Ms. Parrish arranged a meet and greet with city department heads late this afternoon.

Ms. Parrish then briefed council on the process before going into Executive Session.

EXECUTIVE SESSION

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

Mr. Grier moved to go into Executive Session to interview the two final candidates for the city manager's position, seconded by Ms. Peel. Motion carried.

Mayor Shupe recessed the Council Meeting at 5:50 p.m. for the purpose of an Executive Session as permitted by Delaware's Freedom of Information Act.

RETURN TO OPEN SESSION

City Council returned to Open Session at 9:43 p.m.

Mr. Burk moved to authorize offering the job to 'Candidate A' and proceed with negotiations, seconded by Mr. Grier. Motion carried with no one opposed.

ADJOURN

The Executive Session adjourned at 9:44 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

MILFORD CITY COUNCIL
MINUTES OF MEETING
November 9, 2015

A Meeting of Milford City Council was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall on Monday, November 9, 2015.

PRESIDING: Mayor Bryan Shupe

IN ATTENDANCE: Councilpersons Christopher Mergner, Garrett Grier III, Lisa Peel, James Burk, Owen Brooks Jr., Douglas Morrow Sr., James Starling and Katrina Wilson

Police Chief Keith Hudson and City Clerk/Recorder Terri Hudson

COUNSEL: City Solicitor David Rutt, Esquire

CALL TO ORDER

Mayor Shupe called the Council Meeting to order at 7:03 p.m.

INVOCATION AND PLEDGE

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

APPROVAL OF PREVIOUS MINUTES

Motion made by Mr. Grier, seconded by Ms. Peel to approve the minutes of the September 28th Council Meeting and October 12th Council Meetings as presented. Motion carried.

RECOGNITION

No special guests in attendance.

MONTHLY POLICE REPORT

Police Committee Chairman Morrow presented the report on behalf of Chief Hudson. Mr. Burk moved to accept the monthly police report, seconded by Mr. Brooks. Motion carried.

CITY MANAGER REPORT

Mayor Shupe referenced the Utility and Parks and Recreation Department reports included in the packet. Council members had no questions.

COMMITTEE & WARD REPORTS

Councilwoman Wilson stated that she wanted to make a comment. She emphasized that there is never a 'quiet month' for the police. She asked that as the mayor and council look around our city and seek out resources, they consider all residents, all constituents and the well being of our entire city. As this body moves forward, she wants each person to think about playing a balancing act for all neighborhoods of the city. That is what she has done over the past twenty plus years and she thinks it is important that the new members of council consider this as well.

Ms. Wilson recalled the number of times the downtown has been discussed. She asked that all of Milford be considered and not just downtown. She does not feel that downtown reflects Milford in general and feels it is important that council understand that.

She noted that the focus is soon going to switch to the area where Bayhealth is developing and asked that council take a moment to think about that.

Ms. Wilson does not really feel the numbers and statistics in the police report accurately reflect what is happening in this town. She said most of the council members do not hear the police sirens and gunshots. She asked that everyone focus on all our needs and especially the need for more police. She agrees the riverwalk is not safe but in order to properly address the problem, more police officers are needed. There is a lot of activity in that area and she does not think we have the manpower that is needed to police it.

Ms. Wilson believes council is speaking two different languages and asked that this body understand what is real in today's world.

Mr. Starling added that council members would be very surprised of the number of people that walk through his neighborhood with their backpacks. He stressed that other towns are helping with this situation. This community has a committee that helps with that situation. Both his wife and Councilwoman Wilson are on that committee which he feels is a very important committee. He pointed out that everyone in this room comes out of a warm house everyday. But he observed people walking by who are looking for a place to sit or get something to eat. He has actually witnessed people pulling food out of waste containers to get something to eat.

He is unsure what the city can do but he feels there is a need for a shelter as well.

Mr. Burk asked everyone to keep their eyes open adding that he has seen Milford Police Department in the area of Dorey Insurance. He noted that she is having a lot of problems with vagrants hanging in the rear of her property on NE Front Street.

He is aware of a person who was sleeping on the ground out by Rita's (by Walmart) and a lot of people were driving by and did not even look. He recommends calling the government agencies who can help these people even though a lot of time these people do not want help. He feels if we all work together we could make a difference.

COMMUNICATIONS & CORRESPONDENCE

Nothing to report.

UNFINISHED BUSINESS

Review/Solid Waste Ordinance Fees

Mayor Shupe recalled the number of recent discussions council has had regarding our current solid waste ordinance. At the last meeting, we were presented with a breakdown of the cost per yard waste container which came out to \$11.22.

We have also received a couple complaints regarding the \$50 bulk pickup fee charged for one to five items.

Council suggested obtaining information from other municipalities which is included in packet.

Mayor Shupe said he is presenting this for informational purposes only. He is willing to send the matter to a committee for review due to the many conversations council has had. The committee can then make a decision on what the direction the city should go and decide if they want to leave the ordinance as is, make it stricter or make it more lenient. The committee could also consider privatizing services if they feel that is appropriate.

He suggests the public works committee review these matters. Mr. Brooks said it depends on councils' feeling. If they are satisfied with it, there is no need for it to be reviewed by the committee.

Mr. Burk pointed out that the comparisons show various ways of handling it. Therefore, it is not a case where other municipalities are handling it differently from Milford. Everyone has something unique and noted that the pricing is all over the place.

Mr. Brooks said some are privatized; Mr. Burk said the problem with going private is we just purchased new equipment. Mayor Shupe reiterated that if council wants to keep the services as they are, then no action is needed. However, if the

recommendation is to make changes, then he will send it to the public works committee.

Mr. Brooks feels that \$50 is a lot of money to pick up a sofa or a chair. He said the same house could set out five items for the same price. He said that is steep and needs to be looked at. The mayor recommends a review of the entire solid waste ordinance by the public works committee.

Ms. Wilson moved that the public works committee review the code and make recommendations, seconded by Mr. Starling. Motion carried.

NEW BUSINESS

Introduction of Ordinance 2015-22/Sewer Code Amendment

Introduction of Ordinance 2015-23/Water Code Amendment

Mr. Pierce explained these two ordinances add the same language to both the water and sewer codes. This gives the city the ability to administer public works agreement in more detail and adds aid-in-construction for future projects.

Mr. Pierce recalled this ordinance being discussed a couple months ago.

Mr. Rutt emphasized these two ordinances are on the agenda for introduction only.

Mayor Shupe introduced Ordinance 2015-22/Sewer Code Amendment and Ordinance 2015-23/Water Code Amendment. Council will see them at the next meeting at which time they can discuss them.

Adoption/Resolution 2015-33/Annexation of Lands belonging to Mispillion Realty LLC/Shawnee Road

Tax Parcel No. 1-30-3.00-80.02/Committee Review

Mayor Shupe said the city received a request for annexation this past November from James Masten-Owner of Mispillion Realty which stated as follows:

Please accept this letter as my request for annexation for two-acre parcel. Parcel is located next to Brookstone Trace off Old Shawnee Road which is a townhouse project. This will need to be reviewed by the annexation committee.

City Planner Pierce advised that the resolution needs to be adopted to start the annexation process. A report will be generated after the committee reviews the request.

The application was held up because the request was not consistent with the city's comprehensive plan. As a result, the comprehensive plan had to be amended which is a somewhat lengthy process.

Ms. Wilson moved to adopt Resolution 2015-33, seconded by Mr. Grier:

Annexation/Lands belonging to Mispillion Realty LLC

Tax Parcel No. 1-30-3.00-80.02

1.99 +/- Acres

Current Zone A-R/Proposed Zone I-S

COMMITTEE DIRECTED TO INVESTIGATE ANNEXATION

Whereas, a Petition, signed by the legal property owner and duly witnessed, requesting annexation into the City of Milford, situated east of Old Shawnee Road (CR 619) and South of Fieldstone Avenue, legally described as follows:

All that certain lot, piece and parcel of land, lying and being situate in Cedar Creek Hundred, Sussex County and the State of Delaware, as depicted on a survey prepared by Bob Nash Associates, Inc., dated August 2013, last revised 30 September 2013, east of but not adjacent to the easterly right of way line of Shawnee Road, also known as SCR 619, at sixty (60) feet wide, adjoining other lands now or formerly of Frank Emmi, Jr., lands now or formerly of Brookstone Trace Subdivision,

lands now or formerly of Brian T. Warnock, lands now or formerly of Jayson D. Crouch, lands now or formerly Vincent M. Consentino, lands now or formerly of Leah B. Tazelaar, lands now or formerly of Betty J. Anderson and lands now or formerly of Arthur R. Bradley, being more particularly described as follows, to wit:

BEGINNING at a corner for other lands now or formerly of Frank Emmi, Jr., and at a corner for lands now or formerly of Jayson D. Crouch, said point being distant 300 feet more or less from the centerline of Betty Street and 308 feet, more or less, from the right of way line of Shawnee Road; thence proceeding with said Emmi lands North 26 degrees 07 minutes 16 seconds East 107.84 feet to a found concrete monument at a corner for lands known as Brookstone Trace Subdivision; thence proceeding with said Brookstone Trace Subdivision the following four courses and distances: (1) North 26 degrees 11 minutes 09 seconds East 86.58 feet to a found concrete block on end; (2) South 64 degrees 58 minutes 51 seconds East 222.13 feet to a found concrete monument and (3) South 25 degrees 03 minutes 03 seconds West 191.72 feet to a found concrete monument at corner for lands now or formerly of Brian T. Warnock; (4) South 25 degrees 03 minutes 03 seconds West 191.64 feet to a found concrete monument at a point in the line of Vincent M. Consentino; thence following lands of said Consentino and in part with lands now or formerly of Leah B. Tazelaar, Betty J. Anderson and Arthur R. Bradley, North 65 degrees 14 minutes 12 seconds West 228.68 feet to a found iron pipe at a corner for lands of Brian T. Warnock; thence finally running with lands now or formerly of said Warnock and Jayson D. Crouch, North 25 degrees 54 minutes 02 seconds East 190.02 feet to the place of beginning, containing 1.99 acres of land, more or less.

has been submitted to the City Council of the City of Milford.

