

MILFORD CITY COUNCIL
MINUTES OF MEETING
May 9, 2016

A Meeting of Milford City Council was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall on Monday, May 9, 2016.

PRESIDING: Mayor Bryan Shupe

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

City Manager Eric Norenberg, Police Chief Kenneth Brown and Deputy City Clerk/Christine Crouch

COUNSEL: City Solicitor David Rutt, Esquire

CALL TO ORDER

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

INVOCATION AND PLEDGE

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

APPROVAL OF PREVIOUS MINUTES

Motion to approve the April 11, 19, 25, 26 and May 2, 2016 Committee and Council Meeting minutes made by Mr. Brooks, seconded by Mr. Morrow. Motion carried.

RECOGNITION

Chief Kenneth Brown/Milford Police Department Dispatcher Rudy Hitchens & Officer John Horsman

Chief Brown recognized Dispatcher Rudy Hitchens and Detective Sergeant John Horsman for outstanding conduct when they aided in the prevention of a prisoner committing suicide while in the custody of the Milford Police Department.

Certificates were then issued which stated as follows:

(Hitchens) "For outstanding dedication and service above and beyond the call of duty while responding to an unresponsive prisoner in the holding cell on March 31, 2016. Your keen observation and immediate response to an out-of-the-ordinary situation saved a life."

(Horsman) "For outstanding dedication and service above and beyond the call of duty while responding to an unresponsive prisoner in the holding cell on March 31, 2016. Your immediate action by cutting the ligature from around the prisoner's neck and rendering first aid saved a man's life."

Introduction of Milford High School Students

Councilman Burk introduced MHS Social Studies Teacher Veronica Evans and a group of tenth grade students who were in attendance to observe city council proceedings.

MONTHLY POLICE REPORT

Mr. Morrow presented the monthly report on behalf of Chief Brown. Mr. Burk moved to accept the April report, seconded

by Ms. Peel. Motion carried.

CITY MANAGER REPORT

Mr. Norenberg referenced the manager’s report in the packet adding it is also on line so our residents are kept current. He then referenced the solid waste table which shows the amount of waste and recycling generated each month.

In March 2016, almost 33% of the city’s waste was diverted through recycling though the city manager pointed out there is a lot of room to improve on that number.

Mr. Burk noted there is a problem with the link so the report is unavailable for council view. A paper copy will be added to future packets to prevent further problems.

Ms. Wilson asked the status of the Truitt Avenue improvement project; Mr. Norenberg said he has not received a report from our street superintendent though he is aware they did start the curb and sidewalk work last week. He will email Ms. Wilson with an update on Tuesday.

Ms. Peel moved to accept the city manager’s report, seconded by Mr. Campbell. Motion carried.

COMMITTEE & WARD REPORTS

None.

COMMUNICATIONS & CORRESPONDENCE

None.

UNFINISHED BUSINESS

City Council Committees

Mayor Shupe handed out the newly assigned council committees adding that he has made a number of changes to allow members to share in the workload and provide fresh ideas and additional opportunities for leadership. He reported they moved several members from some long-standing committees and though this may not please everyone, the goal is to rotate council members in hopes everyone gets to use their experience and knowledge as they are assigned to new committees.

The 2016-2017 committee assignments are as follows:

COMMITTEE	CHAIR	MEMBERS			
Annexation	Wilson	Campbell	Morrow		
Community Affairs	Peel	Burk	Starling		
Economic Development	Mergner	Peel	Starling		
Finance	Morrow	Burk	Mergner		
Parks & Recreation	Campbell	Brooks	Wilson		
Police	Burk	Brooks	Wilson		
Public Works	Brooks	Morrow	Peel		
Charter Review (S)	Shupe	Burk	Mergner	Morrow	Starling

Mr. Brooks emphasized that anyone can attend these committees and participate even though they are not a member. Mayor Shupe said other councilpersons can attend though they are unable to vote in any matters before the committee.

Mayor Shupe asked for a motion to approve; Ms. Wilson commented that she would have loved to have been appointed chair of the police committee considering she has served on that committee for several years under the former chair and

considering her experience as a result of her twenty plus years on council but was never given that opportunity. The mayor recalled that last week, they asked council to send them the committees they wanted to be considered for and some council members did not respond.

Ms. Wilson confirmed that the membership of other subcommittees, such as the cemetery committee, has not changed. Mayor Shupe stated that is correct reiterating the intent is to make some changes and provide some new opportunities and potentially get some things moving.

