

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:

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Employee Conduct, Disciplinary Action and Grievance Procedure of Chapter 55 of the City of Milford Code, is hereby repealed and replaced with the following language: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

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.

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. Motion carried by the following unanimous roll call vote:

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 as discussed in Executive Session, 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,

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

Terri K. Hudson, MMC
City Clerk/Recorder