Now, Therefore, a Committee, composed of three (3) elected members of City Council and one (1) member of the Planning Commission has been appointed by the Mayor to investigate the possibility of annexing said property, said Committee to be comprised of Chair Katrina Wilson, Douglas Morrow, James Burk and Planning Commission Chairman Archie Campbell.

Be It Further Resolved, that said Committee shall submit a written report containing its findings and conclusions, including the advantages and disadvantages of the proposed annexation both to the City and to the property proposed to be annexed and said report shall further contain the committees' recommendations whether or not to proceed with the proposed annexation and the reasons therefor.

NOW, THEREFORE, I, Teresa K. Hudson, City Clerk of the City of Milford, do hereby certify that the foregoing resolution was duly and regularly adopted by the City Council of the City of Milford at a Council Meeting held the 9th day of November 2015 by a majority vote.

Motion carried.

The annexation committee meeting will be held November 23rd at 6:30 p.m. at which time the request will be reviewed.

MONTHLY FINANCE REPORT

Through the third month of Fiscal Year 2015-2016 with 25% of the fiscal year having passed, 34% of revenues have been received and 23% of the operating budget expended.

Finance Committee Member Morrow noted the numbers look good though it is early in the year.

Mr. Burk moved to accept the March finance report, seconded by Mr. Starling. Motion carried.

EXECUTIVE SESSION

Mr. Mergner moved to go into Executive Session reference below reasons, seconded by Ms. Peel:

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

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 (Land Issue)

Pursuant to 29 Del. C. §10004(b)(2) Preliminary discussions on site acquisitions for any publicly funded capital improvements, or sales or leases of real property (Pending Land Purchase)

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

Motion carried.

Mayor Shupe recessed the Council Meeting at 7:40 p.m. for the purpose of an Executive Session as permitted by Delaware's Freedom of Information Act.

RETURN TO OPEN SESSION

City Council returned to Open Session at 8:26 p.m.

Pending Land Purchase

Mr. Mergner moved to approve the land purchase in accordance with the Masten Realty appraisal as was discussed in Executive Session, seconded by Mr. Grier. Motion carried.

No action needed on the other items discussed.

ADJOURN

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

The Council Meeting adjourned at 8:29 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

MILFORD CITY COUNCIL
MINUTES OF MEETING
November 18, 2015

A Meeting of the City of Milford Police Committee was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall, 201 South Walnut Street, Milford, Delaware on Wednesday, November 18, 2015.

PRESIDING: Chairman Douglas Morrow

IN ATTENDANCE: Mayor Bryan Shupe

Committee Members:
Councilman James Burk and Councilwoman Katrina Wilson

City Clerk/Recorder Terri Hudson

CALL TO ORDER

Chairman Morrow called the Police Committee Meeting to order at 5:39 p.m. The Police Committee was appointed as the Selection Committee in the Police Chief hiring process when Chief Hudson announced his plans to retire in August.

The purpose of the meeting is to review applications received for the position of Police Chief and discuss subsequent elements of the hiring process.

Councilman Owen Brooks was also in attendance.

EXECUTIVE SESSION

Mr. Burk moved to go into Executive Session reference below state statute, seconded by Ms. Wilson:

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

Motion carried.

Chairman Morrow recessed the Police Committee Meeting at 5:40 p.m. for the purpose of reviewing and discussing candidate applications as is permitted by Delaware's Freedom of Information Act.

RETURN TO OPEN SESSION

The Committee returned to Open Session at 7:48 p.m. following the conclusion of an in-depth review of each application.

Mr. Burk moved that the eight candidates discussed in Executive Session be asked to interview before the Police Committee, seconded by Ms. Wilson. Motion carried.

The interview is scheduled for Tuesday, December 8, 2015.

Following those interviews, the Committee Members will select the candidates who will be interviewed by City Council.

The City Clerk will contact the semifinalists to schedule interview times. Letters will also be mailed to the unsuccessful candidates thanking them for their interest in the position.

ADJOURN

With no further business, Ms. Wilson moved to adjourn the Committee Meeting, seconded by Mr. Burk. Motion carried.

The Police Committee Meeting adjourned at 7:56 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

MILFORD CITY COUNCIL
MINUTES OF MEETING
November 23, 2015

A Meeting of the Annexation Committee of Milford City Council was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall, 201 South Walnut Street, Milford, Delaware on Monday, November 23, 2015.

PRESIDING: Chairperson Katrina Wilson

IN ATTENDANCE: Committee Members: Councilman Douglas Morrow, Councilman James Burk
and Planning Commission Chairman Archie Campbell

City Clerk/Recorder Terri Hudson

City Planner Rob Pierce was also in attendance.

Chairwoman Wilson called the Annexation Committee Meeting to order at 6:40 p.m. to review the petition submitted by James Masten of Mispillion Realty LLC:

*City of Milford Planning & Zoning
c/o Christine Crouch
201 South Walnut Street
Milford, Delaware 19963*

RE: Request For Annexation

*Property Address: Vacant Lot Adjacent to Brookstone Trace,
Near Old Shawnee Road, Milford, Delaware 19963
Owner: Mispillion Realty, LLC
Tax Parcel # 1-30-3.00-80.02 - 2.0 +/- Acres*

Dear Christine,

Please accept this letter as my request for annexation on the above two-acre parcel. This parcel is located next to Brookstone Trace, a townhouse project located within the City limits. This is the same parcel that I requested the comprehensive plan amendment (to moderate residential density) on last year that the City approved. The Brookstone subdivision is zoned R-3 so I request this parcel have the same possibilities so I am requesting the R-3 zoning. I plan to design the site for comparable development in the near future which I believe will be an asset to the community.

Thank you in advance for your consideration.

*James J. Masten, Owner
Mispillion Realty LLC*

Chairwoman Wilson referenced a report submitted by City Planner Pierce, highlighting the advantages and noting there is no disadvantages should the land be annexed:

APPLICANT

A petition by the property owners was submitted on October 17, 2014 to annex 2.0 +/- acres into the corporate limits of the City of Milford.

LOCATION

The property is identified as Sussex County tax parcels 1-30-3.00-80.02 and would be located in the 2nd Ward of the City of Milford. The property is off of Old Shawnee Road and adjacent to Fieldstone Avenue within the recorded Brookstone Trace subdivision. The property is currently unimproved and it is anticipated that the owner will incorporate this land

into the Brookstone Trace subdivision.

STREETS

The applicant intends to incorporate the property into the Brookstone Trace subdivision and the development of the parcel would gain access to Fieldstone Avenue. Internal street construction, to City standards, will be required and reviewed by the City of Milford as part of the major subdivision or site plan review.

DRAINAGE

Any development of this parcel will be subject to DNREC storm-water regulations and the developer would be required to obtain any and all permits from the Sussex Conservation District and State of Delaware.

ZONING

The area proposed to be annexed is currently zoned MR (medium residential) in Sussex County under the Sussex County Zoning Ordinance. The applicant requests the property to be zoned R-3 (Garden Apartment and Townhouse District) under the City of Milford's Zoning Ordinance.

SEWER

The area will be served by gravity sewer associated with the recorded Brookstone Trace subdivision. Extensions and improvements to the system are the responsibility of the owner/developer. Additional fees, including County and City impact fees, will be required through the individual lot permitting.

WATER

The area will be served with a water main loop from Fieldstone Avenue and Pebblebrook Drive located within the recorded Brookstone Trace subdivision. Extensions and improvements shall be the responsibility of the owner. Additional fees, including City impact fees, will be required through the individual lot permitting.

ELECTRIC

The City will extend electric from existing power within the Brookstone Trace subdivision. Costs of the improvements shall be the responsibility of the owner. Additional fees, including City impact fees, will be required through the individual lot permitting.

UTILITY AGREEMENT

A utility agreement regarding all infrastructure costs will be required as part of the major subdivision or site plan approval process.

TRAFFIC

Any development of these parcels will be directed through the internal layout of Brookstone Trace subdivision. There are no anticipated traffic impacts associated with this annexation request.

ENVIRONMENTAL ISSUES

The U.S. Army Corp of Engineers will control provisions under Section 404 of wetlands on the parcel. According to the DNREC Environmental Navigator website, the property does not contain state mapped wetlands. Also, the property is not located within an excellent groundwater recharge area nor is it located within the 100-year floodplain.

AREA LAND USES

The parcel is surrounded on the north and east to other moderate density housing types including the Brookstone Trace townhouse development. The parcel is surrounded on the south and west by medium density residential developed lots.

FIRE AND POLICE

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

COMPREHENSIVE LAND USE PLAN

The annexation is consistent with the amended 2008 Comprehensive Plan Future Land Use Plan and is designated as Moderate Density Residential. The Comprehensive Plan was amended by City Council on October 26, 2015 changing the future land use from low residential density to moderate residential density.

PROPERTY TAXES AND OTHER ECONOMIC CONSIDERATIONS

It is anticipated that the property taxes, after development, will increase on this property and the City would benefit from the revenues received from building permits. Construction costs as well as user service fees cannot be determined at this time, as the applicant has not proposed a project to assess.

ADVANTAGES TO THE CITY

- 1. The property would be within the planning area of the City of Milford.*
- 2. The City would receive revenues (property tax, building permits, etc.) for activity on the property.*
- 3. Potential for additional water, sewer and electric customers.*
- 4. Identified within the Urban Growth Boundary Area of the 2008 Comprehensive Plan.*
- 5. Consistent with the Comprehensive Plan Future Land Use Map.*
- 6. Increases the amount of housing opportunities within the City limits.*

DISADVANTAGES TO THE CITY

- 1. None.*

STAFF RECOMMENDATION

Based on the issues and comments discussed in this report, Mr. Pierce recommends approval of the application. City will benefit from additional revenues, including property taxes.

Property should be annexed with the following zoning classification: R-3

With no additional questions or comments, Mr. Morrow moved to proceed with the annexation process, with the next step being a review and recommendation by the planning commission, seconded by Mr. Burk. Motion carried.