Mr. Starling moved to approve the new committees as assigned, seconded by Mr. Burk. Motion carried with no one opposed.

Appointment/Workforce Development Commissioner
Appointment/City of Milford Planning Commissioner
Appointment/City of Milford Appeal Board

Mayor Shupe reported that currently they have created an on-line application for city commissions/boards. He directed council to inform any interested party to access the city website and apply. This will provide a pool of applicants which can be used as future vacancies occur.

The mayor plans to meet with the applicants and he, along with the city manager and planning coordinator will review them before a decision is made. The goal is to make the appointments at the May 23rd council meeting.

Application Presentation/Downtown Development District

Mayor Shupe recalled that the Downtown Development District (DDD) designation was awarded to Wilmington, Dover and Seaford last year. That designation allows investors to qualify for state grants of up to 20% of their construction costs. He noted that Milford is in the process of applying for this designation again this year with high hopes of being more successful this second time.

Planning Coordinator Pierce gave a quick overview stating that The Downtown Development Districts Act of 2014 (the Act) was enacted by the General Assembly in order to:

- Spur private capital investment in commercial business districts and other neighborhoods;
- Stimulate job growth and improve the commercial vitality of such districts and neighborhoods;
- Help build a stable community of long term residents by improving housing opportunities; and
- Assist municipalities in strengthening neighborhoods while harnessing the attraction that vibrant downtowns hold for talented people, innovative small businesses and residents from all walks of life.

Mr. Pierce said there are a host of other benefits previously discussed by council; Mayor Shupe said that qualified projects could receive up to 20% of their construction costs in grant money.

The planner noted this is the first time the application has been submitted to city council adding that the draft is on line with the goal of linking it to the website so it is available for public comment over the next two weeks.

A resolution supporting the application will be on the May 23rd agenda and minor adjustments can be made at that time. The final application is due to the state by June 1st.

The Act identifies three components of the application for designation as a district.

Mr. Pierce reviewed the application and stated as follows:

We must describe the need for the economic incentives that will be available in designated district. The need must be documented through the use of relevant data and other methods. The conditions of the local economy, income, poverty,

homeownership rates, prevalence of vacant or abandoned buildings and other metrics may be used to make the case the proposed district is in need of the incentives.

The applicant must also describe the potential positive impacts that are likely to accrue due to designation as a district.

The Need and Impact section will account for 50% of the consideration given to the scoring of each application.

We must also present a District Plan that will be used to guide development activities and revitalization efforts in the District. The District Plan is a detailed description of the overall strategy for the development of a proposed district. The quality of the District Plan will account for 30% of the consideration given to the overall scoring of each application.

We will also have to create a package of local development incentives that will apply within the proposed district. These incentives may include, but are not limited to, a reduction in fees or taxes, regulatory flexibility, permitting fees and licensing reform; special zoning districts or exemptions from local ordinances. These incentives may be already in use or proposed for implementation upon designation as a district.

Local Incentives account for 20% of the consideration given to the overall scoring.

Mr. Pierce reported the district is one-hundred seventy (170) acres in both Kent and Sussex counties and was based on population. It contains three of the wards and is adjacent to the downtown development area but not within it.

The district is made up of approximately one-third of the central business district. The remaining two-thirds are low and moderate density residential uses. It is comprised of a mixture of downtown commercial, professional offices, government facilities, public facilities, mixed use, single family detached and semi-detached dwellings, apartments converted from single family dwellings and multi-family housing complexes.

Reviewing the needs and impact requirement, the planning coordinator stated the district boundaries are based on high rates of poverty, crime and vacancy, lower home ownership rates and includes several buildings with code violations that are in need of repair or revitalization.

The district includes the majority of the Downtown Milford, Inc. (DMI) program boundary or approximately 75%.

The district area contains 3% of the city's total land area, approximately 9% of the city's individual properties and 14.8% of the city's population.

The city utilized 2010 Census data, 2010 to 2014 American Community Survey (ACS) data and city data sources to produce the analysis.

Mr. Pierce explained the census data provides more defined information related to homeownership and vacancy rates, along with population. This area has a higher than average vacancy rate of 14.6% when compared to the balance of the city.

The census tract data also indicates a higher than average poverty rate at 15.2% with lower median home value when compared to the rest of the city. He believes the census tract data for the median household income and home value are slightly higher than actual conditions and do not accurately reflect the characteristics within the district area.