With no further business, the Annexation Committee meeting was adjourned at 6:52 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

MILFORD CITY COUNCIL
MINUTES OF MEETING
November 23, 2015

Milford City Council held a Public Hearing on Monday, November 23, 2015 in the Joseph Ronnie Rogers Council Chambers at Milford City Hall, 201 South Walnut Street, Milford, Delaware on the following matters:

PRESIDING: Mayor Bryan W. Shupe

IN ATTENDANCE: Councilpersons Christopher Mergner, Garrett Grier III, Lisa Ingram Peel, James Burk, Owen Brooks, Jr., Douglas Morrow and Katrina Wilson

Police Chief Keith Hudson and City Clerk/Recorder Terri Hudson

COUNSEL: City Solicitor David Rutt, Esquire

Mayor Shupe called the Public Hearing to order at 7:00 p.m.

*Dave Kenton on behalf of Fork Landing Farm, LLC
Amended Final Major Subdivision/Cedar Beach Road
Tax Map 3-30-7.18-027.00; 028.00; 043.00 through 119.00*

City Planner Rob Pierce informed council the applicant is requesting to consolidate the remaining twenty-four duplex lots owned by Fork Landing Farm, LLC to twelve single family detached lots. The consolidated lots meet the minimum area requirements for single family lots and are consistent with the existing single family lots within the neighborhood. Twelve privately owned duplex lots would remain.

The recorded subdivision was approved for seventy-seven dwelling units, comprised of forty-one single family detached lots and thirty-six duplex lots. The consolidation would lower the overall unit count to sixty-five, consisting of fifty-three single family detached lots and twelve duplex lots. This would change the density from 3.19 units/acre to 2.7 units/acre.

He reported that staff has no objection to the consolidation of the duplex lots to single family detached lots. The proposed amendment to the subdivision record plan will reduce the existing density and not alter the overall appearance and intended use of the neighborhood.

He stated that during the planning commission meeting, Solicitor Rutt indicated the commission has the authority to make a recommendation on the variances being requested. This would reduce the front yard setbacks to twenty feet and rear yard setbacks to ten feet. The only front yard setbacks of twenty feet involve lots that are adjacent to an electrical easement.

Planning Commission recommended unanimous approval of the lot consolidation on October 15th, which included the variance to the setback requirements for the lots mentioned in the staff report.

- 1) For lots 44, 46, 48, 50, 52, 58, & 60:
Front Yard Setback: 20 feet
Rear Yard Setback 10 feet
- 2) For lots 62, 64, 66, 74, & 76:
Front Yard Setback: 20 feet

Solicitor Rutt explained that Chapter 200/Subdivision of Land, 200(6) is called 'Variances and Waivers'. He said that instead of having a variance for each lot in a subdivision, council has the authority to grant variances and waivers in the overall subdivision plan.

Applicant David Kenton was present. He informed council that this application was approved by the planning commission. He is considering Ryan Homes to construct the homes and they are requesting single family homes. Because the market has not been good, he felt a national home builder would be helpful though they requested the twenty-six duplexes be

changed accordingly.

PE Kenneth Christenbury of Axiom Engineering was present adding that this is a relatively straightforward application and asked if there are any questions.

Mr. Brooks asked if there will be less homes; Mr. Christenbury explained the unit count is reduced because the duplex dwellings count as two units; single family homes will count as one unit.

When asked the price range, Mr. Kenton said the range is \$195,000 to \$220,000 though buyers typically add amenities to the homes which makes them more expensive. The current homes in Fork Landing are not the basic model types.

Mr. Burk recalled when he was on the planning commission, because of the small rear setback, there was an issue created when a homeowner wanted a rear deck added. He asked that Ryan Homes inform any potential homeowner of that issue. He does not want homeowners to come to the city later complaining about the restrictions and wants people informed in advance.

Mr. Kenton said that Ryan Home, as well as his original building Capstone Builders, wanted larger homes because the market is beginning to recover. However, he is unsure what it will do to the deck situation.

Mr. Pierce added that the current rear setbacks are fifteen feet and they are requesting a reduction to ten feet for the majority of the lots with the exception of those bordering the electric easement.

Mayor Shupe asked for comments from the public; no one responded. The public hearing on this matter was then closed.

Mr. Morrow moved to approve the amended final major subdivision of Fork Landing Farm on Cedar Beach Road (Tax Map 3-30-7.18-027.00; 028.00; 043.00 through 119.00) and grant the variances for lots 44, 46, 48, 50, 52, 58, & 60 by reducing the Front Yard Setback from 30 feet to 20 feet and the Rear Yard Setback from 15 feet to 10 feet and the Front Yard Setback on lots 62, 64, 66, 74, & 76 from 30 feet to 20 feet, seconded by Ms. Wilson. Motion carried.

ORDINANCE 2015-22

Part II-General Legislation

Chapter 174-Sewers

Article I-Sewer Use

Article III-Sewer Impact Fee

ORDINANCE 2015-23

Chapter 222-Water

Part II-General Legislation

PE Randy Duplechain of Davis, Bowen and Friedel, Incorporated, stated that he and the city planner have been working on these two code revisions. The purpose is to better define the process for determining the needs of a developer and what is needed to get adequate utilities to his property. He explained this is mainly for developments that do not have water and sewer available to the property lines. The code right now requires any development that exceeds ten equivalent dwelling units or 2,500 gallons per day to go through this process.

He explained they are not proposing changing this ordinance and that would remain. When a developer comes in, the first step would be a utility feasibility study. They would look at the water and sewer and determine how the development impacts the existing infrastructure and what utility sizes are needed to properly serve the property. That will not change either. Though it is not in the code, it is in the standard section of the requirements.

Mr. Duplechain said there are a number of different scenarios that occur; one is a single developer who wants to do one development and possibly 180 EDUs. A feasibility study is done and based on that information, the developer is required to make improvements including downstream improvements for a pump station upgrade or extending utilities to a site at a specific size. That is the developer's financial responsibility and what Milford's current code requires.

What is being proposed involves multiple developers coming in at the same time. Mr. Duplechain explained that it is convenient if they all come in and want to start at the same time. The utility feasibility study is done which determines what improvements need to be made; the contribution will be based on the number of EDUs and a split is determined. A public works agreement is then created. The developer can either proceed with the project on their own with a joint project or they can ask the city to handle it.

Part of the proposed change is also how the city participates in this process.

Mr. Duplechain said for example, there may be a pump station that the city plans to upgrade. A developer is coming in who will impact it. The city may feel they should not cover the entire costs and the code revision allows that to occur. If the city chooses to participate, the public works agreement is set up to allow the city to take the lead on the project. It then becomes a city project and we would handle the design, advertise, bid and oversee the construction. The developers would then pay into the project their fair share.

He emphasized that the process needs to be formalized and the current code makes it difficult to determine how the process occurs. This implements a procedure so it is spelled out.

It also covers another scenario that involves multiple developers in the service area though not all are ready to proceed. In a situation to be discussed later, currently there are three of four developers prepared to move forward. The fourth developer is unwilling to participate at this time. The feasibility study will be performed and the developers who are ready to participate will enter into a public works agreement. The city would then take over the funding portion of the fourth developer not ready to proceed. This would then be considered "aid in construction".

Once that developer is ready to come in, the facility has already been sized to accommodate his development. At that point, the city would be reimbursed the associated costs as well as the associated interest.

This procedure is common in other municipalities and counties in Delaware.

It does not obligate the city to participate but only provides the opportunity. If the city does not want to participate, then the facilities are sized for the developers who are ready to move forward. The other one will have to upgrade the facility if and when he wants to come in which will be more costly.

Mr. Duplechain noted this will apply to both water and sewer utilities. He added that in the agreement to be discussed later, if the city does not want to participate, then the facilities would be sized only for those willing developers. It would need to be upsized later for the non-willing developers to participate.

Mayor Shupe asked for public comment; no one responded and the public hearing was then closed.

Mr. Grier moved to adopt Ordinance 2015-22, seconded by Ms. Peel. Motion carried.

Mr. Grier moved to adopt Ordinance 2015-23, seconded by Ms. Wilson. Motion carried.

With no further business, Ms. Wilson moved to adjourn the Public Hearing, seconded by Mr. Grier. Motion carried.

The Public Hearing was adjourned at 7:28 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

MILFORD CITY COUNCIL
MINUTES OF MEETING
November 23, 2015

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

PRESIDING: Mayor Bryan Shupe

IN ATTENDANCE: Councilpersons Christopher Mergner, Garrett Grier III, Lisa Peel, James Burk,
Owen Brooks Jr., Douglas Morrow Sr. and Katrina Wilson

Police Chief Keith Hudson and City Clerk/Recorder Terri Hudson

COUNSEL: City Solicitor David Rutt, Esquire

CALL TO ORDER

Mayor Shupe called the Council Meeting to order at 7:08 p.m.

INVOCATION AND PLEDGE

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

RECOGNITION

Proclamation 2015-25/Pancreatic Cancer Month

Matt Wilson, a Pancreatic Cancer Action Network volunteer and pancreatic cancer survivor, asked the city to proclaim November as Pancreatic Cancer Month to encourage awareness and early treatment.

Mayor Shupe then read portions of Proclamation 2015-25 into record:

WHEREAS in 2015, an estimated 48,960 people will be diagnosed with pancreatic cancer in the United States and 40,560 will die from the disease;

WHEREAS pancreatic cancer is one of the deadliest cancers, is currently the fourth leading cause of cancer death in the United States and is projected to become the second by 2020;

WHEREAS pancreatic cancer is the only major cancer with a five-year relative survival rate in the single digits at just seven percent;

WHEREAS when symptoms of pancreatic cancer present themselves, it is generally late stage, and 73 percent of pancreatic cancer patients die within the first year of their diagnosis while 93 percent of pancreatic cancer patients die within the first five years;

WHEREAS approximately 140 deaths will occur in Delaware in 2015;

WHEREAS pancreatic cancer is the seventh most common cause of cancer-related death in men and women across the world;

WHEREAS there will be an estimated 367,000 new pancreatic cancer cases diagnosed globally in 2015;

WHEREAS the good health and well-being of the residents of Milford are enhanced as a direct result of increased awareness about pancreatic cancer and research into early detection, causes, and effective treatments.

NOW, THEREFORE, BE IT RESOLVED, that I, Bryan W. Shupe, by virtue of the authority vested in me as Mayor of the City of Milford, do hereby proclaim the month of November 2015 as "Pancreatic Cancer Month" in the City of Milford.

COMMUNICATIONS

Councilman Burk recognized the International Food Festival this weekend noting it was another successful first-year event.

Councilman Brooks reported that the entrance/exit by McDonalds is much improved since it was finally striped. He said vehicles now know what to do though it was confusing for many years.

Mayor Shupe reported that Downtown Milford, Incorporated has arranged for Santa Claus to arrive in town this Saturday. He said it is a very exciting event when Carlisle Fire Company and Milford Police Department escort him to his house on Walnut Street.

In the meantime, Mayor Shupe advised that many of the local businesses will be participating in Small Business Saturday.

Councilwoman Wilson reminded council that Code Purple will be in effect though presently no one has volunteered to register people for the shelter. She asked council to considering donating water, toiletries and paper products adding that she would be happy to pick the items up.

Ms. Wilson also noted that meals for twelve people are also needed. After the meals are made, they are frozen so that they can be used when the shelter is open.

Coats, scarves, gloves and blankets are also welcomed though there is a more urgent need for the disposable items previously mentioned.

Councilwoman Peel reported that her workplace is partnering with Code Purple. They have a holiday luncheon and the entry is an item donated. They have learned that in Kent County, there were only five nights the shelter was not open between Thanksgiving and March this past winter.

Councilman Burk then announced that he and his wife are hosting their second annual Home of the Brave basket stuffing. The event is scheduled for December 9, 2015 from 7:00 p.m. to 10:00 p.m. Last year it was at his home, though he has moved it to Arena's this year. They collect toiletries and provide baskets to the mens and women's house. He has 36 people committed though he is trying to make this a larger event with hopes of getting on the radio over the next couple weeks in an effort to promote it.

UNFINISHED BUSINESS

None to report.

NEW BUSINESS

SE Milford Sewer Public Works Agreement & Funding

PE Randy Duplechain of Davis, Bowen and Friedel referred to Exhibit A (attached) covering the Route 30 corridor that mainly encompasses the Bayhealth medical campus site. The elevated storage tank and water treatment facility in that area is virtually complete though they are still waiting on electric service.

He noted that the public works agreement does not include water. The majority of the properties shown have water or have the ability to obtain water in the near future with their development.

He is presenting a sewer utility agreement for the installation of a regional sewage pump station to be located south of the existing on/off ramp Route 1/Wilkins Road. The pump station will serve all properties that are colored on the map. A force main will run along the hospital property and into the West Shores development. It will also include some gravity lines

stubbed out of the pump station to serve two of the three properties.

The proposed public works agreement is for the improvements needed to serve these properties. Bayhealth, one of the properties on board, will be participating at a level of 350 EDU's. That number equates to almost 50% of the total project. The Wickersham will also participate but at a lesser extent of 30% or 200 EDU's. The Wilson Farm is unsure at this point though they are interested in participating in the project cost at a level of 75 EDU's.

Mr. Duplechain explained there is concern about other properties in the area and in particular, the Hall property located on the east side of Route 30 across from the hospital property. The Hall family was unwilling to participate at this point and has no plans for the property. However, there is a need to size these facilities. In addition to the Hall property, non-Bayhealth services that could happen within the hospital site, should also be considered.

They are proposing the city participate at a 100 EDU level with the aid-in-construction concept. The cost to the city, based on the estimated construction cost of slightly more than \$1 million total, would be approximately \$149,000.

Mr. Duplechain emphasized that the cost estimate includes a recoupment that comes back to the city, as part of this project, for the force main work that was done for the Shawnee Acres pump station. That pump station is downstream and upgrades to the force main were needed to accommodate the growth. He said that equals approximately \$153,000. That money will come back to the city; if the city participates in the agreement as written, would cost approximately \$150,000. It would be almost a wash to the city and would allow the facilities to be upsized to accommodate more than what is presently proposed. In that manner, any major renovations to the new facility can later be avoided.

The three participants willing to contribute have reviewed and agreed to the agreement. If the city is willing to move forward, he can acquire the signatures, finalize the agreement and move the project forward.

Once the agreement is fully executed, each developer has twenty days to pay their portion of the funding. That money will go into an escrow account that the city will hold and use to pay the project costs. In the event of a short fall, there is a stipulation the developers are required to pay the additional money. Any money remaining will be given back at the percentage they contributed.

Mayor Shupe added that this will be paid from sewer reserves. Mr. Morrow confirmed that the city will be reimbursed regardless; Mayor Shupe stated yes.

Mr. Brooks moved for approval of SE Milford Sewer Public Works Agreement to be funded from Sewer Reserves, seconded by Mr. Burk.

Ms. Wilson confirmed that Interim City Manager Portmann is on board; Mayor Shupe stated that is correct.

Motion carried.

DBF Contract/SE Milford Sewage Pump Station Project & Funding

Mr. Duplechain presented the proposal for the design, surveying, bidding process and administration of the construction as was just discussed. It includes the pump station, force main and some gravity sewer work which will allow these developments to move forward.

Ms. Wilson moved for approval of the DBF Contract for services related to the SE Milford Sewer Pump Station Project to be paid from sewer reserves, seconded by Mr. Burk.

Mr. Duplechain said the funding would be paid from the escrow account created by the public works agreement. However, it could be partially funded by the sewer reserve fund.

Motion carried.

Washington Street Storage Tank Repairs/Change Order

Mr. Duplechain explained the Washington Street elevated storage tank was proposed to be painted this past summer. However, the fire siren was relocated to this tank which caused the work to be postponed into the winter months.

He reported the tank is scheduled to be painted in the spring adding that Southern Corrosion Incorporated has a ten-year contract with the city.

This proposal includes some improvements that are needed prior to the tank being painted. He explained that when the tank fills up too much, there is an overflow pipe that drains the tank. Right now that overflow goes underground and drains into the sewer system. Part of this improvement would be to move the overflow to the leg of the tank so that it spills out on the ground so that we are aware of when that situation occurs.

Some additional improvements are needed to the vault in the bottom of the tank; valving work is needed along with some other upgrades.

Mr. Duplechain said they are asking council to approve a change order to Southern Corrosion ten-year agreement for \$36,526.

Mayor Shupe confirmed that funding is already in place.

As a result, Mr. Brooks moved to approve the Southern Corrosion change order in the amount of \$36,526, seconded by Mr. Morrow. Motion carried.

Employee Recognition/Increased Budget/Funding

Mayor Shupe reported that \$9,000 was budgeted for holiday party, door prizes and hams for the past four years. During that time, the city manager would cover any overages out of his discretionary account. As council recalls, the last city manager eliminated the discretionary account, leaving no available funds to cover any additional costs.

Because these overages were being paid out of the discretionary account, the finance director was unaware these overages were being paid out of that account. Council will need to approve an additional \$2,000 to mirror what has been done in the past for our employees.

Ms. Wilson moved to authorized continuing these traditions and to transfer \$2,000 from General Fund Reserves to the Council's Employee Recognition line item, seconded by Mr. Morrow. Motion carried.

Mayor Shupe said that he and Mr. Portmann both agreed that an increase would be added to future budgets which would also provide a more accurate account of what has been spent.

EXECUTIVE SESSION

Ms. Wilson moved to go into Executive Session reference below reason, seconded by Mr. Morrow.

Pursuant to 29 Del. C. §10004(b)(2) Preliminary discussions on site acquisitions for any publicly funded capital improvements, or sales or leases of real property (Property Sale & Property Purchase).

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

Motion carried.

Mayor Shupe recessed the Council Meeting at 7:53 p.m. for the purpose of an Executive Session as permitted by Delaware's Freedom of Information Act.

RETURN TO OPEN SESSION

City Council returned to Open Session at 8:18 p.m.

Employment Contract

Ms. Peel moved to authorize the mayor to sign the new city manager contract as discussed, seconded by Mr. Burk. Motion carried.

Mayor Shupe said the city will send out a press release tomorrow with the new city manager's name and information.

Property Sale

Mr. Grier moved to authorize the Interim City Manager and Mayor to use their best judgment to determine the appropriate sales price as was discussed in executive session, seconded by Mr. Morrow. Motion carried.

No action needed on any other items.

ADJOURN

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

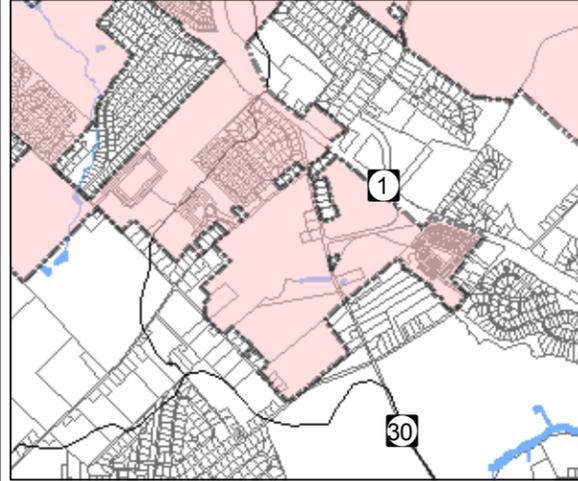
Mayor Shupe adjourned the Council Meeting at 8:19 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

Attachment:

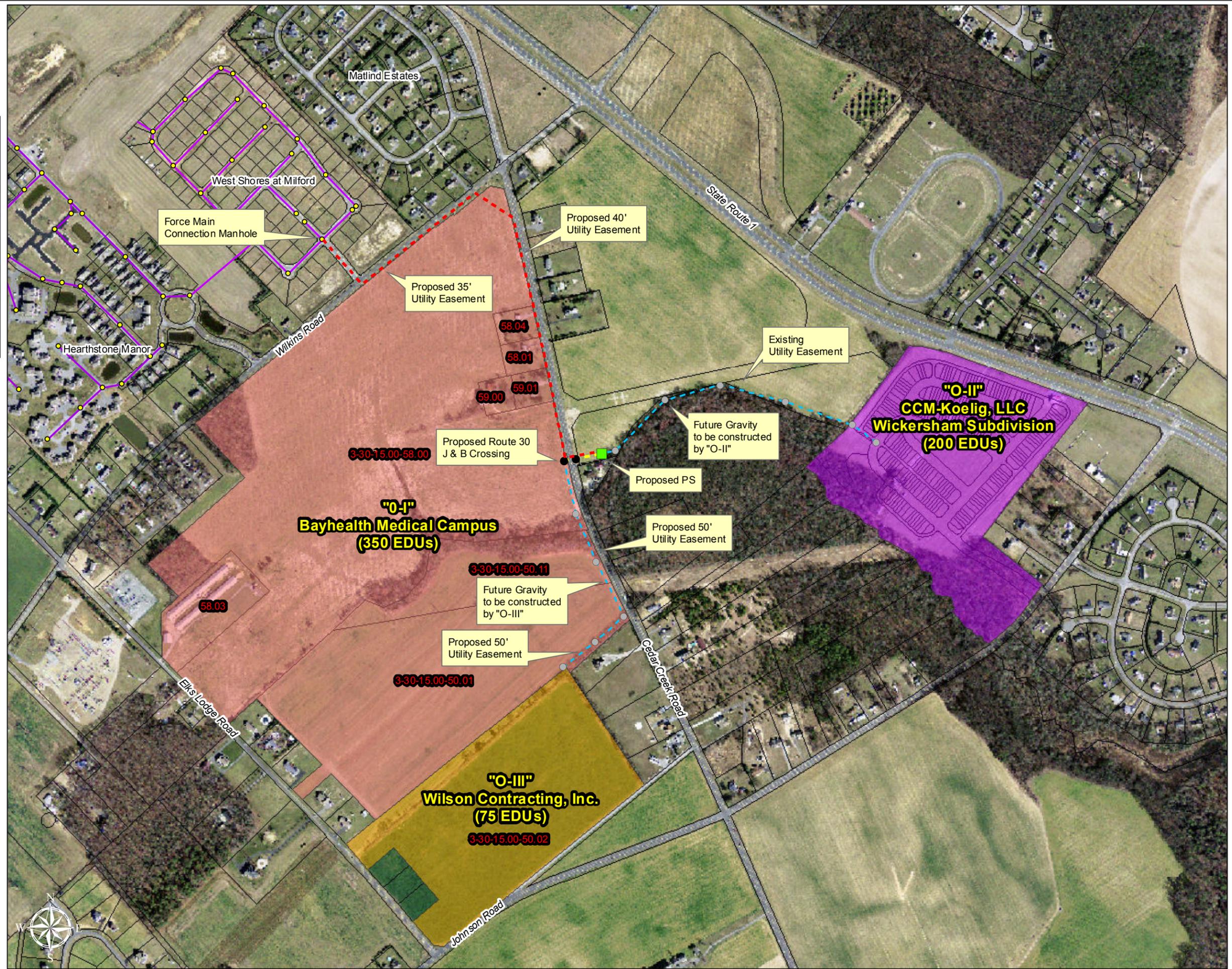
Route 30 Corridor Public Works Agreement Exhibit "A" Sanitary Sewer Core Infrastructure



**Route 30 Corridor
Public Works Agreement
Sanitary Sewer Core Infrastructure
Exhibit "A"**

- Bayhealth Medical Campus
- CCM-Koelig, LLC
- Wilson Contracting, Inc.
- Proposed Pump Station
- Proposed Force Main
- Proposed Manhole
- Future Manhole
- Future Gravity
- Proposed Gravity
- Existing Manhole
- Existing Gravity

0 600 1,200 Feet



MILFORD CITY COUNCIL
MINUTES OF MEETING
December 8, 2015

A Meeting of the City of Milford Police Committee was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall, 201 South Walnut Street, Milford, Delaware on Tuesday, December 8, 2015.

PRESIDING: Chairman Douglas Morrow

IN ATTENDANCE: Mayor Bryan Shupe

Committee Members:
Councilman James Burk and Councilwoman Katrina Wilson

City Clerk/Recorder Terri Hudson

Mayor Shupe called the Special Meeting to order at 7:42 a.m. The purpose of the meeting was to conduct interviews with the semifinalist candidates for the position of Police Chief.

Councilman Owen Brooks was also in attendance.

EXECUTIVE SESSION

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

Mr. Burk moved to go into Executive Session to interview the semifinalists for the City of Milford Police Chief, seconded by Ms. Wilson. Motion carried.

Chairman Morrow recessed the Council Meeting at 7:43 a.m. for the purpose of an Executive Session as permitted by Delaware's Freedom of Information Act.

RETURN TO OPEN SESSION

City Council returned to Open Session at 5:54 p.m.

Mr. Morrow moved that the following applicants proceed and be scheduled for interviews before City Council:

Candidate A
Candidate E
Candidate G
Candidate H

Motion seconded by Ms. Wilson and carried.

The City Clerk will contact the finalists and schedule interview times on Wednesday evening, December 16, 2015.

ADJOURN

There being no further business, the Police Committee Meeting adjourned at 5:59 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

MILFORD CITY COUNCIL
MINUTES OF MEETING
December 14, 2015

A Meeting of Milford City Council was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall on Monday, December 14, 2015.

PRESIDING: Mayor Bryan Shupe

IN ATTENDANCE: Councilpersons Christopher Mergner, Garrett Grier III, Lisa Peel, James Burk, Owen Brooks Jr., Douglas Morrow Sr., James Starling and Katrina Wilson

Police Chief Keith Hudson and City Clerk/Recorder Terri Hudson

COUNSEL: City Solicitor David Rutt, Esquire

CALL TO ORDER

Mayor Shupe called the Council Meeting to order at 6:59 p.m.

INVOCATION AND PLEDGE

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

APPROVAL OF PREVIOUS MINUTES

Motion made by Mr. Grier, seconded by Mr. Mergner to approve the minutes of the October 13, October 16 and October 20, 2015 City Manager Search Committee and October 26, 2015 Council Public Hearing, Meeting and Workshop minutes. Motion carried.

RECOGNITION

Mayor Shupe announced that Deputy City Clerk Christine Crouch recently completed the educational and other requirements needed to achieve her Certified Municipal Clerk designation from the International Institute of Municipal Clerks.

The mayor then presented the following proclamation to Deputy City Clerk Crouch:

*PROCLAMATION 2015-26
RECOGNIZING CERTIFIED MUNICIPAL CLERK CHRISTINE CROUCH*

WHEREAS:

Founded in 1947, the International Institute of Municipal Clerks (IIMC) is a professional nonprofit association that promotes continuing education and certification through university and college-based institutes and provides networking solutions, services and benefits to its members internationally;

Aspiring clerks to expand and advance beyond their present levels of development, IIMC has approximately 10,000 members representing municipalities with populations ranging from 250 to more than 10 million people in North America and 15 other countries;

Christine Crouch has completed ten years of employment with the City of Milford, first as an Administrative Assistant in the Building and Code Enforcement Department, then as an Assistant in the City Planning Office and in the past two years as Executive Assistant to the City Manager and Deputy City Clerk;

During these ten years, Christine Crouch has conscientiously and capably served the City of Milford and its citizens and has been dedicated to the highest principles of community service;

The City of Milford, as well as Christine Crouch's co-workers and peers, have greatly benefitted from her professional skills, compassion and courteous and positive attitude during her years of service to this community;

On November 24, 2015, Christine Crouch, Deputy Clerk of the City of Milford, earned the designation of Certified Municipal Clerk (CMC) awarded by IIMC;

IIMC grants the CMC designation only to those municipal clerks who complete demanding education requirements and who have a record of significant contributions to their local government and their state;

In light of the speed and drastic nature of change these days, lifelong learning is not only desirable, but necessary for the City to keep pace with the demands and changing needs of our citizens; Christine Crouch is at the forefront--ready to take on new challenges and always willing to provide tangible support for others.

NOW, THEREFORE, BE IT PROCLAIMED, THAT I, BRYAN W. SHUPE, MAYOR OF THE CITY OF MILFORD, join with the Members of Milford City Council to thank Christine Crouch for her pursuit of professional excellence and to congratulate her for earning the Certified Municipal Clerk designation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Milford, Delaware to be affixed this 14th day of December 2015.

Mayor Shupe congratulated Ms. Crouch noting that she has been instrumental in getting the website and other things updated since he has been mayor and he and the other staff members truly appreciate it.

MONTHLY POLICE REPORT

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

Mr. Brooks recalled the conversation that Ms. Wilson initiated regarding the safety in this community. He highly recommends we consider four additional police officers. That would provide one additional officer per patrol shift. He recalled the emphasis that has been put on the parks and the downtown areas. He feels that four additional officers would help provide more security.

He asked Mayor Shupe to put the matter into the hands of the police committee.

CITY MANAGER REPORT

Mayor Shupe referenced the Utility and Parks and Recreation Department reports included in the packet. Council members had no questions.

COMMITTEE & WARD REPORTS

Annexation Report/Lands belonging to Mispillion Realty LLC/Brookstone Trace Subdivision

City Planning Coordinator Rob Pierce advised that the Annexation Committee met on November 23, 2015 to discuss the annexation of a property adjacent to Brookstone Trace Subdivision. The matter will be sent to the Planning Commission and Council within the next couple months.

Mr. Pierce referenced the Annexation Committee report included in the packet.

COMMUNICATIONS & CORRESPONDENCE

St. Paul's Church Annual Christmas Dinner

Mr. Starling thanked everyone for their previous support of his church's annual Christmas dinner; however, there will

be no dinner this year though they hope to resume the cause again next year.

Code Purple

Ms. Wilson reported that the following e-mail was sent out this afternoon:

“It looks like a change will occur this coming weekend. We will be calling a Code Purple for Friday, December 18th and pending December 18th, December 19th and December 20th.

Our issue will be a shelter for women. At this time we have no shelters that will be open unless we transport women to Milford. We are hoping that Christ Church can help us. After these two nights, it does not look like a Code Purple will be needed thru the holidays.”

Ms. Wilson encouraged everyone to donate supplies which are still badly needed.