Further information concluded that based on the 2010-2014 ACS 5-year estimates, 8.3% of the housing within census tract 425 (Kent County) and 33.8% of the housing within census tract 501.04 (Sussex County) were built prior to 1950. Like other census tract data, this percentage is skewed due to the overall size of the tracts compared to the district area. In order to provide a more accurate depiction of housing conditions, they will use the city analyzed assessment records and provide photographs of the properties within the district area as an attachment to the application.

Based on city assessment records, approximately 73% of all principal structures (commercial and residential) within the district area were constructed prior to 1950.

Over 50% of the residential options are single-family, while only 11.5% are multi-family complexes and 9.7% mixed use are typically preferred in the downtown area.

City records indicate there are 22 vacant structures, of which 4 have been condemned as unfit for human occupancy. Also, there are 55 vacant lots containing 17 acres of unimproved land. Two more were just condemned and will be added to this exhibit for the application.

According to the 2010 census, 53.6% of the housing units within the affected census blocks are rental properties. This area contains approximately 10% of the city rental licensing records (171 issued rental licenses). However, they believe this number may be higher because not all properties have properly registered as rental properties.

Based on city records for 2013, 2014 and 2015, there were a total of 186 code violations within the district area which accounted for 25% of the total code violations for the entire city.

Increased poverty and blight have led to increased levels of crime. Over the past three years, approximately 19% of the criminal incidents within the city have occurred within the district area.

The district area is home to 14% of the city's population.

Mr. Pierce reported there is a potential for significant residential and commercial investments. A private investment in the form of a mixed use development package in the downtown area could spur further residential and commercial growth. Increasing the number of residents will help extend the life of the downtown and ensure greater economic stability.

The application could also provide rehabilitation of residential and commercial buildings and rehabilitation or demolition of vacant or condemned structures.

It will help increase homeownership rates and provide affordable housing for individuals through state and local incentives with the goal of creating a stronger sense of community with more long-term citizens.

It could diversify the housing stock by introducing varying housing options in the downtown area that will attract a wide range of residents. It could also help rehabilitate historical buildings through preservation tax credits.

Mr. Pierce then provided an overview of the Development/Redevelopment Strategy. In September 2015, over 250 citizens gathered in focus groups and public meetings to develop the Rivertown Rebirth Plan. That plan utilized market data, physical design and marketing to deliver a shared vision of downtown residential and commercial growth. This makes up the main portion of the redevelopment strategy.

In addition to the Rivertown Rebirth Plan, the district plan contains additional community goals and objectives including improving housing stock, reducing vacancy rates, promoting homeownership, establishing long-term residency and strengthening the sense of community.

The Rivertown Rebirth Plan targeted projects already in the works, include large and small-scale projects. It was broken out into three geographic areas—downtown east, downtown core and downtown west.

Some of the large-scale projects included in the application include a couple of mixed use development projects, reuse of several vacant buildings, development of the Riverwalk Village project, development of a destination river front restaurant, development of an amphitheater/festival space, construction of a second pedestrian bridge, incorporation of the historic Vinyard Shipyard into the community plan, facade improvements and targeted streetscape projects.

Small-scale projects include the creation of micro-retail clusters, additional events and programming, enhancements to Riverwalk Plaza, enhancements to Park Avenue, beautification of park space, additional tree plantings and the incorporation of eco-tourism/recreation along the river.

The city has targeted two key priority projects. The first is the Riverwalk Villas development (former Fisherhawke subdivision) located in the Downtown East area. Outlined in the Plan is a residential project that has already received preliminary site plan approval from the city's planning commission. This project includes the construction of four three-story, multi-family buildings totaling 48 units in an area primed for redevelopment. The surrounding residential areas are characterized by low homeownership rates, an aging housing stock and several vacant parcels.

Mr. Pierce explained the quality of this project could determine the redevelopment of the surrounding properties. The 20% rebate for this project could provide further enhancement of the area.

The second project is the River Place Mixed Use Development, outlined in the Rivertown Rebirth plan. It is located in the Downtown Core and targeted as a potential redevelopment site (former water treatment plant) on city-owned property. This area along with adjacent city property offers opportunities for a significant mixed use project along the river. The city has received interest from a developer to construct a mixed use residential/retail project, along with commercial and residential investments on adjacent lands totaling thirty million dollars (\$30,000,000) in private investment. A copy of the concept rendering will be included with the application.