Operation Santa

Mayor Shupe announced that for the first time ever, Carlisle Fire Company is hosting Operation Santa across the greater Milford area. Santa Claus will be riding a fire truck through the various streets while passing out candy canes. Santa will visit various neighborhoods on December 9, 10, 14 and 17 between the times of 6:00 p.m. and 9:00 p.m. Residents will be able to hear air horns and sirens when Santa is near.

He also reminded council of a Special Meeting on Wednesday, December 16th at 5:30 p.m.

UNFINISHED BUSINESS

Milford Aquarium/Confirmation of Private Funding/Contract

Mayor Shupe recalled the Milford Aquarium Committee asking council for financial assistance for a business plan. Council voted to approve \$24,000 toward that business plan with the condition the group raise the same match amount.

Since that time, their Director Bill Pilecki has returned with the \$24,000 as requested.

Mayor Shupe asked council to determine who the check should be payable to and the Economic Development Committee recommends it be made out to the business plan consultant. In addition, the funds need to be allocated at the time the final plan is presented to city council.

If council agrees, our interim city manager will contact the consultants to determine the time line. A check will then be issued after the final plan is provided to city council.

Ms. Wilson feels the check should be made payable to the consultant and not to the aquarium. Mayor Shupe thought that originally the check was to be made to Milford Aquarium.

Mr. Brooks recommends our solicitor provide some guidance and make that decision. Mr. Morrow agrees that the solicitor and interim city manager should review this.

Mr. Rutt suggests we receive some type of proposal from the consultant. He also recommends the check be paid directly to the consultant.

Ms. Wilson agrees that we will follow the procedure suggested by our solicitor.

NEW BUSINESS

Acceptance/City of Milford FY 2014-2015 Audit

Mayor Shupe advised that the City Charter requires that following the completion of the annual audit each year, the city council must vote to accept it. He stressed the importance of reviewing the budget especially for new members adding that it contains some very helpful information when discussing future financial issues.

Finance Committee Member Morrow said he has reviewed it and overall, the city is in pretty good shape.

Mr. Morrow moved to accept the FY2014-2015 audit, seconded by Mr. Grier. Motion carried.

Holiday Lights Purchase

Mayor Shupe informed council there have been some concerns and he has been asked by several residents to update the holiday lighting/decorations throughout the city.

The mayor discussed the matter with Interim Manager Jeff Portmann who recommended city council consider funding in the amount of \$15,000 from electric reserves.

Mayor Shupe also suggested a committee be appointed to review the possibility of purchasing new decorations and lights.

Mr. Grier moved for approval of \$15,000 to be transferred from electric reserves and that the matter be forwarded to a committee for further action, seconded by Mr. Brooks. Motion carried.

Volunteer Promotion in the City of Milford

Mayor Shupe advised that he is a member of the Governor's Commission for Community and Volunteer Service. One of their goals is to get more Delaware residents to volunteer for nonprofit organizations. Speaking with the other commissioners, they discussed a possible pilot program where one city would focus on encouraging more volunteers. Being the only mayor on the commission, the City of Milford was selected. He feels this is a great way to highlight volunteerism and how it benefits the city.

He has been talking with Volunteer Delaware in hopes of partnering a job-fair event early in 2016 and possibly February or March. Nonprofits would be invited to educate residents on what their organization does. In the meantime, attendees would be encouraged to volunteer within their organization.

Invitations would be sent to all nonprofits in the area.

Mayor Shupe noted that Councilman Burk has also been speaking with Volunteer Delaware. The event would feature twenty to thirty nonprofits from the Greater Milford area. Food trucks will also be invited to the event called "Hungry to Health".

He asked council for any ideas, suggestions for a venue and to assist with the event.

One of the recommendations was to have the event at Milford Armory though there remains some outstanding logistic issues at the facility.

Mr. Burk added that a couple food trucks have already expressed an interest. He feels the armory would be an attractive place to hold the event though he understands the building still has heat issues.

Ms. Wilson volunteered to help.

It was suggested having the event the end of March and make it on a day/time that is appropriate for families.

Introduction/Ordinance 2015-25/Change of Zone/Crop Production Services LLC/Holly Hill Road/R3-I2

*Tax Parcel MD-16-18207-01-01.00 through 99.00
MD-16-18207-02-01.00 through 99.00
MD-16-18207-03-01.00 through 23.00
34.17 +/- Acres
Current Zone R3/Proposed Zone I2*

AN ORDINANCE OF THE CITY OF MILFORD, DELAWARE to amend the zoning map of the City of Milford by rezoning 34.17 +/- acres of real property from R3 to I2 on Holly Hill Road, Milford, Delaware. Present Use: Vacant. Proposed Use: Fertilizer Sales and Storage Facility. Tax Map and Parcel: MD-16-18207-01-01.00 through 99.00, MD-16-18207-02-01.00 through 99.00, MD-16-18207-03-01.00 through 23.00

WHEREAS, the City of Milford Planning Commission will consider the change of zone application at a Public Hearing on December 15, 2015; and

WHEREAS, Milford City Council will hold a Public Hearing on January 25, 2016 to allow for public comment and further review of the ordinance; and

WHEREAS, it is deemed in the best interest of the City of Milford to allow a change of zone as herein described.

NOW, THEREFORE, the City of Milford hereby ordains as follows:

Upon the adoption of this ordinance, tax map and parcels MD-16-18207-01-01.00 through 99.00, MD-16-18207-02-01.00 through 99.00, MD-16-18207-03-01.00 through 23.00, owned by Crop Production Services located on Holly Hill Road, is hereby zoned I2.

Dates:

Introduction: December 14, 2015

Planning Commission Public Hearing & Recommendation: December 15, 2015

Adoption (Projected) Date: January 25, 2016

City Planner Rob Pierce said he has received a request to change Crop Production Services' property zone from its current R-3 (residential) zone to an I-2 (industrial) zone. The matter will be heard at tomorrow's planning commission hearing and council will hold a public hearing on January 25th.

The proposed use is a fertilizer sales and storage facility. Mr. Pierce believes they are planning to relocate their facility from Rehoboth Boulevard to this site.

Introduction/Ordinance 2015-26/Chapter 230/Zoning Code/Article X-Site Plan Review

*ORDINANCE 2015-26
CODE OF THE CITY OF MILFORD
PART II-GENERAL LEGISLATION
CHAPTER 230-ZONING
ARTICLE X-SITE PLAN REVIEW
§230-52- REVIEW PROCEDURES*

WHEREAS, the City of Milford deems it necessary to assure that the large-scale developments are in accord with the Comprehensive Plan and that such developments comply with the regulations of this chapter. Site plans are required to assure good arrangement and appearance of new development; ensure harmony with existing structures; assure consistency with the City's adopted building and design standards, the Comprehensive Plan, and the City's Standard Specifications for Installation of Utility Construction Projects and Subdivision Pavement Design; to provide an understanding of the impacts of proposed development on public facilities and services and ensure the availability and adequacy of the same; and to otherwise meet the purposes of this chapter; and

WHEREAS, the Planning Department deems it necessary to update the Site Plan Review procedures.

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 by adding and renumbering as follows:

A. Preliminary approval.

- (1) A preliminary plan and documents, as specified by the Planning Department, shall be prepared by the applicant and submitted in accordance with the submission schedule as determined by the City Planner, along with the appropriate fees, as specified in § 230-57.*
- (2) The Development Advisory Committee (DAC) shall review the application and plan. Comments from the DAC must be addressed via either submitting revised plans and/or necessary documents or via a narrative submitted to the City Planner. Upon confirmation by the City Planner that all DAC issues have been addressed satisfactorily, the application will then be scheduled to be heard by the Planning Commission.*
- (3) The Planning Commission shall review the application and shall approve the application with or without conditions, deny the application, or table the application.*
- (4) Preliminary approval from the Planning Commission shall be void after one year, unless an extension is requested by the owner and approved for good cause by the Planning Commission prior to the expiration.*

B. Final approval.

- (1) A final plat and documents, as specified by the Planning Department, shall be prepared by the applicant and submitted in accordance with the submission schedule as determined by City Planner, along with the appropriate fees, as specified in § 230-57.*
- (2) The Development Advisory Committee (DAC) shall review the application and plan. Comments from the DAC must be addressed via either submitting revised plans and/or necessary documents or via a narrative submitted to the City Planner. The final plan shall also be reviewed by the City Planner for confirmation that the application is designed in accordance with all subdivision, zoning and other land use regulations of the City. The final plan shall also be reviewed by the City Engineer for confirmation that the application is designed consistent with the preliminary plan, if applicable, and in accordance with the construction standards and specifications of the City. Upon confirmation by the City Planner and City Engineer that all issues have been addressed satisfactorily, the application will be scheduled to be heard by the Planning Commission.*
- (3) The Planning Commission shall review the application and shall approve the application with or without conditions, deny the application, or table the application.*
- (4) Prior to receiving final site plan approval, the City Engineer shall provide a copy of the signed subdivision agreement to the City Planner.*
- (5) Within 90 days of final approval from Planning Commission, the applicant shall record the plat at the County Recorder of Deeds office and provide the City Planner a receipt of the recordation including the deed book and page number. Prior to recording the plat, five copies of the plat must be submitted to the City Planner for stamping and signing. Three sets will be returned to the applicant.*
- (6) Upon recordation of the plat, the applicant shall provide the Land Data Manager of the City a mylar copy of the plat including the deed book and page printed thereon.*
- (7) Failure to record the plat within 90 days of Planning Commission approval will result in the approval being voided.*

C. The site plan review by the Planning Commission shall be limited to those proposed developments enumerated by this chapter and to those proposed developments that require a site plan review as determined by the City Planner. No other site plans shall be considered by the Planning Commission for review.

~~*D. Prior to the Planning Commission holding a public hearing to review the application for the site plan, the City Engineer shall provide a copy of the signed subdivision agreement to the City Planner.*~~

Section 2. Dates.

Planning Commission Review and Public Hearing: January 19, 2016

City Council Review and Public Hearing: January 25, 2016

Adoption: January 25, 2016

Effective: February 4, 2016

City Planner Pierce explained this ordinance will address potential conflict of language in the site plan review procedure related to subdivision agreements. In addition, a submission timing issue is addressed.

A public hearing is scheduled on January 25th before city council.

Introduction/Ordinance 2015-27/Chapter 55/Emergency Closings-Travel-Safety Work Boots Policies

*AN ORDINANCE AMENDING CHAPTER 55 "PERSONNEL"
OF THE CODE OF THE CITY OF MILFORD
Ordinance 2015-27
Chapter 55-Personnel
Section 1.*

WHEREAS, City Council finds that it is in the best interests of the City that employees remain informed and trained in activities, developments and professional trends affecting the affairs of the City; and

WHEREAS, City Council believes that attendance at institutions, meetings, conferences and other gatherings are of value to the City and its citizens; and

WHEREAS, public resources should only be used when there is a benefit to the City; and

WHEREAS, an updated policy that provides guidance to City employees on the use and expenditure of City resources is needed.

Section 2.

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

Section 875 of Article VIII Employee Conduct, Disciplinary Action and Grievance Procedure of Chapter 55 of the City of Milford Code, is hereby repealed and replaced with the following language:

Section 875 TRAVEL ON OFFICIAL CITY BUSINESS

The following information will amend Section 875, Travel on Official City Business:

Whenever an employee travels for City related business (training, meeting, seminar, conference, etc.), the employee must obtain prior authorization from their supervisor(s), including authorization of budget expenditures, for the estimated cost of the travel. Per Diem Rates (www.gsa.gov/perdiem) and Mileage Reimbursement Rates (www.gsa.gov/mileage) should be confirmed with the Finance Department, by contacting the Accounts Payable Administrator with the details, which should include the date(s), location(s) of the travel and any services that will be included in any registration fees, before processing a purchase order, for the employee's per diem and or mileage reimbursement.

The City encourages, the use of any authorized available City vehicle, especially for local travel; however, if the employee has been approved to use their privately-owned vehicle, they can request mileage reimbursement for the actual miles (round trip) between locations. If more than one employee is traveling to the same event, the City encourages the sharing of vehicles to conserve fuel and City funds. When two or more employees travel together in a privately-owned vehicle, only one mileage reimbursement will be approved.

When employees are booking hotel reservations, they should obtain the lowest rate possible. Some conferences have discounted blocks of rooms reserved and most hotels offer a government rate, which may be lower than an advertised rate. After obtaining the hotel rates, the employee must obtain approval from their supervisor, of the hotel expense, prior to the final booking of the hotel reservation.

Employees must acquire receipts for any expenses (hotel, parking, gas, rental car, taxi, tolls, etc.), which are being charged directly to the City or those which will be submitted for reimbursement to the employee. The receipts, with an itemized expense sheet should be turned into the employee's supervisor, immediately upon the employee's return to work. The

supervisor, after the review and approval of the receipts, should complete a purchase order for any reimbursement due to the employee or for any expenses that had not previously been processed through the purchase order system. The supervisor should then submit the signed approved receipts to the Accounts Payable Administrator to be processed for payment, with the next payment cycle.

Section 3.

WHEREAS, special or emergency circumstances arise from time to time warranting the closure of city offices during prescribed hours for the support and protection of the health, safety and welfare of the citizens and staff of the City of Milford; and

WHEREAS, it is in the best interests of the citizens and staff of the City of Milford that the City Manager or designee be authorized to direct the temporary closure of city offices in such circumstances for the efficient operation of the city, safety to employees and citizens or other special or emergency circumstances.

Section 4.

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

Section 670 (Emergency Closings) of Article VI Work Conditions and Hours of Chapter 55 of the Code of the City of Milford, is hereby repealed and replaced with the following language:

Section 670 EMERGENCY CONDITIONS

Emergency conditions, including but not limited to severe weather, fire, flood, natural disaster, acts of terrorism, State of Emergency, etc. can disrupt City of Milford operations and interfere with work schedules. These extreme circumstances may require the City Manager or designated appointee, to issue an emergency closing because of expected or existing conditions. To help determine when an emergency closing is needed, the City of Milford will follow the State of Delaware and/or Kent County and Sussex County emergency closing alerts, but is not limited to just those closings. In the event that such an emergency closing occurs before 8:00 a.m. or after 4:30 p.m. (normal business hours), the closing will be posted on the city's website (www.cityofmilford.com) and the City Manager or designated appointee will contact each department supervisor, who will then notify their staff if or when they need to report during the emergency closing. City of Milford emergency closing information will also be provided to local media.

Since, the City of Milford is responsible for providing essential public services during emergency conditions, each department supervisor or appointed designee will determine which employees are essential to their department's operation or department's designated duties, during the emergency closing. The supervisor or appointed designee will notify each employee that is classified as "essential" when they are required to work during the emergency closing.

When an emergency closing occurs during normal M-F work hours, "non-essential" non-exempt and exempt employees that have been allowed to leave work, report to work on a delay opening or not report for work shall receive a supplement of hours to ensure that they have eight hours of pay or salary for the day. "Essential" non-exempt employees which are required to work shall be paid their regular eight hours of pay for the day, plus time and one half for the actual number of hours worked during the emergency closing. "Essential" exempt employees which are required to work shall receive their salary for the day and be granted compensatory time off, as approved by the City Manager.

Police Department patrol officers and dispatchers are classified "essential" personnel and are required to work their normal scheduled shifts. Depending on the circumstances of the emergency closing, the Chief of Police will determine which other police officers will be considered essential and may require additional staff to report.

The Police Department officers and dispatchers will be granted compensatory time, equal to the number of hours, that the City of Milford emergency closing was in effect during a normal eight-hour business day. These compensatory hours will be added to the holiday accrual bank, for each officer and dispatcher.

If inclement weather does not result in an emergency closing, for the City of Milford and an employee is unable to commute to work, due to the weather conditions, the employee should contact their supervisor prior to the start of their shift, to make arrangements to obtain transportation to work or be approved to use vacation leave.

Section 5.

WHEREAS, quality protective footwear, which meets or exceeds current OSHA Standards is needed to support the safety of a number of designated Employees throughout the City; and

WHEREAS, it is in the best interest of the City that a clear policy regarding the purchase of safety shoes by City Employees be available for them to follow.

Section 6.

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

A new Section 615 entitled "Safety Work Boots" is hereby added to Article VI Word Conditions and Hours of Chapter 55 of the City of Milford Code to read as follows:

SAFETY WORK BOOTS

Safety Work Boots, which meet or exceed the requirement and safety standards, as defined in each departments' duties, will be purchased for employees who hold the following positions, each fiscal year, during the month of October.

<i>DEPARTMENT</i>	<i>POSITION</i>
<i>Public Works:</i>	<i>Director, Public Works</i>
<i>Electric:</i>	<i>Superintendent, Electric</i>
	<i>Electric Line Foreman</i>
	<i>Electric Lineman, Lead Lineman</i>
	<i>Electric Lineman, First Class</i>
	<i>Electric Lineman, Second Class</i>
	<i>Electric Lineman, Third Class</i>
	<i>Electric Utility Groundsman</i>
	<i>Meter/SCADA Technician</i>
	<i>Warehouse Manager</i>
	<i>Meter Technician</i>
<i>Garage:</i>	<i>Head Mechanic</i>
<i>Water/Sewer:</i>	<i>Supervisor, Water & Sewer</i>
	<i>Water Treatment Operator</i>
	<i>Utility Crew Leader</i>
	<i>Utility Worker</i>
	<i>Water & Sewer Technician</i>
	<i>Meter Technician</i>
<i>Streets & Solid Waste:</i>	<i>Supervisor, Streets & Solid Waste</i>
	<i>Assistant Supervisor, Streets & Solid Waste</i>
	<i>Streets Crew Leader</i>
	<i>Equipment Operator</i>
	<i>Construction Worker/Equipment Operator</i>

*Solid Waste Driver
Solid Waste Driver/Refuse Collector
Refuse Collector*

Customer Service: Meter Technician

Code Enforce/Inspections: Code Enforcement Official

*Parks & Recreation: Director, Parks & Recreation
Superintendent, Parks
Park Technician I*

A newly hired employee filling any of the above eligible positions, will have their initial pair of safety work boots purchased for them after a successful three months evaluation of their six-month introductory period.

Supervisors or their appointed department designee will be responsible to select the appropriate safety shoe(s) from an approved vendor of safety work boots, which meet the safety requirements of their department's approved positions, with a maximum price to be established by the City Manager.

The Supervisor, or appointed department designee, will arrange appointed times to take their employees to have a fitting of the shoes. Shoe purchases must be charged to the Supervisor's City of Milford credit card and once a purchase order has been completed, the credit card receipts should be forwarded to the Finance Department's Accounts Payable Administrator.

Police Officers of the Milford Police Department are hereby exempt from the provisions of Section 615 of Chapter 55 of the Code of the City of Milford.

*Section 7. Introduction 12-14-2015
Adoption 12-16-2015*

Mayor Shupe recalled three outstanding issues related to personnel matters that have been discussed over the years. A Travel policy is needed and has been previously reviewed by city council

An Emergency Closing policy has remained in place for the past ten years or so. However, it was never documented. The interim city manager requested the ordinance be adopted prior to any winter weather that may potentially impact city offices; There was a lot of confusion among our employees this past year.

The purchase of safety boots is another matter that needs clarification. Due to the number of departments impacted, it has been handled in a variety of ways. This is a clear, cut policy for the entire city and provides a fair across-the-board policy.

It was confirmed that all public works employees are eligible for public safety boots.

Adoption of this ordinance is scheduled for the December 16th Special Council meeting:

MONTHLY FINANCE REPORT

Through the fourth month of Fiscal Year 2015-2016 with 33% of the fiscal year having passed, 41% of revenues have been received and 30% of the operating budget expended. He noted several revenue accounts that were higher than normal.

In the other side, expenditures are lower than expected.

Mr. Brooks then pointed out the Solid Waste Reserves account is showing a cash balance of zero dollars. Mr. Morrow referenced the \$250,000 shown as an investment. However, Mr. Morrow will follow up with Mr. Portmann and provide

a more concrete answer at the next meeting.

Mr. Brooks moved to accept the October 2015 Finance Report, seconded by Mr. Grier. Motion carried.