The project would require formal approval from the city and possible revisions to the city code related to density and height restrictions. Current limitations are three stories and twelve units per acre and the rendering shows six stories. A new zoning category will be created to meet these and similar needs.

Other projects in the application include the site of the former M&T Bank building located at the corner of North Walnut and NW Front Streets vacated just over a year ago. Assisting the property owner find a suitable reuse has been a top priority for the city.

The former site of Warren Furniture Company, located at the intersection of South Walnut and Southwest Front Streets, is a vacant property at the southern end of "Main Street" that offers a prime location for commercial/mixed use infill. This property serves as a gateway to Southwest Front Street and will impact the redevelopment efforts of the Downtown West area.

In addition, the vacated fire house building located at the intersection of Church and Southwest Front Streets provides another opportunity for commercial or mixed use redevelopment. This three-story structure, adjacent to the river, is key to redevelopment and could serve as a prime location for office and residential mixed use.

The final section of the application relates to local incentives.

The city recently adopted a new Economic Development and Redevelopment Code to provide framework for the city to develop specific Economic Development Incentive Programs (SEDIP) for the designated area. A draft code amendment was prepared that outlines various incentive tools for the DDD.

Local incentives will include water, sewer and electric impact fee waivers and an eligible project that may qualify for a full waiver of impact fees. Other permit and fee waivers will also be offered.

An eligible project within the district area could qualify for a waiver of all city permit fees including building permit, water connection, electric connection, sewer inspection, water inspection, land use application review and outsourced professional service fees. If the city decides to implement business licensing, qualifying new businesses may receive a waiver of that license fee for three years.

For city-owned property, the land installment contract option will also be offered. Qualifying projects may apply to purchase city-owned property through an installment land contract at a price and terms/conditions determined by city council. Terms and conditions include the interest rate, financing period and repayment schedule. An agreement would be entered into between the city and the buyer with specific requirements. If those requirements are not met, the buyer would be responsible for full payment of the outstanding contract balance. Land installment contracts provide low-interest or no-interest financing on land, potentially reducing up-front expenses for developers and reducing the overall investment

cost.

Qualifying properties may receive City of Milford property tax abatements for a period of up to ten years. For rehabilitation projects, if the owner improves the assessed value by more than 50% of the original value, the owner would receive a full tax abatement of city property taxes for up to ten years. A small percentage of improvements would receive a partial tax abatement based on the value for up to ten years. Assessments will be determined by the city tax assessor.

It was noted that the numbers can be discussed and changed as council deems appropriate.

Properties converted from rental units to owner-occupied first time home buyer housing may be eligible for a rebate of both the seller and buyer portion of the city's real estate transfer tax. These rebates are designed to incentivize homeownership on both the buyer and seller side of the transaction.

Streamlining the permitting and approval process is also a priority. Eligible projects will receive an expedited plan and permit review. Additionally, the city will provide staff support services and assistance with navigating federal, state and local agency reviews.

He noted that Downtown Milford, Inc. (DMI) prepared the first application with some assistance from the city. One incentive included in that application is an established revolving fund with approximately \$25,000 designated for low interest loans within the DMI boundary. Although the DMI boundary and the proposed district do not completely overlap, it is worth mentioning in the application. The interest rate is typically between 3 and 4% based on bank recommendations, current rates and the amount requested.

It was confirmed that any support letters received from developers are not binding; Solicitor Rutt explained if they are going to be expressing their support in a public forum, they must have a reasonable commitment.

Mr. Brooks confirmed that these projects will be bringing new jobs to the community. Mr. Norenberg explained there will be construction jobs as a result and a retailer on the first floor of the mixed use project will provide jobs.

Ms. Wilson expressed pleasure because the application is focusing on homeownership. Mayor Shupe pointed out that homeownership results in better property maintenance and less crime.

Mr. Norenberg then reiterated that the application can still be tweaked, particularly with the percentages or terms. They will need any input by next Wednesday in order for the application to be complete by the May 23rd council meeting.

It was noted that most of the incentives being discussed involve new revenues and not necessarily taking away those that are anticipated on an annual budget. One of the developers was interested in his project without the incentives though he will now become eligible because of the prospect of the DDD. We may see other developers move forward who may have been postponing a project because of this benefit.

Mr. Norenberg and Mr. Pierce will sit down with the finance director to come up with some projected numbers. He added that one of the benefits of having increased commercial and residential activity will be the increase to the surrounding property values. If the city waives some of the property taxes for a few years, whether it is a partial or full abatement, he believes the rising value of the other properties will at least partially make up for some of the lost revenue.

Mr. Brooks said we want them to build here and provide some big jobs for the residents of Milford.

Mr. Rutt emphasized that though an impact fee may be waived on a new project, it will still generate water, sewer and electric. The city manager agreed and stated that we already have existing water and sewer lines in place so we do not have to extend those services. The impact on the existing infrastructure will be much less than a new subdivision or major project on the edge of town would cause.

Ms. Wilson said this is particularly interesting because there has been very little focus on any development within the town.

Instead, it was on the outskirts of Milford and she appreciates this concept.

Mr. Pierce also agreed and recalled that the state is encouraging more people live in the center of town where they are able to walk to areas with services.

They will talk with Mr. Portmann in an attempt to provide an evaluation of the financial impact. Mr. Norenberg again encouraged council to contact him with questions or ideas about the potential ordinance.

Mr. Pierce then continued with the review of the application.

He said they confirmed the district plan is consistent with the City of Milford's 2008 Comprehensive Plan and Strategies for State Policies and Spending Plan and Land Use Regulations. We also need to ensure the major commercial and residential components outlined in the Rivertown Rebirth Plan are consistent with the city's land use regulations. Some of the mixed use proposals will require density and height amendments to the zoning ordinance. Although mixed use is permitted under the C-2 zoning, the city is considering creating a new zoning designation specifically for mixed use development in the downtown area. This district would allow some flexibility related to bulk standards (including setbacks, parking, and building height) while providing higher densities for mixed use development.

The planning coordinator hopes to have that draft concept included in the application as well as other potential development sites.

The District Area includes portions of three separate historic districts--Shipyard District, North Milford Historic District, and Victorian Historic District as we want to ensure nothing is taken away from the city's heritage and character.

Energy Efficiency and Environmentally Sensitive Development was then discussed. Some of the key priority projects outlined in the plan are located within the 100-year floodplain. The city allows construction within the floodplain as long as the construction adheres to the conditions set forth in Chapter 130 of the city code. In addition to the floodplain ordinance, any new development or redevelopment must adhere to the city wetland and riparian buffer standards of the zoning code.

The city is working with DMI, Chamber of Commerce for Greater Milford, Milford Housing Development Corporation, Bayhealth and First State Community Action Agency to develop partnerships. Each has committed to providing a letter of support to include with the application.

The city's role as the local government, will be to coordinate efforts between the local organizations, existing merchants, residents and potential investors as well as provide resources to assist the existing and potential investors.

The city is required to track progress of implementation and develop indicators to measure the district plan's performance and monitor the program success in a holistic manner to ensure the overall goals are being achieved.

Mr. Pierce pointed out that the local incentives and zoning amendment will allow for potential increased height and density and must be finalized on the application.

The last requirement is the public comment and council approval.

He recalled back in September 2015, the city hired Arnett Muldrow & Associates to develop a master plan of the downtown area. The consultant and city officials engaged over 250 citizens in focus groups and public meetings and developed the Rivertown Rebirth Plan.

In January 2016, the Rivertown Rebirth Plan was presented to city council and adopted as the city's downtown development strategy. City council appointed members to the Rivertown Rebirth Committee who met on February 8, 2016 with downtown property owners to initiate the implementation phase of the plan.

The city Economic Development Committee had a public meeting in early April 2016 to discuss the local incentive portion of the application. The Committee recommendations were compiled by staff and included in the application proposed amendments to the city code.

On May 23rd, a resolution supporting the application for designation will need to be adopted.

Mr. Pierce encouraged council to view the actual 261-page draft application which is included in the packet and goes into much more detail than what was presented this evening.

NEW BUSINESS

*Introduction/Ordinance 2016-03/Code of the City of Milford Part II-General Legislation
Chapter 230-Zoning Article I-General Provisions §230-4-Definitions and Word Usage*

Planning Coordinator Pierce explained this ordinance provides a slight clarification of the PUD in the city zoning code. Currently the code could be interpreted that all PUDs require commercial uses which conflicts with the PUD conditional use criterion which states that up to 25% of the total acreage may be available for commercial.

As a result, the definition was amended making commercial option in a PUD which Mr. Pierce believes was the original intent.

Mayor Shupe introduced Ordinance 2016-03:

*ORDINANCE 2016-03
CODE OF THE CITY OF MILFORD
PART II-GENERAL LEGISLATION
CHAPTER 230-ZONING
ARTICLE I-GENERAL PROVISIONS
§230-4 - DEFINITIONS AND WORD USAGE*

WHEREAS, the City of Milford deems it necessary to classify, regulate and restrict the height, number of stories and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population and the location, use and extent of use of buildings, structures and land for residence, trade, industry and other purposes; create districts for said purpose and establish a Board of Adjustment; and impose penalties for violations, so as to lessen congestion in the streets; secure safety from fire, panic and other dangers; provide adequate light and air; prevent undue concentration of population and overcrowding of land; facilitate the adequate provision of transportation, water, sewage, school, park and other public requirements; conserve the value of buildings and encourage the most appropriate use of land; and promote the health, safety, morals and general welfare of the City of Milford; and

WHEREAS, the City defines and interprets certain words and phrases used in the Zoning Chapter.

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

Section 1.

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

Section 2.

230-4 Definitions and Word Usage shall be amended as follows:

*PLANNED UNIT RESIDENTIAL DEVELOPMENT - A development providing housing of various densities, lot sizes, lot coverage and types, including related ~~commercial~~, recreational and community facilities. **The development may include commercial uses that are designed to serve the convenience needs of the residents of the development.** The area of land*

required for a planned unit residential development shall be at least 10 contiguous acres except in the City Core area where the required area shall be two acres. For purposes of this definition the City Core area shall be identified as follows:

Starting at the location of the intersection of the center line of US 113 and the center line of DE 14 (also known as NW Front Street in Milford, Delaware), and

Proceeding east along the center line of DE Route 14 (NW Front Street) to the intersection of the center line of DE Route 14 (NW Front Street) and the center line of Truitt Avenue, and

Proceeding north along the center line of Truitt Avenue to the intersection of the center line of Truitt Ave and North Third Street, and

Proceeding east along the center line of North Third Street to the intersection of the center line of North Third Street and the center line of West Street, and

Proceeding north along the center line of West Street to the intersection of the center line of West Street and the center line of North Fourth Street, and

Proceeding east along the center line of North Fourth Street to the intersection of the center line of North Second Street, and

Hence approximately 290 feet N 50° W along the nearest property lines and hence approximately 1,470 feet N 35° E along the nearest property lines to the center line of Business Route 1 (also known as Rehoboth Boulevard), and

Proceeding southeast along the center line of Business Route 1 to the intersection of the center line of Business Route 1 and South East Front Street, and

Proceeding west along the center line of South East Front Street to the intersection of the center line of South East Front Street and the center line of Walnut Street, and

Proceeding south along the center line of Walnut Street to the intersection of the center line of Walnut Street and the center line of Causey Avenue, and

Proceeding west along the center line of Causey Avenue to the interception of the center line of Causey Avenue and center line of the railroad right-of-way (also known as the Norfolk Southern tracks), and

Hence approximately 3,280 feet N 70° W along the north shore of Silver Lake as mapped by a solid blue line on the 1993 US Geological Survey Milford DE 7 1/2 minute quadrangle map, to the center line of the north-bound lanes on the US Route 113 bridge over Silver Lake, and

Proceeding north along the center line of the northbound lanes of US Route 113 to the point of beginning at the intersection of the center line of the northbound lands of US Route 113 and the center line of DE Route 14 (also known as Northwest Front Street).

Section 3. Dates.

Planning Commission Review and Public Hearing: 04/19/16

Introduction: 05/09/16

City Council Adoption: 05/23/16

Effective 06/03.2916

As noted, a public hearing is scheduled on May 23, 2016 after which city council will make a final determination.

Introduction/Ordinance 2016-07/Parks & Recreation/Extends Sunday Park Hours

The city manager explained this ordinance will adjust the park hours for special events on Sundays from 1:00 pm - 6:00 pm to noon - 7:00 pm which will align with DMI's Brewgrass Festival approved this past January. In this manner, the event will conform with the ordinance.

Ms. Wilson asked if that time will be restricted to the Brewgrass Festival or any event on Sunday; it was confirmed it would apply to any future events once it becomes effective.

City Manager Norenberg then introduced the following ordinance:

*ORDINANCE 2016-07
Chapter 165-Parks and Recreation
Extends Hours of Use for Special Events on Sunday*

WHEREAS, pursuant to the Code of the City of Milford, City Council is hereby authorized to regulate the public use of the city's facilities, including parks, to provide for the safe and orderly use thereof; and

WHEREAS, Chapter 165 of the Code of the City of Milford, entitled Parks and Recreation was created to develop operational policies and standards for the use of Milford City Parks to be applied in Special Event contracts and the appropriateness of such events throughout the park system; and

WHEREAS, at the time of its adoption, Special Event Hours on Sunday were restricted from 1:00 p.m. until 6:00 p.m.; and

WHEREAS, Downtown Milford, Incorporated properly submitted a request for their 2nd Annual Brewgrass Festival to be held on Sunday, June 12, 2016; and

WHEREAS, on January 11, 2016, City Council approved the Special Event request to begin at 12:00 noon and end at 7:00 p.m., which is in conflict with the current code; and

WHEREAS, in an attempt to encourage activity in the downtown area, City Council now deems it suitable to repeal the Sunday hours of 1:00 p.m. through 6:00 p.m. and adopt the amended hours of 12 noon through 7:00 p.m.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY OF MILFORD THAT:

SECTION 1. City Council of the City of Milford hereby amends §165-6 (H)(2) to read as follows:

§ 165-6. - Rules and regulations.

H. Special event hours are restricted to the following times:

(2) ~~Sunday 1:00 p.m. to 6:00 p.m.~~

(2) Sunday 12 noon to 7:00 p.m.

SECTION 2. Dates.

Introduction: May 9, 2016

Adoption: May 23, 2016

Effective: June 3, 2016

MONTHLY FINANCE REPORT

Finance Committee Chairman Morrow reported that through the nine month of Fiscal Year 2015-2016 with 75% of the fiscal year having passed, 77% of revenues have been received and 69% of the operating budget expended.

He said that if this trend continues, we should have some revenue overflow in the new fiscal year.

The chairman announced that the Finance Committee will hold budget hearings on June 7, June 8th and June 9th (if needed) beginning at 5:30 p.m. Currently, the city department heads are meeting with the city manager and finance director. The

department heads will also attend the budget hearings before council in case there are questions, in addition to Finance Director Jeff Portmann.

Mr. Norenberg noted that the customer service operations fall under the finance department. At a recent meeting he and Councilwoman Wilson attended, some challenges were discussed for new residents and in particular immigrants who may have some difficulty with the English language. It was agreed at that time the customer service department would be open the third Thursday of the month which would correspond with the downtown initiative whereby businesses will be open that night until 7:00 p.m. In that manner, customer service will be available to anyone who cannot visit the office during their normal 8:00 a.m. to 4:30 p.m. office hours. Translators will be available to aid anyone with a language challenge.

When asked about the possibility of an ATM machines, Mr. Norenberg said it is still being discussed. Mr. Brooks and Mr. Burk both stated that they have had a lot of people ask them about the possibility of an ATM downtown. The city manager recalled that Park Place Restaurant has an ATM within their building that is available during the hours of the farmer's market.

In the meantime, he and the finance director are speaking to a vendor who may bring in an ATM that will be available 24/7 in the downtown area.

Mr. Burk moved to accept the March 2016 Finance Report as submitted, seconded by Ms. Peel. Motion carried.

EXECUTIVE SESSION

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

{Pursuant to 29 Del. C. §10004(b)(9)} (Worker Compensation Matter)

Motion carried.

Mayor Shupe recessed the Council Meeting at 8:23 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 8:32 p.m.

Authorization/Extension of Benefits

Mr. Morrow moved to accept the recommendation of the city manager in the Executive Session concerning the subject discussed, seconded by Mr. Brooks. Motion carried with no one opposed.

City Council Photos

Mr. Norenberg informed council he is in the process of attempting to schedule city council pictures. Not all of council will be in attendance at the next meeting so he is hoping to schedule before the June 27th meeting. The intent is to get a group picture if possible.

Council then discussed the possibility of doing this at the budget meetings though the city manager will need to confirm the availability of the photographer.

Ms. Peel said she will be available for the budget meetings on June 13th but not June 27th.

Mr. Norenberg will email council with available dates.

ADJOURN

There being no further business, Mr. Starling moved to adjourn the Council Meeting, seconded by Ms. Peel. Motion carried.

Meeting adjourned at 8:35 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Terri K. Hudson", with a long horizontal flourish extending to the right.

Terri K. Hudson, MMC
City Clerk/Recorder