RECOGNITION

Boy Scout Troop 186 of Avenue Methodist Church was present. The scouts are currently working on the citizenship merit badge as well as the communications merit badge

EXECUTIVE SESSION

Mr. Burk moved to go into Executive Session reference below reasons, seconded by Mr. Morrow:

Pursuant to 29 Del. C. §10004(b)(2) Preliminary discussions on site acquisitions for any publicly funded capital improvements, or sales or leases of real property (Property Sale & Property Purchase/Sale)

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 (Injury Incident)*

Property Sale Update (Devisser House)

MOU (Property Purchase & Property Purchase/Sale)

Potential Legal Action

Motion carried.

Mayor Shupe recessed the Council Meeting at 7:39 p.m. for the purposes as are permitted by Delaware's Freedom of Information Act.

Return to Open Session

City Council returned to Open Session at 8:55 p.m.

Property Sale Update (Devisser House)

MOU (Property Purchase & Property Purchase/Sale)

No action needed on above two items.

Potential Legal Action (Injury)

Ms. Peel moved to address the potential litigation in accordance with the discussion in executive session, seconded by Ms. Wilson. Motion carried.

ADJOURN

Mr. Mergner moved to adjourn the meeting, seconded by Mr. Starling. Motion carried.

The Council Meeting adjourned at 8:58 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

MILFORD CITY COUNCIL
MINUTES OF MEETING
December 16, 2015

A Special Meeting of the Milford City Council was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall, 201 South Walnut Street, Milford, Delaware on Wednesday, December 16, 2015.

PRESIDING: Mayor Bryan Shupe

IN ATTENDANCE: Councilpersons Christopher Mergner, Garrett Grier III, Lisa Peel, James Burk,
Owen Brooks Jr., Douglas Morrow Sr., James Starling and Katrina Wilson

City Clerk/Recorder Terri Hudson

CALL TO ORDER

Mayor Shupe called the Special Meeting to order at 5:43 p.m. The purpose of the meeting was to interview the final candidates for the position of Police Chief and discuss subsequent elements of the hiring process.

Adoption/Ordinance 2015-27/Chapter 55/Personnel (Travel, Emergency Conditions, Safety Boots Policies)

Mayor Shupe then referred to Ordinance 2015-27 that establishes several personnel policies involving travel, emergency conditions and safety boots.

The intent is to have this ordinance in place to stay ahead of any potential inclement weather we may face. Waiting until January would mean the ordinance would not be effective until the end of January. It was noted that this has always been the policy though it was only a verbal policy.

Mr. Brooks moved to adopt the following ordinance, seconded by Mr. Starling:

AN ORDINANCE AMENDING CHAPTER 55 "PERSONNEL"
OF THE CODE OF THE CITY OF MILFORD

Ordinance 2015-27
Chapter 55-Personnel

Section 1.

WHEREAS, City Council finds that it is in the best interests of the City that employees remain informed and trained in activities, developments and professional trends affecting the affairs of the City; and

WHEREAS, City Council believes that attendance at institutions, meetings, conferences and other gatherings are of value to the City and its citizens; and

WHEREAS, public resources should only be used when there is a benefit to the City; and

WHEREAS, an updated policy that provides guidance to City employees on the use and expenditure of City resources is needed.

Section 2.

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

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Section 875 TRAVEL ON OFFICIAL CITY BUSINESS

The following information will amend Section 875, Travel on Official City Business:

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WHEREAS, it is in the best interests of the citizens and staff of the City of Milford that the City Manager or designee be authorized to direct the temporary closure of city offices in such circumstances for the efficient operation of the city, safety to employees and citizens or other special or emergency circumstances.

Section 4.

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Since, the City of Milford is responsible for providing essential public services during emergency conditions, each department supervisor or appointed designee will determine which employees are essential to their department's operation or department's designated duties, during the emergency closing. The supervisor or appointed designee will notify each employee that is classified as "essential" when they are required to work during the emergency closing.

When an emergency closing occurs during normal M-F work hours, "non-essential" non-exempt and exempt employees that have been allowed to leave work, report to work on a delay opening or not report for work shall receive a supplement of hours to ensure that they have eight hours of pay or salary for the day. "Essential" non-exempt employees which are required to work shall be paid their regular eight hours of pay for the day, plus time and one half for the actual number of hours worked during the emergency closing. "Essential" exempt employees which are required to work shall receive their salary for the day and be granted compensatory time off, as approved by the City Manager.

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The Police Department officers and dispatchers will be granted compensatory time, equal to the number of hours, that the City of Milford emergency closing was in effect during a normal eight-hour business day. These compensatory hours will be added to the holiday accrual bank, for each officer and dispatcher.

If inclement weather does not result in an emergency closing, for the City of Milford and an employee is unable to commute to work, due to the weather conditions, the employee should contact their supervisor prior to the start of their shift, to make arrangements to obtain transportation to work or be approved to use vacation leave.

Section 5.

WHEREAS, quality protective footwear, which meets or exceeds current OSHA Standards is needed to support the safety of a number of designated Employees throughout the City; and

WHEREAS, it is in the best interest of the City that a clear policy regarding the purchase of safety shoes by City Employees be available for them to follow.

Section 6.

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SAFETY WORK BOOTS

Safety Work Boots, which meet or exceed the requirement and safety standards, as defined in each departments' duties, will be purchased for employees who hold the following positions, each fiscal year, during the month of October.

DEPARTMENT	POSITION
Public Works:	Director, Public Works
Electric:	Superintendent, Electric

Electric Line Foreman
 Electric Lineman, Lead Lineman
 Electric Lineman, First Class
 Electric Lineman, Second Class
 Electric Lineman, Third Class
 Electric Utility Groundsman
 Meter/SCADA Technician
 Warehouse Manager
 Meter Technician

Garage: Head Mechanic

Water/Sewer: Supervisor, Water & Sewer
 Water Treatment Operator
 Utility Crew Leader
 Utility Worker
 Water & Sewer Technician
 Meter Technician

Streets & Solid Waste: Supervisor, Streets & Solid Waste
 Assistant Supervisor, Streets & Solid Waste
 Streets Crew Leader
 Equipment Operator
 Construction Worker/Equipment Operator
 Solid Waste Driver
 Solid Waste Driver/Refuse Collector
 Refuse Collector

Customer Service: Meter Technician

Code Enforce/Inspections: Code Enforcement Official

Parks & Recreation: Director, Parks & Recreation
 Superintendent, Parks
 Park Technician I

A newly hired employee filling any of the above eligible positions, will have their initial pair of safety work boots purchased for them after a successful three months evaluation of their six-month introductory period.

Supervisors or their appointed department designee will be responsible to select the appropriate safety shoe(s) from an approved vendor of safety work boots, which meet the safety requirements of their department's approved positions, with a maximum price to be established by the City Manager.

The Supervisor, or appointed department designee, will arrange appointed times to take their employees to have a fitting of the shoes. Shoe purchases must be charged to the Supervisor's City of Milford credit card and once a purchase order has been completed, the credit card receipts should be forwarded to the Finance Department's Accounts Payable Administrator.

Police Officers of the Milford Police Department are hereby exempt from the provisions of Section 615 of Chapter 55 of the Code of the City of Milford.

Section 7. Introduction 12-14-2015
 Adoption 12-16-2015

Motion carried.

December Workshop

Mayor Shupe reminded council that there will be no meeting on December 28, 2015.

Finance Report Follow-up

Finance Committee Acting Chairman Morrow referenced the question Mr. Brooks had at the last council meeting regarding the zero balance in the solid waste cash balance. He explained there is \$250,000 invested in a CD for this department which earns a higher interest rate than having it sit in a bank account.

He also noted that the report has shown a zero balance for the past fifty-three months.

EXECUTIVE SESSION

Mr. Mergner moved to go into Executive Session reference a personnel matter, seconded by Mr. Morrow pursuant to 29 Del. C. §10004(b)(9) Personnel matters in which the names, competency and abilities of individual employees or students are discussed (Police Chief Candidates).

Motion carried.

Mayor Shupe recessed the Council Meeting at 6:55 p.m. for the purpose of an Executive Session as permitted by Delaware's Freedom of Information Act.

RETURN TO OPEN SESSION

City Council returned to Open Session at 10:36 p.m.

Mr. Morrow moved to approve Lieutenant Kenneth Brown as Milford's Police Chief, such appointment to occur on January 11, 2016, prior to the start of the council meeting, seconded by Ms. Wilson. The following unanimous roll call vote was then taken:

- Mergner-Yes
- Grier-Yes
- Peel-Yes
- Burke-Yes
- Brooks-Yes
- Morrow-Yes
- Starling-Yes
- Wilson-Yes

EXECUTIVE SESSION

Mr. Morrow moved to go back into Executive Session reference a second personnel matter, seconded by Mr. Starling pursuant to 29 Del. C. §10004(b)(9) Personnel matters in which the names, competency and abilities of individual employees or students are discussed (Employee Status). Motion carried.

Mayor Shupe recessed the Council Meeting at 10:44 p.m. to discuss another employee matter.

RETURN TO OPEN SESSION

Council returned to Open Session at 10:54 p.m.

Mr. Morrow moved for approval of the advisory position through the transition period for a minimum of six months, seconded by Mr. Mergner. Motion carried.

Mayor Shupe recommends a Police Committee meeting be held in January. He would like to talk to the new chief about his ideas and plans for the department.

Mr. Morrow then referenced an earlier recommendation by Mr. Brooks about hiring four additional officers. He would also like to discuss the funding associated with that increase in officers.

Mr. Mergner suggests considering an increase in the starting officer's salary as a possible incentive to come to Milford as well.

Still in session, Mayor Shupe telephoned Lieutenant Brown to inform him he that council had unanimously chosen him as Milford's next police chief. Clapping in unison, all of City Council congratulated him. The mayor informed him a news release will be prepared and released on Thursday. He said council is very exciting and everyone is very pleased to have him on board.

Mr. Morrow thanked everyone for the effort they put into this process. He felt it was a smooth process and everything went exceptionally well.

Mr. Morrow asked council to work with Lieutenant Brown and to provide him all the support he needs. Mayor Shupe agreed, adding that he thinks this will be great not only for the department, but the community as a whole.

Mayor Shupe adjourned the meeting 10:59 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder