

# City of Milford



## CITY COUNCIL AGENDA Monday, October 12, 2020

*In accordance with the State of Emergency Declaration issued by Governor John Carney that became effective on March 13, 2020, and as extended, all public meetings of the City of Milford shall be conducted electronically through Zoom until further notice to prevent unnecessary public gatherings.*

*This meeting is available to the public by accessing the following link:*

*<https://zoom.us/j/99811292034?pwd=Vm01NjB4OWVHd0FyMWVnSmo5V1d3dz09> Passcode: 971302*

*Members of the public may also dial in by phone using the following number: 1 301 715 8592 Webinar ID: 998 1129 2034 Passcode: 971302*

*Public Comments are encouraged on the items as noted on the agenda and must be submitted via email to [cityclerk@milford-de.gov](mailto:cityclerk@milford-de.gov) no later than the start of the meeting. Attendees may also alert the City Clerk that they wish to speak at the appropriate time by submitting their name, address, and agenda item on which they would like to comment via the Zoom Q&A function or using the Raise Your Hand function during the meeting. All public comments received will be read into the record at the meeting.*

**6:30 P.M.**

### **WORKSHOP**

Proposed Riverwalk Development/Washington Street Property

**7:00 P.M.**

### **COUNCIL MEETING**

Call to Order - Mayor Archie Campbell

Invocation

Pledge of Allegiance

Approval of Previous Minutes

Recognition

Proclamation 2020-19/Breast Cancer Awareness Month

Staff Reports

Monthly Police Report

Monthly City Manager Report<sup>i</sup>

Finance Department

Public Works Department

Planning & Economic Development Department

Parks & Recreation Department  
Human Resources Office  
Monthly City Finance Report

Committee & Ward Reports

Communication & Correspondence

2019-2020 Municipal Electric Utilities Renewable Portfolio Standard/DEMEC

Unfinished Business

New Business

Authorization/Draft Land Disposition Contract/Washington Street Property

Funding/City Facilities/Citywide LED Project

Adoption/Resolution 2020-28/City Holiday 2020 Schedule Modification <sup>Ⓟ</sup>

Adoption/Resolution 2020-29/City Holiday 2021 Schedule <sup>Ⓟ</sup>

Adoption/Resolution 2020-30/Scheduling of Public Hearing/Police Facility Borrowing Referendum <sup>Ⓟ</sup>

Executive Session

Motion to Recess into Executive Session

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

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

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

Return to Open Session

Potential Vote/Site acquisition

Potential Vote/Collective bargaining agreement

Potential Vote/Potential litigation

Adjournment

All items on the Council Meeting Agenda are subject to a potential vote.

**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.**

<sup>Ⓟ</sup> Public Comment, up to three minutes per person, will be accepted.

091620 092220 092520 092820 093020 100120 100520

<sup>i</sup> 100920 Department List Added

101220 Item Removed



TO: Mayor and City Council

FROM: Rob Pierce, AICP - Planning & Economic Development Director

DATE: October 12, 2020

RE: **RFP #17-01 – Washington Street Property - Update**

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*Rivertown Rebirth 2025 Master Plan & Request for Proposals*

In 2015, with the assistance of Arnett Muldrow & Associates, the City developed the Rivertown Rebirth 2025 Master Plan which was the centerpiece to the City's Downtown Development District (DDD) application. The downtown master plan proposed a mixed-use development along the southern banks of the Mispillion River between Washington Street and the Memorial Park bridge called RiverPlace (see page 19 of the master plan). Several of the large-scale projects proposed in the downtown master plan were focal points of the City's DDD application to the State of Delaware in 2016, for which RiverPlace was identified as a Key Priority Project.

In 2017, the City solicited proposals for the development of this land along the Mispillion River in downtown Milford (see Exhibit A and Exhibit B for location). The purpose of the Request for Proposals (RFP) was to seek qualified developers to construct a mixed-use project consistent with the recommendations of the City's Downtown Master Plan. Around the same time, the City's Planning Commission and City Council developed the language for the C-2A Riverfront Development zoning category to promote these mixed-use development recommendations (see enclosed for copy of C-2A zoning code).

As a result of the RFP, staff received one land development proposal from Milford Development Associates, LLC, represented by David Perlmutter. The proposal was for a five-story mixed-use project with commercial on the first floor and forty (40) market rate apartment units above. The proposal included amenities for the residents, including a fitness center and rooftop terraces, and included two additional retail buildings along the Riverwalk. The proposal did not meet the height requirements under the C-2A zoning code. Additionally, the proposal lacked the requested scaled site plan drawings, floor plan dimensions, detailed work plan and schedule. Many of these were not provided because the developer believed the project site contained too many unknown variables that would have an effect on the eventual development of the site. These included the 100-year floodplain, a well-head protection area, and lands that are currently protected through the Delaware Trust Fund and Land Water Conservation Trust Fund. The developer was unsure of the exact footprint that was available for development and the City would need to work with DNREC and the federal government to relocate the protected lands in order to make the property viable for mixed-use development.

The developer made a presentation to the City's Economic Development Committee on April 24, 2017 (see enclosed minutes). The Economic Development Committee was amenable with moving forward with the Land Disposal Contract for the mixed-use development, but the project eventually stalled due to unanticipated costs associated with the open space conversion (approximately \$50,000 for archaeological studies and appraisals), the unknown of whether the conversion would be approved by the federal government and the developers need to focus on projects in Seaford, DE and Salisbury, MD.

As a result of stalled discussions, the City pivoted on its long-term vision for this property. In 2018, a “Downtown Roadmap Report” was prepared by Arnett Muldrow & Associates to assess the master plan implementation success and make new recommendations to enhance downtown redevelopment efforts. Appendix 7 of the Roadmap Report (see attached) proposed recreational enhancements on this property including a new playground, splash pad, public restroom, and an open-air pavilion that could be used during festivals and the farmer’s market. These recommendations for repurposing the Washington Street property for recreational use were made a part of the City’s Strategic Plan later that year.

### *Updated Proposal*

This past Spring, the developer approached the City and asked to revisit the proposal, for which staff recommended presenting the development proposal to City Council in order to gain consensus to move forward. After discussions between the City and the developer, the updated proposal was scaled back to only impact the unprotected City-owned land along S. Washington Street and does not include the protected park areas. Due to the reduced footprint, the commercial component of the proposal was removed. The developer would be amenable to including commercial if a 5<sup>th</sup> story was allowed or if the footprint could be expanded by making the existing parkland available for private development.

The new proposal includes one, four-story building containing 28 apartment units. Each floor would contain one (1) bedroom, one (3) bedroom and five (2) bedroom apartments. The site also provides a swimming pool for the residents of the complex. See attached renderings.

### *Evaluation of Proposal & Next Steps*

The new proposal is still impacted by the well-head protection area (Exhibit F) and 100-year floodplain (Exhibit E). The City intends to discontinue the use of the existing well due to age and structural issues and the developer would need to adhere to the City’s floodplain ordinance either by elevating the structures or placing fill within the floodplain.

The original proposal included a mixed-use structure with two retail outbuildings but was shown with a much larger footprint. The updated proposal has been limited to the unprotected lands owned by the City in an effort to avoid impacts on the existing park system and to eliminate the need to go through the conservation easement conversion process with the State and Federal government. As a result, the reduced footprint only contains multi-family residential units with no associated commercial. The C-2A Riverfront Development Zoning District permits the construction of multi-family residential when part of a mixed-use development with commercial uses in the same building or on the same site and does not allow multi-family residential by itself. The developer would need to obtain a use variance from the Board of Adjustment or City Council would need to amend the current zoning regulations in order for the proposal to proceed.

The proposal is for 28 multi-family units on 0.88 +/- acres of land, which equates to approximately 32 dwelling units per acre. The C-2A zoning district permits a maximum of 16 dwelling units per acre. The developer would need to obtain a variance from the Board of Adjustment or City Council would need to amend the current zoning regulations in order to proceed. In addition, the proposal does not meet the current parking requirement of 2.5 parking spaces per unit and a variance would need to be obtained from the Board of Adjustment.

If City Council would like to proceed with the proposal, the City would need to enter into a Land Disposition Contract (LDC) with the developer. The LDC would be reviewed by City Council at a future meeting and would include the following items;

- Cost of the land acquisition.
- Reimbursement of City expenses associated with the possible relocation of the basketball court.
- The need for variances from the City zoning code or code amendments to be approved by City Council.
- A requirement for City Council to have the ability to review the architectural features of the structure.
- The development would need to adhere to the City's Floodplain regulations.

**Staff is seeking consensus from City Council on whether or not to proceed with the drafting of a Land Disposition Contract and associated zoning code amendments for City Council consideration at a future meeting for the development of a multi-family residential project on the identified 0.88+/- acres along S. Washington Street and the Mispillion River.**



# THE RESIDENCES ON THE MISPILLION

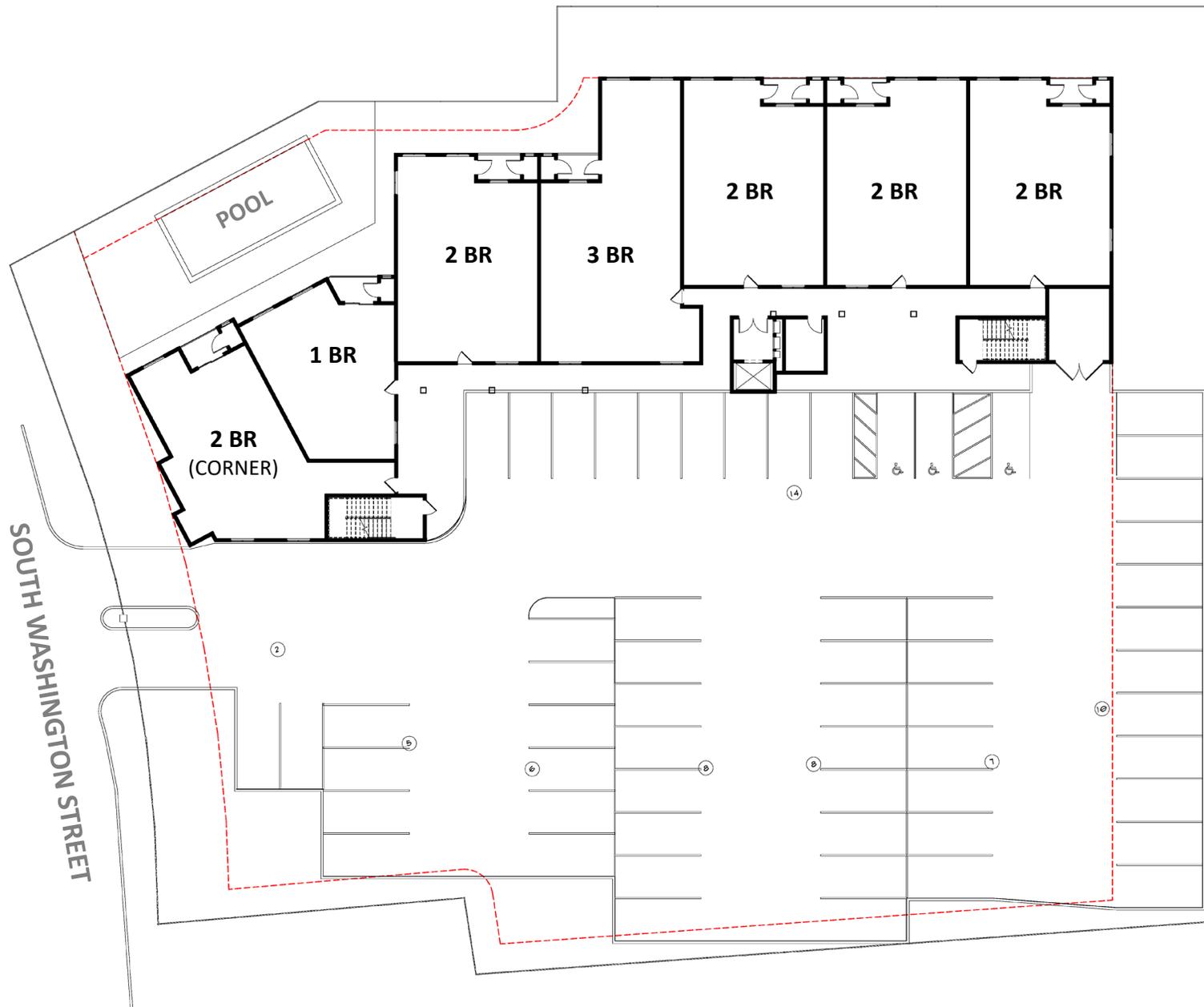
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OCTOBER 12, 2020





**SITE PLAN**

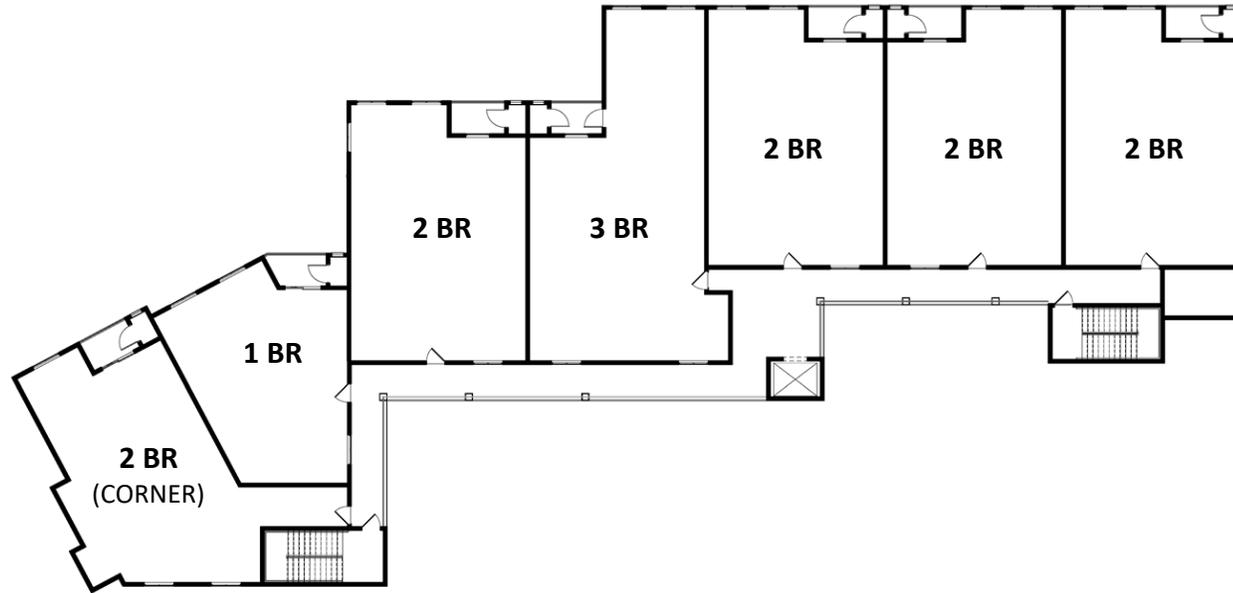


### UNIT MATRIX

	First Floor	Second Floor	Third Floor	Fourth Floor	Total
1 Bedroom	1	1	1	1	4
2 Bedroom	5	5	5	5	20
3 Bedroom	1	1	1	1	4
<b>Total</b>	<b>7</b>	<b>7</b>	<b>7</b>	<b>7</b>	<b>28</b>

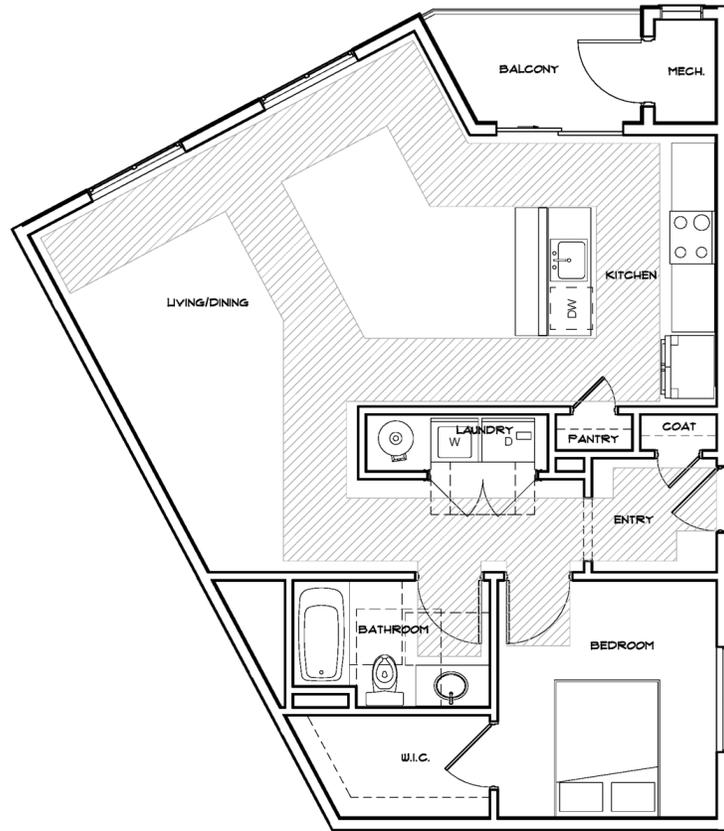
### PARKING MATRIX

	Required (2/Unit)	9' x 18'	ADA Car	ADA Van	Total
<b>Spaces</b>	<b>56</b>	<b>57</b>	<b>2</b>	<b>1</b>	<b>60</b>



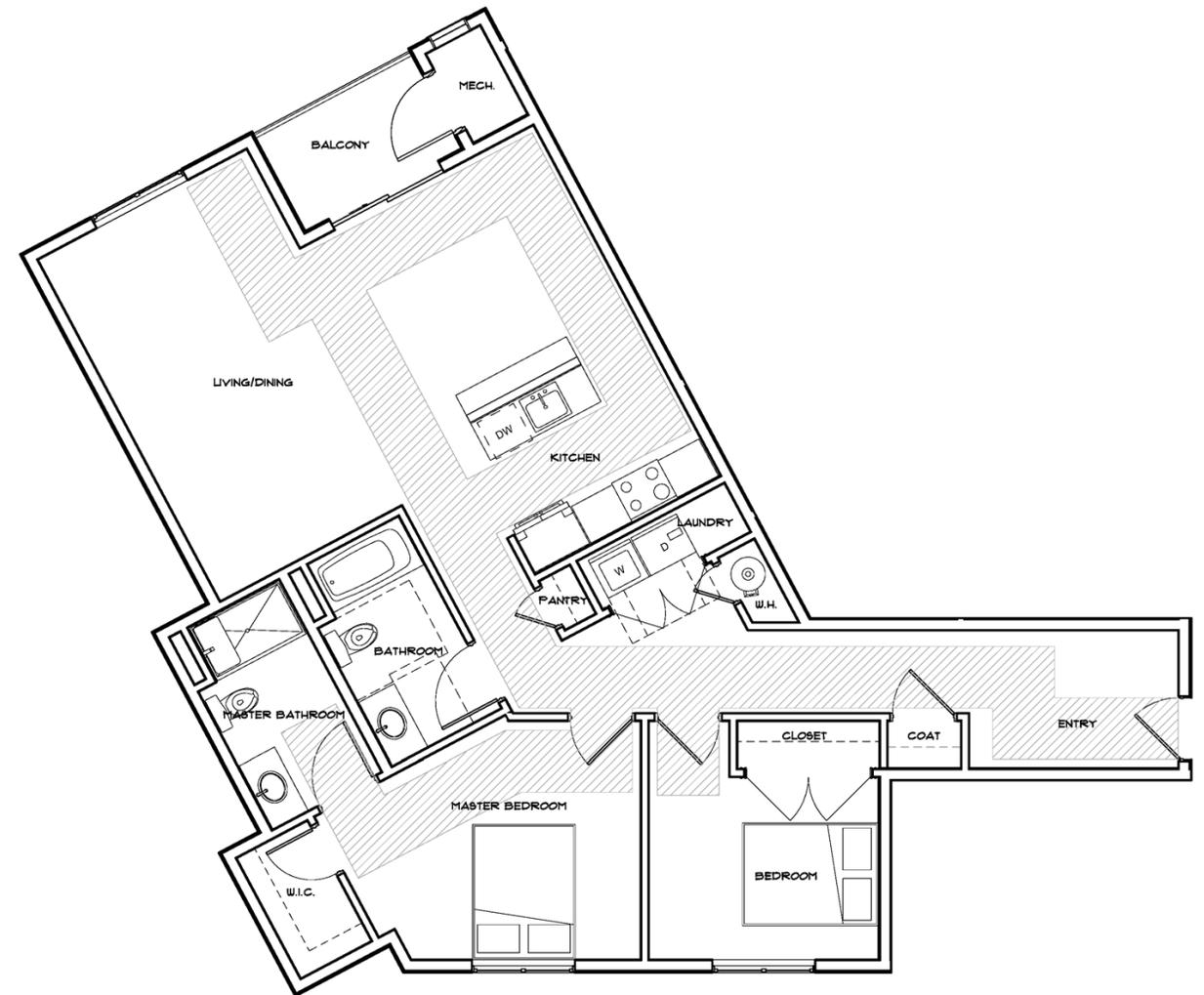
## UNIT MATRIX

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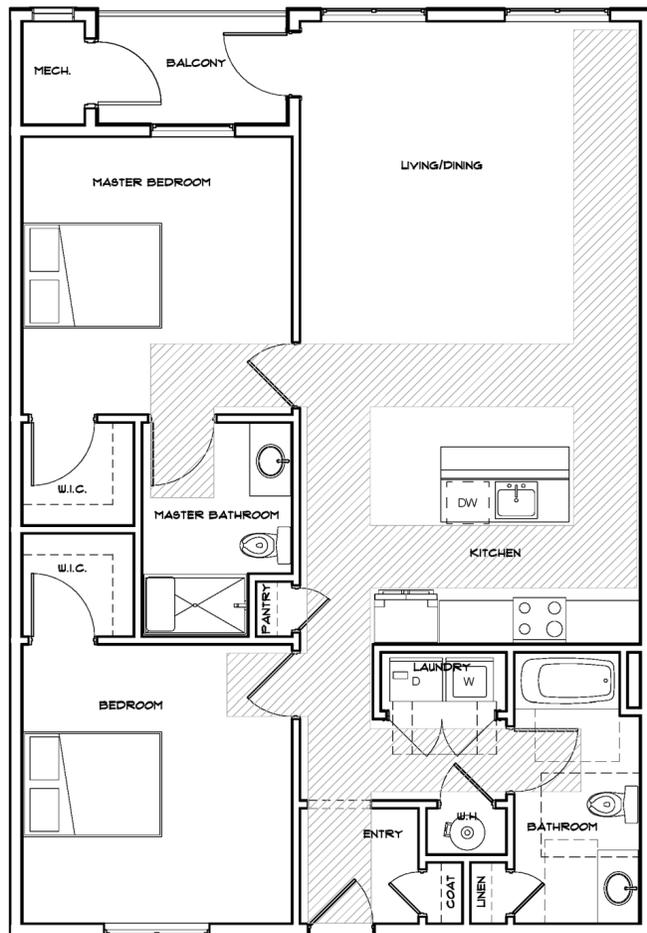
### Typical (1) Bedroom Corner Unit

1 Bed + 1 Bath Layout  
 Gross Area: 859 Sq. Ft.  
 GSF + Balcony: 904 Sq. Ft.  
 GSF + Balc. + Mech.: 920 Sq. Ft.



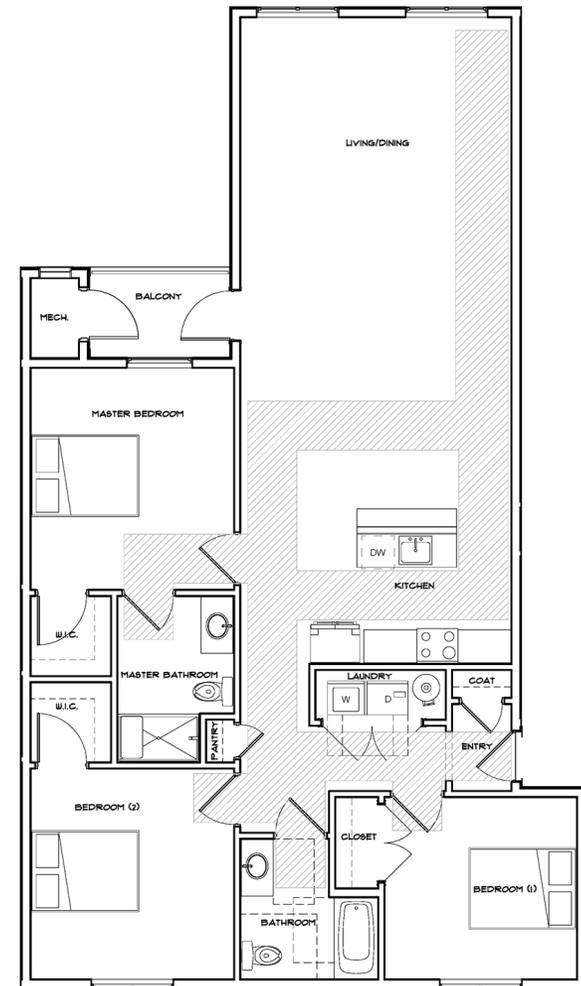
### Typical (2) Bedroom Corner Unit

2 Bed + 2 Bath Layout  
 Gross Area: 1,170 Sq. Ft.  
 GSF + Balcony: 1,215 Sq. Ft.  
 GSF + Balc. + Mech.: 1,231 Sq. Ft.



### **Typical (2) Bedroom Unit**

2 Bed + 2 Bath Layout  
 Gross Area: 1,187 Sq. Ft.  
 GSF + Balcony: 1,234 Sq. Ft.  
 GSF + Balc. + Mech.: 1,250 Sq. Ft.



### **Typical (3) Bedroom Unit**

3 Bed + 2 Bath Layout  
 Gross Area: 1,612 Sq. Ft.  
 GSF + Balcony: 1,677 Sq. Ft.  
 GSF + Balc. + Mech.: 1,693 Sq. Ft.



**VIEW FROM FRONT**



**VIEW FROM ENTRANCE**



**VIEW FROM WASHINGTON STREET**



**VIEW FROM REAR**

SEAL:  
FOR REVIEW  
ONLY NOT FOR  
CONSTRUCTION

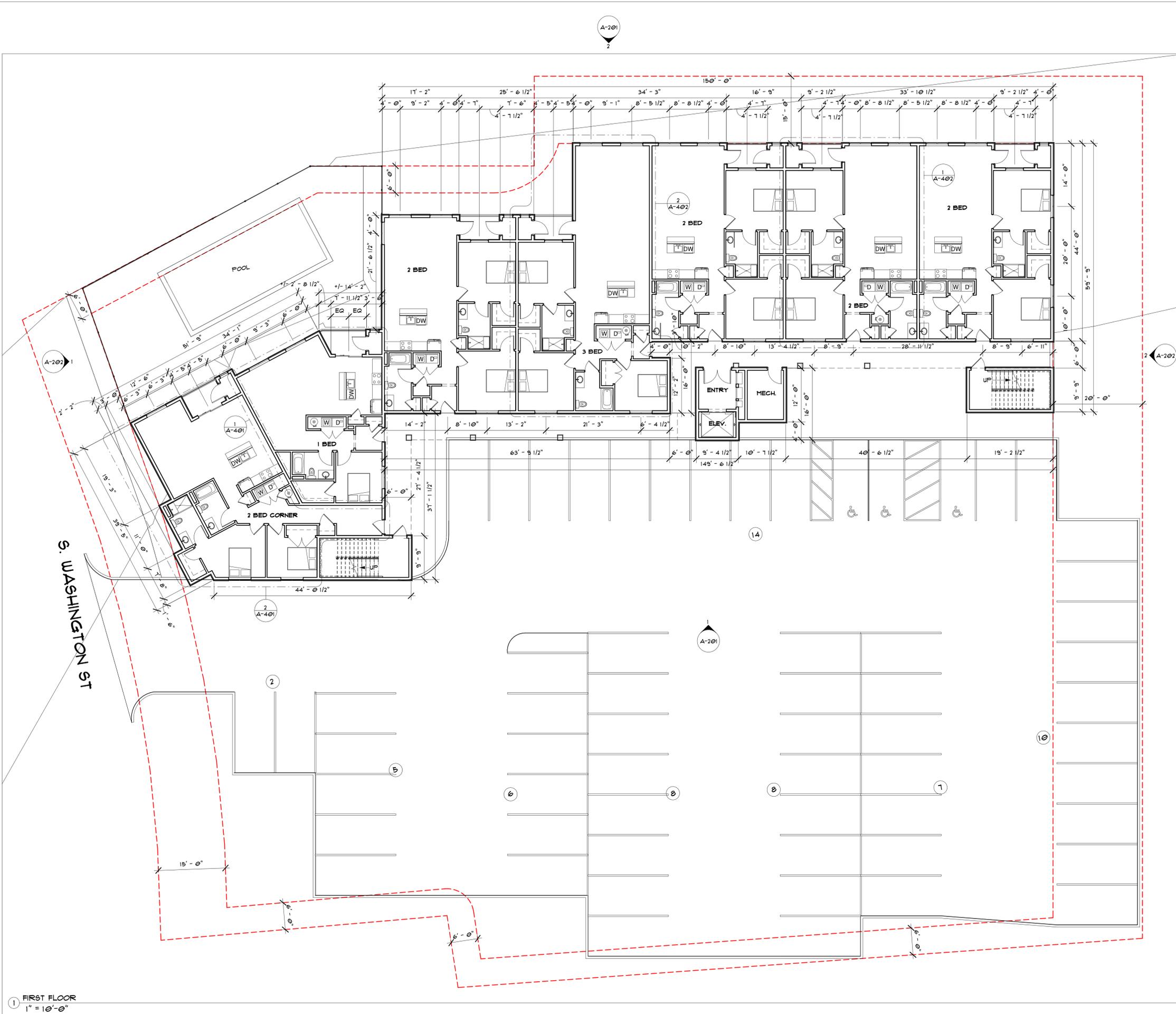
PROFESSIONAL CERTIFICATION:  
I CERTIFY THAT THESE DOCUMENTS WERE  
PREPARED OR APPROVED BY ME, AND THAT I AM  
A LICENSED ARCHITECT UNDER THE LAW.  
LICENSE NO.: 0019055  
EXPIRATION NO.: 09.23.2022  
THE DOCUMENTS PREPARED BY FISHER  
ARCHITECTURE, LLC, ARE SOLELY FOR  
THE PURPOSES OF THE SPECIFIED  
PROJECT. THEY ARE NOT TO BE USED OR  
AUTHORIZED FOR USE ON ANY OTHER  
PROJECT. FISHER ARCHITECTURE, LLC  
MAKES NO REPRESENTATION AS TO  
THEIR SUITABILITY FOR ANY OTHER USE.  
ALL DOCUMENTS PREPARED BY FISHER  
ARCHITECTURE, LLC ARE INSTRUMENTS  
OF PROFESSIONAL SERVICE IN RESPECT  
OF THE PROJECT. THESE DOCUMENTS  
ARE, AND SHALL REMAIN, THE PROPERTY  
OF FISHER ARCHITECTURE, LLC.

CONSULTANTS:

**MILFORD REDEVELOPMENT**  
MILFORD, DE

SHEET INFO:

FIRST FLOOR PLAN



1 FIRST FLOOR  
1" = 10'-0"

UNITS	FIRST FLOOR	SECOND FLOOR	THIRD FLOOR	FOURTH FLOOR	TOTAL
1 BEDROOM	1	1	1	1	4
2 BEDROOM	5	5	5	5	20
3 BEDROOM	1	1	1	1	4
TOTAL	7	7	7	7	28

PARKING	REQUIRED (2/UNIT)	9' x 18'	ADA CAR	ADA VAN	TOTAL
SPACES	56	57	2	1	60

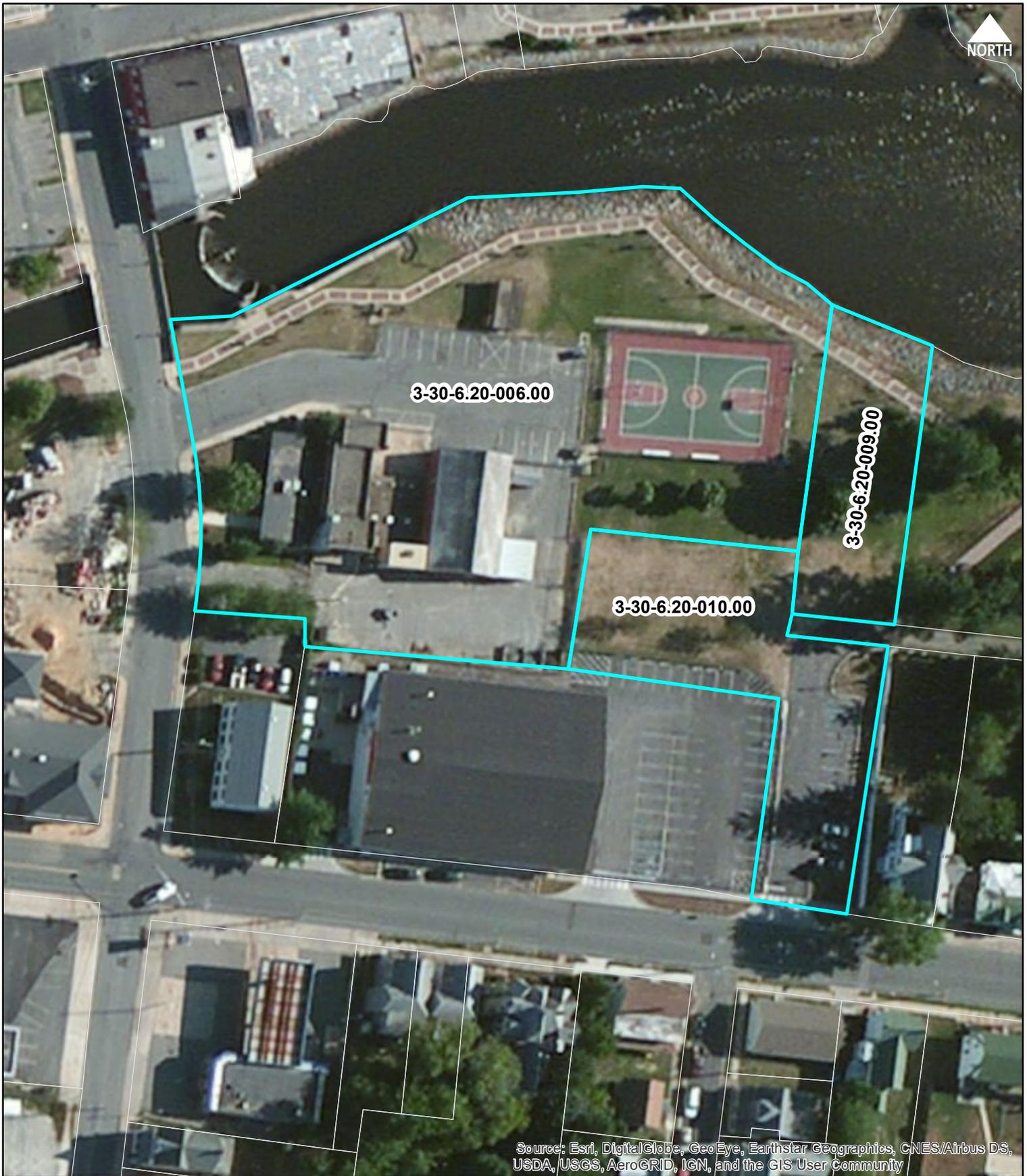
REV. DATE: 2020.09.15  
DATE: 2020.09.15  
PROJECT NO.: 2020081  
SCALE: 1" = 10'-0"  
FROM: MGR.: C. Pereira  
DRAWN BY: C. Pereira  
SHEET NUMBER:

A-101









Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



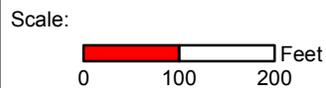
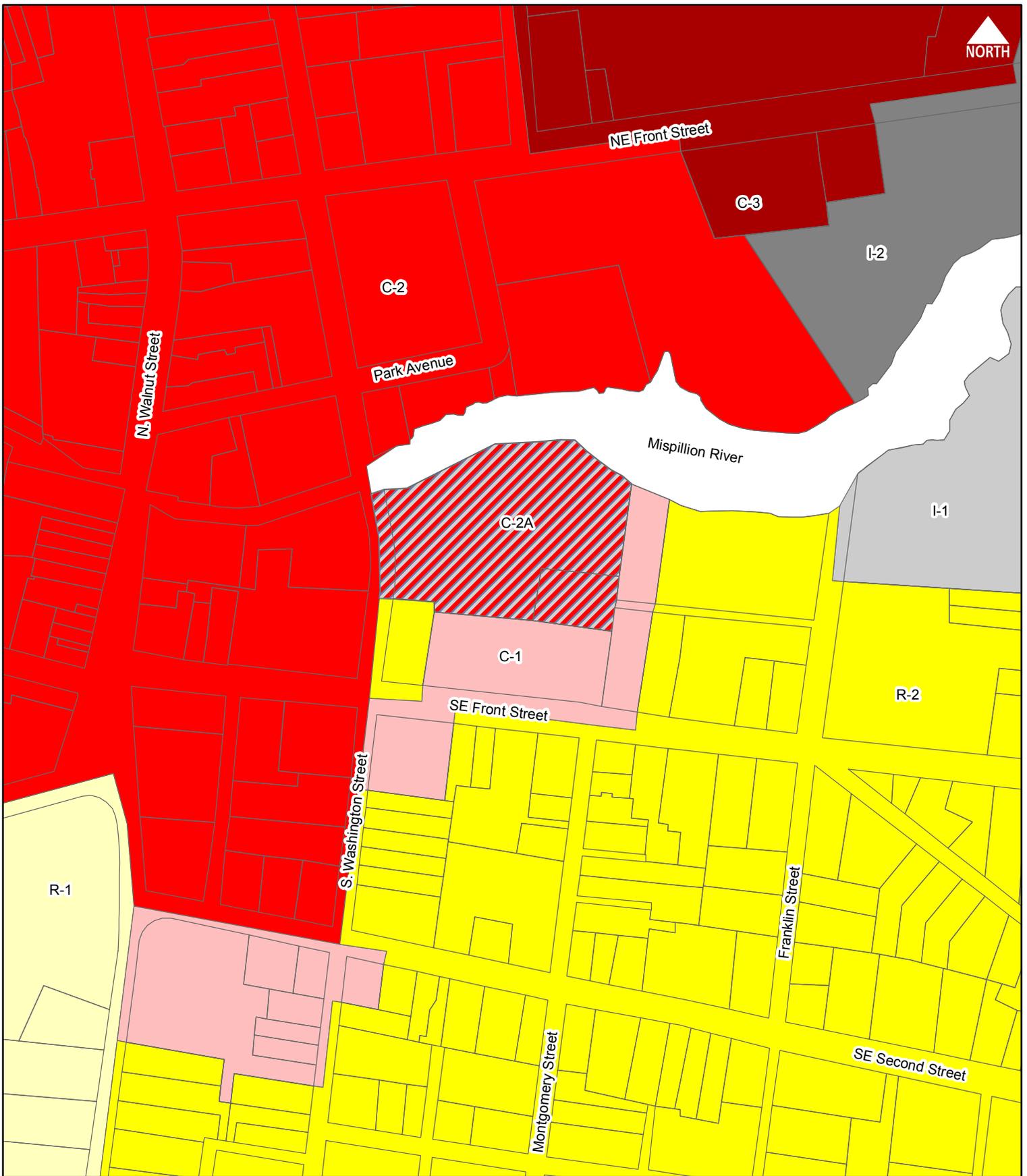
Scale: Feet  
0 37.5 75

Drawn by: WRP Date: 11/16/16

Title:

Exhibit A  
City of Milford  
Aerial Photograph

Filepath: RFP\_WashingtonStreet\_Aerial.mxd



Drawn by: WRP Date: 01/23/17

Title:

**Exhibit B**  
**City of Milford**  
**Location & Zoning Map**

Filepath: RFP\_WashingtonStreet\_Zoning.mxd



### 3.1 Downtown Core

The Downtown Core is the true heart of our community. This is the area where retail density should be achieved and destination status cultivated.



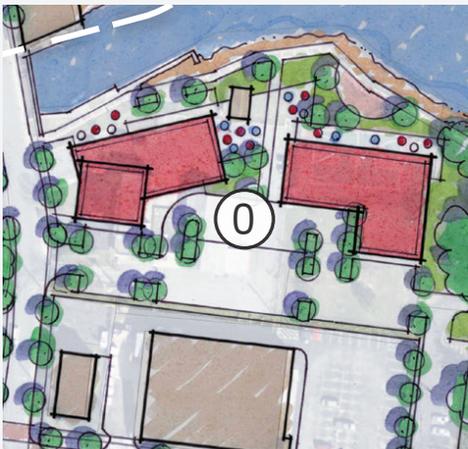
#### DOWNTOWN CORE

##### Big Moves

##### 1. RiverPlace Mixed Use

Relocate the basketball courts to Marvel Square Park and develop this important site with mixed-use development. Development is important in this location to further activate the riverfront and provide more uses and downtown living options close to the core. Specific considerations include:

- Utilize multi-story structures with active restaurant/retail uses on the lower level
- Consider upper floor residential or office uses.
- Utilize large windows to leverage views of the water and provide “eyes” on the Riverwalk and Bicentennial Park.
- Locate the buildings along the riverfront and include outdoor patios and dining areas to take advantage of river views.
- Locate parking on the south side of the development, away from the riverfront.





## 3.2 Riverplace

### *RiverPlace (Existing Conditions):*

*The riverwalk along the Mispillion River is an unmistakable asset that provides a pedestrian circulation route and ordering system to the downtown area. At this location a basketball court exists that could be relocated to make room for a significant infill development to address stated needs for downtown, namely additional residential options. Moreover, by coupling residential uses with retail uses, this section of the riverwalk would become activated like the other side of the river and the additional “eyes on the riverwalk” would promote safety and likely mitigate the current vagrant issue plaguing this area.*



### *RiverPlace (Proposed Conditions, Phase 1):*

*The first floors of any proposed infill development should include restaurant and retail uses that front the riverwalk. By including outdoor dining ‘decks’ for the restaurants, the riverwalk would be further activated as people like to “see and be seen.” The upper two floors should include housing options such as apartments and/or condominiums as preferred by the developer. The third floor should step back from the second to both introduce balcony/rooftop deck options as well as to cause the dominant architectural form to be two stories in height similar to most of the buildings in downtown Milford.*



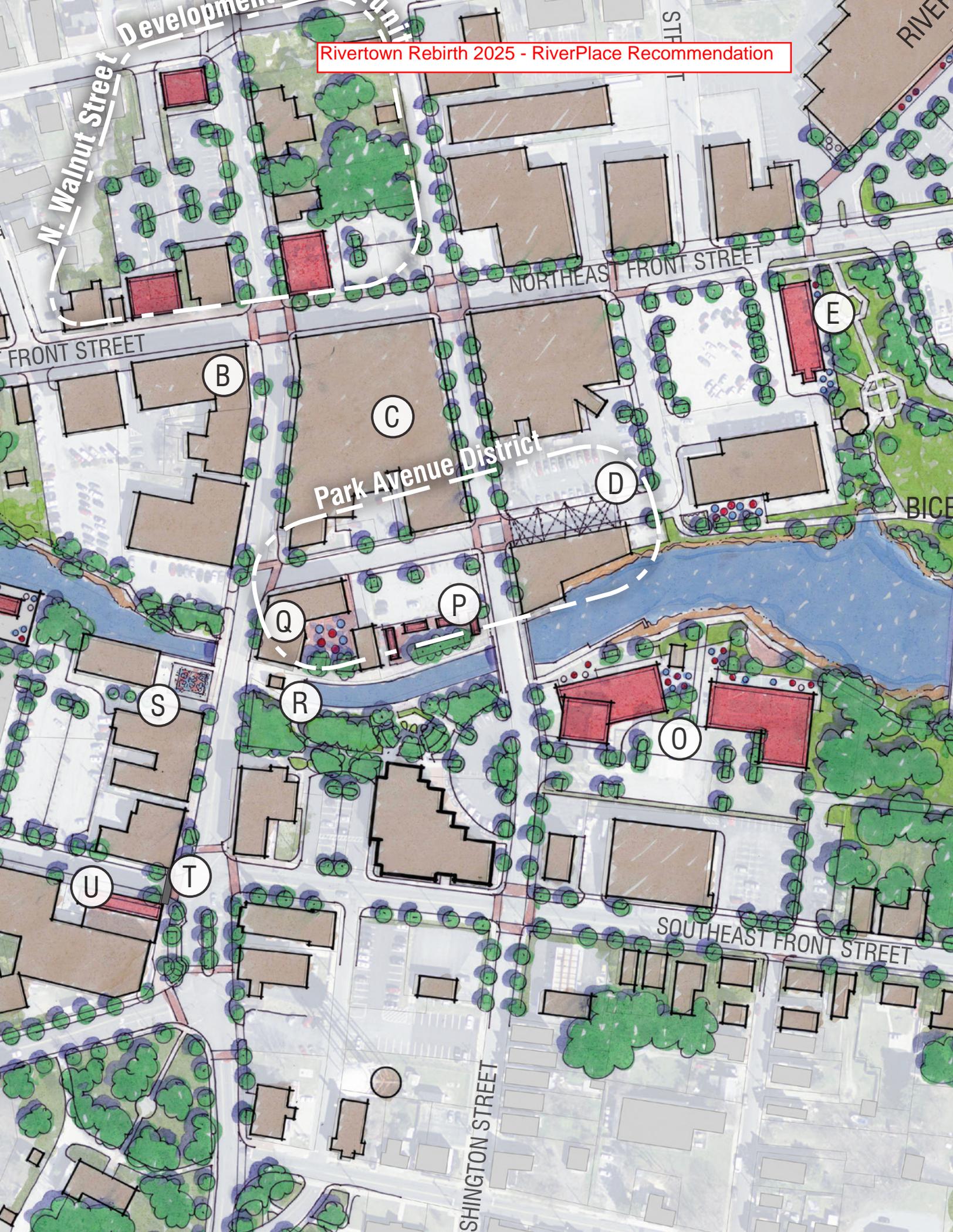
## 3.2 Riverplace



*RiverPlace (Proposed Conditions, Phase 2 (above) and 3):*

*In addition to everything noted previously, this version simply shows the impact of significant shade trees as they mature on the site in conjunction with the architectural development. The first floors of any proposed infill development should include restaurant and retail uses that front the riverwalk. By including outdoor dining 'decks' for the restaurants, the riverwalk would be further activated as people like to "see and be seen." The upper two floors should include housing options such as apartments and/or condominiums as preferred by the developer. The third floor should step back from the second to both introduce balcony/rooftop deck options as well as to cause the dominant architectural form to be two stories in height similar to most of the buildings in downtown Milford.*

Rivertown Rebirth 2025 - RiverPlace Recommendation



Park Avenue District

B

C

D

E

Q

P

S

R

O

U

T

SOUTHEAST FRONT STREET

SHINGTON STREET

N. Walnut Street

FRONT STREET

NORTHEAST FRONT STREET

RIVER

BICE



## APPENDIX 7

### Rivertown/Riverplace Recreation



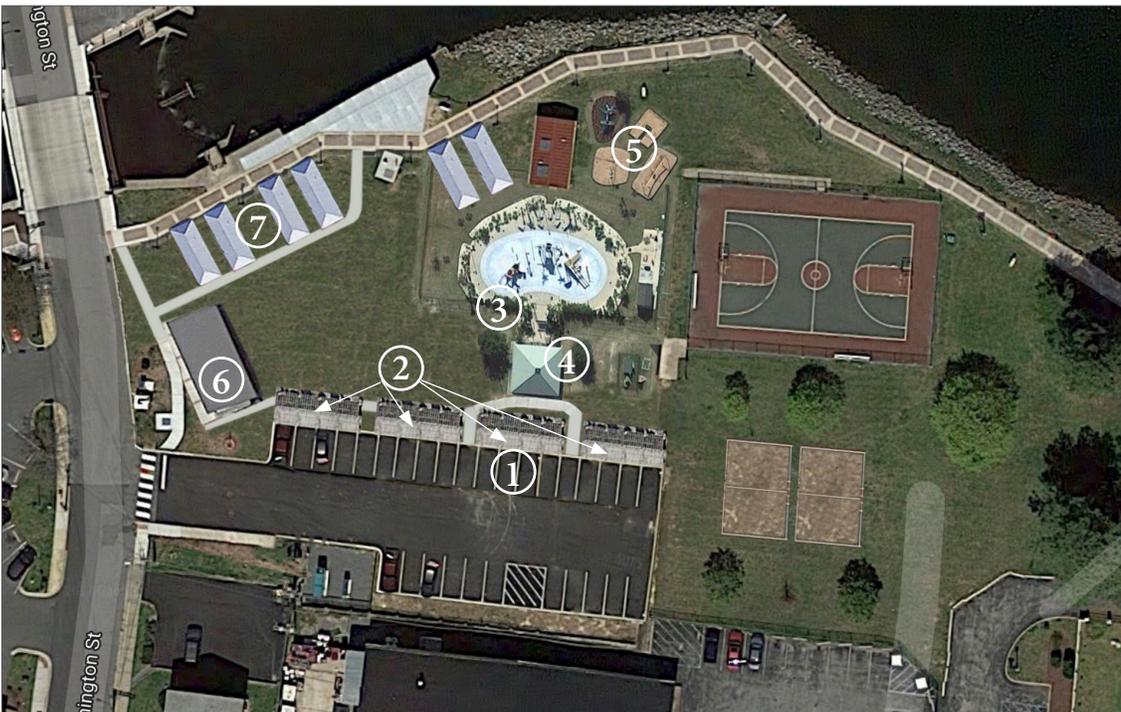


## Rivertown/Riverplace Recreation

The ‘Milford Rivertown Rebirth Plan 2025’ proposed a very ambitious development opportunity along the banks of the Mispillion River at Marvel Square Park, called ‘Riverplace’ (see page 19 of that report). However, and for very good reasons, that recommendation has been modified to rely less on significant built development and more on recreational development. During input sessions with various stakeholders during the Roadmap process a number of key needs were expressed for downtown that seem to be ideally suited for the site previously identified for Riverplace. These stated needs included, but were not limited to: a splash pad, a playground, basketball courts, beach volleyball courts, public restrooms, an open air pavilion, structures to support a farmers market, and micro-retail opportunities. The site plan photo-renderings below illustrate how the current Marvel Square Park area could be configured to accommodate those stated recreational desires into a rebranded ‘Rivertown’ or ‘Riverplace’ recreation center.



*Existing Condition: (left): A basketball court is supported by a single-loaded parking lot with adjacent pump house.*

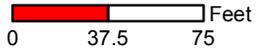


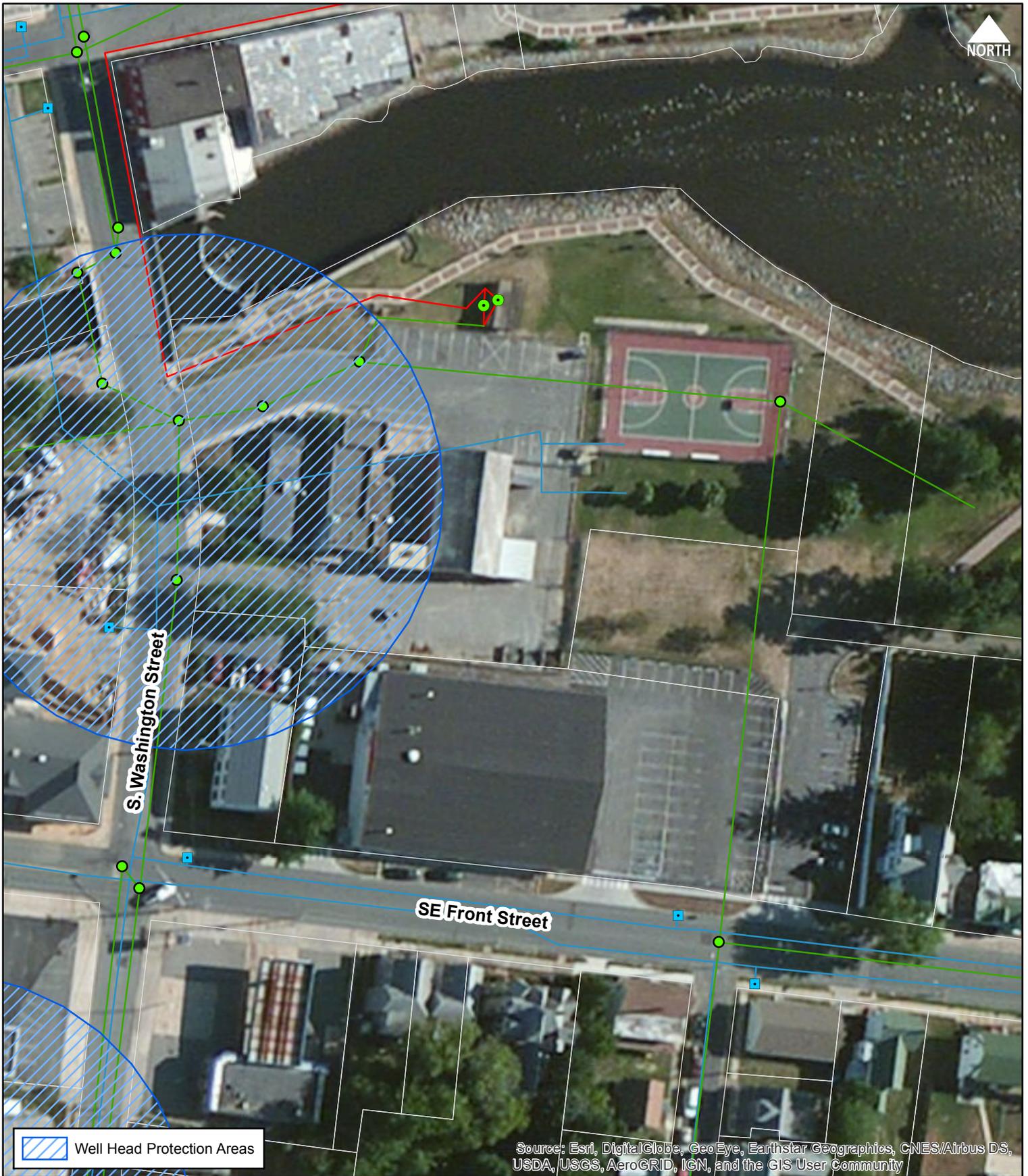
*Proposed Conditions: (above): 1) The parking lot is moved south and double-loaded. 2) It is flanked on its northern edge by four structures that would support a farmers market (trucks could back up under the structures) when in session and when not, would contain swings and benches. 3) A splash pad would be surrounded by a public restroom/changing facility (4) and playground (5). 6) An open-air pavilion/stage would face a green space that could accommodate a variety of festivals and promotional events. The green space could be flanked by micro-retail units (7).*



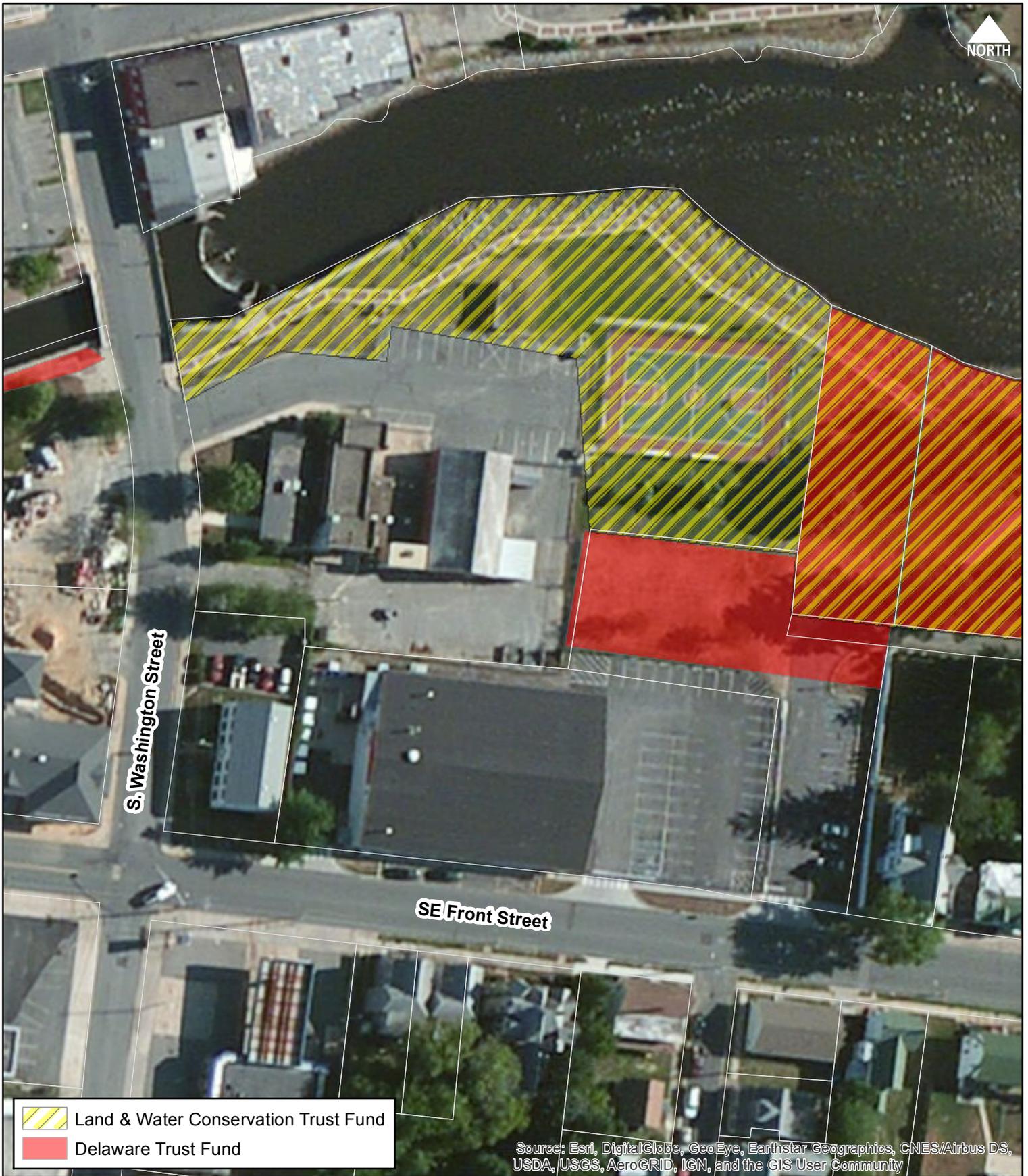
- Wetlands
- Base Flood Elevation
- FIRM Panel

FEMA, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

	Scale:  Feet 0      37.5      75	Title:  <h2 style="text-align: center;">Exhibit E</h2> <h3 style="text-align: center;">City of Milford</h3> <h3 style="text-align: center;">Wetlands &amp; Floodplain</h3>
	Drawn by: WRP      Date: 11/16/16	
Filepath: RFP_WashingtonStreet_Environmental.mxd		



	Scale:  Feet 0      37.5      75	Title:  <h2 style="text-align: center;">Exhibit F</h2> <h3 style="text-align: center;">City of Milford</h3> <h3 style="text-align: center;">Water &amp; Sanitary Sewer Utilities</h3>
	Drawn by: WRP      Date: 11/16/16	
Filepath: RFP_WashingtonStreet_Uilities.mxd		



- Land & Water Conservation Trust Fund
- Delaware Trust Fund

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

	Scale:  Feet 0      37.5      75	Title:  <b>Exhibit G</b> <b>City of Milford</b> <b>LWCF &amp; DTF Protected Lands</b>
	Drawn by: WRP      Date: 12/07/16	
Filepath: RFP_WashingtonStreet_ProtectedLands.mxd		

§ 230-13.1. - C-2A Riverfront Development District.

In a C-2A District no building or premises shall be used and no building shall be erected or altered which is arranged, intended or designed to be used except for one or more of the following uses and complying with the requirements so indicated.

- A. Purpose. The purpose of the Riverfront Development District is to create an atmosphere that encourages mixed use residential and commercial development along riverfront properties in the downtown area. The district shall preserve the character of the adjacent central business district and historic areas while providing an attractive and convenient combination of shopping and living units. The district shall be limited to those properties adjacent to the Mispillion River and shall be prohibited along North and South Walnut Street, Northwest Front Street and shall not be allowed within any of the historic districts.
- B. Permitted uses. In a C2-A district, land, buildings or premises shall be used by right for one or more of the following:
- (1) General merchandise stores, including such uses as department stores, apparel and accessories, hardware, shoes, drugs and variety stores.
  - (2) Specialty retail stores, including such uses as gifts, antiques, crafts, newspapers, beer, wine or liquor, tobacco, flowers, sporting goods, books, jewelry, leather goods and stationery stores.
  - (3) Personal service establishments, including such uses as barbers, beauticians, shoe repair and tailors.
  - (4) Financial institutions, loan companies and banks.
  - (5) Restaurants, excluding fast-food or franchised food service operated restaurants.
  - (6) Retail food stores, including bakeries, confectionery, candy or gourmet shops, small convenience grocery shops (without gas pumps) and meat, fish or produce stores.
  - (7) Professional services and administrative activities, including such uses as offices of agents, brokers, physicians, dentists, attorneys, architects, engineers, musicians and artists and governmental offices serving the public.
  - (8) Libraries, museums, art galleries and public information centers.
  - (9) Fraternal, social service, union or civic organization.
  - (10) Studio for artists, designers, photographers, musicians, sculptors and related uses.
  - (11) Municipal and public services and facilities, including City Hall, municipal parking lots, water storage towers, water reservoirs, water pumping stations, water treatment plants, sewage pumping stations, sewers (storm and sanitary), street rights-of-way, utility transmission and distribution lines, public transportation bus or transit stops, police and fire stations and substations for electric, gas and telephone facilities.
  - (12) Craft distillery and microbrewery establishments, provided that:
    - (a) All permits and approvals required by the Delaware Alcoholic Beverage Commission are obtained and remain in full force and effect.
    - (b) All aspects of the distilling or brewing process are completely confined within a building, including storage of all materials and finished products.
    - (c) Such establishment offers the public, on a regular and continuing basis, various activities ancillary to its distilling and/or brewing process, including by way of example: tours of the premises, educational classes, demonstrations, tasting rooms, and retail sales areas limited to the sale of beer, mead, cider, or spirits brewed or distilled on the premises for consumption off-premises and other retail items.

- (d) On-site consumption or tasting associated with a craft distillery or microbrewery establishment shall be permitted. Any area associated with on-site consumption or tasting shall not operate as a stand-alone bar or tavern, shall be located on the premises of the craft distillery or microbrewery establishment, and shall be ancillary to the primary use. "Ancillary" for purposes of this section means subordinate, auxiliary, smaller and less intensive than the primary use. On-site consumption or tasting of alcohol shall be limited to those products brewed or distilled on the premises, except as otherwise permitted by Delaware Law.
  - (e) All food sales shall be limited to prepackaged snack items or those food items prepared by a food establishment licensed by the State of Delaware. If a craft distillery or microbrewery intends to operate on its premises a food establishment that is otherwise a permitted use in this district (i.e. restaurant, café, or full-service restaurant), the City may require the property owner to provide the City with a letter of no objection from the Delaware Alcoholic Beverage Control Commissioner regarding the operation of a food establishment on the premises of a craft distillery or microbrewery.
  - (f) Outdoor seating and gathering areas shall be permitted subject to the following requirements:
    - i. Permanent and temporary outdoor seating and gathering areas shall be subject to building permit application and approval requirements.
    - ii. Outdoor seating and gathering areas and ancillary improvements shall include physical barriers from public rights-of-way and physical and visual barriers from adjoining properties. Physical barriers along public rights-of-way shall restrict access from the public rights-of-way to the outdoor seating and gathering areas and shall not exceed four feet in height. Barriers along adjoining property lines shall create a physical and visual barrier consisting of fencing six feet in height or vegetation at least six feet in height. The regulations herein shall be in addition to any regulations imposed by the State of Delaware.
    - iii. Maximum occupancy and points of ingress/egress shall be clearly marked. Occupancy of outdoor seating and gathering areas shall not exceed one person per 15 square feet of the outdoor seating and gathering areas identified in the building plans or any other occupancy limit established by the Office of the State Fire Marshall.
    - iv. All structures and uses related to outdoor seating and gathering areas and facilities are subject to the City of Milford Building Code and the City of Milford Zoning Code.
    - v. The occupancy of outdoor seating and gathering areas shall be included when calculating the building requirements and minimum parking standards required by the City of Milford and State of Delaware. Outdoor seating and gathering areas shall meet all requirements of the City of Milford and the State of Delaware.
    - vi. Tables, chairs, umbrellas, equipment, games, and any other items provided in connection with outdoor seating and gathering areas shall be maintained in good repair and shall be secured during non-business hours in a safe and orderly manner.
    - vii. Any licensing required by the Delaware Alcoholic Beverage Control Commissioner for outdoor seating and gathering areas shall be obtained.
- C. Conditional uses subject to special requirements. The following uses are permitted subject to receiving a conditional use permit by the City Council as provided in Article IX of this chapter:

- (1) Commercial indoor recreation activities, including amusement arcades, indoor theaters, social clubs, youth clubs or similar facilities.
- (2) Laundromats and dry-cleaning establishments.
- (3) Fast-food or franchised food service operated restaurants.
- (4) Day-care centers.
- (5) Community residential treatment program.
- (6) Multifamily residential when part of a mixed-use development, with commercial uses in the same building and/or on the same site.

D. Area and bulk requirements.

- (1) Maximum number of units per acre shall be 16.
- (2) Minimum lot area shall be 5,000 square feet.
- (3) Minimum lot width shall be 50 feet.
- (4) Maximum building coverage shall be 60%
- (5) Front yard setback shall be 15 feet minimum
- (6) Side yard setback shall be 14 feet aggregate total with a minimum of 6 feet.
- (7) Rear yard setback shall be 20 feet.
- (8) Height of buildings shall not exceed four stories or 50 feet.
- (9) Minimum separation distance between dwelling structures on the same lot shall not be less than 15 feet.
- (10) Parking shall comply with the requirements provided in Article IV of this chapter.
- (11) Signs shall comply with the requirements provided in Article VI of this chapter.
- (12) For mixed use residential and commercial projects, off-street parking, parking beneath buildings, front, side and rear setbacks, landscaping and buffering, lot coverage, number of units per building and building separation shall be as determined by the Planning Commission.

MILFORD CITY COUNCIL  
MINUTES OF MEETING  
April 24, 2017

A Meeting of the City of Milford Economic Development Committee was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall, 201 South Walnut Street, Milford, Delaware on Monday, April 24, 2017.

PRESIDING: Chairman Christopher Mergner

IN ATTENDANCE: Committee Members:  
Councilman James Starling Sr.

Mayor Bryan Shupe

City Manager Eric Norenberg & City Clerk Terri Hudson

Chairman Mergner called the Committee Meeting to order at 6:13 p.m.

*Recommendation/Washington Street Property RFP*

Planning/Economic Development Coordinator Rob Pierce was also present.

Mr. Pierce referenced the memo and original RFP that was advertised on the City website and well as several newspapers. Only one proposal from Milford Development Associates LLC was received prior to the March 10, 2017 deadline.

Mr. Pierce reported that the proposal is for a mixed use structure with commercial on the first floor and forty market-rate apartment units above. Parking is proposed to be onsite with a portion possibly beneath the building. The apartments would contain a mixture of one, two and three bedroom units. Also included are amenities such as a potential fitness center as well as rooftop terraces.

The site is the former Washington Street Water Treatment Plant across from Milford Public Library.

Two additional outbuildings proposed along the Riverwalk would contain retail. Included is enhanced landscaping on the property edges and the enhancement of the existing park space on the north side of the river. The developer is considering a small amphitheater or some improvement on the north side of the green area.

The developer anticipates the project cost to be between \$4 and \$5 million dollars and anticipates completion within thirty-six (36) months of construction commencement.

The RFP requires staff to evaluate the proposal based on responsibility and responsiveness. Staff believes that the development team has the ability, capacity and skill to design and construct the proposal and the character, integrity, reputation and experience to complete the work.

The developer recently completed a similar type project in the City of Seaford though it was mainly apartment or residential uses and no commercial component. They are also working in the City of Salisbury on a similar waterfront redevelopment project.

Mr. Pierce noted that the proposal is consistent with the City's Comprehensive Plan, Downtown Master Plan and the goals and objectives outlined in the City's Downtown Development District Plan. The proposed mixed use structure will provide residential options in the downtown area while engaging the river, promoting positive activities and providing additional commercial retail space.

The project is anticipated to provide new jobs and an influx of people into the downtown area, as well as increase the City's property tax base.

The Coordinator reported that the proposer submitted an offer of \$1.00 to purchase the land though City Council will need

to approve that value for the purchase. They also requested a waiver from the performance bond requirement for the construction of the building.

The project site is severally impacted by some items outside the control of the development team including the floodplain, the well-head protection area and a portion of the land that is under conservation easements with the State of Delaware and the Federal Government.

The City will need to work toward relocating some of the facilities to provide a more defined project area. Mr. Pierce said he has been working with the State the past few months on some possible resolutions.

Mr. Pierce then referred to the artist renderings of the proposed buildings. He reported the developer has requested a five-story complex (not six as depicted in the rendering). However, City code only allows four stories.

He also recommends input from City Council regarding the exterior look as it relates to the compatibility of surrounding architecture and uses.

The City has 180 days to award the contract from March 10<sup>th</sup>. If City Council agrees to move forward, the City would enter into a sixty-day negotiating period with the Development Team followed by the execution of a Land Purchase Agreement.

Mr. Pierce informed the Committee that because only one proposal was submitted, he recommends the proposer present their ideas and vision for the property.

Principal Keith Fisher of Fisher Architecture addressed the Committee stating he will be working with Developer David Perlmutter and his team from Milford Development Associates LLC on this project. He spoke about their project 'The Residences at River Place, LLC' in Seaford, a waterfront property on the Nanticoke River and the difference it has made to that community by giving the City an identity and a lifestyle. He sees that transcending into this project as well.

Similar to what they did in Seaford, Mr. Fisher said they plan to meet with a lot of people and not only City employees and officials, but people in the community that will be impacted. By doing that, they were able to garner a significant amount of feedback that shaped the project in its final stages.

He explained that the rendering is simply his team's vision and an image of what could be done though that does not mean it will be identical. Instead, they want feedback and are willing to work with the City to find solutions to the land trust and wellhead protection issues. Those pieces will shape their site plan and ultimately create the program.

Mr. Fisher believes the area will be an even better project than what has been done, particularly because they learned a lot during the Seaford project.

When asked about their planned project in Salisbury, Mr. Perlmutter shared that it involved a long term land lease in the area of the City parking lot and the Port of the Salisbury Marina next to Brew River. Mr. Fisher confirmed that current River Place Apartments complex is a tax credit development that was done by another developer. North of that is a vacant piece of land where a similar project will be developed.

A land disposition agreement is already in place and site plan approval has been granted.

He advised there was a significant amount of Program Open Space monies that had gone into the marina project. Neither the City of Salisbury nor the developer were aware of that when the project was planned. As a result, it was financially infeasible for the developer to buy the land. They got creative with portions of the property purchased for the upland portion while other areas were leased. As a result, there was a lot of arranging and evolving that went into the project.

Chairman Mergner then referenced the forty plus units in Milford and asked if that is a concrete number or whether it was based on other projects. Mr. Perlmutter responded by stating that developers always more than they can physically fit though that is just 'the nature of the game'.

Chairman Mergner believes that is a big number in his opinion. Mr. Fisher said they had the same feedback in Seaford initially.

Mr. Perlmutter explained that in Seaford, the first phase consisted of two buildings; the first had thirty-six units and was just completed. They are preparing to start the second building. They have pre-leased approximately thirty units and anticipate they will be 100% leased over the next two weeks.

He pointed out that the market is there and the leases are market-rental rates. He anticipates that Milford's rental rate may be slightly higher than Seaford. They are planning to attract professionals, particularly with the new Bayhealth campus being built. They also feel Milford has a good market of retirees and with its close proximity to the beach, many people locate here who cannot afford beach properties.

Mr. Perlmutter shared that the units will be good quality construction with granite countertops, stainless appliances, nine-foot ceilings, trash shoots in the hallway and elevator buildings. He emphasized this will be luxury, vacation living in a downtown community.

The properties will be managed themselves and though there will be no full-time maintenance person, the residents will have a number to call at which time someone will be dispatched.

When asked how much experience Mr. Perlmutter has in renting retail space, he stated that his family has been developing commercially for sixty years in the Washington, D.C. area. He has done a number of shopping centers with retail leasing. They are currently working with a big restaurant group for the Salisbury project and a restaurant group that is interested in the Milford project.

Mr. Fisher noted that with Seaford project at the point it is, their team now has more available resources to meet the City's schedule and work toward what is needed to get this project accomplished. He emphasized the need for the land disposition agreement to be worked out so that Mr. Perlmutter can proceed. He agreed there will be a number of details that need to be worked out though they are ready when the City is.

When asked if the Committee had any concerns, Chairman Mergner said he is comfortable with moving forward with the next steps; Councilman Starling agreed.

Mayor Shupe said that in talking with Mr. Perlmutter, he wants the City to be in the room and at the table when making many of the decisions and stressed that this will be a "Milford" project. In that manner, some of the aesthetics and many of the little things that are important to this community can be worked in. He looks forward to developing the project together and believes this will be a great asset to this area.

Chairman Mergner appreciates Mr. Perlmutter's interest and agrees this needs to be more unique to Milford with its own touch and the input of the public. He feels the City wants this to be very successful and looks forward to being involved.

Mr. Pierce explained the next step will be to draft the land disposition agreement though he is sure the Economic Development Committee and City Council will want to see more detail before the City signs off.

Chairman Mergner asked that Council be involved as well. City Manager Norenberg asked at what point he recommends Council involvement; Chairman Mergner suggests Council see it as we proceed.

Mr. Fisher stated that considering their experience, they are willing to put together a rough draft of the agreement for the City to review and comment.

Mr. Pierce said there will be some insurances in the agreement that whatever is developed is some thing the City desires versus totally signing over the right to develop that land. He said the City will be fully engaged throughout the project in terms of site design and architectural review.

Mr. Fisher pointed out that ultimately they will be subject to Planning Commission review and other development approval

and reviews.

*Armory Reuse*

City Manager Norenberg recalled the conversations he and Mayor Shupe have had with a number of groups about potentially using the armory. He recalled the deed restrictions associated with the acquisition of the facility from the State of Delaware that requires the use to be for public purposes.

The Parks and Recreation will have more extensive uses of the storage buildings at the back of the Armory property for parks maintenance. They had been using a couple off-site buildings for storage in the past though they are being sold or will no longer be available. As a result, three buildings at the back of the site will now be used for this purpose.

That leaves only the main building and the front half of the site to be discussed.

Mr. Norenberg advised the Civil Air Patrol is requesting to use the lower level of the building and a Community Gardening group is proposing a pilot community garden on a portion of the land.

He then introduced Lieutenant Colonel Richard Senato, Recruiting and Retention Officer out of Dover Air Force Base.

Colonel Senato then introduced Lieutenant Fox who will possibly be the Immediate Commander until Senior Member Stokes becomes the Permanent Commander upon completion of her training.

Colonel Senato then provided a brief background on the Civil Air Patrol (CAP). The organization was founded in December 1941, one week before the Japanese attack on Pearl Harbor, as a result of more than 150,000 citizens concerned about the defense of America's coastline. It was composed of pilots that were unable to join the military at that time.

Delaware is home to one of the original Coastal Patrol units, based in Rehoboth Beach

A number of submarine patrols were done and the CAP pilots were credited with sinking two German submarines.

After World War II, the CAP became the auxiliary of the U.S. Air Force and was charged with three primary missions-- aerospace education, cadet programs and emergency services.

Colonel Senato is attached to the Squadron at Dover Air Force Base who primarily handles search and rescue. Approximately 85% of the Air Force's search and rescue duties within the United States are handled by this unit who possesses the largest civilian aircraft fleet in the country.

The cadet program, a paramilitary organization guided by the Air Force, consists of male and females between the ages of 12 and 18 years old. The cadets are trained in search and rescue, communication, rocketry, flight, customs, etc. The Senior Program participates with the cadet squadrons. The CAP also regularly assists DelDOT through the use of their planes, as well as Homeland Security.

Colonel Senato announced their purpose is to start a unit in Milford. He explained they are a volunteer operation whose money comes from members' donations. They typically meet in churches, on military bases, in armories and airports throughout the country. They understand the responsibility of maintaining any facility they are using. Their cooperation with any organization that allows them to use a facility has always been 125% in addressing any problems during their weekly meetings.

He believes that Milford is prime for a cadet program for the youth of this City and this will be a unique opportunity for the armory to be used. Their intent is to use the lower level. Being a paramilitary organization, they need an office area, office space, drilling and muster area and primarily classrooms. Colonel Senato feels the lower level of the armory would meet those needs.

Most buildings used by the CAP throughout the country are multi-usage with the areas they use available for use by other organizations. He feels with this being an ex-military building, will very efficiently serve the Dover and Milford areas.

Councilmember Mergner asked how many cadets Colonel Senato anticipates; the Colonel said it is difficult to estimate, but Dover Air Force has a cadet squadron of 31. The current minimum is three senior members and eight cadets though there are no limitations to their numbers. They have a lot of ex Air Force that work with the cadets. There is also a unit in Georgetown and Milford being in the middle would be a good nucleus to bring in more youngsters.

He confirmed there is a program within the school system and recruiting usually begins in the elementary schools though that is not the case in the Milford School District or the private schools in this area.

Mr. Norenberg said a potential draft lease was prepared considering there is a considerable amount of space that would be a shared common area with at least one other tenant. They would be jointly responsible for utilities and maintaining the common areas of the building though the entity using the upper level would be responsible for that refurbishment.

He is hoping to find a positive use that will not require the City to do a lot of maintenance on the building prior to it being leased. If they are willing to remodel the basement and bring the building up to code and collaborate with the other tenant, this could be a win-win for the community.

The City Manager noted there has been other interest though there were conflicts with the deed restrictions as a result of those potential uses.

He will be bringing back a negotiated lease to Council for their consideration if the committee does not object to this use.

Chairman Mergner recommends pursuing this use as he believes it will be a positive influence for the City and a great fit. Councilman Starling agreed.

*Community Garden/R. Blake Moore, CCA, Delaware Department of Agriculture*

Mr. Norenberg then referenced the grass area to the north of the parking lots adjacent to the cemetery and east of the fence that is being proposed for a small community garden.

Blake Moore of the State Department of Agriculture said he is representing LEADelaware and Milford Resident Juanita Smith who would like to start a Community Garden.

He explained that LEADelaware is a two-year leadership program that is overseen by the University of Delaware Extension and Delaware Department of Agriculture. It is designed to promote leadership in the next generation of leaders in the agriculture and natural resources sectors in Delaware.

Each class is assigned a two-year program to create something in a Delaware community that would be a long-term resource and a place the community can come together, all while leaving behind a legacy.

LEADelaware Class IV consists of ten fellows who have until March 2018 to work on the project.

In April, of last year, they met with Mayor Shupe and talked about the community garden. At the same time, Juanita Smith was hosting an interest meeting.

Mr. Moore commented that Juanita Smith had indicated there was plenty of interest from the community though she was unable to get the support needed to move forward with its creation. Since that time, LEADelaware has agreed to work with her and the City of Milford to create a community garden in Milford.

They have since been working with the City Manager on locations and an opportunity to start the community garden.

Any upkeep would be overseen by Mr. Moore and Ms. Smith, as well as any addition community members who choose to be elected to the board.

Chairman Mergner asked why that location and if there may be a more appropriate location in Milford; Mr. Norenberg shared

that they had considered two locations because there is very limited City property available. The other site is the vacant lot next to the City's new well behind City Hall. There was also some support from Kent County though that may not be available at this site. He feels it would positive to have that activity in this particular neighborhood and this site would have easy access for the public.

In regard to the lease, though there are a couple details that still need to be worked out, there is also a water line which runs across this site that will have to be avoided.

Mr. Norenberg reported that he wanted to present the information to the committee for their opinion considering this will be a three to five-year pilot program even though the garden could be easily moved if necessary at some point in the future.

When asked how large it will be; Mr. Moore explained that it can be big or small depending on who is interested. It can anywhere from two raised beds to twenty or thirty. He has participated in a community garden on the Herman Holloway Campus in New Castle County which is used for many different things. It is a therapeutic garden for some of the patients at the hospital and a CSA (community supported agriculture method) to raise funds for the gardens. Local education including food preparation and programs on how to grow and use fresh vegetables are part of their training programs.

Mr. Moore announced they have also received a \$1,000 micro-grant from the Delaware Department of Agriculture to get the project started.

With no objection from the Committee, Mr. Norenberg will continue to work on the lease. In the meantime, more soil testing will be done to ensure there are no environmental hazards.

Chairman Mergner and Councilman Starling both recommended proceeding.

*New Economic Development Opportunities/Strategies for Maximum Benefits*

City Manager Norenberg said he wanted to discuss some strategies we should be thinking about considering the economic opportunities as a result of DE Turf and the new Bayhealth Campus.

Chamber of Commerce Executive Director Jo Schmeiser and DMI Board President Lisa Fitzgerald were also in attendance.

Ms. Schmeiser reported that she is a member of the DE Turf Usage Committee. At this point, they have been working with the 81-room Hampton Inn and local hotels and businesses to provide information. Bayhealth was generous in donating several hundred bags that will be filled with the Quality of Living book, Milford map and other items from local businesses. They want to encourage those visitors and participants at the sports complex to come to Milford versus going to the beach towns.

She is also meeting with Kent County Tourism who is considering a mobile site at the sports complex and is willing to provide information from Milford though she will be able to report more on that after she meets with them tomorrow.

The goal is to disseminate a lot of information from Milford retailers and Downtown Milford, Inc. as a way to get people here to support our businesses economically and in particular, get them to return and visit on a future vacation.

Mr. Norenberg advised there have been a number of meetings in recent weeks though this is an area where staff and other officials want to make sure we are capitalizing on the opportunity and taking advantage of the many visitors to DE Turf.

Mayor Shupe advised he will be meeting with the DE Turf Director on May 1<sup>st</sup> to discuss how Milford can be more active with DE Turf. He wants to discuss at what point we need to connect with the individuals who are planning to attend these tournaments and whether Milford could be included at the registration point, when they are searching for information or at the point they physically show up on site.

The Mayor is unsure if that requires a partnership with the business community or if the City of Milford should be responsible. He thinks it is important that these people understand that Milford is only two miles to the south of the site.

He commended Ms. Schmeiser on the great job she has done for the Chamber and the reason he will discuss this from the City side in some form of a partnership.

Chairman Mergner stressed that from his involvement in that lifestyle over the past eight years with his children, it is all about DE Turf and how they want to help Milford. When they call or go online, Milford would be linked to their site and would direct them. For example, the user would have the ability to click on links for lodging, restaurants, etc. He feels their site will heavily dictate where these people end up and if it is in Milford or Dover or the resort area.

The Chairman also suggests getting the local restaurant owners to meet with DE Turf and as a group, talk about what they can do to attract people to Milford. He recommends vouchers, coupons, specials be considered as part of their tournament packet, for example.

Chairman Mergner agrees the first thing they will want to do is go to the beach and Milford needs to reach out in an appealing manner that will need the group effort of local businesses.

Mayor Shupe believes there may be a more unique way of addressing it which could possibly be through a sponsorship at DE Turf such as having a field named after the City. Chairman Mergner disagrees that it needs to be more on a personal level.

Councilmember Burke arrived during the meeting and referenced the electronic billboard in the southbound lane by the sports complex that rotates every eight seconds. There is a second one being added as well that could be considered.

Chairman Mergner feels it will mean much if they are provided with something they can use or get in an email such as a 10% discount at a Milford restaurant or store. He feels it is very important to have some kind of promotional strategy.

Mayor Shupe stated that this needs to be done through the Milford business community and he encourages finding more details about those opportunities.

Chairman Mergner reiterated that a community strategy meeting needs to be scheduled with DE Turf and local businesses. Included should be DMI and the Chamber. He recalled Kent Economic Partnership Board Director James Waddington offering their assistance when this project was only a vision.

It was discussed that DE Turf was willing to find ways to add links to the Chamber, DMI and City of Milford website though that has not yet happened. Mr. Norenberg hopes that is still being explored because the construction is not yet complete and they are still working through a lot of issues.

Solicitor Rutt also arrived during the meeting and announced that he is a member of the DE Turf Board and an Open House is scheduled on May 13<sup>th</sup> beginning at 9:00 a.m. He encouraged the Committee and Council Members to attend.

Due to the scheduled time of the Council meeting, Councilman Starling moved to adjourn the meeting, seconded by Chairman Mergner. Motion carried.

The other agenda items will be added to the next meeting.

The Economic Development Committee meeting adjourned at 7:13 p.m.

Respectfully submitted,



Terri K. Hudson, MMC  
City Clerk/Recorder

The background of the image is a stylized American flag with a dark blue field containing white stars and alternating red and white horizontal stripes. The flag is slightly wavy, giving it a sense of movement. The text is overlaid on this background in a white, gothic-style font.

# The Pledge of Allegiance

I pledge allegiance to the flag  
of the United States of America,  
and to the republic for which it stands,  
one nation under God,  
indivisible, with liberty and justice for all.

MILFORD CITY COUNCIL  
MINUTES OF MEETING  
August 24, 2020

The City Council of the City of Milford convened their regular meeting by way of a video conferencing website on Monday, August 24, 2020. The meeting was available for public view and participation as permitted.

PRESIDING: Mayor Archie Campbell

IN ATTENDANCE: Councilmembers Daniel Marabello, Mike Boyle, Andrew Fulton, Todd Culotta, Brian Baer, Douglas Morrow, Jason James Sr. and Katrina Wilson

STAFF: City Manager Mark Whitfield, Police Chief Kenneth Brown and City Clerk Terri Hudson

COUNSEL: Solicitor David Rutt, Esquire

In an effort to adhere to social distancing protocols and best practices imposed by Governor John Carney's State of Emergency Declaration effective March 13, 2020, the City of Milford has canceled all indoor public gatherings until further notice. See August 24, 2020 Council Meeting agenda and packet for additional information.

CALLED TO ORDER

Mayor Campbell called the meeting to order at 7:16 p.m.

INVOCATION AND PLEDGE

The Pledge of Allegiance, followed the invocation was given by Councilmember Wilson.

RECOGNITION

*New Employee Introduction/City Finance Director Lou Vitola*

City Manager Whitfield recalled that our current Finance Director Jeff Portman will be retiring around the middle of October. Tonight, he is introducing his replacement, Lou Vitola. Mr. Vitola has a great deal of finance experience having worked in Middletown, Newark, DEMEC and the State of Delaware.

Mr. Vitola said this is the start of his second week in Milford and he is very thankful for the opportunity. He said that Milford is a beautiful city and though he doesn't know a lot about it, he has learned there are a lot of really good people working for the city and he looks forward to contributing and doing anything he can on behalf of the residents and businesses here.

Mayor Campbell welcomed Mr. Vitola adding he had the pleasure of meeting him earlier and is happy we were able to find someone with the background and experience he has to replace Mr. Portmann.

*Proclamation 2020-13/Prostate Cancer Awareness Month*

Mayor Campbell acknowledged Prostate Awareness Month and referenced the following proclamation:

Prostate Cancer Awareness Month

WHEREAS, prostate cancer is the most commonly diagnosed non-skin cancer in men and the second leading cause of cancer deaths in men; and

WHEREAS, approximately 240,000 men are diagnosed with prostate cancer in the United States alone every year - one man every 2.63 minutes, roughly 30,000 die each year from the disease - one man every 17.52 minutes; and

WHEREAS, 1 in 7 men are diagnosed with prostate cancer. African American men are at the highest risk for the disease with a rate of 1 in 4 men; and

WHEREAS, African American men are 2-5 times more likely to die from the disease; and

WHEREAS, Education regarding prostate cancer and early detection strategies is critical to saving lives and preserving and protecting our families; and

WHEREAS, all men are at risk for prostate cancer and we encourage the citizens of Sycamore Township to increase the importance of prostate screenings.

NOW, THEREFORE, BE IT RESOLVED, I, Arthur J. Campbell, Mayor of the City of Milford, by the power vested in me, do hereby proclaim the month of September 2020 to be Prostate Cancer Awareness Month in the City of Milford.

*Proclamation 2020-14/National Suicide Prevention Awareness Month*

Mayor Campbell also acknowledged September as National Suicide Prevention Awareness Month and presented the following proclamation:

September Is National Suicide Prevention Awareness Month

Whereas, September is known across the United States as “Suicide Prevention Awareness Month” and is intended to help promote awareness surrounding each of the suicide prevention resources available to us in this community; and

Whereas, Suicidal thoughts can affect anyone regardless of age, gender, race, orientation, income level, religion or background; and

Whereas, Suicide is the 10<sup>th</sup> leading cause of death among adults and the 2<sup>nd</sup> leading cause of death among individuals between the ages of 10 and 34 in this country; and

Whereas, Claiming the lives of 129 Americans every day, each suicide directly impacts a minimum of 100 individuals, including family, friends, co-workers, neighbors, and community members; and

Whereas, the City of Milford chooses to publicly place our full support behind local educators, mental health professionals, athletic coaches, law enforcement officers, and parents, as partners in supporting our community by simply being available to one another; and

Whereas, local organizations like the AFSP Delaware Chapter are on the front lines of a war that many still refuse to discuss, as suicide and mental health remain too uncomfortable to talk about; and

Whereas, every member of our community needs to understand that throughout life’s struggles, we all need the occasional reminder that we are all fighting our own battles; and

Whereas, I encourage all residents to take the time to check in with their family, friends, neighbors and coworkers on a regular basis and to communicate their appreciation for their existence by any gesture they deem appropriate. A simple phone call, message, handshake, or hug can go a long way towards helping someone realize that suicide is not the answer.

NOW, THEREFORE, I, Arthur J. Campbell, Mayor of the City of Milford, do hereby proclaim September 2020 as Suicide Prevention Awareness Month in the City of Milford.

COMMUNICATIONS & CORRESPONDENCE

Councilman Marabello reported another problem with brown water. Mr. Whitfield explained that the City is in the process of doing waterline flushing. Though has been completed, it probably did stir up some sediment as a result. All mains will be flushed over the next few weeks.

They also talked about the DelDOT's Southeast Second Street paving project and the work that still needs to be completed before the roadway is paved. City Engineer James Puddicombe is in touch with the State though they have not provided those dates, but he will follow up.

Councilmember Wilson then asked Solicitor Rutt for clarification on handling complaints from constituents and whether it had to be in writing to be brought before Council; Mr. Rutt stated that any concerns should funnel through the City Manager, who can then inform the appropriate department or staff members, so the matter can be handled properly and in a much quicker manner than waiting for a Council meeting.

In addition to Milford being ranked as one best cities to live in this past year, Mayor Campbell provided details related to the newest award as the Most Up and Coming Town in the State of Delaware for Housing.

He also reminded Council that anyone that wishes to attend the October SCAT meeting needs to contact the City Clerk's Office to RSVP.

#### UNFINISHED BUSINESS

No items.

#### NEW BUSINESS

##### *Edward Byrne Memorial Justice Assistance Grant (JAG) Program/FY20 Local Solicitation*

Chief Brown updated Council sharing that the police department is receiving \$16,002 under the federal JAG Program through a joint Sussex County grant. That money will be used to purchase lockout tool kits for vehicles, Class-B style uniforms, tasers and batteries, and a camera system. The City of Seaford Police Department has also applied for \$11,390 portion of the grant.

He mentioned they have been postponing the purchase in hopes of the new building, but unfortunately, they have had several cameras down and they can't wait any longer. They need to be monitoring the hallways and cellblocks throughout the building which is the reason they will use a portion of the money to update the security cameras.

Other money will be used to purchase a Class B uniform. Chief Brown said his men have been asking for an alternate for some time, which will consist of BVD's and a pullover shirt with a logo.

Councilman Boyle moved to accept the Chief's recommendation, seconded by Councilmember Fulton. Motion carried.

##### *Approval/Police Department/Tyler Technologies Contract Amendment/Records Management Software*

Chief Brown recalled talking about for several months and this is only a formality because it was part of this year's budget. He recalled when the department was kicked off the state system because they didn't upgrade before the deadline. He clarified the contract amendment is for the CAD migration and needs approval tonight because of the costs. Some changes had to be made which reduced the total cost from \$143,000 to \$141,930.

Councilmember Wilson moved to authorize the Tyler Technologies Contract Amendment in the amount of \$141,930, seconded by Councilmember Boyle. Motion carried.

##### *Approval/COVID-19 Emergency Expenses Funding*

City Accountant Sandra Peck presented the expenses that were incurred as a result of the COVID-19 health emergency. She explained the City was able to obtain a Justice Assistance Grant to aid in costs throughout the city.

Additionally, a Request for Public Assistance with FEMA was submitted for reimbursement of eligible expenses. JAG funds were spent on computer equipment for remote work access, Zoom services and touchless bathroom equipment. FEMA funding

is eligible to reimburse expenses incurred to meet the requirements set forth in the State of Delaware Declaration of a State of Emergency, as modified.

AG Funding \$ 62,187  
FY20 Expenses \$ 43,532  
FY21 Expenses \$ 18,655

In fiscal year 20, expenses of \$102,408 and are asking for funding from the general fund in the amount of \$20,000, though it is expected to be closer to \$15,000, though the margin was added because FEMA has not gotten through a review and the uncertainty that everything will qualify.

In fiscal year 21, estimates costs are \$56,655 through the end of the calendar year. If Covid-19 extends beyond the end of the year, they may have to come back before Council again. Of those funds, \$9,500 is being requested from general fund reserves and the balance to be covered through the JAG and FEMA funding.

Councilmember Boyle moved to authorize up to \$20,000 from the general fund for fiscal year 2020 and \$9,500 from general fund reserves for fiscal year 2021 for Covid-19 expenses, seconded by Councilmember Culotta. Motion carried.

*Funding Policy/Private and Not-for-Profit Organizations  
Funding Request/Mispillion Art League/Big Draw Event*

City Manager Whitfield commented that City Council has received a funding request for the Big Draw Festival DE to be held in Downtown Milford in October. Presently, there is a resolution passed by Council on June 12, 2000 that restricts City funding to organizations that are not directly created or commissioned by the City of Milford.

The Big Draw is an event being organized by the Mispillion Art League, an organization with no connections with the City of Milford. However, Council may want to consider revising the existing resolution to permit funding request for City events that does benefit the City of Milford and its residents. Additionally, it may be possible for the Big Draw event to be sponsored/partnered with the Parks and Recreation Department, or DMI, in which case both entities meet the criteria of being “created or commissioned by the City”.

An additional \$5,000 was budgeted for community festivals in the 2021 operating budget with the request from Mispillion Art League of \$4,646.

The City Manager recommends one of the following two options:

- 1) Authorizing the funding request provided the Mispillion Art League partner with the City of Milford Parks and Recreation Department for the event, and enter into an agreement with the City;
- 2) Denying the request based on the Council Resolution of June 12, 2000.

Councilmember Culotta said he attended the event last year, and it was a unique and fun event that brings a lot of foot traffic to the businesses in our downtown. His concern is changing the policy and open the door for other nonprofits to make similar financial requests and believes that needs to be addressed first.

Councilmember Boyle recalled talking about possibly establishing a fund that would be somewhat managed by the community economic development committee for groups that hosted activities that supported the entire city. In this case, the event brings people downtown so he likes that idea. In that situation, these organizations would compete for the funding by way of written requests to the community and economic development committee. Decisions would then be made on how to spend the city's money with the goal of bringing people downtown or as a means to support other businesses in Milford.

Councilmember Fulton sees this as a castle unfolding doesn't just fall within the purview of what DMI does for us with the downtown district.

A lengthy conversation continues regarding the relationship between the City and various organization.

Councilmember Marabello believes this should be considered an exception, because of the pandemic and he does not want to discourage volunteers who doing a lot of work by not supporting the event.

Mispillion Art League President Morgan Golladay then spoke, stating that DMI is a 501C(3), as the art league is. They have almost 400 members and last year, 70 of their members were involved in the Big Draw and this year because of Covid19, they have had to change their focus.

They began planning in December and received the theme in February from the international organization. They have received a good deal of publicity last year, including two television interviews, three radio interviews and seven newspaper and online articles and a magazine article. As a result, the City of Milford received publicity because they firmly believe that we're an arts organization and are part of Milford. They are not limiting their approach only to the downtown area, which is the focus for DMI according to President Golladay and are essentially artists without borders.

She then talked about the many opportunities they provide to schools, children, families and individuals from all over, and not just within Delaware.

The theme this year is Climate Change, and is based around ecology and recycling. Because of the refocus, all of their committees have been working virtually since then March which is difficult when trying to provide a festival atmosphere for people. Because of that, they will be providing packets this year, with the biggest expense for printing and advertising.

All brochures and booklets will be bilingual as well. Their volunteer members will be providing packets of material with the booklets, the class catalog and the Riverwalk booklet to at least 200 participants because that funding will provide at the current time. In addition, all of the material will also be on line.

They do not want someone to be limited in their participation because they don't have access to a computer or unable to download or print. All of the things that they are doing this year are focused on individual family activities rather than closing off Park Avenue and having eight tons of sand delivered again.

President Golladay also shared that last year, they were totally funded by Bayhealth. They have approached three or four different businesses this year that are either connected directly to energy resources or to recycling to help provide sponsorship but were turned down by each. They are also collecting recyclable items that will be used in their projects.

She confirmed they are requesting \$4,646. One of their volunteers is an employee for Cisco Company who has a program that provides money back to the nonprofit organization, based on the number of hours the volunteers spend with the organization. They are not asking for repeat funding and this request is driven by Covid19.

Councilman Culotta expressed concern that if this is approved, this is going to open the door for other organizations to ask for funding.

Councilmember James referenced the resolution that is in place that in 2000, Council voted not to fund these type organizations. He feels that before anything is done, that must be dealt with, whether we honor it or rescind it. He also pointed out there are many other organizations that have been impacted by Covid-19 who could use one-time funding assistance that could benefit from the \$5,000 that is in the budget.

Councilmember Fulton asked if this will be done in person or will the Big Draw be done online. President Golladay said it is a combination this year. The 23 classes and workshops will be in person though they self-supporting and in person. However, they hope not to have large gatherings of people simply because there are many unknowns by the time October comes along. They will be providing packets for families to pick up and will be at the farmers market at the end of September, in addition to their office downtown.

She said their mission is to provide a quality visual arts program to the community and will not identify where the community starts or stops.

Councilmember Fulton expressed concern the City will be sponsoring an in-person event while educational institutes like Milford School District will be providing hybrid education.

Ms. Golladay then pointed out that the in-person classes are not sponsored by this donation though the classes are part of the Big Draw. This donation will be used totally for the packets that will be done at home by the families.

Councilmember Wilson asked if the group made a provide from last year's Big Draw; Ms. Golladay said it was a break-even situation and there was possibly \$500 that was leftover that went into general operating to reimburse the money that was put up for the registration fees to be paid to the international organization.

Councilmember Wilson thinks it is wonderful but at the same times, she agrees with the other councilmembers that the other nonprofits in the City who could benefit, especially those impacted by Covid19. In addition, the city itself has been affected and there has been a need to be aware of our spending versus the lack of revenues coming in just for utilities, as an example.

Councilmember Marabello feels there needs to be a continuity with the art league and it is almost an educational facility. He feels that if we don't encourage this in these hard times, and again pointed out there is additional money in this account. He recommends authorizing it through a partnership with the City of Milford Parks and Recreation. Doing it that way, would not violate the June 12, 2000 year agreement.

Councilmember Marabello also pointed out the funding that was provided to DMI's Ladybug Festival, which will be rolled over to next year. They are only asking for one-time funding. This is important for the downtown and city's growth going forward, and Council should not discourage them by not supporting them.

Councilmember James stated that as a point of clarification, City Council did not commit to fund the Ladybug Festival next year and that money is back in the budget. But they were also instructed to come back with another request and it was pre-conceived the answer will be yes and instead will be based on economic conditions at that time.

However, Councilmember James concurs that Milford is an art town and believes in supporting it. He asked if we may consider partial funding versus full funding.

Mr. Whitfield added that the city was involved in this project last year through a number of items and manpower provided by the public works department in preparation for the event. He believes if Council wants to move forward, there should be an agreement in placed stating this is one-time funding and would stipulate what the city would be doing as well as what the art league would be providing.

Councilmember Boyle recalled the same conversations previously when the Ladybug Festival and the Chamber Festival were discussed. Perhaps only the events that have a much larger impact on the city should be considered that will bring good publicity and lots of people to town.

He recommends we put the funding mechanism on the agenda for the Council retreat.

Councilmember Morrow asked if the city enters into an agreement, which he is not opposed to, does the city accept the liability; Solicitor Rutt said the agreement would shift all that liability to them. They would have to provide proof of coverage for something like this. In this situation, the art league would indemnify the city and an indemnification and hold harmless clause would be added as is standard.

Solicitor Rutt pointed out that this is more of a grant than an agreement because they are being granted a particular amount of money for this project, with the protective language included in the grant. No agreement is required because the city will not be participating in the activity itself, other than to provide money.

Councilmember Wilson prefers this be part of a larger discussion and recalled other organizations that fell under the Parks and Recreation who entered into funding agreements, but were required to allow children to participate who otherwise would not have been able to afford to.

Councilmember Culotta said we all agree this is great event, whether the city funds it or not. The problem is the method in which the request is coming. He believes if this came through a partnership with DMI, then we're not we're not stuck with

opening the floodgates. The way around this is the earlier suggestion to partner with Parks and Recreation. However, the argument can still be made by other organizations who need money.

When asked how this can be accomplished without undoing the control have been in place for a number of years.

Mayor Campbell then talked about the number of requests Milford Lions Club receives each year. He agrees with Mr. Rutt that is what is needed in this situation.

Councilmember Boyle reiterated that a program is needed, all parameters established and have it refined it to the point where the conditions are set and where the money comes from. Otherwise, the city is going to be addressing this each time a request is made.

Councilmember Culotta also noted that the Lions Club receives a lot of requests, and because they are a nonprofit organization, they can choose who they want to help or not. If that happens, all requests need to be submitted by January 1<sup>st</sup>, because the funding may not be available in October.

Councilmember Wilson agrees we need to be very careful, with those parameters established and set in stone.

When asked when the money is needed, Ms. Golladay stated the entire month of October is when this is occurring; she also added the budget request is for \$4,646. They are doing whatever they can because some of these costs they do not know. They are working with one of Milford's local companies handle the printing. One of the problems is some of these booklets all these booklets need to be saddle stapled because of the size. They don't have the equipment to do that nor do they. But they are working on trying to get the budget down as much as they can.

She said if they cannot get donations, this is what it's going to cost. Whatever donations they receive will simply reduce the amount of the budget. They have already received a donation of \$900 from the volunteer match from a Cisco and are hoping that some other donations will provide addition assistance, in terms of materials they will be providing to the participants.

President Golladay said she is hearing that DMI is a partner and asked Solicitor Rutt if because they are a 501C(3) does their charter and their status with the US Treasury Department prohibit them from making donations to other 501C(3)'s. Solicitor Rutt confirmed that nonprofits can contribute can contribute to other nonprofits. What they cannot do is any type of project where they're going to have profits at the end of the year that must be declared for tax purposes. The nonprofit status deals with their income and not with their donations.

President Golladay understands that this request has opened a can of worms for City Council and it's a matter of determining what the resolution means and how to deal with this matter.

Councilmember Culotta asked if this is postponed until the next Council meeting, would that provide enough time to allow President Golladay and her volunteers to do what is necessary with their current budget.

Ms. Golladay said it will be cutting it very close because they already have expenditures that need to be paid now, in terms of advertising and banners, as well as getting their catalogs together. They wanted all the printing down by the end of the month.

She also confirmed that with or without the funding, Mispillion Art League will make it worth. One of the big expenses is advertising because everything has to be done virtually. The packets will be used at home and there is a need to get the word out where the packets can be picked up. In addition, there is a need to get the word out to people that the material and booklets will be available online. That is a big part of the increase in advertising.

Councilmember Marabello said because of the Parks and Recreation activities have been curtailed because of Covid and asked if expenditures have actually been diminished because of that; the City Manager said not really, because a lot of the fees that are charged for those programs go to pay for the program itself. So, the overall expenses have not changed drastically as a result.

Councilmember Marabello then asked Council to consider how much the arts are valued in Milford and if they are important first and maybe moving forward, perhaps consider some type of local division just for the arts, just like the State of Delaware. He thinks it would be discouraging not to help them at this point.

Councilmember Marabello moved to propose this first recommendation that Council authorize the funding request as provided and partner with the City of Milford Parks and Recreation and enter into an agreement. Councilman Morrow seconded the motion and recalled a portion of the logo as art town. That is enough for him to sponsor this event.

Solicitor Rutt said at this point, the issue is whether the City should enter into the agreement between Parks and Rec and the art league.

City Clerk Hudson asked for further clarification on the motion.

It was agreed that as long as it is through Parks and Recreation, the resolution did not have to be addressed.

Councilmember Marabello then rescinded his original motion.

Councilmember Fulton then moved to authorize the partnership of Mispillion Art League and the City of Milford Parks and Recreation Department, for the purpose of the Big Draw event, seconded by Councilmember Morrow. Motion carried by a 7-1 vote, with Councilmember Wilson casting the dissenting vote.

Solicitor Rutt then stated that before the funding motion is made, he believes in the arts and agrees they are very important. Because of that, he will contribute \$500 to this event, which may impact the motion.

Councilmember James also added a comment stating that he would match Solicitor Rutt's contribution with an additional \$500. Councilmember Culotta also donated \$200 from his business for this event. It was agreed this would offset the amount requested and Councilman Marabello contributed \$100.

Councilmember Fulton moved to authorize the funding of up to \$3,346 to the Mispillion Art League for the Big Draw, seconded by Councilmember Baer. Motion carried by a 7-1 vote, with Councilmember Wilson voting no, and stating it is not based on the amount of money, but because she feels it is important to represent all organization in the City equally.

#### *Bid Award/Mispillion Street Group Project*

City Manager Whitfield recalled this project that has been on the books since before he was hired in 2016 and deferred to City Engineer James Puddicombe for further details.

City Engineer Puddicombe reported that this involved a good section of streets and his plan is to get them paved and off the books. He reported three total bids were received. All were well under the engineers estimate and he is unsure if that is due to a shortage of work or the increased size of the project.

The City Engineer reported the project includes the reconstruction of McColley Street from SE Front to Mispillion Street, reconstruction of Marshall Street from SE Front Street to the dog park, and the reconstruction of Mispillion Street from Marshall Street to Fisher Avenue. The reconstruction includes new pavement, curb and sidewalk. Waterline work includes 4" line in Mispillion Street to provide a water loop and a new 8" main extension in Marshall Street to serve the future Riverwalk Villas. Lead water service lines will also be replaced. Sewer line work consists of a new sewer service line for Riverwalk Villas. Three bids were received from:

Diamond Materials: \$682,386

David A Bramble: \$860,517.50

A-Del Construction: \$864,950 (Contingent amount was incorrectly calculated)

Staff recommends awarding a contract to Diamond Materials a Limited Liability Company in the amount of \$682,386.00 as they are the apparent low bidder and have a very good local reputation for work similar to this project (most recently Airport Road). The engineer's estimate for the project was \$1,194,355. The funds to be used would be furnished according to the

following amounts and from the accounts listed below: Municipal Street Aid \$434,440.16 Real Estate Transfer Tax Reserves: \$ 80,000.00 Water Reserves: \$139,327.92 Sewer Reserves: \$ 28,617.92 Total \$682,386.00 In exchange for the improvements being completed for the future Riverwalk Villas, the Riverwalk Villas developer will be responsible for the future reconstruction of Mispillion Street between Marshall and Columbia, including curb and sidewalk on both sides of the street, and new pavement.

Councilman Marabello moved to accept the lowest bid and award the contract to Diamond Materials a Limited Liability Company in the amount of \$682,386.00 for the Mispillion Street Group 2020 Project to be funded with \$434,440.16 from Municipal Street Aid, \$80,000 from Real Estate Transfer Tax Reserves, \$139,327.92 from Water Reserves and \$28,617.92 from Sewer Reserves, seconded by Councilmember Boyle. Motion carried with no one opposed.

#### *Bid Award/Lovers Lane Paving (CTF) Project*

City Manager Whitfield then reported that Lovers Lane was a project that was slated using Community Transportation Funds, from both Representative Shoop and Senator Wilson.

City Engineer Puddicombe explained this is a repaving project and involves Lovers Lane from Southeast Second Street, all the way down to Lulu Ross. This is mainly a new pave project and will require some full depth patch or pavements due to the additional load from school buses. Other than that, there's a small amount of asbestos cement waterline that extends into this section of road that will be removed and replaced with something less harmful.

Two bids were received:

David A Bramble: \$148,075.00

A-Del Construction: \$236,210.00

In total, the project comes to \$148,075.00. Funds to be paid according to the following amounts and from the accounts listed: Community Transportation Funds \$100,000.00 Municipal Street Aid \$3,125.00 Asbestos Cement Water Main Removal \$16,600 Lead Service Line Removal \$28,350.

Both the asbestos cement water main and lead service lines were identified in the Water Capital Improvement Plan.

Councilmember Boyle moved to award the contract to David A. Bramble a Corporation in the amount of \$148,075.00 to be funded with \$100,000 from CTF grant, \$3,125 from Municipal Street Aid, \$44,950 from Water Reserves for the asbestos cement water main replacement and lead service line replacement, seconded by Councilmember James. Motion carried with no one opposed.

#### EXECUTIVE SESSION

Councilmember Boyle moved to go into Executive Session reference the below statute, seconded by Councilmember Wilson:

*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, but only when an open meeting would have an adverse effect on the bargaining or litigation position of the public body.*

Motion carried.

Mayor Campbell recessed the Council Meeting at 8:38 p.m. for the purpose as is permitted by the Delaware Freedom of Information Act.

#### *Return to Open Session*

Motion made to return to open session by Councilman Boyle, seconded by Councilmember Fulton. Motion carried. Council returned to Open Session at 8:44 p.m.

*Collective Bargaining Agreement*

No action needed.

ADJOURNMENT

There being no further business, Councilmember Fulton moved to adjourn the Council Meeting, seconded by Councilmember James. Motion carried.

The Council Meeting adjourned at 8:47 p.m.

Respectfully submitted,

Terri K. Hudson, MMC  
City Clerk/Recorder

MILFORD CITY COUNCIL  
MINUTES OF MEETING  
September 14, 2020

The City of Milford Finance and Public Works Committee met by way of video conferencing on September 14, 2020.

PRESIDING: Chairman Jason James

IN ATTENDANCE: Mayor Arthur Campbell

Committee/Councilmembers Daniel Marabello, Brian Baer, and Douglas Morrow

City Manager Mark Whitfield, Chief Kenneth Brown, and City Clerk Terri Hudson

In an effort to adhere to social distancing protocols and best practices imposed by Governor John Carney's State of Emergency Declaration effective March 13, 2020, the City of Milford has canceled all public gatherings until further notice. See September 14, 2020 Committee Meeting agenda for additional information.

#### CALL TO ORDER

Chairman James called the Committee Meeting to order at 5:35 p.m.

The Chairman asked that the Finance and Public Works Committee meetings continue with the normally-scheduled date though any not needed, can be canceled.

He also asked any members with suggestions for future agendas to please inform him and he will work with the City Clerk and City Manager to schedule meetings.

#### NEW BUSINESS

Updates:

##### *Street Improvement Projects*

Mr. Whitfield then recalled that back in 2017, two University of Delaware interns performed a pavement assessment of all the streets within the city. That resulted in a rating system of all street conditions within the city. That was further dissected with the intent that all streets, rated either in poor or serious condition, be addressed over the 2018 to 2023 time frame. A spending plan of approximately \$825,000 a year was needed and public works is moving ahead with the project, now under the direction of City Engineer James Puddicombe.

City Engineer Puddicombe then explained that initially the plan involved streets that were found to be in poor, very poor or serious condition based on an evaluation using the PAVER system. To date, approximately 15% of the total construction has been completed, using 7.9% of the projected budget.

Moving forward, he anticipates the actual cost per linear foot of street to increase because the removal of asbestos, cement water mains and lead service lines needs to be added into these projects. Also continuing is the age evaluation of the infrastructure beneath the right-of-way (ROW) while it is determined whether lining or replacement will be needed at the time of construction. While these additional costs come from a separate line of funding, it is important to consider when evaluating potential project costs.

The initial plan called for spending \$825,000 a year on roadway improvements during the 2018 to 2023-time frame. As of September, the city will be 43% through the original time planned for this project. In order to put the project back on schedule, an updated timeline has been created which would result in project completion by May 2023, one month ahead of the original schedule. The cash flows for the remainder of the project have been evaluated based on a mix of actual costs and projected costs to determine the net cash flow on a month to month basis. This cash flow analysis shows the project going negative in the month of October 2022. The peak deficit cash flow occurs in May 2023 at \$888,292.43.

This analysis assumes all project costs coming from Municipal Street Aid (MSA) or Real Estate Transfer Tax (RTT). However, some costs are likely to be offset through the use of water and sewer reserves where the previously described repairs are needed. Currently, work is scheduled to begin on the Mispillion Group of Streets and Lovers Lane projects this month. The completion of Lovers Lane should be by first or second week of October and Mispillion within 90 days of contract award (December 8, 2020).

The goal is to have this completed by the October 12<sup>th</sup> school start date, and he has already spoken to school officials so that they are aware of the eminent construction and will continue communication to avoid any sort of issues when the school reopens as scheduled.

This analysis assumes all project costs coming from Municipal Street Aid (MSA) or Real Estate Transfer Tax (RTT). However, some costs are likely to be offset through the use of water and sewer reserves where the previously described repairs are needed. Currently, work is scheduled to begin on the Mispillion Group of Streets and Lovers Lane projects this month. The completion of Lovers Lane should be by first or second week of October and Mispillion within 90 days of contract award (December 8, 2020).

As stated, the goal is to have the utility design completed and utility work done this fall with the street paving happening in the spring.

There are also two upcoming DeIDOT repaving projects scheduled. One is Kings highway, which is the portion not included on our 2020 street list and the other is Southeast Second Street. Both are slated for bid in summer 2021. He anticipates paving to be done in next summer/fall.

City Engineer Puddicombe emphasized the need to coordinate the utility work and the paving work to prevent associated long-term cost implications.

When asked to discuss Plum Street (alley), due to the paving analysis results, Mr. Puddicombe explained that project is temporarily on hold. The original cost estimate was around \$114,000, but KCI evaluated the pavement and determined there was almost nothing usable. As a result, they will have to rip out everything there and repave essentially from scratch. Because of that, the anticipated costs are now closer to around \$270,000. Because we do not currently have CTF funds or anything similar to help offset that cost. Granted it's not in great condition presently, it is not a heavily-traveled route and the reason it is on hold until we are able to acquire some additional funding. At that time, it would be revisited.

City Manager Whitfield pointed out this is one alley that was dedicated to the city and is one the city trucks use for refuse collection. However, there is less than 100 cars a day using it, so it seems appropriate to hold off on this and instead address more pressing needs though he wanted the committee's input on how to move forward.

Chairman James asked if there is no danger of the street collapsing and if it appears adequate for the city's refuse trucks; Mr. Whitfield stated that Ballpark Lane was a similar situation where some base repair was done, along with spray patching of the entire roadway. That holds it together though it will need to be addressed every three to four years, but keeps it passable as long as the potholes are filled. This process seals the road and prevents water from infiltrating so its life can be extended for a much longer period of time.

City Engineer Puddicombe also shared that Fisher Avenue was also supposed to be part of the 2019 streets. The cost increased with the stormwater issue in that area because of drainage issues. Right now, splitting that apart as part of the 2020 streets with the goal to eventually not have to pay for the cut sheets, which include the details for curb and associated work. That will reduce the cost per linear foot rather than having it as a standalone. All the details will be part of the 2020 streets project. Though it is pushed back a little, it will save \$15,000 or so. The goal is to continue with paving sometime this spring, and they continue to work with Teal to resolve the stormwater issue.

Mr. Whitfield explained that a house was recently built on a vacant lot on that street and unfortunately, the vacant lot had also acted similar to a stormwater retention pond. When the house was built and the elevation of the lot was raised, there was no place for the water to go but in the street itself. It has been a bit tricky to figure out how to get the curb and the sidewalk and drainage to work, though Mr. Puddicombe and his crew have done a good job of coming up with a good solution and that is starting to move forward. That was the reason for the Fisher Avenue delay.

When asked about the bottom number for repairs, Mr. Puddicombe explained the left side shows the construction costs based off the approximation.

There is also an approximate design cost that is not exact and based off a percentage previously, in order to get a closer idea of the total cost of all the work. That design cost was basically applied in the cash flow analysis.

He tried to get as accurate as he could with the tax flow analysis to get a good idea of where we might need a capital infusion of some type.

Chairman James confirmed the approximate total is \$5 million. It was also confirmed that the project would be in the red around October 2022. Mr. Puddicombe explained that if that occurs, there are a few different options and possibly work through the first year or so analyzing the numbers. If trending down and costs go down, it could end up in the black. If costs increase, it could end up further into the red.

At that point, grant opportunities will be sought. Also being considered is CTF funds, which would be the ideal situation because those are essentially no cost items.

In addition, Mr. Puddicombe said there are some low, approximately 2% interest loans. The city also has the option to do bonds which is an option for some municipalities though that has not been done in Milford yet. However, most are relatively low cost right now. Depending on how we look at the futures, he believes at some point in the next couple years, those interest rates will rise and the coupon rate for the bonds will go up as well.

Right now, he would be speculating to provide an actual cost right now.

When asked by the Chairman if the City Manager and the Finance Department will start looking for alternative funding, Mr. Whitfield recalled that he outlined that as part of this past year's budget memo. Using real estate transfer for operations for the police department, is something that Council really needs to consider moving forward. The other issue is right now, there is a fairly robust real estate market, though that will not last forever. There will be time when a downturn occurs in the economy and that real estate transfer tax is going to be a lot less than what is seen at the moment. Using that for operations he believes is dangerous and needs to be addressed in moving forward.

Chairman James agrees and referenced the issue with the declining balance of the RTT during the budget hearings. He feels this should be an item taken up at least by the finance team and the finance committee in order to look at alternatives and make recommendations in moving forward, at a minimum of two years.

City Manager Mark Whitfield said alternatives, including tax increases needed to offset that can be considered. Other sources of income or revenue can also be considered. He also pointed out this has been pushed out into a five-year plan to

address all the streets that were in serious condition in 2017. When you get to 2023, the city will be facing a whole new list of streets that will need to be maintained at that point. Unfortunately, this will not end in 2023 and he agrees there is a need to plan financially for that.

*Northeast Front Street TAP Project*

City Manager Whitfield shared that the Northeast Front Street project will be a huge and very noticeable project and asked the City Engineer to briefly talk about the planning and next steps with DelDOT.

Mr. Puddicombe stated the Northeast French Street project is a couple of different things combined together. Involved is a DelDOT repaving/streetscape project that Planning Director Rob Pierce is very familiar with. Also is sewer lining that is anticipated to start very shortly. In addition, a water main installation should be starting within the next month or two and is expected to go to bid within the next few weeks, once some related approvals are received.

In relation to the Front Street TAP project, DelDOT went through after the Planning Director identified the intersection of Washington and North Front Streets has a crosswalk pedestrian signal but no pedestrian crosswalk. Between adding that and the rest of the scope of the project, somewhat shot up the city portion of the costs.

At the last meeting, it's estimated between \$500,000 to \$600,000 which is higher than originally projected. It is important that all the work is completed. DelDOT proposed simply removing the pedestrian crosswalk, though the city disagreed that was not the best route to take and the crosswalks will be refreshed with new paint and striping. New paving will be extended to Rehoboth Boulevard, along with a water main going the same distance out to the wells. Most of the work will be done at night to limit the impact on our citizens.

Brick sidewalks will be extended approximately one and a half blocks past Gigante.

City Engineer Puddicombe confirmed that presently, DelDOT is planning to redesign the intersection at Routes 113 and 14, though that is a different item from the TAP project. His understanding is that the paving will start around the West Street area to Rehoboth Boulevard.

City Manager Mark Whitfield recalled that the commitment was to use economic development funds, though there really is not much money there. There is a revolving fund that has accumulated some cash that the city uses that has about \$250,000. He is also in contact with Representative Bryan Shupe and Charlie Postles, in addition to Senator Dave Wilson for CTF funds. He is hoping to get within \$100,000 of what is needed and will continue working with the finance department to identify other funding sources to close that gap.

City Manager Mark Whitfield added this is a huge gateway into town and DelDOT is very excited about so it needs to be done correctly.

*Southeast Second Street Paving Project*

City Engineer Puddicombe clarified that one meter pit was missed for lead service and some minor patching is needed along the curbing that is somewhat breaking up. When that repaving is done, ADA improvements will be done at each crossing.

Because a crossing has been requested at Franklin Street and Southeast Second Street, a small section of sidewalk needs to be added to the front of Marvel Park which would require DelDOT to install crosswalks and ADA ramps at that same intersection. That fits well into the overall bike and pedestrian plan as well.

That is slated for bidding in summer 2021, after which construction should begin that fall.

Councilmember Brian Baer asked how many lead service lines remain and how long would it take to replace them all. Mr. Puddicombe does not have an exact number offhand, though he is working on that so he can inform the full council. Basically, every time a section of streets is done, they are evaluating to determine how many exist. Also, each fiscal year, money is assigned for the lead service removal as part of the capital plan. The hope is that within a about a four or five year period, essentially, as they finish up with the initial street project, all the lead services will be removed.

He further explained that the lead service removal is from the water main to the meter. Unfortunately, property owners are responsible for lead pipes from that point to their house and within. Homeowners do have the ability to work through the Department of Health, as well as the EPA to apply for grants.

Mr. Whitfield added that all the streets listed for 2021 were all streets with identified lead service lines. The city had a HUD grant to replace lead service lines though the state pulled the funding from the grant program mainly because there was a disagreement about the location where the lead ended. HUDs requirements were that it had to go to the house and the city only has lines to the meter.

He said it really became a bone of contention with the Office of Drinking Water and HUD decided to pull the plug on the whole project. The city continues to identify those problem areas with the goal of having them replaced.

#### *Capital Improvements Projects*

City Engineer provided a synopsis of the remaining capital projects:

#### Water Infrastructure:

- 1) Water Tower Altitude Valve at Caulk Tower – Corrected plans for a new placement of the vault required to house the altitude valve have been received and reviewed. Plans were sent out for a quote for installation only. Materials are to be sourced internally through the water department.
- 2) SE 2nd Street Lead Service Line Replacement – A walk through was conducted on August 28, 2020 and some patching and one missed service line were identified. Teal is scheduling a crew to perform the remaining repairs at this time.
- 3) 10th St Water Facility Test Well (New Well to Replace Well #1) – Contract was received from AC Shultes on September 2, 2020 and has been signed and returned. We are waiting on State approval at this time to begin drilling.
- 4) Front Street Water Lines – We have received DelDOT approval. DBF is working to receive final approval from the State which we anticipate receiving in the next two weeks. After state approval the project will be put out for bid and brought back to council after bid closing for contract approval.
- 5) Replacement of Lead Water Service Lines – This project is ongoing and funds are being used within streets projects whenever the opportunity for lead removal is available. Currently Lovers lane is expected to have 9 lead services replaced, the Mispillion Streets project includes an additional 21 anticipated lead service line removals and the remainder of the funds are anticipated to be used throughout the 2020 Streets project.
- 6) Replacement of Lead Water Service Lines – This project is ongoing and funds are being used within streets projects whenever the opportunity for lead removal is available. Currently Lovers lane is expected to have 9 lead services replaced, the Mispillion Streets project includes an additional 21 anticipated lead service line removals and the remainder of the funds are anticipated to be used throughout the 2020 Streets project.
- 7) Replacement of Concrete Asbestos Water Mains - This project is ongoing and funds are being used within streets projects whenever the opportunity for Asbestos Water Main removal is available. Currently Lovers lane is expected to use \$16,600, a large portion of the remaining funds are anticipated to be used throughout the 2020 Streets project.
- 8) Replacement of Well #16 (Southeast Treatment Facility) – A task order has been drafted for the exploration of potential well sites in the southeast portion of town. This task order includes the design of the improvements required for the additional well at 10th street. Once the test well is completed and a production capacity and rate are determined we will seek approval of the task order for the design of the required distribution system upgrades.

Sewer:

- 9) Targeted Inflow and Infiltration (I&I) Investigation & Repair – The data for the Shawnee Acres Pump Station has been received and compiled by KCI. Their report was received on September 1, 2020 and was summarized as follows: “...we found 0.117 MGD of I&I in the system. Infiltration is the bulk of the I&I at 0.103 MGD, however it’s under the excessive rate criteria per EPA guidance. On an annual basis, the system is costing the City approximately \$110,000.”
- 10) SE 2nd Street Sewer Line Replacement – Complete
- 11) Replace Asbestos Concrete Pipe - This project is ongoing and funds are being used within streets projects whenever the opportunity for Asbestos Concrete removal is available.
- 12) Mill Street Sewer Realignment - Design work is complete, this project will be completed as part of the 2020 Streets Utilities Project

General Fund:

- 13) Street Resurfacing and Rehabilitation – This project is ongoing and is covered in detail under a separate memo.
- 14) Walnut Street Pedestrian Crossing – KCI is reaching out to vendors to get their requirements and limitations in order to convert the artist illustrations and complete the cost estimates.
- 15) NE Front Street Streetscape – DelDOT completed the draft budget for the project and the portion needed from the City in order to complete the work went up to approximately \$600,000. We are currently working to determine a funding source for the additional funds.

Committee Chair thanked Mr. Puddicombe for his thorough report.

#### *Capital Improvements Projects Finance Report*

Finance Director Lou Vitola stated he is going to report on the projections, though there is not a ton to report, in part by design and the City Manager’s instructions to staff as the budget process unfolded. They were asked to hold off on all the non-essential spending due to the uncertainty to our revenue and operations as the impacts of covert continue to persist here.

However, that is not saying the departments are sitting idle either. The key projects are proceeding and progress continues, though we can only process and post invoices as are sent and July was quiet.

The Finance Director stated that on page one, there is really not a lot in that second to last column, the year to date spent column.

He referenced the report, starting with enterprise funds on page one that run for about a page and a half, followed by the inner service funds.

The last three pages are the general fund departments.

In total, there is \$67,000 in actual invoices received and posted in July. About \$36,000 is related to the smart metering and a couple of modules that were invoiced in July.

There was some progress on one of the IT projects, the server refresh. Other than that, there is just a few thousand dollars spent on a couple of different Parks and Rec projects.

He referenced the earlier discussion by City Engineer Puddicombe who provided a lot of information in terms of what is in the pipeline and what is expected in the coming months, though there is not a lot of report in terms of activity tonight.

Chairman James asked how often Mr. Vitola plans to update the finance committee; Mr. Vitola recommends nothing more often than every other month. However, a quarterly may be preferred, but if the committee is meeting every other month, he is unsure how the quarters line up.

Once as the year gets underway, he may recommend quarter thereafter. He emphasized the update will be most relevant in March as they approach budget. He suggests September January and March for three key times a year.

When asked how the committee feels, Chairman James said he is perfectly fine with it on the other committee members can comment.

Mayor Campbell then asks if Mr. Vitola will review the committee with Council once it is complete. Chairman James thinks the months presented will be appropriate.

Councilmember James pointed out that the Finance Director will now be attending the business meetings, and recalled last year, the primary auditor came before Council to present the audit. He feels that the Finance Directors will now present that information.

Mr. Vitola said to clarify the question, regarding when the CIP would be presented to Council, he said by skipping over November and doing the report in September, and not doing it again until January, will open up those critical months when the audit is prepared so he can focus on producing the financial statements, footnotes and management discussion and analysis.

The Finance Director will be attending the Council meeting when the audit is presented to Council. Even though some things have changed with the audit just this year, that will require myself and the finance department staff to produce the financial statements, all schedules and footnotes. As opposed to having outside help, the audit itself--the independent financial audit is a judgment by the audit firm that we are accurately and fairly presenting our financial statements. And it is a testament to our internal controls. So even though independent standards are changing and requiring the financial staff to do all the work and produce the financials, the auditor still has the responsibility to present to the governing body, that firm's opinion about how well the finance department did pursuing the finances. Even though he will be doing a lot of the work, the independent third-party auditor still has to be the one to come to council and attest to the work.

Chairman James stated that even the auditor would come before either the finance committee separately, or the full council, without your presence in case there were some things they needed to disclose so that the auditor feels free to express his opinion without the finance director being present.

When asked the anticipated date the audit would be produced, Mr. Vitola said he anticipates a similar timeline as was previously discussed, and believes early December. Chairman James agreed.

Mr. Vitola hopes to improve on the timeliness of it, though this year, he wants to get through the learning curve of understanding the city's financials and reporting structure. After that and because of those independent standards he mentioned before, this will be the first time the finance department owns, from soup to nuts, the development of all schedules, all financial statements and footnotes. In the past, some assistance was given to all of that and everything other than the production of the trial balance and the development of management discussion and analysis. This time, there was a significantly greater workload so he doesn't want to over promise and under deliver, especially as he is stepping into the door and learning.

Chairman James added that Mr. Vitola is going to explain his whole new involvement in the direction that he's going to take the finance department when we when he gives his finance report at the council meeting later this evening.

*Tax Delinquencies*

The 2020 property tax levy totaled \$4,220,414, the billing process for which was executed on August 14, 2020. Although tax payments are not due until September 30, 2020, payments totaling \$647,114 have already been received and applied. In the coming weeks, our Customer Service team will receive, post and process a large volume of property tax payments from residents, businesses and mortgage servicers. Delinquent Property Taxes total \$287,727, which includes \$156,353 attributable to the 2019 tax levy. The Customer Service Division has escalated its collection efforts over the past two weeks, resulting in receipts of more than \$9,000 from past due property tax accounts as well as the solicitation of payment plans from property owners pledging payments by September 30. Once the 2020 due date has passed, the outstanding property tax balances will be reviewed from an aging perspective to determine a recommended path forward. I look forward to briefing the Mayor and City Council again at that point.

Finance Director Vitola informed Council that the busy week is coming for the customer service staff as there will be an influx of people, mail and some electronic payments that will need to be knocked out.

The delinquent property taxes were just shy of \$288,000 as of September 10<sup>th</sup>, which includes \$156,000 attributable to prior year levies.

Collection efforts were for the last two weeks or so and \$9,000 in past dues was brought in during that time. In addition, some additional payment plans are in place from a handful of property owners in an effort to catch up by the due date of the 2020 taxes. Once that due date has passed, they will meet internally and have a closer look at the age of the property tax accounts to determine what action can and should be taken to recover them.

He is aware that during the last couple of years, some efforts were made to get that balance from a higher number down to the plus or minus \$300,000 number. However, he plans to continue improving on that.

When asked what occurs with accounts that become uncollectable at some point, what action will be taken; Mr. Vitola said lean letters will be mailed in addition to some things that can be done internally. There is also a section of the code that permits monition sales for delinquent parcels.

But before taking that step, he recommends an interim step in which a last and final warning be given or an additional collections push.

The city has a right to the collection of those funds and they will be handling in ways that are within the city's right and authority to recover it.

*Utility Delinquencies*

Mr. Vitola reviewed the delinquent account processes since the Emergency Declaration was enacted in March 2020. Pursuant to the sixth Modification<sup>1</sup> of the Declaration of a State of Emergency for the State of Delaware due to a Public Health Threat (the "Declaration"), the City of Milford suspended all utility service interruptions and the imposition of late payment fees and penalties for all utility accounts, beginning with the March 24, 2020 date of the modification. The Twenty-Third Modification of the Declaration lifted the utility service interruption and late payment restrictions outlined in the Sixth Modification for all utility billing activity after the June 30, 2020 date of the modification, provided that utilities extend nearly-unconditional payment plans of at least four months to residential utility customers for that portion of the past due balance for billing activity through June 30, 2020.

Accordingly, City staff resumed collection efforts the first and second weeks of September with a modified process for utility accounts having a "new" past due balance consisting of amounts billed on or after July 1. The below table exhibits evidence of a successful start to the collection efforts.

Date	Accounts	Past Due
8/31/2020	1,286	\$ 540,365
9/10/2020	1,097	\$ 371,460
Change	189	\$ 168,905

Finance Director Vitola explained that once the July billings became past due the first time around, the city would be able to say we are going to disconnect you for non payment as early as the second, third or fourth week of August, based on when the July billings went out.

Any Covid past due balances are protected by this for a minimum of four months.

Any balances on or after July 1<sup>st</sup>, the city is able to disconnect and charge late fees. The city returned to their normal processes post July 1<sup>st</sup>, but did not exercise it to the fullest extent possible.

Mr. Vitola reported that there were over 1,280 delinquent accounts, and the city actually ended up disconnecting only ten and within that say day, nine paid or made payment arrangements and only one remains disconnected at the end of that day.

The city wanted to offer some of that understanding and meanings and not be quite so aggressive and credits the customer service staff for adapting to the changes.

He shared that we have some of the most habitual offenders, who may or may not have been affected by Covid and did not claim any Covid hardships, but 189 were some of the most habitual, regis offenders and remedied their problems and either paid or made payment arrangements.

Mr. Vitola is very pleased with how it went and believes our customer staff did a great job.

Chairman James concurred with the Finance Director's comments.

#### ADJOURNMENT

There being no further questions, Chairman James adjourned the Finance and Public Works Committee meeting at 7:01 p.m.

Respectfully submitted,

Terri K. Hudson, MMC  
City Clerk/Recorder

MILFORD CITY COUNCIL  
MINUTES OF MEETING  
September 14, 2020

The City Council of the City of Milford convened their regular meeting by way of a video conferencing website on Monday, September 14, 2020. The meeting was available for public view and participation as permitted.

PRESIDING: Mayor Archie Campbell

IN ATTENDANCE: Councilmembers Daniel Marabello, Mike Boyle, Andrew Fulton, Todd Culotta, Brian Baer, Douglas Morrow, Jason James Sr. and Katrina Wilson

STAFF: City Manager Mark Whitfield, Police Chief Kenneth Brown and City Clerk Terri Hudson

COUNSEL: Solicitor David Rutt, Esquire

In an effort to adhere to social distancing protocols and best practices imposed by Governor John Carney's State of Emergency Declaration effective March 13, 2020, the City of Milford has canceled all public gatherings until further notice. See September 14, 2020 Council Meeting Agenda for additional information.

#### CALLED TO ORDER

Mayor Campbell called the meeting to order at 7:06 p.m.

#### INVOCATION AND PLEDGE

The Pledge of Allegiance, followed the invocation was given by Councilmember Wilson.

#### APPROVAL OF PREVIOUS MINUTES

Included in the packet were minutes from the August 10, 2020 Council Meeting and the August 10, and August 24, 2020 Workshop Sessions. Motion to approve made by Councilmember Boyle, seconded by Councilmember James. Motion carried.

#### RECOGNITION

*Introduction/Public Works Director Mike Svaby*

City Manager Whitfield was pleased to later introduce Mr. Svaby who was hired as the City's new Public Works Director and comes with a great deal of experience and knowledge.

The Public Works Director stated that today is the beginning of my third week of employment. He continues to meet people and put faces with names and functions. He finds there are quite a few very talented committed people in Milford that always makes the job better and are able to accomplish more goals as a result.

He is looking forward to diving into some exciting assignments in front of me and is excited about the opportunity to work for the City of Milford.

Mayor and Council then welcomed Mr. Svaby.

*Tribute 2020-15/Honoring Former Joseph Ronnie Rogers*

Mayor Campbell acknowledged the recent death of Former Mayor Rogers and his contributions to the City of Milford.

#### TRIBUTE 2020-15

Honoring the Life of Former Mayor Joseph Ronnie Rogers

**WHEREAS:**

A lifelong resident of the City of Milford, Mayor Joseph Ronnie Rogers first became a public official when he was elected as a Council Representative in April 1972; a seat he held for the next ten years; and

Recognizing his leadership skills and ability to engage with residents and business owners, in 1982 those same people supported and elected Mayor Rogers to serve in the distinguished role of Mayor of the City of Milford for an unprecedented 15 terms until May 2008 and again in May 2010; and

While this milestone in his political career makes him the longest serving Mayor in the State of Delaware, his real allegiance was always to the people he served and his desire to make Milford the best city in the world; and

Because of serious health concerns, in May 2014, Mayor Rogers made the gut-wrenching decision to step down from the Office, leaving his beloved City a legacy of fiscal responsibility, forward-looking development and strong and able leadership; and

In honor of his immeasurable contributions and milestone, City Council ordered the Council Chambers of Milford City Hall to be permanently named the 'Joseph Ronnie Rogers Council Chambers'; and

During his reign of more than forty years of public service, Mayor Rogers played an integral role in the expansion, development and improvement of this City, numerous buildings and parks, his name engraved on the plaques of almost every public building in this City as a reminder; and

The community is grateful for the visionary leadership of Mayor Rogers, who during his tenure as a public official in Milford, worked with local, state and federal officials to ensure the development, construction and completion of a new Milford Police Department, Carlisle Fire Department, Parks and Recreation Office, Mispillion River Walkway Project, Milford Public Library, Public Works Facility, Greater Milford Business Park/Independence Commons, Downtown Milford Revitalization, City Hall Renovation and vastly improved infrastructure and utilities; and

Preceded in death by daughter Linda and son Kevin, Mayor Rogers sadly passed on August 30, 2020, leaving behind his loving and devoted wife Ruth, son Joseph R. II and Ann Rogers; stepchildren, Kenneth Pennington, Kathy and Greg Page, Debra and Robert Bosco, Pamela and John Mancuso; 14 grandchildren; and 30 great-grandchildren. Also surviving are his adoring sisters Joyce Cline, Barbara Moore and husband Bob, a brother Wayne Rogers and numerous nieces and nephews, all of whom we thank for sharing and allowing him to serve and better this community.

NOW, THEREFORE, BE IT RESOLVED, that I, Arthur J. Campbell, Mayor of the City of Milford, on behalf of the members of Milford City Council and this community, hereby record its deepest and abiding gratitude and the appreciation of its residents to the Honorable Joseph Ronnie Rogers and his family, for the meritorious service rendered to the City of Milford throughout his triumphant life, thus extending our heartfelt sympathy for the loss of this cherished man who left us all with many wonderful memories. Until we meet again.....

AND BE IT FURTHER RESOLVED, THIS TRIBUTE, signed by the Mayor and City Clerk, on behalf of the entire City Council, is hereby presented to the family of the Late Honorable Joseph Ronnie Rogers, as a testament to his untiring efforts, well-earned admiration and friendship by all associated with him.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Milford, in the State of Delaware, to be affixed this Ninth Day of September in the Year of our Lord 2020.

The tribute will become a permanent record of the City of Milford.

**STAFF REPORTS****MONTHLY POLICE REPORT**

Police Committee Chairman Boyle highlighted the department's activities included in Chief Brown's report for August:

**Monthly Stats:**

A total of 327 arrests were made by the Milford Police Department during August 2020. Of these arrests, 112 were for criminal offenses and 215 for traffic violations. Criminal offenses consisted of 6 felonies and 106 misdemeanors. Traffic violations consisted of 36 Special Duty Radar, 7 Drunk-Driving charges, 172 other.

Police officers investigated 46 accidents during the month and issued 77 written reprimands. In addition, they responded to 1152 various complaints including city requests and other agency assistance.

Due to COVID-19 Pandemic stats are extremely lower than normal.

**Monthly Activities:**

Throughout the month of August, participated in numerous conference calls and virtual meetings in reference the COVID-19 and the Governor's Emergency Order for the State of Delaware. This includes weekly Fire and Police conference calls, calls with the Governor, monthly State and Sussex Chiefs meeting, and Municipalities of Sussex Co. conference call and numerous call with City Government Officials, the City Manager and the public.

Attended Pinning Ceremony for Chief Harvey of the Milton Police Department held on August 5, 2020.

Met with Jalen Powell and Mayor Campbell to discuss police and community relations on August 5, 2020.

Participated in DE Police Chiefs Council Police Reform Meeting held via Zoom on August 6, 2020.

Participated in SALLE/EIDE Grant Meeting via Zoom held on August, 11, 2020

Attended a What's New in Police Vehicles 2021 webinar held at the Police Department on August 17, 2020.

Met with Mayor and Attorney General in Wilmington on August 18, 2020, to discuss the investigation findings of police involved shooting and the release of the investigation report and the body camera footage to the public.

Toured the Wellness Center with the Mayor on August 18, 2020.

Participated in DE Police Chief's meeting in reference to the Law Enforcement Accountability Survey via Zoom held on August 25, 2020.

**Training –**

One officer attended IALEFA Master Instructor Development Course held in Pittsburg, PA on August 4, 2020 – August 8, 2020.

All Sworn officers were trained on the new AXON Body Cameras and the new Axon Fleet Cameras during the month of August 2020.

All sworn officers were required to complete a Duty to Intercede training course during the month of August 2020.

Most Training outside the department was cancelled for the Month of July 2020 due to the COVID-19 Pandemic. Officers have been assigned required training via webinars throughout the month.

**SRO –**

S/Cpl. Bloodsworth and S/Cpl. Stanton both attended the "Badges and Basketball" event held in Georgetown. This event was hosted by Schell Brothers, Delaware Elite Hoops, and Got To Be A Better Way Foundation. This was a community unity event that we're already looking forward to participating in next year. The following is an article with more about this event. <https://www.capegazette.com/article/badges-and-basketball-slam-dunk-georgetown/207314>

Sgt. Masten has begun promoting Neighborhood Watch on our social media pages. We have several watches who have been assets to our mission and we hope to expand that to other neighborhoods in the City.

Foot Patrols have continued in August with a concentration in the downtown area and the Mispillion River Walk.

Sgt. Masten, S/Cpl. Bloodsworth, and S/Cpl. Stanton all attended a community cook out at Mispillion Apartments. Sgt. Masten has reached out to several apartment complexes to volunteer out help with similar events since our Milford's Night Out was cancelled this month due to Covid restrictions.

The date for the 2021 Milford's Night Out will be Tuesday, August 3rd.

**K9 Unit** –

For the month of August 2020 the Milford Police Department K9 unit had the following stats:

**K9-1 (Mason)**

- Foot Patrols 2
- Building Search 2
- Demo 1
- Area Search 1
- Drug Sniff 1
- Assist Other Agency 1
- No Bite Apprehension 1

**K9-2 (Audie)**

- Foot Patrols 2
- Building Search 2
- Demo 2
- Area Search 2
- Drug Sniff 2
- Assist Other Agency 0
- No Bite Apprehension 1

<b><u>Seized Items</u></b>	<b><u>Amount</u></b>	<b><u>Value</u></b>
• Other	Drug Paraphernalia	
• Marijuana	8.93 grams	
• Oxycodone	4 doses	

Due to the COVID-19 Pandemic stats for the K9 Unit are lower than usual for the Month of August 2020.

Mayor Campbell pointed out that Chief Brown remains very busy. Chief agreed stating he is slowly moving his employees back to normal operations and expects the statistics to be back to normal in September.

Councilmember Marabello moved to accept the police report, seconded by Councilmember Wilson. Motion carried.

**CITY MANAGER REPORT**

City Manager Whitfield referenced his report in the packet and commented on a couple highlights. He noted that number of building permits have actually doubled from this time last year. Activity continues to increase in the building and renovation area within the town, which is very positive outlook overall.

The other significant increase involves trash. As he has previously reported, the amount of trash remains much higher when compared to previous years and should be attributed to the number of people that are staying at home.

City Manager Whitfield added that he also wanted to comment the Electric Department who was extremely busy throughout the month of August. They did an outstanding job they, especially considering the increased number of poles that have had to be replaced this year.

Councilmember Wilson also thanked the City Manager for making arrangements for a recent bulk pickup request.

He noted that most was due to storm damage, including the most recent that came through just prior to Labor Day and will be reported in September.

In addition to that work, they also spent a great deal of time the City of Dover by helping their customers have power restored and caused by the tornado damage in August.

Councilmember Wilson also thanked the City Manager for making arrangements for a recent bulk pickup request.

Councilmember Morrow moved to accept the City Manager report, seconded by Councilmember Boyle. Motion carried.

Mayor Arthur Campbell: Ocean make properly. Second. All in favor say I.

#### MONTHLY FINANCE REPORT

Finance Chairman James announced that Finance Director Lou Vitola will be reviewing the monthly report henceforth. However, he will give the chairman's report in the form of a statement and wants to keep everyone informed of the changes taking place.

He complimented the City Manager on the excellent hire with Mr. Vitola. He met with him and the City Manager last week relative to the direction of the finance department going forward and amount and types of financial information that will be reported to council and disclosed to the residents as a whole.

Chairman James emphasized that financial transparency is one of his pet peeves and council has been asking for improvements in the financial reporting that council and the public received. He is pleased to announce we are the beginning of that change. He referenced the report in the packet which looks much different and cleaner. It is easier to read and provides a bridge from the change of the previous month to the reported month. It includes more financial metrics, including changes within the impact fees and other funds.

The chair is very pleased the finance team is continuing to work on enhancements that will provide more cash flow-type information (inflow/outflow) for transparency purposes. He wants council to focus on the information needed to make decisions based on good faith in moving forward though that will take a little time.

He may make an opening statement on a certain item should something come to his attention during his review though he will continue the dialogue between the Finance Director and the City Manager and as he finds things, will ask questions to correct any items before the finance report is released in the packet. Other things, he will continue to highlight, but beginning tonight, Mr. Vitola will be attending every council meeting to provide the financial presentation.

Mr. Vitola then stated that while he also wanted to change the presentation of the finance report, though not too much, too fast, though he wanted the numbers and columns to remain somewhat familiar.

He noted the change in the page numbers that will coordinate with each major fund.

Mr. Vitola then reported the following:

The cash and investment balance roll forward because it's really taking last month's ending balance, which is tied to the previous month reports, and just show receipts and disbursements, as well as the interest earned to arrive at the new ending balance.

The title was changed to Financial Reporting Package.

Page one is what he refers to as the cash and investment balance-roll-forward. It called the roll forward because it is taking last month's ending balance, which is tied to the previous month reports, and just show receipts and disbursements, as well as the interest earned to arrive at the new ending balance.

Second, and third, he wanted to note that there were some realty transfer taxes (RTT) that was used in July in support of the sidewalk project.

In the general fund capital reserves, there was over \$400,000 dispersed from that account of which \$413,000 of that was used in support of the reserve-funded police officers. The balance in those amounts are related to the prior years' capital spending. Line 16, the reserve fund cash balances, is where you really get the bridge to the next page that that lets you know those four reserves there are shown in greater detail on the next page (two). It was important to keep all these reserves on one page. He prefers to keep it this way but will add some more significant funding sources including municipal street aid (MSA) and the RTT. They are critical funds used on a variety of the street and other projects throughout the city, in addition to the four capital reserve accounts, general fund, water, sewer and electric, he would like to add the MSA and RTT.

He referenced the live balance line, or what is expected to be collected from the state through the year, and where the funds are committed.

Noted was the small amount of funding available in MSA which means it needs to be left alone until we receive the FY22 allocation and consider those projects that emerge as the most critical priority for the next budget planning cycle.

Mr. Vitola added that the water, sewer and electric funds have the cost of service minimum cash requirement carved out as a need that kind of encumbers or takes away availability from the cash balance.

Something similar will be done for the general fund. It should have the same kind of guidance as to the balance left available in the event of some emergency or some dire need for funding and again, should be left alone.

He wanted to inform council there will be some policy work done and a recommendation will be formed and presented for council review and approval. He anticipates finance committee review, and then with their recommendations, it will be taken to council for their approval.

Referenced was the bottom line in each of the blocks of funds, that should be held for future asset replacement. This is what was formally one the report with a series of question marks to indicate that yes, there is some uncommitted reserve balance, but that is not taking into consideration there may be some additional assets that will need to be improved or replaced in either the five-year capital plan, or even longer. Those are items or projects that have not been estimated or identified. As items are identified, they will begin to populate that those two rows.

The Finance Director emphasized there is always a need to consider more items that could be a pressing need that funding is needed in either the out years of the five-year capital plan.

Page three is a revenue report very similar to the existing report. Showing how much of the year has elapsed and the year to date received of revenues as a function of the total budget. Row 16 titled total general fund revenue shows the city at 4.9% of the \$11.1 million annual budget, which is short of one-twelfth of the year. However, that will jump in August, once the entirety of the property tax billing is reflected.

The utility revenues on the other hand are outpacing the budgeted revenues. Line 26 total combines general and enterprise fund revenues, is at 8.5% which is roughly on pace in terms of revenue collection.

Some categories are over and some are under.

The next section, consisting of three pages, has been modified or revised today. The only thing that changed is on page three of three or six of seven, electric funds transfer to the general fund. That was mistakenly lumped into the O&M line. The second line 79 appropriately shows the \$2.5 million dollar transfer to the general fund, previously lumped into the first line 79, which was a formula error.

That was corrected today and uploaded to the packet though in total, the number was captured. The one 12<sup>th</sup> will be just manually transferred to the general fund as each month goes by so we're right on target.

Nothing really jumps out at expenses, as was just reviewed during the finance committee meeting.

With the uncertainty surrounding operations and revenues resulting from the effects of Covid19, departments are on notice not to spend too aggressively whether or not there is a budget allowance. Departments will continue to mitigate their spending habits to the best extent they can in an effort to watch the year's revenue profile unfold.

The last page is the inner service expenditures which show the departments that really exist to provide services across other city functions. They are funded entirely by other government and enterprise fund activities. These departments are not revenue generators, and are purely cost centers, if you wanted to call them that, in the private sector.

The revenue from those other departments is used to offset expenses at budget time. Things like personnel and the O&M required to run these departments that rates and property tax levies have to be set accordingly in order to cover all expenses as well as others. The bottom line 28, is the net inner departmental costs. That is the only change made to this report to reflect the fact that that total of almost \$ 3.2 million in budgeted expenditures, or just for the year to date \$167,000 in expenditures was met entirely by other departments, so that the net budgetary impacted zero and the expenses are absorbed by revenue generating departments.

He stated that if there is some way to communicate at a summary level the financial picture of the city from one month to the other, that will help council and allow less time reviewing this component of the package every month, he is willing to work with Mr. Portmann and the City Manager to make any recommended changes.

Councilmember James said he ask Mr. Vitola to do a just a couple more things and keep these things at a high level. One of the things that was asked before and he started doing just a month ago, was to include the total net available cash after restrictions. cost of service results and early bond redemption. In July, that amount would have been \$10,288,933. Though it is up to the new Finance Director, this may not be a separate sheet or graph. That can be included in a summary or footnote, that would be very helpful.

The other thing he and Mr. Vitola discussed was to show a change, maybe not in detail with every line item, in the restricted funds from one month to the next.

There were also items removed and some added, and maybe some corrected, the change from June to July was \$114,021, though that is a combination of things. The total net change of net available cash was a decrease of \$512,256.

Also discussed was to do some forward-looking information. Perhaps what the financials would look like you know at ten months or are there changes we know are going to take place. This could provide a better projection on what the end of year will look like.

Finance Chairman James said these will not occur overnights, but are informative and meaningful to council when making a decision about spending.

When asked about unrestricted funds, Mayor Campbell asked if that amount is \$4,900,000.

Councilmember Boyle said that though he is not a financial expert, this report is much easier reading and makes a lot more sense. He thanked Chairman James and congratulated Finance Director Vitola. Councilmember Marabello concurred with the comments noting that he no longer has to total all the accounts each month.

He then pointed out there are missing line items related to capital reserves and other utilities and specifically the whole future asset replacement and the future fund balance policy. He asked when to expect some of those numbers; Mr. Vitola commented

that for lines 14 and 26, hold for future asset replacement, that will be an iterative process with the City Manager and the department directors. It will probably be throughout the upcoming budget cycle. At this point, he is unsure what can be produced on those two lines for a long time.

He would like to do some research and use some resources from GFOA in connection with maybe the presentation of the audit in early December for a fund balanced policy. It is not going to be a reinvention of the wheel, but does have to build in Milford operations, expectations and appetite for basically holding reserves almost as an insurance policy. He will need to look cost of service studies and some guidelines, but hopes to have something with 60 or so days.

Chairman James asked council to remember that we need to be careful with, though the cost of service studies, takes into account the replacement costs of assets due to depreciation, which is part of that calculation. He wants to make sure that we don't double count in the asset replacements. That includes even large items that may require borrowing or be paid from reserves like a \$10 million water tower. All of that should be taken into consideration.

Mr. Vitola agrees and will be looking at existing infrastructure depreciation and replacement costs for the general fund only. However, he believes those things have already been accounted for in the cost of service study across the enterprise funds and will not be double counted.

Mayor Campbell talked about the transfer of funds for the new police station and asked the amount.

Chairman James said that is part of the \$2.5 million electric department transfer in the report. Mr. Vitola pointed out that transfer is strictly for general fund O&M.

Mr. Vitola is asking if the question is related to a transfer from the electric funds to assist with the costs of the new police facility, he is unaware of such funds or the intent.

Chairman James agreed there was no money authorized to transfer into that project.

Mayor Campbell expressed concern about another 7% increase in the cost of the building and more money will be needed.

City Manager Whitfield said he has not been given any of those numbers and Mayor Campbell reported that the original \$18.5 million has been increased by 7%. Mr. Vitola asked why the 7% escalator and Mayor Campbell reported that is the estimated construction cost due to the additional time that has passed.

A discussion followed though Chairman James asked if we have received a new estimate and recommends Chief Brown obtain a fresh cost estimate.

It was suggested that be addressed by the next police committee scheduled in September.

Councilmember Morrow agreed a status report is need. Mayor Campbell suggested Becker Morgan Group be contacted for the information.

City Manager Whitfield pointed out this is not on the agenda and he is asking that Chief Brown be given some time to prepare some future meeting this can be discussed.

Chairman Boyle moved to accept the July 2020 Finance Report, seconded by Councilmember Wilson. Motion carried.

#### COMMITTEE/WARD REPORTS

##### *Speeding Complaint*

Councilmember Culotta reported that he has received at least two complaints from residents about speeding on South Walnut Street, particularly between Kings Highway and Jefferson Street near the area of the railroad tracks. He asked that the speed sign be moved closer to this area in an attempt to slow drivers down, in addition to more police presence, as he has actually witnessed some pretty aggressive driving in that area.

##### *4<sup>th</sup> Ward*

Councilmember James thanked Chief Brown for the great job he is doing in the 4<sup>th</sup> ward. But he has received complaints of too much wrong activity in the area though he does not have a lot of information. However, he has seen change in the North Street area and it has improved.

##### *South Overpass Traffic*

Mayor Campbell also asked for some additional enforcement where drivers exit off the overpass onto South Rehoboth Boulevard south of Shawnee Acres and the Meadows at Shawnee.

When asked for an update on the cemetery grass cutting complaints, Mr. Whitfield advised that P&R Director Brad Dennehy is in contact with the contractor and did review the terms of the contract. It requires a 30-day notice for non-compliance to terminate. The contractor assured us he is going to fulfill the requirements for the remainder of the year. We will continue to monitor those activities, and once we give him the 30-day notice, then we would be taking over those duties for the remainder of the year.

We will also be adding a performance bond that we can cash in on, should we have a contractor that fails to perform the duties they're contracted to.

##### *Old Shawnee Road*

Councilman Fulton reported he had received a complaint about a property that was forwarded to the City Manager and thanked him for taking care of it.

## COMMUNICATIONS &amp; CORRESPONDENCE

Solicitor Rutt reported that late this afternoon, he was speaking with Derek Parker who is a builder/contractor. He most recently built some houses over in the area of Calvary Church and the Country Corner Market. He commented on how easy it was to do business with Milford. He had high compliments on the Planning Director and the City Administration. He specifically singled out a couple of other towns where he found it very difficult to do business. And he looks forward to doing business in the City of Milford going forward.

The Solicitor said he will be building a duplex on North Church Street and plans to buy some older homes and vacant lots which he will redevelop. In light of some past comments over the past few months, he thought that everyone would be interested in hearing that from someone who is willing to invest in Milford and is excited to do business in Milford.

Council thanked Solicitor Rutt for bringing those comments to them.

## UNFINISHED BUSINESS

No items.

## NEW BUSINESS

*Authorization/Clarke Avenue Realty LLC (Nationwide Healthcare)/Economic Incentive Agreement*

*Authorization/ Clarke Avenue Realty LLC (Nationwide Healthcare)/Electric Services Agreement*

Mayor Campbell shared that the Ward 2 councilmembers and he recently toured the Nationwide Facility.

City Manager Whitfield then referred to the two agreements in the packet in the name of Clarke Avenue Realty LLC, which is also known as Nationwide Healthcare, who is the owners of the former Milford Memorial Hospital at 21 West Clarke Avenue. The Economic Incentive Agreement provides incentives for both job creation by providing for a reduction in water and sewer impact fees, provided that construction is completed within three years. However, because of the present pandemic, there is a provision in the Code that allows the deadline to be extended if warranted.

Additionally, the Economic Incentive Agreement includes a City real estate tax abatement for ten years for all unleased/unused portions of the former hospital. The tax abatement for the entire hospital will be for a minimum of two years, commencing on the date of acquisition, and any leased/used portions of the hospital will have an additional abatement for one year, commencing on the date of the lease or use. Currently, the hospital has about 25% of their square footage leased and they anticipate having another 50% leased before the end of this year. Within a year, he anticipates we will be at the point of when they begin paying taxes on those leased areas.

As part of this agreement, Nationwide will withdraw their 2019 appeal on the assessed tax value of the former hospital. The Economic Incentive Agreement is for only the 21 West Clarke Avenue property only (former hospital building), and does not include any of the ancillary properties/buildings included in the sale from Bayhealth to Nationwide.

Because of the large electrical load, the City typically enters into an Electric Service Agreement with such customers. The Electric Service Agreement proposed for Clarke Avenue Realty, LLC (Nationwide Healthcare) mirrors the agreement executed with Bayhealth for their new campus.

Councilmember Todd Culotta stated that he recently spoke with the management of Nationwide Healthcare. What is presented tonight is the result of the hard work that the City Manager, along with Solicitor Rutt, have put in and resulted in a business-friendly agreement that will be vital to Milford.

The Nationwide organization and their associates are expecting to invest a minimum of \$18 million in addition to the 200 new job opportunities at that site. He feels this will have a very positive impact on the City, as well as downtown Milford.

He then thanked City Manager Whitfield adding this is what is exciting about being a councilmember. Councilmember James concurred with Councilmember Culotta's comments.

The City Manager then reviewed the terms of both agreements.

Councilmember Fulton moved to authorize the execution of the Nationwide Healthcare/Clarke Avenue Realty, LLC Economic Incentive Agreement, seconded by Councilmember Culotta. Motion carried.

Councilmember Fulton moved to authorize the execution of the Nationwide Healthcare/Clarke Avenue Realty, LLC Electric Services Agreement, seconded by Councilmember Wilson. Motion carried.

*Authorization/Kent Economic Partnership Agreement*

The City Manager noted that the current KEP agreement with the city expires on October 31 of this year. As part of that agreement, the city provides \$30,000 for services provided by the partnership related to economic development. This agreement also allows one seat on the KEP Board of Directors that is presently filled by councilman Councilmember Morrow. Council to being asked to consider whether or not to pursue this relationship with KEP or instead handle such services in house as has been discussed in the past. The city has not seen many results from KEP in terms of new business or industry. And while such results can often be slow, it must be decided if the \$30,000 could be better spent with a more local focus, rather than through a countywide organization.

A staffing study was recently completed and one of the needs identified was for a focus on the city's economic development activities. The city obviously will continue to work with the Delaware Prosperity Partnership who serves a similar function in terms of the business and industry recruitment and marketing at the state level.

For the reasons stated, it is the recommendation that Council consider not entering into a new agreement with KEP. Mayor Arthur Campbell then provided a brief history of the relationship. It was confirmed the City has provided a total of \$60,000 over the past two years.

Councilmember Boyle said he has been a strong supporter for the past two years. However, he is still not seeing things happen here and instead their focus seemed more central to the area south of Dover with no interest going as far south as Milford. He does not see a future with the organization in Milford.

Councilmember James said everyone is familiar with his position on spending the money, but thinks that at this point, with the number of new houses being built here, that more services, entertainment and retail is needed in Milford. Someone needs to go out solicit for us and let people know we are open for business.

He thinks it would be better administered in house, versus on the outside.

Councilmember Wilson recalled the last time they came before Council at which time many concerns were expressed. Council was very reluctant to approve the \$30,000 so she hopes this does not come as a surprise. She recalled one business they were involved with, though that deal ended up falling through. She emphasized that Milford is a good town and emphasized the importance of promoting this town and believes it is growing in the right direction on its own.

When asked for comments from Councilmember Morrow, because of his position on KEP's board, he said they have only had one meeting. He said they have done some work with Nationwide Healthcare, but there is nothing in the works right now. He was enthusiastic to work with them. However, his two cents is for economic development purposes, we need to be involved in everything that is out there. A lot of things aren't going to show up and a lot of things aren't going to pan out. But not participating loses any opportunity though he is willing to go along with anything the majority of Council decides to do. Though he would like to see it move forward, he cannot deny it is a slow mover.

Councilmember Culotta said what this boils down to, is whether or not the city is getting value for our money and regardless of it is \$30,000 or \$300,000, every dollar counts. He said we really have to get on the horse and become our own business development advocate and look at what is available to us. We want feelers out, but we also have to pay attention to our budget. It is a matter of are we getting value for this money.

Councilmember Morrow asked that KEP Executive Director Linda Parkowski speak.

Executive Director Parkowski said she understands all the comments that have been made. She wants Council to understand that the KEP is the one that got the education portion into Nationwide and they set up all the meetings. They are also working on the Rockport 2.1 study where Milford would have had to go out and get their own economic analysis study done. Instead the KEP, along with Milford, Smyrna and Dover are getting a new Kent economic analysis study. She pointed out there are some benefits.

Milford was also represented at nine trade shows and Milford had the opportunity to go these trade shows and participate, along with the KEP. They have had six wins in the manufacturing sector, we just haven't had a really good win in Milford. They are concentrating on healthcare more in the Milford area because it lacks large industrial tracks or empty industrial buildings.

In addition, Milford gets a seat on a board for what is going on in the future. They will be bringing in site selectors in because they will not be going to the trade shows with most of them virtual.

She said Milford has great presence on their website, which was rated one of the top economic development websites in the country.

Ms. Parkowski concluded by saying she appreciates the opportunity and KEP will always work with Milford in moving things forward.

Councilmember Boyle moved to disassociate from the KEP and not renew the partnership agreement for the coming year, seconded by Councilmember Wilson. Motion carried by an 7-1 vote with Councilmember Morrow casting the sole no vote.

*Authorization/Lease/Children & Families First Inc./518 N Church Street*

Solicitor Rutt explained this involves the Head Start building that had been with the Telemon Corporation. The Head Start program contracts with various providers and lost the contract for the State of Delaware. The new provider will be Children and Families First.

He shared the current lease was for five years and ended in June, so the Head Start program is on a holdover basis. Mr. Rutt spoke with both representatives from Telemon and Children and Families First who provided him with the old lease. The way it is structured is the city owns the real estate at 518 and he believes the federal government that primarily financed the construction of that building through some of these operations. However, it is under the control of Children and Families First now or will be.

As a result, Mr. Rutt stated that this is a ground lease and the improvements are owned by somebody else. The old lease really blurred those lines and did not specifically talk about the ground nor the premises, including the improvements.

Solicitor Rutt talked with John Wood from Children and Families First who stated they are in the process of redoing 13 or 14 leases throughout the State and finally did send the old lease. In the meantime, he went ahead and drafted a new lease that tried to eliminate a lot of those blurry lines and make it very clear that the city owned the real estate and they owned the building. By owning the building, they have the obligation of maintaining that building, liability for insurance, etc.

It was completed today and copies sent to the City Manager, City Clerk and to Mr. Wood.

Because they are in process of negotiating the lease, he asked Council to authorize the City Manager and Solicitor to finish it because it is only a \$1 a year rent and no money is being made. The primary goal is to ensure Head Start stays there, they maintain their organization and keep doing the good work that is being done.

The proper entity in this case is Children and Families First who maintains the repairs, the liability and holds the city harmless in the event someone gets hurt.

Councilmember James asked if there is a way or a requirement to do a better upkeep of that facility. He walks by it all the time and finds the crawl space doors open and all kind similar things are going on there. It is on the verge of becoming an eyesore for that corner.

Solicitor Rutt said that was not in the prior lease but has been added to the draft and states they will maintain the leased premises at all times, safely and in attractive condition. Not permitted is accumulation of trash and itemizes all the things they have to do. He also included the city, at its discretion, will be the sole judge of the quality of the exterior maintenance and will upon notice from the city, perform whatever maintenance the city deems necessary.

In that manner, City Inspectors can go there to determine unsafe conditions or it is deteriorating and require that maintenance.

The Solicitor also added that at the end of the lease, they have to move that building off the property. If not, the city has the option of either accepting it and doing what they want with it, or demolishing it and back charge Children and Families First for the demolition costs.

He prior lease was deficient and did not include these terms.

When asked who actually owns the building, Solicitor Rutt explained that as Mr. Wood was describing it, a lot of the funding came through Health and Human Services that administers the Head Start programs. He further explained they were a contractor with them.

One of the questions that must be answered is who owns that building and it could be the Federal Government.

The Solicitor did pull the tax records that shows the city owns the land.

Councilmember Wilson then moved to postpone action on this matter, seconded by Councilmember James.

Solicitor Rutt suggest that because there are so many questions, he suggests postponing action to allow the City Manager and the Solicitor to finish the negotiations before bringing it back for authorization.

Councilmember Wilson then moved to postpone action on this matter to allow more time for negotiations, seconded by Councilmember James. Motion carried.

Introduction of Ordinances:

*ORDINANCE 2020-23  
Code of The City of Milford  
Part II-General Legislation  
Chapter 88-Building Construction*

Mayor Campbell introduced Ordinance 2020-23 and deferred to the Planning Director. Mr. Pierce referenced the ordinance which amends the City of Milford Building Code and specifically the Planning Department Fee Schedule. This will be presented to Council at their September 28<sup>th</sup> for a public hearing and final determination.

*ORDINANCE 2020-24*

*1st State Self Storage OZ, LLC on behalf of Savannah Ventures, LLC for a Conditional Use to allow a business use that will not adversely affect neighboring properties, and to allow a dwelling other than single-family with a maximum density of 12 units per acre on 9.0 +/- acres in a C3 Zoning District. Property is located along the east side of S DuPont Blvd approximately 350 feet south of the Route 14 intersection, addressed as 11 S DuPont Blvd, Milford, Delaware. Present Use: Vacant; Proposed Use: Self Storage building with manager's office/residence. Tax Map: MD-16-183.09-01-58.00*

Mayor Campbell introduced Ordinance 2020-24. Mr. Pierce noted the conditional use application for a self-storage facility to be located on Route 113 just south of the railroad easement, below the Walgreens site. It will go before the Planning Commission tomorrow night for the conditional use and site plan review and will be back before Council 28th for the conditional use public hearing.

EXECUTIVE SESSION

Councilmember Wilson moved to go into Executive Session reference below statute, seconded by Councilmember Morrow:

*Property Sale/Lease-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*

Motion carried.

Mayor Campbell recessed the Council Meeting at 8:40 p.m. for the purposes as are permitted by the Delaware Freedom of Information Act.

*Return to Open Session*

*Land Matter*

Council returned to Open Session at 9:23 p.m.

Mayor Campbell directed the City Manager to do some investigating and talk with the management as discussed in Executive Session.

ADJOURNMENT

Councilmember James moved to adjourn the meeting, seconded by Councilmember Baer. Motion carried.

The meeting was adjourned at 9:25 p.m.

Respectfully submitted,

Terri K. Hudson, MMC  
City Clerk/Recorder

MILFORD CITY COUNCIL  
MINUTES OF MEETING  
September 28, 2020

The City of Milford Police Committee met by way of video conferencing on September 28, 2020.

PRESIDING: Chairman Mike Boyle

IN ATTENDANCE: Mayor Arthur Campbell

Committee/Councilmembers Andrew Fulton, Jason James and Douglas Morrow

City Manager Mark Whitfield, Chief Kenneth Brown and City Clerk Terri Hudson

In an effort to adhere to social distancing protocols and best practices imposed by Governor John Carney's State of Emergency Declaration effective March 13, 2020, the City of Milford has canceled all public gatherings until further notice. See September 28, 2020 Committee Meeting agenda for additional information.

#### CALL TO ORDER

Chairman Boyle called the meeting to order at 6:11 p.m.

Because of for the most part being a new committee, Chairman Boyle asked Chief Brown to provide an overview of the department's operations.

Chief Brown stated as you know, we've had two openings for a long time. We recently hired a female who was a summer officer for years and will be starting the Dover Police Academy starting October 4<sup>th</sup>.

He said they also have two other certified officers that have applied and he hopes at least one of those pans out.

The Chief said that Chairman Boyle asked him to also talk about things he has changed in light of the national sentiment with police. The Delaware State Chiefs Association has been active and have come out with a model policy on the use of force. But within their own department, they will mirror that though there aren't any deficiencies in Milford. They don't have use chokeholds and have not had any issues so they are in compliance already.

They are looking at other policies to ensure they are meeting the needs of other public outcry issues.

He is also activity involved with the police accountability subcommittee that was formed out of the Black Caucus of the legislators. The Police Chiefs Council has representation on that and he always gets the notices and monitors them.

When asked what else the Chairman wanted him to talk about, he mentioned remedial training. He stated that Councilmember Baer sent him a question which was forwarded to the Chief in regard to the monthly statistics though that can be discussed during the regular Council meeting.

Chief Brown said we do track the traffic tickets and there are quite a few ways of tracking them, but to determine if are city residents or non-residents is not included in that tracking. Chairman Boyle said in regard to the increased traffic during the summer coming through Milford, he was wondering how that impacted the city.

Chief said they would have to go through the tickets and create a record. Councilmember Boyle said he has seen on the statistics it is not out of line that traffic tickets are increased in the summer. Chief Brown said this year has been different before Covid-19.

## NEW BUSINESS

*Police Facility Update/Chief Brown:  
2020-2021 Cost Estimate (Current)  
Special Borrowing Referendum Schedule*

Chief Brown deferred to Brendan Frederick from Becker Morgan for the update on the project.

Mr. Frederick said they had worked on the project and came up with a budget around this time last year. He is going to use the largest number that included everything for the project was \$18,429,000. Now that it has been pushed out another year, and considered the potential impacts to the construction market, and working with RY Johnson, is an increase of roughly 3% or just over \$500,000. The new projected total will be \$18,901.17.

Mr. Frederick pointed out that number aligns with all the discussions to date. There is a lot of ways to go into design and opportunities where we can work within budget parameters that may come our way, as well as accommodate for the ever- changing construction market.

As can be seen on the news, or anyone involved in homebuilding, understand that prices have soared astronomically over the last few months, to the extent that she had a sheet of plywood will cost about \$30 at Home Depot right now.

However, the team will work with everyone to kind of work within these parameters. But he felt it was important to evaluate the current status, where it could a year from now, because the design would not be completed until 2021, with construction starting late 2021, early 2022 for about twelve months.

The genesis of the update and basically involves just over a \$500,000 increase.

It was confirmed by Mr. Frederick when asking about continuing increases over the construction period, that number is what they call in the industry an escalation factor. The good news, is on bid day, that is the number. If the project duration is twelve-fourteen months, that number does not change. That contractors is meant to anticipate those costs through the start to finish.

He continued by stating that if the project was delayed another year, it would need to be re-evaluated on an annual basis. That number vacillates over the years and he has seen that number be a flat annually, up to as high as 10% depending on the market. Becker Morgan typically recommends a five to six percent increase, though they are very comfortable with the three percent at this time. But it needs to be taken into consideration general inflation in the construction market.

When asked what a bond issue of \$18.9 million means considering the money market now, Finance Director Lou Vitola said in terms of borrowing, he is unsure what a 30-year municipal debt is trading at right at this moment. He would like to think we could get under 3% still because the rates are still at historic lows. But right now, we do not know how that will change.

Mayor Campbell then talked about the \$3 million of electric funds discussed in the early stages of this project, he is curious what the interest would be on \$18.9 million. Mr. Vitola explained the rate will be driven, not by the amount borrowed. Whether borrowing \$10 million or \$20 million, the things that are going to drive the rate are the maturity term, how long the bonds are outstanding and how they are sold and in what markets.

In a project like this, Mr. Vitola explained, and there is a genuine need for a project and the referendum passes, there should be less worry about interest rate and the timing of the bond issue to get to market and more about making sure we have the ability to provide an adequate funding source, lock it in at a fixed rate and then establish a revenue stream to pay for it.

Mr. Vitola said where cities, get into trouble is when there is a rush to do something, or purposely put something off, in an effort to aggressively go after certain market conditions because it's short lived and could go away. But if the community needs a police station, you know, whether at 2.5 or 2.7%, that is not a huge tweak to the required funding when it involves a 40-year asset for the city. He would like to allow finance to be more of a back-office function that's going to help the city solve this problem. Then when it is time to go to market, at that point, the most advantageous bond sale will be made, at the best rates with the lowest interest cost that are in the best the best interest of the city.

The Finance Director explained that previously, any interest discussed may have been based on the municipal markets at that time though they change every day. We are in a historically low rate environment so if we are going to borrow, we might as well borrow the full amount. He does not think that sentiment will change.

If things move forward, pursuant to tentative schedule created by the City Manager, then Mr. Vitola's recommendation will not be any different that Finance Director Jeff Portmann's to borrow the full amount.

When questioned, Mr. Vitola explained that if the original plan was to borrow the entire \$18.4 million, without any down money or up-front cash, and the project is now up to \$18.9, we would still want to borrow 100% of the requirements. That makes financial sense in a low interest rate environment, regardless of the amount.

When asked the difference in tax increases because of the additional \$500,000 in project costs, Mr. Vitola said he is not sure of the exact amount. There is a small delta, but he has not done the math.

Councilmember James then asked that his item again be added to the next Finance Committee meeting in order to keep abreast of the project costs. He feels the most important thing is the time line. He understands from the memo there are some decisions that need to be made that have not yet been discussed.

Councilman Boyle pointed out that is on tonight's Council agenda where it can be further discussed, and included is the timeline for Council's review.

Councilmember Fulton agrees that from what he is understanding, the full amount sounds like the correct pathway to go. He feels that keeping our reserves intact keeps us more liquid. He is anxious to hear the timeline as well.

Councilmember Morrow concurs with Councilmember Fulton and he agrees that in this market, it is advantageous to borrow the entire amount of the project.

Councilmember Boyle referenced the memo in the packet that talks about the cost and what it will do to our property tax rate. The last section of the memo includes the timeline beginning October 12<sup>th</sup> through January 30<sup>th</sup> at which time the referendum would be held.

It was confirmed there are no alternative plans at the time should the referendum fail. Chief Brown is unaware of one.

Councilmember Fulton said he does not believe our city has any anti sentiment towards the police department, but if there were by some residents, he would hope that would not impact the vote.

City Manager Whitfield pointed out that if it were to fail, the question would be why would the referendum failed. And if it was the proposed tax increase, the size of the building, the cost of the building, etc. There would be a host of issues that would need to go back to the drawing board and review the reasons why referendum fail. Then tweak any future plans from that and move forward with a second referendum at some point.

Councilmember Fulton recommends we move forward with the timeline and hopefully get more information out to people to really drive the point home on how much it is needed.

Councilmember Fulton moved the Police Committee make a recommendation to move forward to the full City Council with the approval of the timeline has put forth by the City Manager, seconded by Councilmember Morrow. Motion carried.

*Consideration/Behavioral Health Unit*

Councilmember James reported that he is asking City Council consider having a feasibility study done to determine whether a behavior health unit would be beneficial to the Milford citizens and to the police department and discussed his request which follows:

This memo is a formal request that the City of Milford conduct a feasibility study to determine if the establishment of a Behavioral Health Unit within the Milford Police Department would be beneficial to the citizens of the City of Milford and to the Milford Police Department. The purpose for establishing the unit would be to fill the need for the department “to do something on the front end” for people in need.

It is evident that more and more our Police Officers are, by default, required to respond to mental illness and addiction related issues. The Behavioral Health Unit could reduce the burden on Police Officers and instead help to connect people with the behavioral, mental health, and substance abuse addiction services they need. Arresting and incarcerating someone with a behavioral health issue, mental health issue, or substance abuse addiction disorder is often not the best path. Absent a crime being committed, individuals suffering from these issues and disorders do not need to be in the criminal justice system. The Behavioral Health Unit would aim to keep these individuals and the community safe and to make sure that the persons in need receive the necessary treatment.

Responding to behavioral, mental, and addiction related issues places a burden on the resources of the Police Department by removing Officers from other law breaking and criminal activity matters. Responding to known mentally unstable subjects can be more difficult amid staffing limitations. A Behavioral Health Unit adds a vital resource to Police Officers responding to behavioral health issues; i.e., puts another tool in their tool belt; you've got your gun, you've got your Taser and then you have this. Specifically -trained police officers are paired with licensed mental health clinicians in an unmarked police car, wearing plain clothes.

The mission of the Behavioral Health Unit is to coordinate the response of Law Enforcement and the Behavioral Health System to aid people in behavioral crisis resulting from known or suspected mental illness and or drug and alcohol addiction. The Behavioral Health Unit receives calls through 911.

The Behavioral Health Unit would be under the umbrella of the Chief's Office and oversees the two tiers of police response to individuals with mental illness or in behavioral crisis:

- o Mental Health
- o Substance abuse addiction

**Behavioral Health Unit Goals:**

- Create a partnership with behavioral health professionals and police department.
- Develop an accessible, coordinated and comprehensive system of psychiatric emergency services.
- Divert persons who have behavioral health illness from the 911 emergency system and hospital emergency departments.

- Link frequent mental health consumers to the behavioral health system.
- Reduce police time on calls associated with behavioral health consumers.
- Increase disposition and treatment options for Police Officers police officers responding to crisis calls.
- Increase overall treatment satisfaction for behavioral health consumers.

This initiative is not to reduce nor replace current funding of the Milford Police Department; it is to provide the proper services for the citizens and the Police Department alike. Per conversation with Captain John W Treadwell Sr, there is possible funding through Federal and State grants.

Councilmember James said there a lot of cities all around us that are doing this. He spoke with Officer John Treadwell who runs the Behavior Health Unit up in the New Castle County Police Department who is willing to help. From Milford Hospital, as well as the Lieutenant Governor's office, are both willing to provide additional input.

There is also federal and state money available to help fund these types of things, starting with grants, that would then be turned into long-term funding if successful.

There are other partners available as well. New Castle County Police Department partners with Christiana Care as their behavioral health specialist. The ask here is for the Council to consider allowing a feasibility study to be done to see how this would fit or would be beneficial to the citizens of Milford and the department.

When asked for comments, Chief Brown said he is all for the feasibility study to learn more. He said he has read about departments across the country that are in the early stages of such programs and believes a feasibility study would be a good thing to do.

Councilmember Fulton asked if the department has a peer counseling type intervention at this time for drug addiction.

Chief Brown said he partners with Brandywine Counseling and Connections in Harrington and primarily take people there. They usually come in contact with a person that could benefit from those services, and they are willing to give them a ride to these places. If not, they provide the information they need to seek out those services.

Councilman Fulton asked if information is also provided for the Division of Public Health; Chief Brown said yes and since Brandywine Counseling here in Milford has helped with the homeless. Those that seek out and get treatment have really benefitted according to Chief Brown. He also got a DART bus stop there to make it easily accessible.

Councilman Fulton thinks a feasibility study would be of help, though there is a need to sit down and come up with some parameters as far as what they would like this program to do. He would like to start with Councilman James's parameters and move forward based upon these parameters. He would hate to repeat things that are already being done by other organizations like DPH.

Councilmember James said he has been in touch with Chief Brown and was aware of what was being presented. He agrees that in order to do a feasibility study, parameters have to be set, which will be impossible without Chief Brown. His assumption will be this Police Committee, with Council's approval, would be the owner of this project and create those parameters on what is the expected outcome.

He continued by saying the way Milford is growing that mental health, illness and addiction issues are putting a strain on the resources of our current police department.

Councilmember Fulton moved that the Police Committee move forward and have a feasibility study for a mental and behavior health unit to be considered, seconded by Councilmember Morrow. Motion carried.

#### ADJOURNMENT

There being no further questions, Chairman Boyle adjourned the Police Committee meeting at 6:44 p.m.

Respectfully submitted,

Terri K. Hudson, MMC  
City Clerk/Recorder

MILFORD CITY COUNCIL  
MINUTES OF MEETING  
September 28, 2020

The City Council of the City of Milford convened in a Workshop Session by way of a video conferencing website on Monday, September 28, 2020 at 6:45 p.m.

PRESIDING: Mayor Arthur Campbell

IN ATTENDANCE: Councilmembers Daniel Marabello, Mike Boyle, Andrew Fulton, Todd Culotta, Brian Baer, Douglas Morrow and Jason James Sr.

STAFF: City Manager Mark Whitfield, Police Chief Kenneth Brown and City Clerk Terri Hudson

COUNSEL: Solicitor David Rutt, Esquire

ABSENT: Councilmember Katrina Wilson

In an effort to adhere to social distancing protocols and best practices imposed by Governor John Carney's State of Emergency Declaration effective March 13, 2020, the City of Milford has canceled all public gatherings until further notice. See September 28, 2020 Council Meeting agenda for additional information.

DEMEC Presentation President/CEO Mr. McCullar

Mayor Campbell introduced DEMEC's CEO Pat McCullar for the presentation.

Mr. McCullar provided the following information:

DEMEC was created as a joint action agency back in 1979 and Milford was one of the founding six municipalities. DEMEC is owned by and dedicated to serve the member utilities throughout state of Delaware. Its mission is to advance the principles of public power of community ownership and provide reliable energy supply and services to its members owners communities. The City of Milford has strongly supported DEMEC and public power for over 40 years and owns 18% of the maximum equity.

Powering financial success together, as of December 31, 2019 DEMEC had:

Assets \$132,556,876, Operating Revenue \$137,476,264, Bonds Outstanding \$69,313,295, Net Margin \$12,287,156, Distributions to Members \$7,780,171 and Distribution to Milford \$1,579,375. Distribution to members is done every year.

We're powering savings together by developing an operating a design portfolio of supply resources went up. We own generation assets. We have aggregated power contracts with other generation that are part of a designed risk hedging policy. We diversify our contracts. We stagger the maturities and make sure we score the financial health and credit worthiness of the generators that we enter into contracts with.

This reduces our supply and price risk over the short and long term. We then balance on an hourly basis for load and supply in the PJM spot market PJM is the regional transmission organization in the middle. Mid Atlantic covering 13 states and the District of Columbia. We are a founding member charter member of PJM Spot Market. PJM is the regional transmission organization in the Mid Atlantic covering 13 states and the District of Columbia. DEMEC is a founding charter member who have about 600 members now, up from 150 members in 2001.

This optimized power supply portfolio provides very stable low-cost reliable wholesale power supply to Milford, and other DEMEC member communities.

The mix, when delivered to its members, comes from:  
Fremont Energy Center Supplies 41%

Laurel Hill Wind Farm 10%  
Milford Solar 1.4%  
Bloom Fuel Cells .2%  
Smyrna Solar .1%  
Remaining part comes from market purchases of 44%

DEMEC invested \$115 million in more than 310 megawatts of supply and renewable assets-solar, wind and still predominantly natural gas.

The Beasley power station is 100-megawatt natural gas peaking power plant located in Smyrna, Delaware which is operated about 5 to 10% of the hours per year to make sure that when the peak demand for energy is needed, that demand can be met at the lowest cost possible

The Fremont Energy Center is a highly efficient 700-megawatt combined cycle natural gas plant. DEMEC owns 150 megawatts out of this 675-megawatt plan and is owned 100% by public power utilities.

Laurel Hill wind farm is 30 wind turbines along a seven-mile ridge in central Pennsylvania and provides 69 megawatts of renewable energy and DEMEC receives 100% of the output.

The Milford Solar Generation Plant has 13 megawatts generated from 62,000 crystalline silicon solar panels located on 70 acres. This injects energy into the Milford grid behind the meter and supplies about 8% of the City's energy requirements each year.

DEMEC is also increasing renewable generation investments. In addition to Milford Solar, the Dover Sun Park, Seaford McKees Solar Park in Newark, Clayton, New Castle and Smyrna Solar. There is enough renewable energy generation in the state to power 24,000 homes.

Over the past six years from investments in the natural gas fire generation and purchasing contracts from efficient generators, has lowered the wholesale electric rate by 25% over that period. DEMEC is proud of those savings for their member communities and is one of the things that has enabled Milford to be one of the lowest cost electric providers in the State of Delaware.

There are 11 utilities in the State serving customers. The top four lowest cost utilities are all public power utilities and Milford is among them.

Our community utilities have very powerful incentives to get the desired development in our communities due to very low nonprofit electric rates, one stop permitting and the capacity to grow and provide infrastructure for new businesses or for businesses that continue to grow.

DEMEC is committed to following the State's current guidance of 25% renewable energy by 2025 though not obligated to do so. As a group, DEMEC members have chosen as a group to do that while minimizing costs.

Recently it was revealed by the Public Service Commission that Delmarva Power and Light was charging 19% additional cost to their customers for the renewable energy, they've invested in. For DEMEC's member utilities, our cost is below 4%.

Developing renewable energy product projects will continue as needed by our members and like to locate them behind the meter which allows reduced costs of capacity and transmission

DEMEC is also committed to reducing the impact on our environment through these carbon savings and reducing greenhouse gases.

The mission is lowest cost to meet the goals. The board of directors, which are member communities, set the goals. The job is to meet those goals at the lowest possible cost.

Also offered is an energy efficiency program called Efficiency Smart. All eight member communities have enrolled in Efficiency Smart that benefits all customer types and the community as a whole. This program reduced electric use by 2.6 million kilowatt hours in these communities.

New technologies are high priorities. Battery storage, while it's not really ready for prime time on the utility scale, is getting there. Opportunities are being sought on how to increase the number of charging stations in our communities as well as how other utilities are responding to customers that are charging their vehicles at home. That affects the demand curve and is a new demand on electricity.

A very robust professional training program is sponsored by DEMEC in Delaware versus sending people out of state too expensive seminars and pay travel and hotel costs. A very large training facility is available at the Smyrna office and guest lecturers, state of the industry experts and future looking speakers do training on site at no additional cost to our members.

Additional training programs have also been developed for line workers including safety rescue certifications and are developing a new training lineman yard to provide more opportunities. A lot of times, the only choices have been to send them out of state to very expensive training programs. They are now going to bring this program to them, while they are available should there be an emergency in their community.

The demand is very great and a much larger facility is needed to make sure that all the training gets done and all certifications can be achieved by our line workers.

DEMEC is continuing to invest in the right kind of generation as we go forward. The community power requirements are increasing, businesses are expanding and electrification is underway. Technologies are always developing and DEMEC is going select those that will be most valuable to our communities.

DEMEC's wholesale power supply cost reductions have allowed Milford to lower their rates for the past three years and have become one of the lowest cost power providers in the state. The training programs, improve the skills and knowledge of Milford employees at no additional cost to Milford budget.

DEMEC professional staff is at Milford's disposal at a fraction of the cost that would be incurred to have their own professional staff, either on board or contracted. As needs arise for Milford, DEMEC will continue to design and implement programs to meet those needs for Milford. DEMEC will continue to listen to Milford, and the other members to understand their needs and design programs and services to continue to help members be successful.

Reach out to your DEMEC team for any needs or challenges.

Councilman Marabello talked about the reliability to anything, including renewables. He asked the reliability of the solar plans in Milford; Mr. McCullar said they have been highly reliable with very few equipment failures. It is a very well-designed facility and has never had a significant outage. It has a very high uptime and is always putting out energy

Councilmember Culotta commented how electric vehicles are becoming more the norm and asked how the city can work with local businesses, shopping centers or gas stations to incentivize them install charging stations; Mr. McCullar said they are presently looking at opportunities to get grants to make financial incentives. They are offering designs of what electric charging stations can look like, though they believe it will organically take off by itself as the number of electric cars on the roads increase and those charging stations are needed. He believes people are going to see business opportunities in making a relatively small investment by installing a charging to make sure that they're serving their customers.

Councilmember Culotta asked what can be done in the meantime to talk about this; Mr. McCullar said they have tasked their Energy Services Manager Emily Green with that challenge. She is working on sources of grant funding that are

available, in addition to what kind of offers can be made to customers to further incentivize them to install the charging stations.

Councilmember James thanked Mr. McCullar and asked if there is an appetite or is it economical to have Milford invest additional dollars power generation like the solar farm. Mr. McCullar pointed out that any community can choose to make investments in additional renewable energy. However, they find the most efficient way to achieve these goals is to do it as a group because DEMEC can develop larger facilities, lower the economics and lower the cost of producing those facilities.

The DEMEC Board of Directors, one representing each the community members, have vigorous discussions about what they want the path forward to be for renewable energy. DEMEC will at least create a base for everybody of 25% by 2025. If any of the communities decide to have a higher goal, they can come to DEMEC and say they have a higher goal. DEMEC will then identify and present the lowest cost solutions to providing that additional renewable energy to your community.

City Manager Whitfield added that the city is always looking for ways to partner with local companies. He talked with Purdue several years ago about possibly partnering with them by using some of their excess energy at the plant to operate a turbine. Anytime a local company wants to do something on a renewable side, the city is always interested in that partnership. Mr. McCullar noted that DEMEC is always happy to assist with those endeavors.

Mr. McCullar concluded by thanking Council for the opportunity adding that DEMEC is always available to assist with information or answer questions.

There being no further business, the Workshop Session of Council concluded at 7:10 p.m.

Respectfully submitted,

Terri K. Hudson, MMC  
City Clerk/Recorder

# City of Milford



## PROCLAMATION 2020-19

### *Breast Cancer Awareness Month*

*WHEREAS, Breast Cancer Awareness month is a worldwide annual campaign in October, involving thousands of organizations, to highlight the importance of breast cancer awareness, education, and research; and*

*WHEREAS, according to the Centers for Disease and Prevention (CDC), breast cancer is the second most common cancer among women; and*

*WHEREAS, one in eight women in the United States will be diagnosed with breast cancer in her lifetime and it is estimated that in 2020, approximately 30% of all new women cancer diagnoses will be breast cancer; and*

*WHEREAS, on average, every two minutes a woman is diagnosed with breast cancer in the United States; and*

*WHEREAS, increasing the public's knowledge about the importance of early detection of breast cancer diagnosis and treatment can save lives; and*

*WHEREAS, as we display pink ribbons and wear pink clothing to raise awareness, we also support those courageously fighting breast cancer and honor the lives lost to the disease; and*

*WHEREAS, this October, we recognize breast cancer survivors, those currently battling the disease, friends and families of a diagnosed patient, and applaud the efforts of our medical professionals and researchers working to find a cure.*

*THEREFORE, BE IT RESOLVED, I, Arthur J. Campbell, Mayor of the City of Milford, by the power vested in me, do hereby proclaim October 2020 to be Breast Cancer Awareness Month in the City of Milford and urge all our citizens and employees to be tested.*

*IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Milford to be affixed this 12<sup>th</sup> day of October 2020.*



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*Mayor Arthur J. Campbell*

*Attest:*

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*City Clerk Teresa K. Hudson*



OFFICE OF THE POLICE CHIEF  
400 NE Front Street  
Milford, DE 19963  
www.cityofmilford.com



KENNETH L. BROWN  
O 302.422.8081  
F 302.424.2330  
Kenneth.Brown@cj.state.de.us

Date: October 5, 2020  
To: Mayor and City Council  
From: Kenneth L. Brown, Police Chief  
Re: Monthly Police Report/September 2020

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**Monthly Stats:**

A total of 652 arrests were made by the Milford Police Department during September 2020. Of these arrests, 157 were for criminal offenses and 495 for traffic violations. Criminal offenses consisted of 21 felonies and 136 misdemeanors. Traffic violations consisted of 87 Special Duty Radar, 6 Drunk-Driving charges, and 399 other.

Police officers investigated 43 accidents during the month and issued 175 written reprimands. In addition, they responded to 1392 various complaints including city requests and other agency assistance.

**Monthly Activities:**

Throughout the month of August, participated in numerous conference calls and virtual meetings in reference the COVID-19 and the Governor's Emergency Order for the State of Delaware. This includes weekly Fire and Police conference calls, calls with the Governor, monthly State and Sussex Chiefs meeting, and Municipalities of Sussex Co. conference call and numerous call with City Government Officials, the City Manager and the public.

On Vacation out of state from September 8, 2020 – September 13, 2020.

Attended the Delaware Police Accreditation Board Meeting held via Zoom on September 15, 2020.

Attended Brandywine Counseling Board Meeting held via Zoom on September 15, 2020.

Attended Milford Senior Center Board Meeting held via Zoom on September 17, 2020.

Met with Downtown Milford Incorporated (DMI) on Main Street on September 17, 2020, in reference to the Santa House.

Met with the Director of the Delaware Police Accreditation on September 22, 2020 to discuss the beginning stages of the accreditation process for the Milford Police Department.

Meeting with Councilman Boyle on September 25, 2020.

Meeting with Lt. Huey, Admin. Asst. Sessoms and PowerDMS on September 30, 2020, to discuss the Public Facing Documents module in PowerDMS.

**Training:**

Training outside the department was cancelled for the Month of September 2020 due to the COVID-19 Pandemic. Officers and civilians have been assigned required training via webinars throughout the month.

**SRO:**

Sgt. Masten assisted the Milford School District by completing the DEMA School Safety Assessments as required by the Delaware Comprehensive School Safety Plan for Milford Senior High School, Milford Central Academy, Benjamin Banneker Elementary, Mispillion Elementary, and Lulu Ross Elementary. These are annual assessments that are required to be done and submitted through the Safe Plans program Delaware schools utilize.

Sgt. Masten reached out to Rony Baltazar-Lopez of the Delaware Department of Justice about obtaining more information about their public information efforts in Spanish. The hope is to receive translated materials in Spanish from the DOJ about a wide variety of safety related topics (scams and frauds in particular) to improve our outreach on our social media platforms to our Spanish speaking community. The National Weather Service provides material in Spanish that we have begun to utilize during our sharing of hurricane/coastal storm alerts.

Sgt. Masten and S/Cpl. Bloodsworth attended the September Business Mixer for the Chamber of Commerce of Greater Milford hosted by the City of Milford.

**K9 Unit:**

For the month of September 2020 the Milford Police Department K9 unit had the following stats:

**K9-1 (Mason)**

- Building Search 2
- Area Search 1
- Drug Sniff 5
- No Bite Apprehension 1

**K9-2 (Audie)**

Attended 3 day NPCA Dog Certification course.

- Building Search 5
- Disorderly Group 1
- Drug Sniff 2

<b><u>Seized Items</u></b>	<b><u>Amount</u></b>	<b><u>Value</u></b>
• Other	Drug Paraphernalia	
• Marijuana	28.75 grams	
• Cocaine	.41 grams	

Due to the COVID-19 Pandemic stats for the K9 Unit are lower than usual for the Month of September 2020.

SEPTEMBER 2020 MONTHLY REPORT

	SEP 2020	TOTAL 2020	SEP 2019	TOTAL 2019
COMPLAINTS	1392	8114	1419	11322
CRIMINAL ARRESTS	157	837	167	1279
Felonies	21	135	54	222
Misdemeanors	136	666	113	1057
TRAFFIC ARRESTS	495	2008	402	3701
Special Duty Radar	87	328	74	602
D.W.I.	9	44	8	65
Other	399	1636	320	3034
REPRIMANDS	175	653	117	1084
ACCIDENTS	43	248	62	526
Fatal	0	1	0	0
PARKING SUMMONS	5	40	8	93
CRIME PREV. CHECKS	4	75	40	176
FINES RECEIVED	\$4,721.23	\$ 53,888.80	\$8,004.52	\$ 73,355.44





PUBLIC WORKS DEPARTMENT  
180 Vickers Drive  
Milford, DE 19963

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[www.cityofmilford.com](http://www.cityofmilford.com)

To: City Council and Mayor  
From: Mark A. Whitfield, City Manager  
Subject: Monthly Report  
Date: October 8, 2020

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- We contracted with EDiS to evaluate the DMI building for possible repair and renovations.
- Christine and I put together a RFP for updating the Emergency Operations Plan. The update will be paid for through a grant from DEMA and Department of Homeland Security.
- We worked with the Chamber and the Department of Labor in hosting a Job Fair along the Riverwalk on September 28.
- We also worked with the Department of Labor on a trial job fair/unemployment assistance for the Haitian Community on September 19.
- Staff continues to work on the ERP planning process with our consultant, Plante Moran. We hope to have specifications out by December/January time frame.
- I attended several DEMEC strategic planning sessions.
- We interviewed 6 candidates for the IT Director position. We have invited 3 of the candidates back for on-site interviews.
- Customer Service began utility disconnects in September for July invoiced non-payments.
- We finalized the Economic Incentive Agreement and the Electric Service Agreement with Nationwide.
- The monthly Chamber mixer was held at the Public Works Facility on September 24

To: Mayor and City Council  
From: Louis C. Vitola, Finance Director  
Date: October 9, 2020  
Re: September 2020 – Finance Department Staff Report

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- The August 2020 Fiscal Year-to-Date (FY21) Financial Report was distributed to Council.
  - While cash and investment balances remain strong, reserve requirements and funding commitments encumber a significant portion of the balance in each fund, most notably the General Fund, Sewer Fund and the Municipal Street Aid (MSA) Fund.
  - The annual property tax billing totaled \$4,220,414, of which nearly \$4 million has been collected through the date of this memo.
  - General Fund revenues are strong through the first two months of the fiscal year. YTD revenue as a function of the annual budgeted revenue is nearly 50%, but the figure is skewed by the annual property tax billing and the controlled recognition of transfers in and reserve-funded projects, which occur on a monthly basis and match budget expectations accordingly. Adjusted for property tax billing, incoming transfers and reserve-funded initiatives, YTD General Fund revenue is still a healthy 21.6% of the annual budget, while expenditures are being monitored closely, measuring well under two months of levelized budgeted expenditures.
  - Enterprise Fund revenues are likewise strong through the first two months of the year, measuring nearly 20% of annual budgeted revenue. However, July and August are peak electric usage periods measured against a levelized revenue budget. The same can be said for Water and Sewer revenues this time of year, depending on temperature and precipitation. Strong Electric and Sewer revenues are offset by purchased power and Kent Co sewer fees, respectively, that exceed their respective levelized expense budgets. Nevertheless, total expenses have been controlled well, such that July and August can still be characterized as strong for the enterprise funds in total, as revenues exceeded the levelized budget by 17.5% while total expenditures exceeded the budget by only 1.6%.
- The FY20 Financial Statement Preparation and Audit process began in July and continued through September. We are currently in the testing phase after delivering the final FY20 trial balance to the auditors in September.
- The Billing & Customer Service Department has continued its efforts to collect past due tax and utility balances.
  - Past due utility accounts are being monitored through the spectrum of the Modifications to the Governor’s Declaration of a State of Emergency. Extended payment plans, COVID-19 relief funds, and referrals to charitable resources are being offered to customers experiencing COVID-19 hardships, while the disconnection process has been resumed for accounts showing sustained periods with no payments or attempts to establish payment plans. Past due accounts have improved to less than 800 and less than \$225,000, down from 1,286 and over \$540,000 on August 31, 2020.

- Delinquent tax accounts are being reviewed to determine the best course of action for notification and collections. Several staff recently attended complimentary bankruptcy & collections training, which will assist us as we form a plan for escalated collection efforts, including the monitions process.
- The annual Workers' Compensation Insurance audit is underway by our insurer, the DeLea Founders Insurance Trust (DFIT).
- A Finance & Public Works Committee meeting will be scheduled in November per the direction at the September 14, 2020 meeting to hold standing meetings every other month.

cc: Mark Whitfield, City Manager  
Jeff Portmann, Finance Director  
Suzannah Frederick, Accountant  
Sandra Peck, Accountant

TO: Mayor and City Council

FROM: Michael Svaby

DATE: October 6, 2020

RE: September 2020 – Public Works Department Staff Report

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- We are investigating how to more comprehensively handle vegetation and tree growth along power alignments and other infrastructure in the ROW.
- The Streets and Utilities Division is developing a schedule to be set in conjunction with the budget cycle to ensure resources are made available to fully meet activities.
- Staff is working in conjunction with the Planning Department to build a development coordination model which will be vetted and ultimately
- Operations and Fleet Staff are reviewing a proposal to install a bulk dispensing system for Diesel Exhaust Fluid (DEF).
- We were informed by the City's waste integrator, *Republic*, that DSWA has had critical increases in recycling contamination at the Milford transfer station. Public Works is building an information campaign to combat recycled waste contamination that is comprised of Public Service Announcements by internet, reverse 911 calls, television, radio, and public written posting locations.
- Public Works Director met with a student and Counselor at Milford HS regarding a student internship program. Following a brief orientation, the student will be given an assignment of mutual benefit in either Engineering and/or Technical Services Divisions of the Department.
- Contractor has completed the IT room at City Hall basement and began work on the restrooms.
- We had an evaluation done by EDiS on the DMI building. We are waiting on a report.
- Lovers Lane was paved this past week.
- The next phase of sidewalk inspections has been completed. Notices will be sent in October. Additionally, sidewalk invoices for work completed this past year will be sent in November.
- Staff continues to work on the Asset Management program for water and sewer.

- We have approvals from DELDOT for the waterline installation on NE Front Street. Project will be bid in October.
- Inspection work was done at Milford Ponds, Winward on the River, Simpson's Crossing and Brookstone Trace.
- Electric did infrastructure install at Winward on the River, service installs at Milford Ponds, West Shores and Brookstone Trace.
- A severe storm took out 5 electric poles on Airport Road on September 3. Electric crews worked through the night to restore power.
- We received our last hook truck and the various bodies. They have been invaluable since we received them.
- Public Works crews did a lot of work on storm clean up over the month, including chipping of brush put out by citizens.
- We sent our 3<sup>rd</sup> Class lineman to Northwest Lineman College for training.
- Public Works cleaned storm drains in September.
- All streets were swept last month, including weed spraying of curb.
- We had significant issues with pumps at the new Shawnee Acre pump station, which is under warranty. The issue was the soft starts on the motors. Presently only one pump is working and we have temporary by-pass set up in case of any failure.
- We switched electric from Delivery 1 substation at the beginning of September in order for Delmarva Power to replace poles on their transmission. We put all of the City's load onto Delivery 2 while the work was performed – and we were able to test all switching devices and perform maintenance in Delivery 1 while it was all de-energized.
- We had issues with the Fork Landing pump station. The issue was rags hung up in the pumps.
- Several pump stations were cleaned by CES out of Delmar as routine maintenance.
- We lost the motor on well #13. Motor to be replaced next week.
- We continue to work on the well drilling at 10<sup>th</sup> Street.



TO: Mayor and City Council

FROM: Rob Pierce, AICP - Planning & Economic Development Director

DATE: October 1, 2020

RE: September 2020 – Planning Department Staff Report

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- Through the first three quarters of the 2020 calendar year, the City has issued 170 new residential construction permits and 6 new construction permits for 144 apartment units.
- The total construction investment in Milford from January through the end of September based on issued building permits was \$60,695,636.
- The City of Milford has seen 70 projects with a committed investment of over \$22.1 million within the Downtown Development District (DDD) area since September 2016 (based on permit valuations from submitted applications). The State of Delaware has committed or awarded over \$2.67 million in grant funds for both large and small commercial and residential projects in Milford. The City has waived over \$345,000 in permit fees and taxes associated with these projects in accordance with Chapter 19 Economic Development and Redevelopment and DDD program guidelines.
- The Planning Commission reviewed and approved the Preliminary Site Plan for the 1<sup>st</sup> State Self Storage project located along the east side of Route 113 south of the Route 14 intersection and the railroad easement.
- The Board of Adjustment reviewed and approved a variance from the wetland buffer requirement for the 1<sup>st</sup> State Self Storage project along Route 113. The Board also approved a use variance to reestablish the former Young/McPherson Funeral Home on North Street along with an exceedance in lot coverage and reduction in the front yard setback.
- Staff reviewed and provided preliminary comments to DelDOT on the SR1 Ultimate Corridor Preservation Plan. Staff recommended DelDOT present this material to both the Planning Commission and City Council to gather feedback.
- Staff met with DelDOT to review the preliminary traffic model findings associated with the Southeast Neighborhood Transportation Improvement District (TID). DelDOT will be presenting these findings to the City Council in the near future before proceeding with cost estimates and conceptual design work.
- The City held the second public workshop for the Bicycle Master Plan Update on September 12, 2020 which was well attended by members of the community. The Bicycle Advisory Committee will meet virtually on October 15, 2020 from 4-6pm to discuss the public workshop, policy recommendations, draft facility types and locations and next steps.
- Staff attended virtual site selector training and networking provided by the Delaware Prosperity Partnership.
- The 200 NW Front Street Townhouse Project is nearing completion of its units along NW Front Street between N. Church Street and West Street. The project was a recipient of a Delaware State Housing

Authority Strong Neighborhood Housing Fund grant and DDD Large project reservation and aims to provide new homeownership opportunities in the downtown area.

- The Milford Movie Theater continues construction with a targeted opening date by the end of the calendar year.
- The Microtel along SR 1 and Silicato Parkway continues site work and continues vertical construction. Target opening date is the Spring of 2021.
- The NE Tenth Street Medical Office Building continues construction at the corner of NE Tenth Street and Silicato Parkway.
- The Royal Farms location on US Route 113 has been demolished and the new building and site improvements are nearing completion.
- The first phases of the Bayhealth/Nemours medical office building on the Sussex Health Campus are nearing completion and additional fit-out permits for the second and third floor are under construction.
- Windward on the River began construction on 144 of their 264 apartment units within 6 buildings on their project site off of Beaver Dam Road.
- Simpsons Crossing should begin new home construction in late October or early November.
- The City received a Utility Feasibility Study request for a new residential development on the Draper Farm on Williamsville Road for approximately 250 residential units.

**Planning & Economic Development Department**

	Same Month Last Year	Current Month	FY20 YTD (07/01/19-06/30/20)	FY21 YTD (07/01/20-08/31/20)
<b><i>Building Inspections &amp; Permitting</i></b>				
Total Residential Permits Issued	31	61	92	168
New Housing Construction Permits Issued	18	32	45	74
Residential Inspections Performed	88	141	413	360
Total Commercial Permits Issued	10	4	25	31
New Commercial Construction Permits Issued	6	1	17	23
Commercial Inspections Performed	9	18	23	50
<b><i>Code Enforcement &amp; Licensing</i></b>				
Code Enforcement Cases Opened	22	44	95	166
Code Enforcement Cases Closed	6	18	44	76
Contractor & Vendor Licenses Issued	14	15	58	91
Rental Licenses Issued	6	34	20	230
Rental Inspections Performed	31	0	330	6
<b><i>Planning &amp; Zoning</i></b>				
Land Use Applications Received	8	5	7	15
<b><i>Economic Development</i></b>				
Economic Development Incentive Applications Received	0	0	0	0
		<b>Current Month</b>	<b>Total (08/10/16-08/31/20)</b>	<b>FY21 YTD (07/01/20-08/31/20)</b>
Downtown Development District Applications Received	n/a	0	70	3
- Private Investment	n/a	\$ -	\$ 22,132,532.00	\$ 120,000.00
- State Rebate	n/a	\$ -	\$ 2,677,652.00	\$ -
- County Rebate	n/a	\$ -	\$ 21,500.00	\$ -
- Milford Waivers	n/a	\$ -	\$ 345,207.08	\$ 9,759.50

PARKS & RECREATION DEPARTMENT  
207 Franklin Street  
Milford, DE 19963



PHONE 302.422.1104  
FAX 302.422.0409  
[www.cityofmilford.com](http://www.cityofmilford.com)

TO: Mayor and City Council

FROM: Brad Dennehy-Parks and Recreation Director

DATE: October 6, 2020

RE: September 2020 – Parks and Recreation Staff Report

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- Park staff opened up both playgrounds in early September (Can-do playground at Tony Silicato Memorial Park and the one behind Parks and Recreation building). At both playgrounds new playground mulch was spread, new hand sanitizer stations were installed, and new signage stating the COVID-19 guidelines were erected.
- Bathroom at Tony Silicato Memorial park was opened up after being shut because of COVID-19. During the course of the regular work week the bathroom is wiped down several times a day and is also cleaned by an outside cleaning company.
- New park guideline signs were installed in Bicentennial Park on each side of the pedestrian bridge.
- Bicentennial bridge was power washed and painted.
- A volunteer day was held on Goat Island with volunteers from Anchor Church and Boy Scout Troop 116 with over 600 linear feet of donated wood chips being installed on the walking trail.
- Overgrown brush was also removed on Goat Island and trash which had washed up under the elevated section of the boardwalk.
- September was a wet month for grass cutting and parks crews continued to play catch up from a wet spring and summer.
- The Department obtained a new 72" zero turn mower which was approved as part of the capital equipment plan and was badly needed.
- The overgrown area of Riverwalk from N.Walnut Street to S.W Front Street was cleaned up. This section had become overgrown and several days' labor went into cutting back brush and trees.
- A meeting was held with the Director of the Boys and Girls club to discuss winter programming and Department of Health regulations pertaining to accessing the gymnasium for youth sports.
- An online meeting was held with members and staff of the Delaware Nature Society (DNS) regarding a memorandum of understanding for future programming between DNS and Parks and Recreation.
- Director met with a paving contractor to discuss up and coming paving contracts, including estimates for both basketball courts and the parking lot adjacent to the Parks and Rec. building.

- The next stage of the 2020 Outdoor Recreation Parks and Trails application was filed. This is the State grant program and Milford has applied for funding for improvements to be made along the Riverwalk regarding lighting and handrail upgrades.
- New concrete was installed at the dog park in preparation for the new third section. A new fence will be erected in October, thus creating a third area for “active” dogs, and allowing one section to be taken off-line for routine maintenance.
- New wood chips and mulch was installed in the park area where the farmers market is held in preparation for the regional job fair which was held September 28<sup>th</sup>.
- Youth programming returned in the form of flag football (ages 7-13) and a soccer clinic (ages U8-U12) offered over a 5 week period which began late September. New coaches were hired for these sports. COVID-19 requirements have meant staff have had to navigate new protocols and procedures from registrations, waivers, hand sanitizing, cleaning of equipment, reduced numbers of participants, to enforcing the wearing of masks and social distancing.
- Construction of the bathrooms at the Park maintenance building (rear building at the old Armory continues).
- Park Superintendent began a 12 week on-line Supervisor training program, and the Director obtained a pesticide applicator certification through the Department of Agriculture.



HUMAN RESOURCES  
10 SE Second Street  
Milford, DE 19963

PHONE 302.424.5142  
FAX 302.424.5932  
www.cityofmilford.com

TO: Mayor and City Council

FROM: Jamesha C. Eaddy, MBA, MSL- Human Resources Administrator

DATE: October 1, 2020

RE: September 2020 –Human Resources Department Staff Report

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- Interviews were conducted for the position of Solid Waste Operator/Collector and the new hire's first day of employment was September 8, 2020 with the Public Works Department.
- Interviews were conducted for the position of Information Technology Director and the top three candidates are scheduled for a City onsite tour on three separate days in October.
- Onboarded new hire for the position of Police Patrolman. The new hire's first day with the Dover Police Academy is Sunday, October 4, 2020. Bilingual testing was conducted for Spanish proficiency in which the new hire qualified for the bilingual pay differential allowance.
- A pharmacist and technician from Rite-Aid came onsite to the Public Works Department and provided voluntary flu shots for City employees and their dependents covered under one of the four State of Delaware Health Insurance Plans.
- September 9, 2020 was the launch of the Delaware Municipal Supervisory Management Academy which was spearheaded by Milford in partnership with Wilmington University. In addition to participants from Milford, the program includes participants from Lewes, Kent County, Milton, Rehoboth, Newark, Newport and Seaford for a total of 25.  
Instructors: Dr. Frank Ingraham, Dr. Kathy Kennedy-Ratajack, Dr. Rob Rescigno, Jen Cohan, and John Yeomans  
8 Course Modules: Leadership, Managing Performance and Performance Appraisals, Employee Benefits and Onboarding, Strategic Planning, Managing Workflow and Budgeting, Motivating Employees and Customer Service, Quality Interviews and Candidate Selection, and Managing Conflict and Successful Supervision.
- The Reward and Recognition Committee will not plan the 2020 Holiday Party due to COVID-19 restrictions. In lieu of the holiday party, the City will provide a turkey for Thanksgiving and a ham for Christmas for City employees and applicable City boards.
- The Reward and Recognition Committee also partnered with the Greater Milford Boys & Girls Club for the Adopt-A-Family Holiday program in which City employees can volunteer to purchase an item from the family's holiday wish list. Last year, we were able to purchase all items on that particular family's holiday wish list.



Financial Reporting Package  
As of and For the Period Ended August 31, 2020

Cash & Investment Balance Rollforward  
Restricted Cash Reserves Report  
Revenue Report with MTD & YTD vs Annual Budget  
Expenditure Report with MTD & YTD vs Annual Budget  
Interservice Department Cost Allocation

City of Milford, Delaware  
Cash and Investment Balance<sup>1</sup> Rollforward  
(Formerly Fund Balances Report)  
For the Period Ended August 31, 2020

1 **Operating Cash Balances**

Description	Opening Balance (Jul 31, 2020)	Receipts	Interest Earned	Disbursements	Closing Balance (Aug 31, 2020)
General Fund	\$ 2,097,203	\$ 1,545,407	\$ 990	\$ (1,039,145)	\$ 2,604,455
Electric Fund	4,884,583	2,336,911	1,783	(2,505,031)	4,718,246
Water Fund	639,079	315,583	225	(362,683)	592,204
Sewer Fund	283,171	395,024	134	(324,726)	353,603
Solid Waste Fund	352,072	102,305	121	(137,110)	317,388
<b>Operating Cash Totals</b>	<b>\$ 8,256,108</b>	<b>\$ 4,695,230</b>	<b>\$ 3,253</b>	<b>\$ (4,368,695)</b>	<b>\$ 8,585,896</b>

9 **Federal, State and Other Special Purpose Cash Balances**

Description	Opening Balance (Jul 31, 2020)	Receipts	Interest Earned	Disbursements <sup>3</sup>	Closing Balance (Aug 31, 2020)
General Improvement	\$ 453,686	\$ -	\$ 145	\$ (73,777)	\$ 380,054
Municipal Street Aid (MSA)	378,354	-	143	(1,572)	376,925
Realty Transfer Tax (RTT)	3,067,554	8,398	1,154	(41,667)	3,035,439
Economic Development	103,149	-	-	(70,860)	32,289
<b>Special Purpose Cash Totals</b>	<b>\$ 4,002,743</b>	<b>\$ 8,398</b>	<b>\$ 1,442</b>	<b>\$ (187,876)</b>	<b>\$ 3,824,707</b>

16 **Reserve Fund Cash Balances<sup>2</sup>**

Description	Opening Balance (Jul 31, 2020)	Receipts	Interest Earned	Disbursements <sup>4</sup>	Closing Balance (Aug 31, 2020)
General Fund Capital Reserves	\$ 2,096,102	\$ 13,570	\$ 1,655	\$ (13,687)	\$ 2,097,640
Water Fund Capital Reserves	9,924,595	151,904	7,555	(506,611)	9,577,443
Sewer Fund Capital Reserves	4,365,501	-	3,318	(161,389)	4,207,430
Electric Fund Capital Reserves	11,613,765	-	9,168	(649)	11,622,284
<b>Reserve Fund Cash Totals</b>	<b>\$ 27,999,963</b>	<b>\$ 165,474</b>	<b>\$ 21,696</b>	<b>\$ (682,336)</b>	<b>\$ 27,504,797</b>

23 **Impact Fees and Police/General Facilities Cash Balances**

Description	Opening Balance (Jul 31, 2020)	Receipts <sup>5</sup>	Interest Earned	Disbursements	Closing Balance (Aug 31, 2020)
Police & General Gov't Facilities	\$ 249,753	\$ 146,879	\$ -	\$ -	\$ 396,632
Water Impact Fee Reserves	3,089,957	518,246	-	-	3,608,203
Sewer Impact Fee Reserves	1,845,702	273,800	-	-	2,119,502
Electric Impact Fee Reserves	854,940	39,300	-	-	894,240
<b>Impact Fees &amp; Police/GF Totals</b>	<b>\$ 6,040,352</b>	<b>\$ 978,225</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 7,018,577</b>

<b>Grand Totals</b>	<b>\$ 46,299,166</b>	<b>\$ 5,847,327</b>	<b>\$ 26,391</b>	<b>\$ (5,238,907)</b>	<b>\$ 46,933,977</b>
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<sup>1</sup>Balances reflect banking and investment account statements and are not indicative of funding availability

<sup>2</sup>See enclosed Restricted Cash Reserves Report for breakdown of reserve funding commitments

<sup>3</sup>LED Project (line 11), Transfer to Police (line 13), \$45,860 for DMI and \$25,000 for Library & Museum (line 14)

<sup>4</sup>SE 2nd St (\$343,213) & Budgeted Int'l Truck (\$151,904) account for most of line 19; SE 2nd St Sewer Mains (\$150,000) drive line 20 disbursements

<sup>5</sup>Fees reported in lines 25-27 are driven by Microtel and by permits for 24 apartment units in the Windward on the River project

City of Milford, Delaware  
Restricted Cash Reserves Report  
As of August 31, 2020

General Fund Capital Reserves		Amount
Cash/Investment Balance (8/31/20)	\$	2,097,640
Restricted Funds:		
FY'19 Approved with Budget		(41,700)
FY'19 Capital - Council Approved		(55,830)
FY'20 Approved with Budget		(230,165)
FY'20 Capital - Council Approved		(7,300)
FY'21 Approved with Budget <sup>1</sup>		(813,099)
FY'21 Capital - Council Approved		(14,000)
Funding for 5 Police Officers - Yr 3		(436,800)
Hold for Future Fund Balance Policy <sup>3</sup>		-
Hold for Future Asset Replacement		-
<b>Uncommitted Reserve Balance</b>	<b>\$</b>	<b>498,746</b>

Water Fund Capital Reserves		Amount
Cash/Investment Balance (8/31/20)	\$	9,577,443
Restricted Funds:		
NW & NE Front Street Waterline		(131,718)
Public Works - HVAC Project <sup>2</sup>		(1,929)
Streets 2020 Utility Engineering		(10,883)
SE Second Street - Lead Gooseneck		(152,562)
Two Test Wells - 10th Street		(80,000)
Automated Blow-Off Valves		(48,628)
Lovers Lane Water Lines		(44,950)
Front Street Water Lines		(1,500,000)
Cost of Service: Min Cash Req'mt		(2,433,832)
Hold for Future Asset Replacement		-
<b>Uncommitted Reserve Balance</b>	<b>\$</b>	<b>5,172,941</b>

Sewer Fund Capital Reserves		Amount
Cash/Investment Balance (8/31/20)	\$	4,207,430
Restricted Funds:		
Service Vehicle - Ford F250		(35,000)
Public Works - HVAC Project <sup>2</sup>		(1,929)
Hook/Dump Truck with Plow		(211,795)
I&I Engineering Study		(13,943)
DNREC Surface Water Grant		(50,000)
Mill Street - Line Rerouting		(13,733)
Streets 2020 Utility Engineering		(10,883)
Cost of Service: Min Cash Req'mt		(3,562,637)
Hold for Future Asset Replacement		-
<b>Uncommitted Reserve Balance</b>	<b>\$</b>	<b>307,510</b>

Electric Fund Capital Reserves		Amount
Cash/Investment Balance (8/31/20)	\$	11,622,284
Restricted Funds:		
SCADA / Smart Metering Wall		(100,000)
International Line Truck (E110)		(275,000)
FY'19 Budgeted Capital		(297,150)
FY'20 Budgeted Capital		(466,400)
Early Redemption of Bond (1/1/22)		(1,060,000)
Cost of Service: Min Cash Req'mt		(4,816,739)
Hold for Future Asset Replacement		-
<b>Uncommitted Reserve Balance</b>	<b>\$</b>	<b>4,606,995</b>

Municipal Street Aid Reserves		Amount
Cash/Investment Balance (8/31/20)	\$	376,925
Projected Receipts through FY'21:		274,815
Restricted Funds:		
Mispillion Street Group		(434,440)
Street Improvement Plan: 2020		(133,000)
Street Improvement Plan: 2019		(72,000)
Balance of Fisher, Plum, Masten, etc		(1,094)
Balance of Lovers Lane Project		(3,125)
Restricted for Bridge Improvements		(6,552)
Hold for Future Asset Replacement		-
<b>Uncommitted Reserve Balance</b>	<b>\$</b>	<b>1,530</b>

Realty Transfer Tax Reserves		Amount
Cash/Investment Balance (8/31/20)	\$	3,035,439
Projected Receipts through FY'21:		611,000
Restricted Funds:		
Transfer to Police Dept		(416,666)
Sidewalk Project Funding		(140,000)
Mispillion Street Group		(80,000)
Hold for Future Asset Replacement		-
<b>Uncommitted Reserve Balance</b>	<b>\$</b>	<b>3,009,773</b>

<sup>1</sup>Includes \$347,899 for FY'21 General Fund Operating Budget Deficit-Funding  
<sup>2</sup>HVAC & Breakroom projects are complete, but retainage remains  
<sup>3</sup>The Finance Department will develop a minimum cash balance recommendation for Mayor & Council consideration

City of Milford, Delaware  
Revenue Report: MTD and YTD Actual vs Annual Budget  
For the YTD Period Ended August 31, 2020

*16.7% of Year Elapsed*

Account / Function	FY'21 Budget, as Approved	MTD Actual	YTD Actual	YTD Actual as % of Annual Budget
<b>General Fund:</b>				
Economic Development Fund	\$ 70,860	\$ 70,860	\$ 70,860	100.0%
General Fund Reserves	813,099	156,691	184,607	22.7%
General Fund Reserves - New Officers	436,800	36,400	72,800	16.7%
Realty Transfer Tax - Police	500,000	41,666	83,333	16.7%
Real Estate Tax	4,316,000	4,224,673	4,227,485	97.9%
Business License	50,000	1,880	5,450	10.9%
Rental License	100,000	1,250	9,950	10.0%
Building Permits	250,000	69,572	97,375	39.0%
Planning & Zoning	57,000	2,000	2,900	5.1%
Grasscutting Revenue	16,000	1,333	2,667	16.7%
Police Revenues	508,375	5,489	74,242	14.6%
Misc. Revenues	466,800	12,784	38,305	8.2%
Transfers In	3,486,525	290,545	581,088	16.7%
<b>Total General Fund Revenue</b>	<b>\$ 11,071,459</b>	<b>\$ 4,915,143</b>	<b>\$ 5,451,062</b>	<b>49.2%</b>
<b>Enterprise Funds:</b>				
Water Fund Revenues	\$ 2,984,930	\$ 274,673	\$ 573,803	19.2%
Sewer Fund Revenues	2,528,345	230,167	463,678	18.3%
Kent County Sewer	1,900,000	179,887	363,708	19.1%
Solid Waste Fund Revenues	1,314,770	110,190	220,607	16.8%
Electric Fund Revenues	24,310,398	2,466,163	4,848,524	19.9%
<b>Total Enterprise Fund Revenue</b>	<b>\$ 33,038,443</b>	<b>\$ 3,261,080</b>	<b>\$ 6,470,320</b>	<b>19.6%</b>
Other Enterprise Expense		(90)	(419)	
Other Enterprise Revenue		-	-	
<b>Total General &amp; Enterprise Fund Revenue</b>	<b>\$ 44,109,902</b>	<b>\$ 8,176,133</b>	<b>\$ 11,920,963</b>	<b>27.0%</b>
LTD Carlisle Fire Company Building Permit Fund			\$ 540,993	

City of Milford, Delaware  
Expenditure Report: MTD and YTD Actual vs Annual Budget  
For the YTD Period Ended August 31, 2020

*16.7% of Year Elapsed*

Fund / Account / Divisional Groupings	FY'21 Budget, as Approved	MTD Actual	YTD Actual	YTD Actual as % of Annual Budget	Unexpended Balance
<b>General Fund</b>					
<b>City Administration</b>					
Personnel	\$ 623,686	\$ 49,530	\$ 82,600	13.2%	\$ 541,086
Operation & Maintenance (O&M)	191,289	11,119	19,442	10.2%	171,847
Capital	-	-	-		-
<b>Subtotal: City Administration</b>	<b>814,975</b>	<b>60,649</b>	<b>102,042</b>	<b>12.5%</b>	<b>712,933</b>
<b>Planning &amp; Zoning</b>					
Personnel	158,111	12,661	21,014	13.3%	137,097
O&M	82,647	3,577	7,464	9.0%	75,183
Capital	-	-	-		-
<b>Subtotal: Planning &amp; Zoning</b>	<b>240,758</b>	<b>16,238</b>	<b>28,478</b>	<b>11.8%</b>	<b>212,280</b>
<b>Code Enforcement &amp; Inspections</b>					
Personnel	288,296	21,680	37,210	12.9%	251,086
O&M	91,722	2,840	7,422	8.1%	84,300
Capital	32,000	-	-	0.0%	32,000
<b>Subtotal: Code Enforcement &amp; Inspections</b>	<b>412,018</b>	<b>24,520</b>	<b>44,632</b>	<b>10.8%</b>	<b>367,386</b>
<b>Council</b>					
Personnel	32,295	2,799	4,306	13.3%	27,989
Legal	45,000	2,620	2,620	5.8%	42,380
City Hall Building Expense	30,014	2,501	5,002	16.7%	25,012
Insurance	20,400	-	5,533	27.1%	14,867
Christmas Decorations	7,000	-	-	0.0%	7,000
Council Expense	34,200	20	8,689	25.4%	25,511
Employee Recognition	28,000	106	106	0.4%	27,894
Codification	15,000	-	3,334	22.2%	11,666
Carlisle Fire Company	140,000	-	-	0.0%	140,000
Museum	30,000	-	30,000	100.0%	-
Downtown Milford, Inc.	45,860	-	45,860	100.0%	-
Milford Public Library	25,000	-	25,000	100.0%	-
Economic Development	2,000	-	-	0.0%	2,000
Armory Expenses	9,000	-	1,774	19.7%	7,226
Kent Economic Partnership	30,000	-	-	0.0%	30,000
Election - Wages	6,000	-	-	0.0%	6,000
Election - Supplies	2,000	-	-	0.0%	2,000
Ladybug Festival	60,000	-	-	0.0%	60,000
<b>Subtotal: Council</b>	<b>561,769</b>	<b>8,046</b>	<b>132,224</b>	<b>23.5%</b>	<b>429,545</b>

City of Milford, Delaware  
Expenditure Report: MTD and YTD Actual vs Annual Budget  
For the YTD Period Ended August 31, 2020

*16.7% of Year Elapsed*

Fund / Account / Divisional Groupings	FY'21 Budget, as Approved	MTD Actual	YTD Actual	YTD Actual as % of Annual Budget	Unexpended Balance
<b>Finance</b>					
Personnel	504,476	34,432	58,182	11.5%	446,294
O&M	86,400	6,405	11,776	13.6%	74,624
Capital	-	-	-		-
<b>Subtotal: Finance</b>	<b>590,876</b>	<b>40,837</b>	<b>69,958</b>	<b>11.8%</b>	<b>520,918</b>
<b>Information Technology</b>					
Personnel	274,394	12,695	21,440	7.8%	252,954
O&M	276,418	4,564	20,498	7.4%	255,920
Capital	62,000	-	17,486	28.2%	44,514
<b>Subtotal: Information Technology</b>	<b>612,812</b>	<b>17,259</b>	<b>59,424</b>	<b>9.7%</b>	<b>553,388</b>
<b>Police Department</b>					
Personnel	4,969,864	349,022	612,394	12.3%	4,357,470
O&M	724,875	43,311	122,953	17.0%	601,922
Capital	105,700	89,838	89,838	85.0%	15,862
<b>Subtotal: Police Department</b>	<b>5,800,439</b>	<b>482,171</b>	<b>825,185</b>	<b>14.2%</b>	<b>4,975,254</b>
<b>Streets &amp; Grounds Division</b>					
Personnel	353,451	27,275	45,585	12.9%	307,866
O&M	440,195	23,665	49,110	11.2%	391,085
Capital	-	-	-		-
<b>Subtotal: Streets &amp; Grounds Division</b>	<b>793,646</b>	<b>50,940</b>	<b>94,695</b>	<b>11.9%</b>	<b>698,951</b>
<b>Parks &amp; Recreation</b>					
Personnel	550,946	47,409	73,532	13.3%	477,414
O&M	368,020	33,101	65,529	17.8%	302,491
Capital	265,500	15,850	21,350	8.0%	244,150
<b>Subtotal: Parks &amp; Recreation</b>	<b>1,184,466</b>	<b>96,360</b>	<b>160,411</b>	<b>13.5%</b>	<b>1,024,055</b>
<b>Total General Fund Expenditures</b>	<b>\$ 11,011,759</b>	<b>\$ 797,020</b>	<b>\$ 1,517,049</b>	<b>13.8%</b>	<b>\$ 9,494,710</b>

City of Milford, Delaware  
Expenditure Report: MTD and YTD Actual vs Annual Budget  
For the YTD Period Ended August 31, 2020

*16.7% of Year Elapsed*

Fund / Account / Divisional Groupings	FY'21 Budget, as Approved	MTD Actual	YTD Actual	YTD Actual as % of Annual Budget	Unexpended Balance
<b>Enterprise Funds:</b>					
<b>Water Division</b>					
Personnel	\$ 319,598	\$ 23,262	\$ 39,980	12.5%	\$ 279,618
O&M	1,542,611	102,217	219,783	14.2%	1,322,828
Capital	757,445	-	-	0.0%	757,445
Debt Service	365,275	89,636	89,636	24.5%	275,639
<b>Subtotal: Water Division</b>	<b>2,984,929</b>	<b>215,115</b>	<b>349,399</b>	<b>11.7%</b>	<b>2,635,530</b>
<b>Sewer Division</b>					
Personnel	307,738	22,599	38,726	12.6%	269,012
O&M	1,814,277	116,186	218,739	12.1%	1,595,538
Capital	-	-	-	-	-
Debt Service	406,330	-	17,961	4.4%	388,369
<b>Subtotal: Sewer Division (excl. Kent County)</b>	<b>2,528,345</b>	<b>138,785</b>	<b>275,426</b>	<b>10.9%</b>	<b>2,252,919</b>
Kent County Sewer	1,900,000	179,901	363,722	19.1%	1,536,278
<b>Subtotal: Sewer Division (Comprehensive)</b>	<b>4,428,345</b>	<b>318,686</b>	<b>639,148</b>	<b>14.4%</b>	<b>3,789,197</b>
<b>Solid Waste Division</b>					
Personnel	315,705	21,525	38,544	12.2%	277,161
O&M	999,065	70,742	191,222	19.1%	807,843
Capital	-	-	-	-	-
<b>Subtotal: Solid Waste Division</b>	<b>1,314,770</b>	<b>92,267</b>	<b>229,766</b>	<b>17.5%</b>	<b>1,085,004</b>
<b>Subtotal: Water, Sewer &amp; Solid Waste</b>	<b>8,728,044</b>	<b>626,068</b>	<b>1,218,313</b>	<b>14.0%</b>	<b>7,509,731</b>
<b>Electric Division</b>					
Personnel	1,135,845	99,056	158,583	14.0%	977,262
O&M	2,605,859	175,878	396,923	15.2%	2,208,936
Transfer to General Fund	2,500,000	208,334	416,667	16.7%	2,083,333
Capital	947,529	-	36,414	3.8%	911,115
Debt Service	321,165	-	-	0.0%	321,165
<b>Subtotal: Electric Division (excl. Power)</b>	<b>7,510,398</b>	<b>483,268</b>	<b>1,008,587</b>	<b>13.4%</b>	<b>6,501,811</b>
Power Purchased	16,800,000	1,627,263	3,368,769	20.1%	13,431,231
<b>Subtotal: Electric Division (Comprehensive)</b>	<b>24,310,398</b>	<b>2,110,531</b>	<b>4,377,356</b>	<b>18.0%</b>	<b>19,933,042</b>
<b>Total Enterprise Fund Expenditures</b>	<b>\$ 33,038,442</b>	<b>\$ 2,736,599</b>	<b>\$ 5,595,669</b>	<b>16.9%</b>	<b>\$ 27,442,773</b>
<b>Grand Total Operating Budget</b>	<b>\$ 44,050,201</b>	<b>\$ 3,533,619</b>	<b>\$ 7,112,718</b>	<b>16.1%</b>	<b>\$ 36,937,483</b>

City of Milford, Delaware  
Interservice Department Expenditures: MTD and YTD Actual vs Annual Budget  
For the YTD Period Ended August 31, 2020

*16.7% of Year Elapsed*

Account / Divisional Groupings	FY'21 Budget	MTD Actual	YTD Actual	YTD Actual as % of Annual Budget	Unexpended Balance
<b>Interservice Departments</b>					
<b>Garage</b>					
Personnel	\$ 94,751	\$ 7,295	\$ 12,652	13.4%	\$ 82,099
Operation & Maintenance (O&M)	120,672	6,633	14,786	12.3%	105,886
Capital	-	-	-	-	-
<b>Subtotal: Garage</b>	<b>215,423</b>	<b>13,928</b>	<b>27,438</b>	<b>12.7%</b>	<b>187,985</b>
<b>Public Works</b>					
Personnel	727,522	45,080	74,386	10.2%	653,136
O&M	270,155	18,467	30,456	11.3%	239,699
Capital	216,773	-	-	0.0%	216,773
<b>Subtotal: Public Works</b>	<b>1,214,450</b>	<b>63,547</b>	<b>104,842</b>	<b>8.6%</b>	<b>1,109,608</b>
<b>Tech Services</b>					
Personnel	249,059	20,659	33,510	13.5%	215,549
O&M	445,181	22,551	62,776	14.1%	382,405
Capital	-	-	-	-	-
<b>Subtotal: Tech Services</b>	<b>694,240</b>	<b>43,210</b>	<b>96,286</b>	<b>13.9%</b>	<b>597,954</b>
<b>Billing &amp; Collections</b>					
Personnel	662,726	44,838	77,770	11.7%	584,956
O&M	282,655	17,433	40,298	14.3%	242,357
Capital	49,500	13,866	13,866	28.0%	35,634
<b>Subtotal: Billing &amp; Collections</b>	<b>994,881</b>	<b>76,137</b>	<b>131,934</b>	<b>13.3%</b>	<b>862,947</b>
<b>City Hall Cost Allocation</b>					
O&M	70,620	6,648	9,476	13.4%	61,144
Capital	-	-	-	-	-
<b>Subtotal: City Hall Cost Allocation</b>	<b>70,620</b>	<b>6,648</b>	<b>9,476</b>	<b>13.4%</b>	<b>61,144</b>
<b>Interdepartmental Cost Allocation</b>	<b>\$ (3,189,614)</b>	<b>\$ (203,470)</b>	<b>\$ (369,976)</b>	<b>11.6%</b>	<b>\$ (2,819,638)</b>
<b>Net Interdepartmental Costs<sup>1</sup></b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>		<b>\$ -</b>

<sup>1</sup>All costs reported here are allocated to and entirely funded by the various departments that use the services provided internally by these shared departments.



# DEMEC

## Delaware Municipal Electric Corporation

22 Artisan Drive, PO Box 310, Smyrna, Delaware 19977 Phone 302 653-2733 Fax 302 653-2734

October 1, 2020

EMAIL DELIVERED

City of Milford Council  
Attn: Mark Whitfield, City Manager  
201 S. Walnut St.  
Milford, DE 19963

RE: Submittal of the Municipal Electric Utilities Renewable Portfolio Standard Compliance Report for the 2019-2020 program year

Dear Councilmembers,

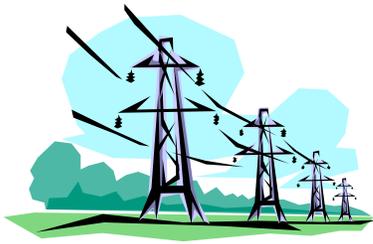
The Delaware Municipal Electric Corporation has completed the administration of the Municipal Electric Utilities Renewable Portfolio Standard for the 2019-2020 program year on behalf of all eight of our Municipal Electric Utilities. As per state statute, we submit to your local regulatory body a copy of the Municipal Electric Utilities Renewable Portfolio Compliance Report for your records.

If you have any questions or would like to discuss the plan in further detail, please feel free to contact me.

*Patrick McCullar*

Patrick E. McCullar  
President & CEO

cc: Delaware General Assembly  
Dayna Cobb, Delaware Energy Office, Director



# DEMEC

## Delaware Municipal Electric Corporation

22 Artisan Drive, PO Box 310, Smyrna, Delaware 19977 Phone 302 653-2733 Fax 302 653-2734

October 1, 2020

TO: Local Regulatory Authorities:

- City of Newark City Council
- City of Milford City Council
- Town of Middletown Town Council
- City of Seaford City Council
- City of Lewes Board of Public Works
- Town of Smyrna Town Council
- City of New Castle Municipal Services Commission
- Town of Clayton Town Council

Delaware General Assembly  
Delaware Energy Office

FROM: Patrick E. McCullar, President & CEO, DEMEC

SUBJ: Municipal Electric Utilities Renewable Portfolio Standard (“MRPS”) 2019/2020  
Compliance Year Report

In accordance with 26 Del. C. § 363(b), the Delaware Municipal Electric Corporation, acting on behalf of its member communities, submits the following MRPS Annual Report.

### **DEMEC Background**

The Delaware Municipal Electric Corporation (“DEMEC”) is a Public Power utility incorporated as a not-for-profit Delaware corporation in 1979; the members of DEMEC are eight of the municipal electric distribution utilities in Delaware. DEMEC provides joint services to the members.

- DEMEC generates electricity from its portfolio of owned generation assets and purchases electricity from other generators through staggered short, medium, and long-term power contracts to meet the requirements of its member municipal utilities.
- All eight of the member municipal utilities receive 100% of their requirements from DEMEC through long-term take-or-pay contracts.
- DEMEC has been authorized by its member utilities to manage the compliance obligation created by the Municipal Electric Utilities Renewable Portfolio Standard Plan.

## **Delaware Renewable Portfolio Standard Background**

The Renewable Portfolio Standard (“RPS”) is a State-mandated policy that obligates each retail seller of electricity to include in its resource portfolio annually increasing amounts of electricity from Qualifying Renewable Energy Resources through 2025 and beyond. The municipal electric utilities were exempted from the RPS requirements prior to 2010.

In 2010 DEMEC and its members responded to a request from Delaware Governor Jack Markell by voluntarily joining the Delaware RPS under S.S. 1 for S.B. 119. The bill provided, among other things:

- Increasing the RPS target to 25% by 2025 with at least 3.5% from solar sources.
- Allowed municipal electric companies to develop and implement a comparable program to the State Renewable Energy Portfolio Standard for its ratepayers beginning in the 2013 Compliance Year (6/1/2013-5/31/2014).
- Provided a method to freeze the RPS compliance obligations for utilities if costs exceed “circuit breakers” of 3% of the total cost of purchased power for Renewable Energy Credits (RECs) and 1% for Solar Renewable Energy Credits (SRECs) in any calendar year.

## **DEMEC Renewable Energy Commitments**

In developing a comparable plan, DEMEC evaluated its accomplishments and commitments regarding investments in renewable energy. DEMEC has invested in the development of a portfolio of qualifying renewable energy resources to achieve the lowest possible compliance cost to protect its ratepayers from unreasonable and burdensome impacts on their cost of electricity. DEMEC’s goal is to comply with the spirit of the Delaware RPS without creating a negative impact on the community ratepayers or the Delaware economy.

### **Non-Solar:**

- DEMEC has committed to purchase all the renewable electricity and associated RECs from a wind farm (Laurel Hill) in north-central Pennsylvania under a 25-year agreement. Laurel Hill is a 69-megawatt (69-MW) wind generation facility consisting of 30 Siemens wind turbines, each capable of generating 2.3 MW. Laurel Hill can generate enough electricity to power more than 20,000 homes.
- DEMEC’s service territory is home to the only significant wind generation system installed in the State of Delaware; the utility-scale 2-megawatt (2-MW) wind turbine located at the University of Delaware’s (“UD”) Hugh R. Sharp Campus in Lewes. RECs generated by the University of Delaware’s wind turbine are purchased by DEMEC through an agreement. The proceeds support wind and intermittent renewable energy graduate student research fellowship(s) in the University’s College of Earth, Ocean, and Environment (CEOE).

## **Solar:**

DEMEC is the leader in deployment of Solar Renewable Energy Resources in Delaware. Of the 129.1 MW of installed or committed solar generation resources in Delaware, a clear majority (65.2 MW, or 51% of the total) is installed in municipal electric service territories. This becomes an even more striking statistic when you consider DEMEC municipal service territories make up less than 15% of electric service in the entire state. DEMEC has participated in the development of qualifying solar energy systems in all the following RPS Taskforce defined Tier sizes:

Solar Renewable Energy Tier Groups (State Auction definition by size):

- Tier 1 = 0 to 50 kW – Typical Residential Rooftop
- Tier 2 = 50 to 500 kW – Typical Small Commercial
- Tier 3 = 500 kW to 2 MW – Typical Large Commercial and Industrial
- Tier 4 = 2MW and Up – Typical Utility Scale

### **Tier 1 and Tier 2 – Green Energy Grants**

- DEMEC has encouraged and supported residential and commercial renewable energy systems since June 1, 2006 through the Municipal Green Energy Grants Program.
- DEMEC has leveraged over \$7.2 Million dollars of overall investment in renewable energy with over \$2.4 Million dollars of grants.
- DEMEC has encouraged and supported the State Renewable Energy Taskforce to enable the owners of previously stranded solar projects to participate in the State SREC Auction and Sustainable Energy Utility SREC Procurement processes.
- DEMEC will continue to evaluate the cost effectiveness of participating in the State SREC auction process as our compliance obligation for SRECs increases.

### **Tier 3 – Community Scale**

DEMEC continues its long-standing support and funding of community solar sited within each of our member's service territories for the benefit of the entire community. Municipal sited and owned, behind-the-meter solar systems result in optimal cost savings to the entire community due to reduced capacity, transmission, and ancillary costs. Additionally, the benefits of municipal installed and owned solar systems readily allows participation by low-income customers, customers with properties not conducive to solar installations, and those who otherwise could not afford participation.

Each municipal's community project was designed and implemented to meet the specific needs, benefits, interests, and zoning of each community. DEMEC recognizes that there is no "one size fits all" approach; therefore, DEMEC assists with development with specific attention to meeting the unique interests of each of its members.

1. **Newark – 230kW project** – went commercial 4Q/2014. DEMEC, on behalf of the City of Newark, developed McKees Solar Park, a 230-kilowatt community solar farm. The project revitalized a 3.91-acre brownfield site off East Cleveland Avenue. The Solar Park provides Newark with a behind-the-meter renewable power source to serve all residents of the community by reducing the City's peak power demand, lowering the wholesale cost of power, generating solar renewable energy credits, bringing locally produced green energy to the City's electric users, and reducing the City's carbon footprint. The 900-

panel array produces enough electricity to power approximately 26 to 36 homes, depending on the season.

2. **Newark – opt-in program** - DEMEC also conceived and proposed to the City of Newark the State of Delaware’s first opt-in community solar program. This program was approved by Newark City Council on June 23, 2014 to launch programs to promote community involvement in the solar park. There are several program participation options such as: "Sun Ray" in which subscribers have the opportunity to make a one-time investment of \$50 in return for a monthly rebate of \$1.00 and the opportunity to purchase one (1), 100 kilowatt-hour block of power generated from McKees Solar Park each month for ten years. Participants can also select from a variety of a tax-deductible donation options to support the solar park and be recognized on the City's website. DEMEC’s Community Solar Model for the City of Newark has been recognized **twice** by the national solar industry trade group, Solar Energy Power Association (SEPA), as a leading program design for increasing access to solar energy to the public. DEMEC intends to help its members replicate this unique model.
3. **Clayton - 4.0 kW project** – went commercial 2Q/2015. This project is installed on the local Clayton firehouse to not only green the new building, but it also serves to reduce community taxes that pay for this critical infrastructure. The system generates electricity equivalent to saving 9 barrels of oil annually.
4. **New Castle - 29.0 kW project** – went commercial 3Q/2016. This project was designed to fit in within a unique municipality. The historical nature of the community limits placement so the facility was located near the local water treatment facility near the Penn Farm. It represents the successful combination of the historic feel with new technology. The system generates electricity equivalent to saving 2,000 gallons of gasoline annually.
5. **Seaford – ~690 kW project** – went commercial 1Q/2017. This project provides power to the local water treatment plant and benefits the community by reducing municipal expenses. The system generates electricity equivalent to 60 homes annual electric use.
6. **Smyrna - ~1.5 MW project** – went commercial 3Q/2018. This project meshes efficiency with renewables. Space in municipalities is at a premium so making smart choices is important. This project utilizes land surrounding a retention pond which has little otherwise use. By efficient land use, Smyrna is adding more solar to the community while also preserving open lands for economic development. The system generates electricity equivalent to removing 239 passenger cars from road.

Several other DEMEC communities are working toward installing their own community solar projects in various tiers:

- Middletown and Lewes are considering initial concept designs for their own community solar projects

DEMEC will continue to concurrently support community interest, low-income participation, and meet its RPS obligation by investing in member community solar projects.

#### **Tier 4 – Utility Scale**

DEMEC recognized early on that the legislative circuit breakers for photovoltaics would be hit and freeze the solar portion of the municipal RPS plan within a few years if the compliance costs were not carefully managed. In order to avoid hitting the legislative circuit breakers prematurely and to assure that we did not unreasonably increase the cost of electric service to our municipal ratepayers, DEMEC chose to invest a significant portion of its RPS-dedicated funds in large-scale solar facilities. To prevent a negative impact on the Delaware economy from the cost of RPS compliance,

DEMEC committed capital to develop utility scale solar systems that create jobs and economic development for the State. The current DEMEC portfolio of Tier 4 Utility Scale Systems is:

1. Dover Sun Park – 10 MW – (DEMEC purchases 15 % of all SRECs) went commercial 2Q/2010 and produces enough to power over 1,100 Delaware homes.
2. Milford Solar Farm – 15 MW – (DEMEC purchases a majority of SRECs and all energy) went commercial 4Q/2012 and produces enough to power more than 1,300 homes.

**DEMEC Comparable Plan Objectives**

DEMEC has set the following objectives as goals for its Municipal RPS Plan.

- Develop and implement a compliance plan that is comparable to the State-mandated plan for Delmarva Power and that encourages development of qualifying renewable energy resources in the State of Delaware in all State-defined tiers.
- Plan in 5-year increments. The parameters of the 5-year planning cycle will have the goals of achieving a comparable plan that: 1) Achieves the lowest cost compliance solutions to mitigate high renewable energy cost impacts for our community ratepayers and the State economy, 2) Encourages the development of renewable resources in our member communities 3) Maintains the high reliability of electric service in our community systems.
- DEMEC will review and rebalance its compliance schedule annually to assure cost impacts to our community ratepayers are reasonable and accurately match qualifying retail electricity sales with renewable energy resource procurement.

**MRPS Schedule**

<b>Municipal Renewable Energy 5-Year Schedule</b>			
<b>Compliance Year - (beginning June 1<sup>st</sup>)</b>	<b>Non-Solar Percentage (State Schedule)</b>	<b>Solar Percentage (Cost Capped)</b>	<b>Total * Cumulative Percentage</b>
2018	15.75%	0.90%	16.65%
2019	17.00%	0.98%	17.98%
2020	17.75%	Cost Cap TBD	17.75%
2021	18.50%	Cost Cap TBD	18.50%
2022	19.25%	Cost Cap TBD	19.25%
<i>* Total Cumulative Percentage Includes the Non-Solar and Solar Percentages except in future years when the 1% Cost Cap needs to be calculated.</i>			

## MRPS 2019/2020 Compliance Goal

For compliance year 2019/2020, DEMEC set and achieved a **17.98%** compliance goal. DEMEC's **17.98%** compliance goal matches the state's schedule for 2019/2020 (Delmarva Power & Light's compliance target) while utilizing solar cost cap protections as permitted by regulation.

- The renewable energy sources used for REC compliance are the 69 MW Laurel Hill Wind Farm in Lycoming, Pennsylvania and 2.0 MW UD Wind Turbine in Lewes, Delaware.
- The solar renewable energy sources used for SREC compliance are:
  - the Dover Sun Park
  - the Milford Solar Facility
  - the Seaford Solar Project
  - the Newark McKees Run Community Solar Facility

<b>Municipal Renewable Energy 2019/2020 Compliance Year REC and SREC Retirements</b>		
<b>Municipality</b>	<b>Total Solar SRECs Retired (Cost Capped Percentage <b>0.98%*</b>)</b>	<b>Total RECs + SRECs Retired (Cumulative Percentage <b>17.98%**</b>)</b>
New Castle	476	9,896
Newark	1,760	32,081
Middletown	1,355	18,393
Smyrna	656	13,175
Clayton	171	3,060
Milford	949	17,575
Seaford	686	13,056
Lewes	463	10,337
<b>Total</b>	<b>6,516</b>	<b>117,573</b>
<p><i>*DEMEC members reached the solar 1% compliance cost limit also known as the "circuit breaker" and elected to stop increasing their solar portfolio percentage per 26 Del. C. § 363(g).</i></p> <p><i>** Cumulative Percentage Includes the RECs from Eligible Energy Resources and Includes the Cost Capped SRECs from Solar Photovoltaics</i></p>		

The following sections of 26 Del. C. § 363(e) through (i) detail the circuit breaker provisions:

- (e) The total cost of compliance with this section shall include the costs associated with any ratepayer funded renewable energy rebate programs, REC and SREC purchases, or other costs incurred in meeting renewable energy programs.
- (f) The total cost of complying with eligible energy resources shall not exceed 3% of the total cost of the purchased power of the utility for any calendar year.
- (g) The total cost of complying with the solar photovoltaic program shall not exceed 1% of the total cost of the purchased power of the affected utility for any calendar year.
- (h) At no time during any calendar year shall the total cost of compliance with this section result in an increase of an average consumer's monthly bill in excess of 4%.
- (i) The Board of Directors of a rural electric cooperative and the local regulatory authority of a municipal electric company may approve an increase in the limit on the cost of compliance, as specified in subsections (f) and (g) of this section above.

### **Proposed 2020/2021 MRPS Plan**

Per 26 Del. C. § 363(c), DEMEC member community local regulatory authorities shall continue to base renewable energy portfolio standard decisions on the need, value and feasibility of the renewable energy resources pertaining to the economic and environmental wellbeing of its members.

DEMEC continually evaluates the impact of the MRPS costs on its communities. Specifically, DEMEC reviews the impact on rates and REC and SREC inventory as the municipalities proceed forward in the spirit of the RPS legislation.



# Sussex County Association of Towns

37 The Circle, Georgetown, Delaware 19947

## S.C.A.T. Dinner for Wednesday, November 4, 2020

*Town of Bethany Beach*

*Town of Bethel*

*Town of Blades*

*Town of Bridgeville*

*Town of Dagsboro*

*Town of Delmar*

*Town of Dewey Beach*

*Town of Ellendale*

*Town of Fenwick Island*

*Town of Frankford*

*Town of Georgetown*

*Town of Greenwood*

*Town of Henlopen Acres*

*Town of Laurel*

*City of Lewes*

*City of Milford*

*Town of Millsboro*

*Town of Millville*

*Town of Milton*

*Town of Ocean View*

*City of Rehoboth Beach*

*City of Seaford*

*Town of Selbyville*

*Town of Slaughter Beach*

*Town of South Bethany*

*Sussex County Council*

LOCATION: Bear Trap Dunes  
7 Club House Drive  
Ocean View, DE 19970

TIME: 6:00 pm – Cash Bar  
6:30 pm – Dinner

HOST: Town of Ocean View

SPEAKER: DelDOT Deputy Secretary, Nicole Majeski

COST: \$45.00 per person

MENU:

**\*\* Please Choose One \*\***

\* Chicken Marsala served with Whipped Potatoes & Green Beans

\* Parmesan Encrusted Salmon served with Pearled Cous Cous & Broccoli Rabe

**\*\* Face coverings are required and will need to be worn at all times except when sitting at your table. This will be a plated dinner and seating will be limited \*\***

**PLEASE RSVP TO CHRISTINE NO LATER THAN**

**10/21/20**



TO: Mayor and City Council

FROM: Rob Pierce, AICP - Planning & Economic Development Director

DATE: October 12, 2020

RE: **RFP #17-01 – Washington Street Property - Update**

---

*Rivertown Rebirth 2025 Master Plan & Request for Proposals*

In 2015, with the assistance of Arnett Muldrow & Associates, the City developed the Rivertown Rebirth 2025 Master Plan which was the centerpiece to the City's Downtown Development District (DDD) application. The downtown master plan proposed a mixed-use development along the southern banks of the Mispillion River between Washington Street and the Memorial Park bridge called RiverPlace (see page 19 of the master plan). Several of the large-scale projects proposed in the downtown master plan were focal points of the City's DDD application to the State of Delaware in 2016, for which RiverPlace was identified as a Key Priority Project.

In 2017, the City solicited proposals for the development of this land along the Mispillion River in downtown Milford (see Exhibit A and Exhibit B for location). The purpose of the Request for Proposals (RFP) was to seek qualified developers to construct a mixed-use project consistent with the recommendations of the City's Downtown Master Plan. Around the same time, the City's Planning Commission and City Council developed the language for the C-2A Riverfront Development zoning category to promote these mixed-use development recommendations (see enclosed for copy of C-2A zoning code).

As a result of the RFP, staff received one land development proposal from Milford Development Associates, LLC, represented by David Perlmutter. The proposal was for a five-story mixed-use project with commercial on the first floor and forty (40) market rate apartment units above. The proposal included amenities for the residents, including a fitness center and rooftop terraces, and included two additional retail buildings along the Riverwalk. The proposal did not meet the height requirements under the C-2A zoning code. Additionally, the proposal lacked the requested scaled site plan drawings, floor plan dimensions, detailed work plan and schedule. Many of these were not provided because the developer believed the project site contained too many unknown variables that would have an effect on the eventual development of the site. These included the 100-year floodplain, a well-head protection area, and lands that are currently protected through the Delaware Trust Fund and Land Water Conservation Trust Fund. The developer was unsure of the exact footprint that was available for development and the City would need to work with DNREC and the federal government to relocate the protected lands in order to make the property viable for mixed-use development.

The developer made a presentation to the City's Economic Development Committee on April 24, 2017 (see enclosed minutes). The Economic Development Committee was amenable with moving forward with the Land Disposal Contract for the mixed-use development, but the project eventually stalled due to unanticipated costs associated with the open space conversion (approximately \$50,000 for archaeological studies and appraisals), the unknown of whether the conversion would be approved by the federal government and the developers need to focus on projects in Seaford, DE and Salisbury, MD.

As a result of stalled discussions, the City pivoted on its long-term vision for this property. In 2018, a “Downtown Roadmap Report” was prepared by Arnett Muldrow & Associates to assess the master plan implementation success and make new recommendations to enhance downtown redevelopment efforts. Appendix 7 of the Roadmap Report (see attached) proposed recreational enhancements on this property including a new playground, splash pad, public restroom, and an open-air pavilion that could be used during festivals and the farmer’s market. These recommendations for repurposing the Washington Street property for recreational use were made a part of the City’s Strategic Plan later that year.

### *Updated Proposal*

This past Spring, the developer approached the City and asked to revisit the proposal, for which staff recommended presenting the development proposal to City Council in order to gain consensus to move forward. After discussions between the City and the developer, the updated proposal was scaled back to only impact the unprotected City-owned land along S. Washington Street and does not include the protected park areas. Due to the reduced footprint, the commercial component of the proposal was removed. The developer would be amenable to including commercial if a 5<sup>th</sup> story was allowed or if the footprint could be expanded by making the existing parkland available for private development.

The new proposal includes one, four-story building containing 28 apartment units. Each floor would contain one (1) bedroom, one (3) bedroom and five (2) bedroom apartments. The site also provides a swimming pool for the residents of the complex. See attached renderings.

### *Evaluation of Proposal & Next Steps*

The new proposal is still impacted by the well-head protection area (Exhibit F) and 100-year floodplain (Exhibit E). The City intends to discontinue the use of the existing well due to age and structural issues and the developer would need to adhere to the City’s floodplain ordinance either by elevating the structures or placing fill within the floodplain.

The original proposal included a mixed-use structure with two retail outbuildings but was shown with a much larger footprint. The updated proposal has been limited to the unprotected lands owned by the City in an effort to avoid impacts on the existing park system and to eliminate the need to go through the conservation easement conversion process with the State and Federal government. As a result, the reduced footprint only contains multi-family residential units with no associated commercial. The C-2A Riverfront Development Zoning District permits the construction of multi-family residential when part of a mixed-use development with commercial uses in the same building or on the same site and does not allow multi-family residential by itself. The developer would need to obtain a use variance from the Board of Adjustment or City Council would need to amend the current zoning regulations in order for the proposal to proceed.

The proposal is for 28 multi-family units on 0.88 +/- acres of land, which equates to approximately 32 dwelling units per acre. The C-2A zoning district permits a maximum of 16 dwelling units per acre. The developer would need to obtain a variance from the Board of Adjustment or City Council would need to amend the current zoning regulations in order to proceed. In addition, the proposal does not meet the current parking requirement of 2.5 parking spaces per unit and a variance would need to be obtained from the Board of Adjustment.

If City Council would like to proceed with the proposal, the City would need to enter into a Land Disposition Contract (LDC) with the developer. The LDC would be reviewed by City Council at a future meeting and would include the following items;

- Cost of the land acquisition.
- Reimbursement of City expenses associated with the possible relocation of the basketball court.
- The need for variances from the City zoning code or code amendments to be approved by City Council.
- A requirement for City Council to have the ability to review the architectural features of the structure.
- The development would need to adhere to the City's Floodplain regulations.

**Staff is seeking consensus from City Council on whether or not to proceed with the drafting of a Land Disposition Contract and associated zoning code amendments for City Council consideration at a future meeting for the development of a multi-family residential project on the identified 0.88+/- acres along S. Washington Street and the Mispillion River.**



# THE RESIDENCES ON THE MISPILLION

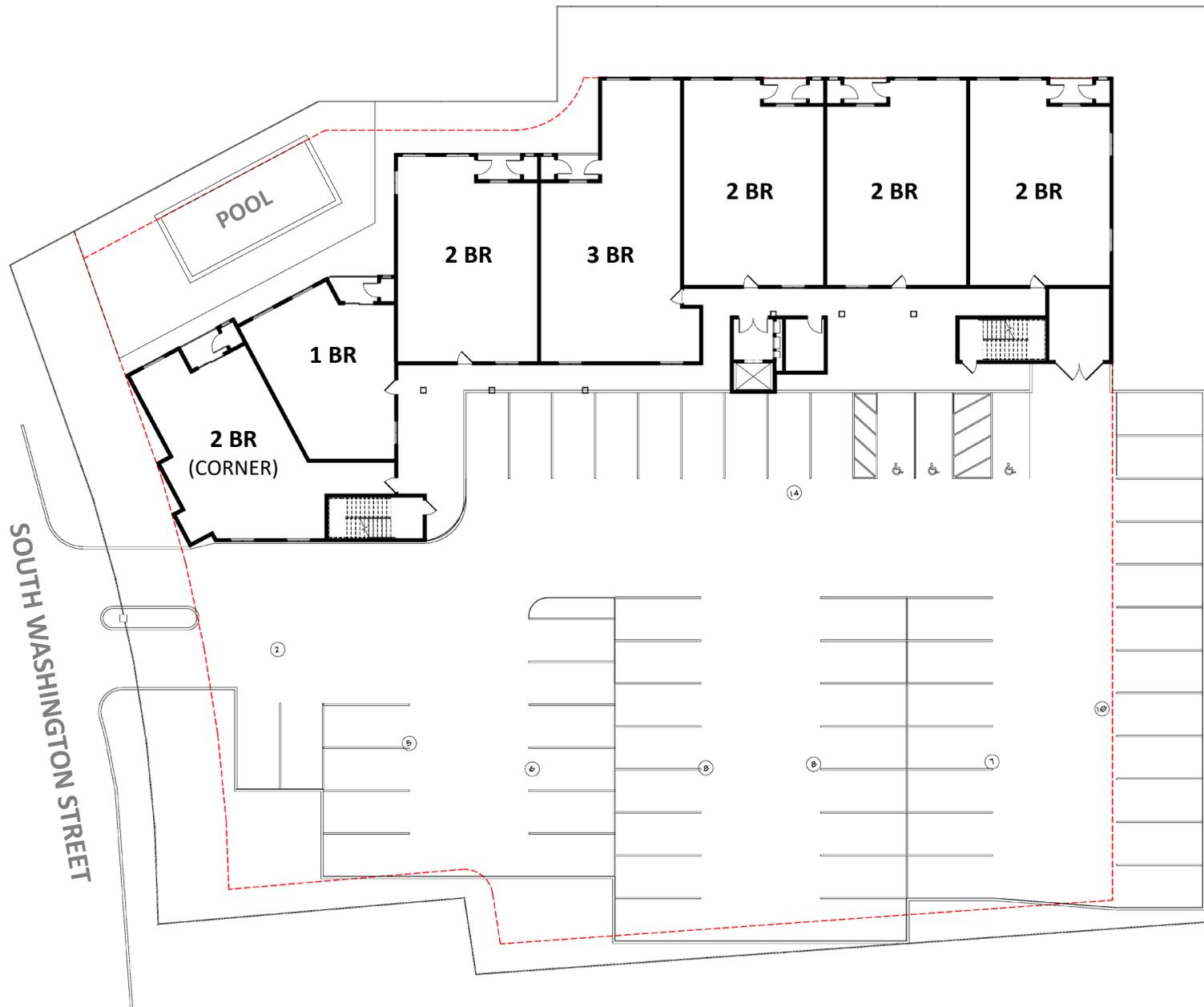
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OCTOBER 12, 2020





**SITE PLAN**

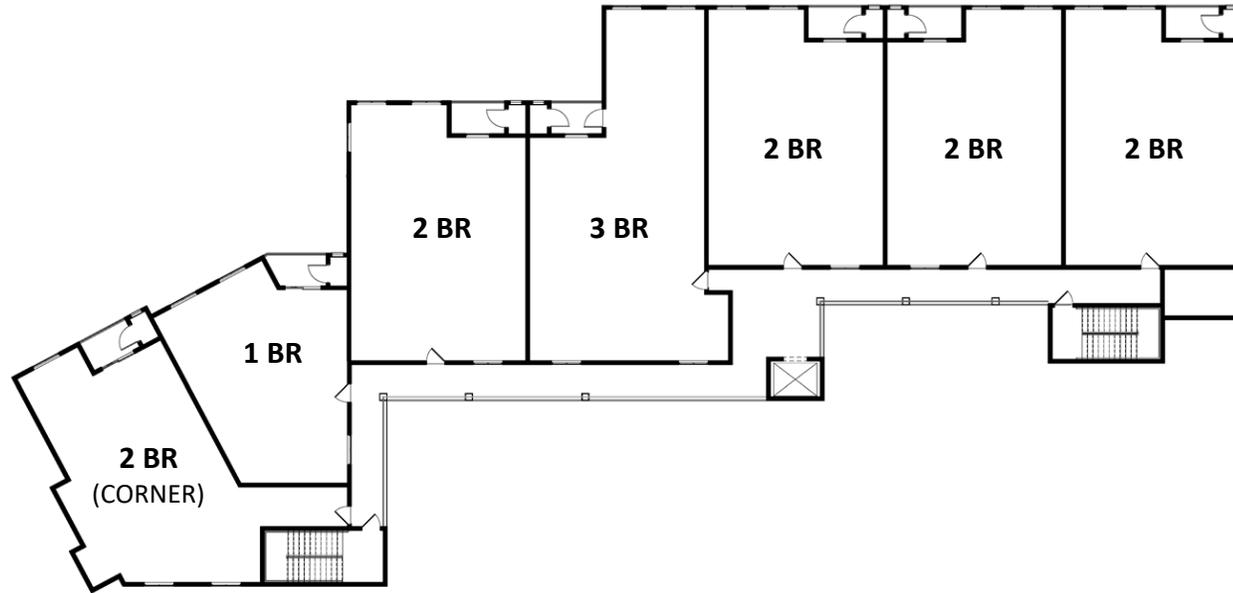


### UNIT MATRIX

	First Floor	Second Floor	Third Floor	Fourth Floor	Total
1 Bedroom	1	1	1	1	4
2 Bedroom	5	5	5	5	20
3 Bedroom	1	1	1	1	4
<b>Total</b>	<b>7</b>	<b>7</b>	<b>7</b>	<b>7</b>	<b>28</b>

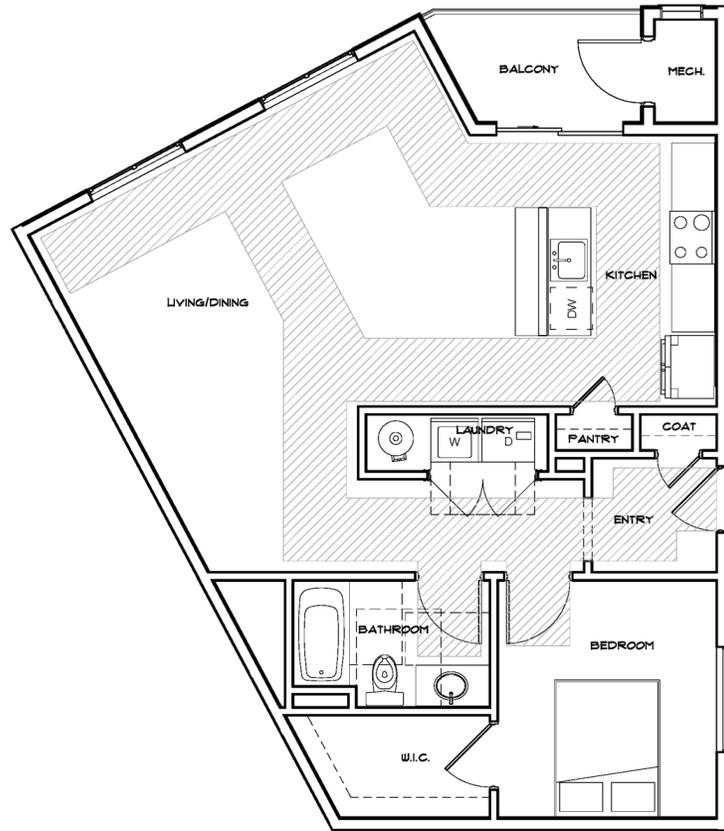
### PARKING MATRIX

	Required (2/Unit)	9' x 18'	ADA Car	ADA Van	Total
<b>Spaces</b>	<b>56</b>	<b>57</b>	<b>2</b>	<b>1</b>	<b>60</b>



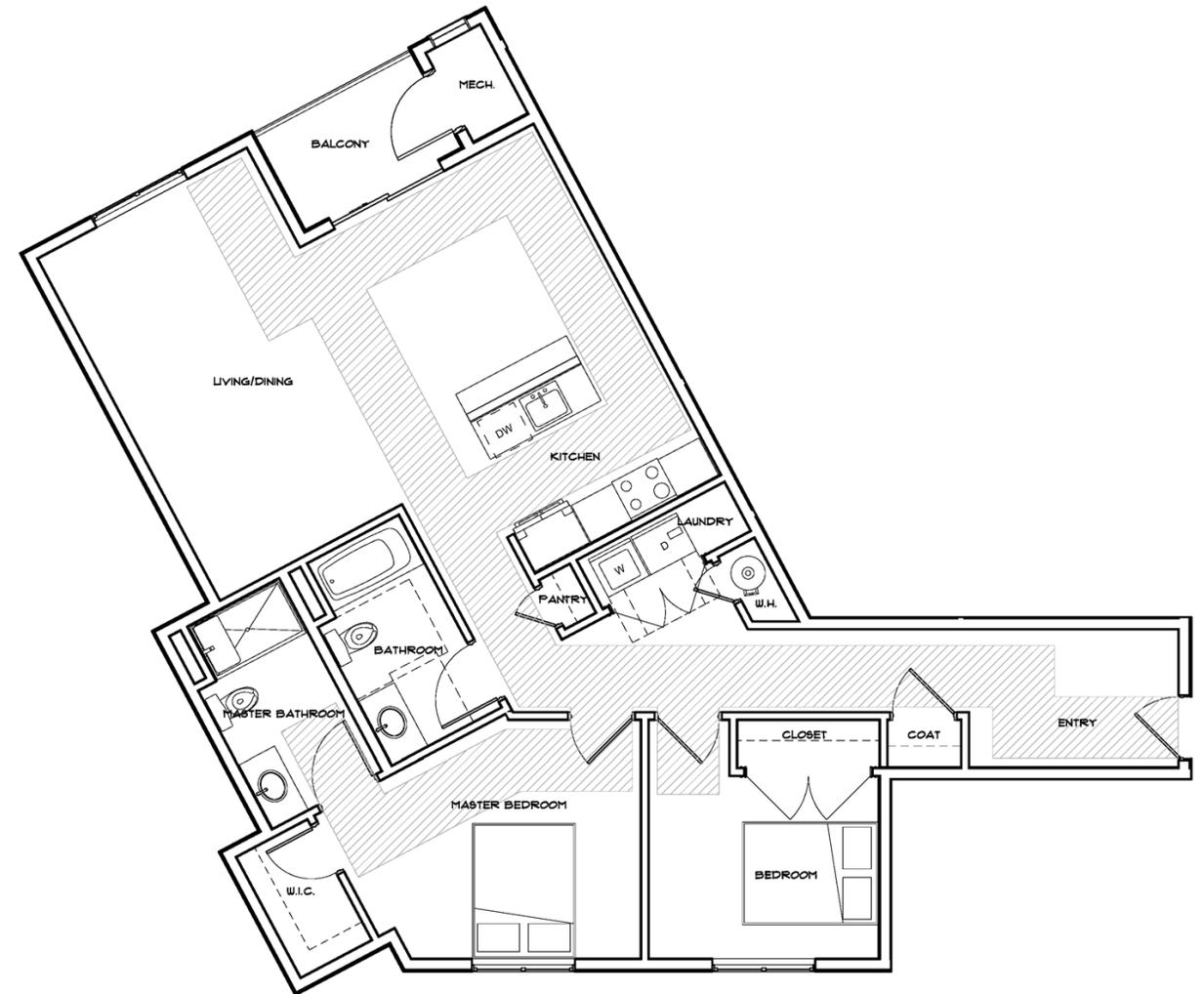
## UNIT MATRIX

	First Floor	Second Floor	Third Floor	Fourth Floor	Total
1 Bedroom	1	1	1	1	4
2 Bedroom	5	5	5	5	20
3 Bedroom	1	1	1	1	4
<b>Total</b>	<b>7</b>	<b>7</b>	<b>7</b>	<b>7</b>	<b>28</b>



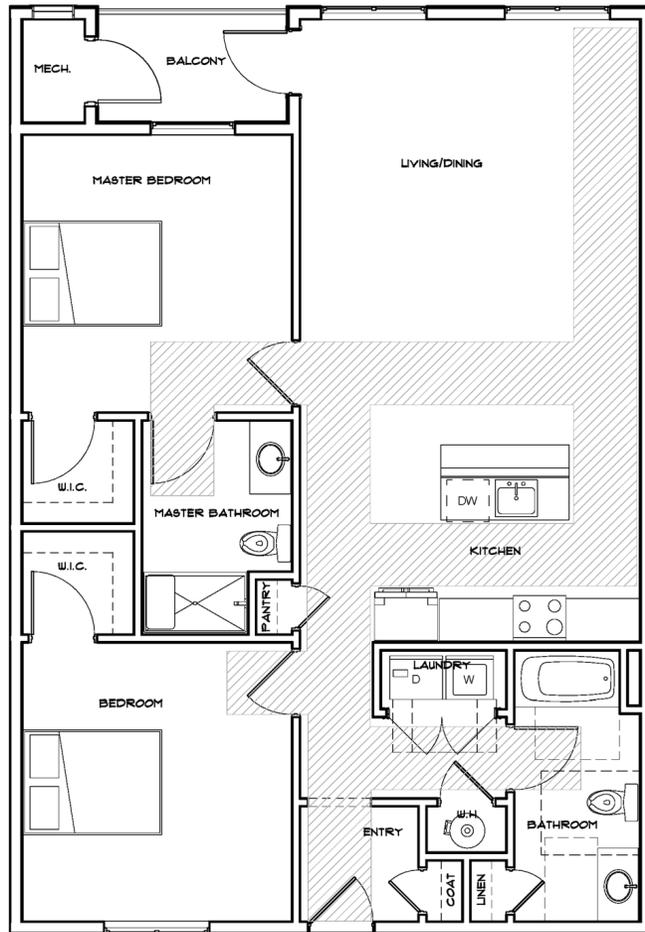
### Typical (1) Bedroom Corner Unit

1 Bed + 1 Bath Layout  
 Gross Area: 859 Sq. Ft.  
 GSF + Balcony: 904 Sq. Ft.  
 GSF + Balc. + Mech.: 920 Sq. Ft.



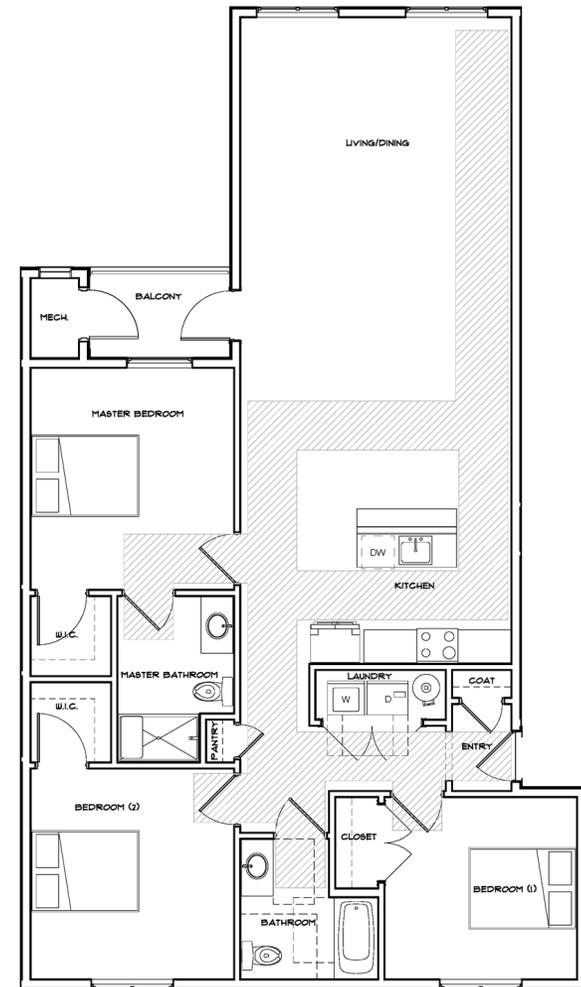
### Typical (2) Bedroom Corner Unit

2 Bed + 2 Bath Layout  
 Gross Area: 1,170 Sq. Ft.  
 GSF + Balcony: 1,215 Sq. Ft.  
 GSF + Balc. + Mech.: 1,231 Sq. Ft.



### **Typical (2) Bedroom Unit**

2 Bed + 2 Bath Layout  
 Gross Area: 1,187 Sq. Ft.  
 GSF + Balcony: 1,234 Sq. Ft.  
 GSF + Balc. + Mech.: 1,250 Sq. Ft.



### **Typical (3) Bedroom Unit**

3 Bed + 2 Bath Layout  
 Gross Area: 1,612 Sq. Ft.  
 GSF + Balcony: 1,677 Sq. Ft.  
 GSF + Balc. + Mech.: 1,693 Sq. Ft.



**VIEW FROM FRONT**



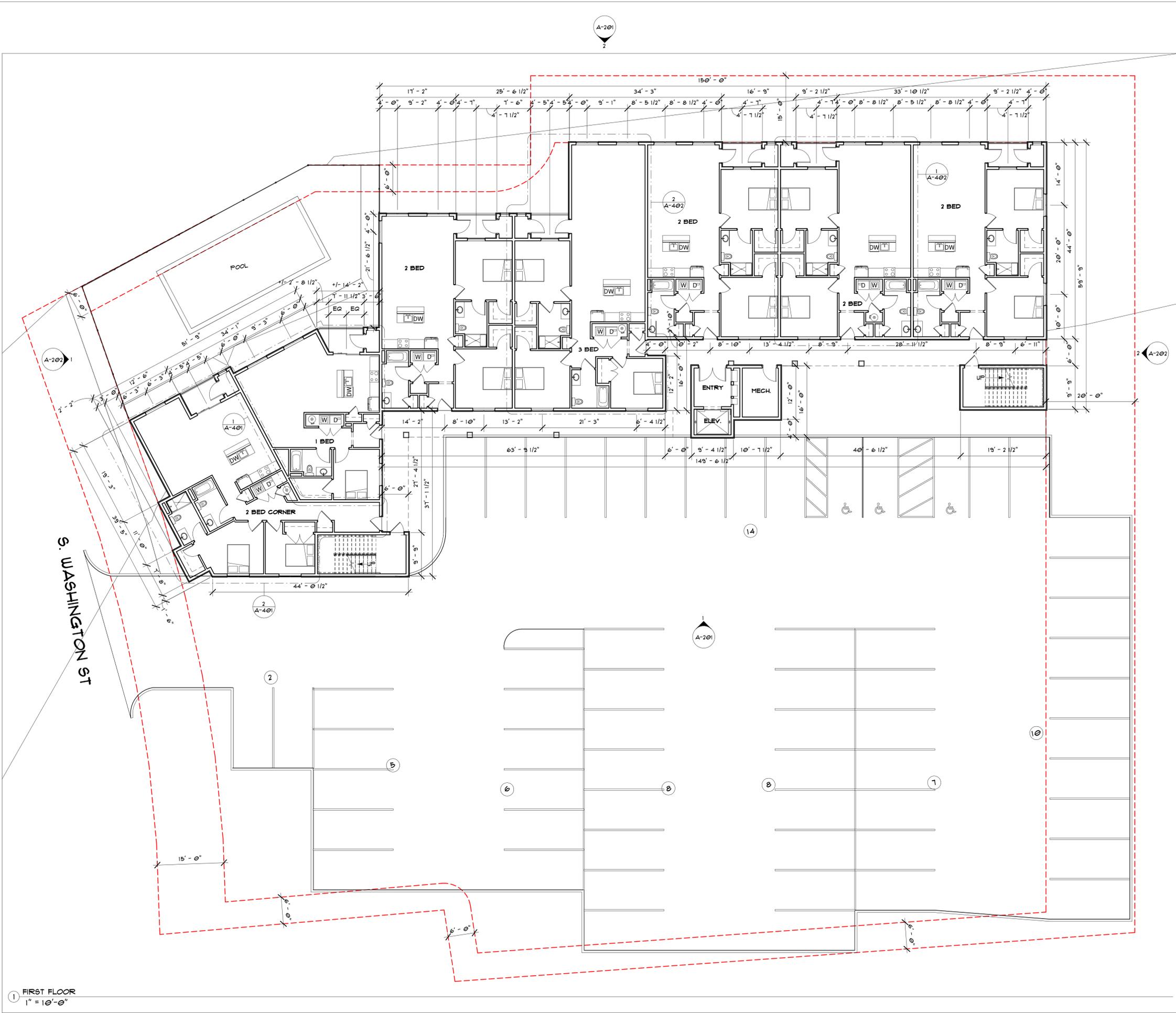
**VIEW FROM ENTRANCE**



**VIEW FROM WASHINGTON STREET**



**VIEW FROM REAR**



1 FIRST FLOOR  
1" = 10'-0"

UNITS	FIRST FLOOR	SECOND FLOOR	THIRD FLOOR	FOURTH FLOOR	TOTAL
1 BEDROOM	1	1	1	1	4
2 BEDROOM	5	5	5	5	20
3 BEDROOM	1	1	1	1	4
TOTAL	7	7	7	7	28

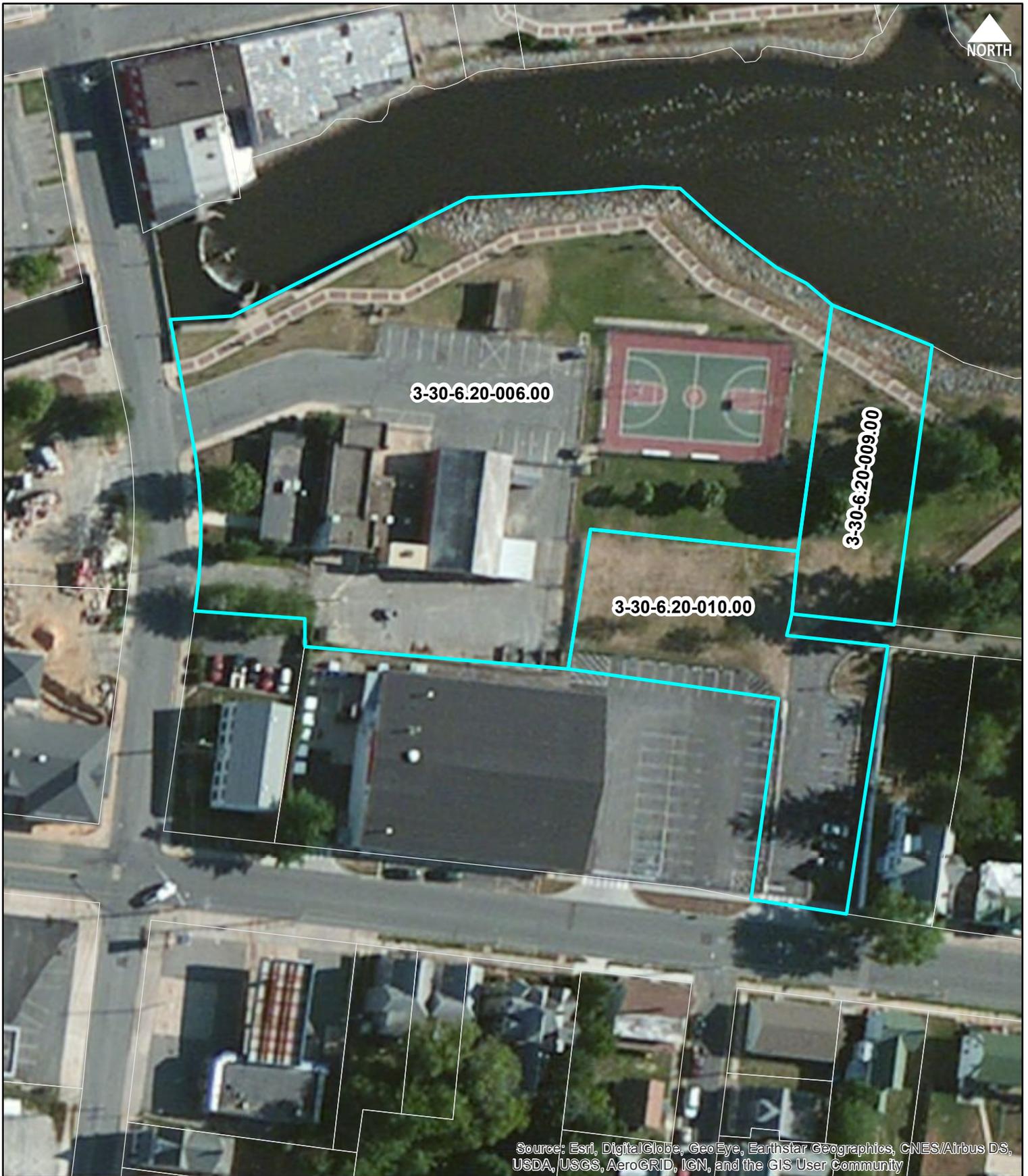
PARKING	REQUIRED (2/UNIT)	9' X 18'	ADA CAR	ADA VAN	TOTAL
SPACES	56	57	2	1	60

REV	DATE	DESCRIPTION
DATE:	2020.09.15	
PROJECT NO.:	2020081	
SCALE:	1" = 10'-0"	
DRAWN BY:	C. Pereira	
DRAWN BY:	C. Pereira	
SHEET NUMBER:		









Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



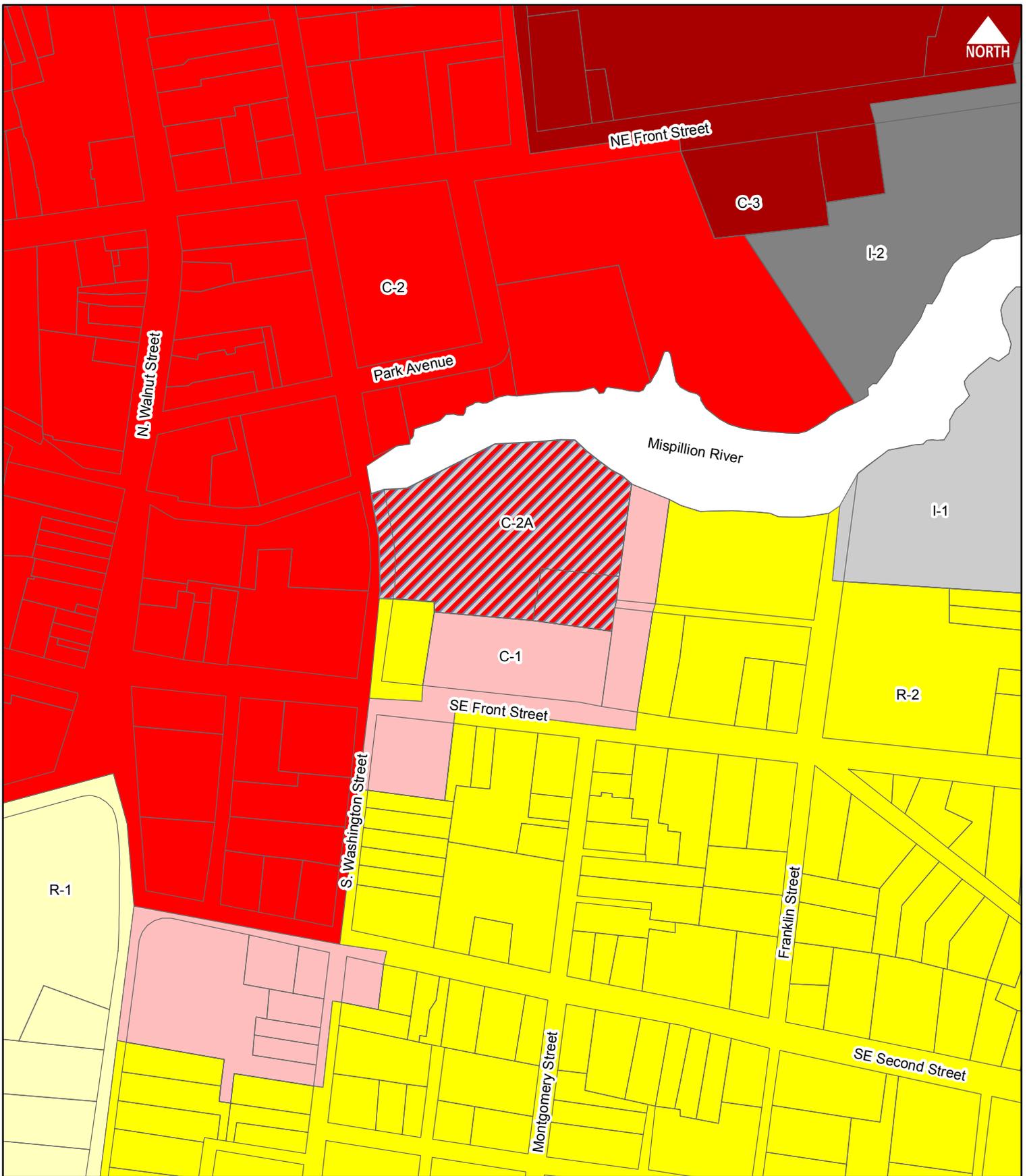
Scale: Feet  
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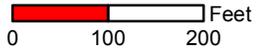
Drawn by: WRP Date: 11/16/16

Title:

Exhibit A  
City of Milford  
Aerial Photograph

Filepath: RFP\_WashingtonStreet\_Aerial.mxd



	Scale:  Feet 0    100    200	Title:  <b>Exhibit B</b> <b>City of Milford</b> <b>Location &amp; Zoning Map</b>
	Drawn by: WRP    Date: 01/23/17	
Filepath: RFP_WashingtonStreet_Zoning.mxd		



### 3.1 Downtown Core

The Downtown Core is the true heart of our community. This is the area where retail density should be achieved and destination status cultivated.



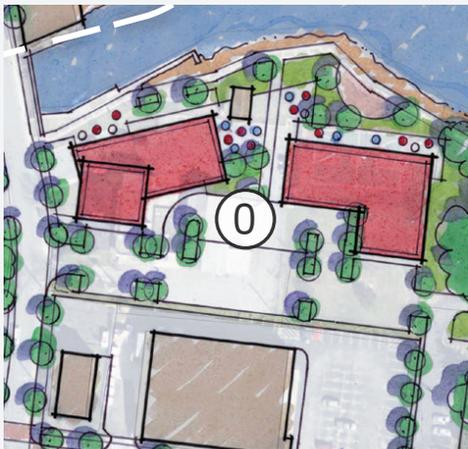
#### DOWNTOWN CORE

##### Big Moves

##### 1. RiverPlace Mixed Use

Relocate the basketball courts to Marvel Square Park and develop this important site with mixed-use development. Development is important in this location to further activate the riverfront and provide more uses and downtown living options close to the core. Specific considerations include:

- Utilize multi-story structures with active restaurant/retail uses on the lower level
- Consider upper floor residential or office uses.
- Utilize large windows to leverage views of the water and provide “eyes” on the Riverwalk and Bicentennial Park.
- Locate the buildings along the riverfront and include outdoor patios and dining areas to take advantage of river views.
- Locate parking on the south side of the development, away from the riverfront.





## 3.2 Riverplace

### *RiverPlace (Existing Conditions):*

*The riverwalk along the Mispillion River is an unmistakable asset that provides a pedestrian circulation route and ordering system to the downtown area. At this location a basketball court exists that could be relocated to make room for a significant infill development to address stated needs for downtown, namely additional residential options. Moreover, by coupling residential uses with retail uses, this section of the riverwalk would become activated like the other side of the river and the additional “eyes on the riverwalk” would promote safety and likely mitigate the current vagrant issue plaguing this area.*



### *RiverPlace (Proposed Conditions, Phase 1):*

*The first floors of any proposed infill development should include restaurant and retail uses that front the riverwalk. By including outdoor dining ‘decks’ for the restaurants, the riverwalk would be further activated as people like to “see and be seen.” The upper two floors should include housing options such as apartments and/or condominiums as preferred by the developer. The third floor should step back from the second to both introduce balcony/rooftop deck options as well as to cause the dominant architectural form to be two stories in height similar to most of the buildings in downtown Milford.*



## 3.2 Riverplace



*RiverPlace (Proposed Conditions, Phase 2 (above) and 3):*

*In addition to everything noted previously, this version simply shows the impact of significant shade trees as they mature on the site in conjunction with the architectural development. The first floors of any proposed infill development should include restaurant and retail uses that front the riverwalk. By including outdoor dining 'decks' for the restaurants, the riverwalk would be further activated as people like to "see and be seen." The upper two floors should include housing options such as apartments and/or condominiums as preferred by the developer. The third floor should step back from the second to both introduce balcony/rooftop deck options as well as to cause the dominant architectural form to be two stories in height similar to most of the buildings in downtown Milford.*

Rivertown Rebirth 2025 - RiverPlace Recommendation



Park Avenue District

B

C

D

E

P

Q

R

S

T

U

O

SOUTHEAST FRONT STREET

SHINGTON STREET

N. Walnut Street

FRONT STREET

NORTHEAST FRONT STREET

RIVER

BICE



## APPENDIX 7

### Rivertown/Riverplace Recreation



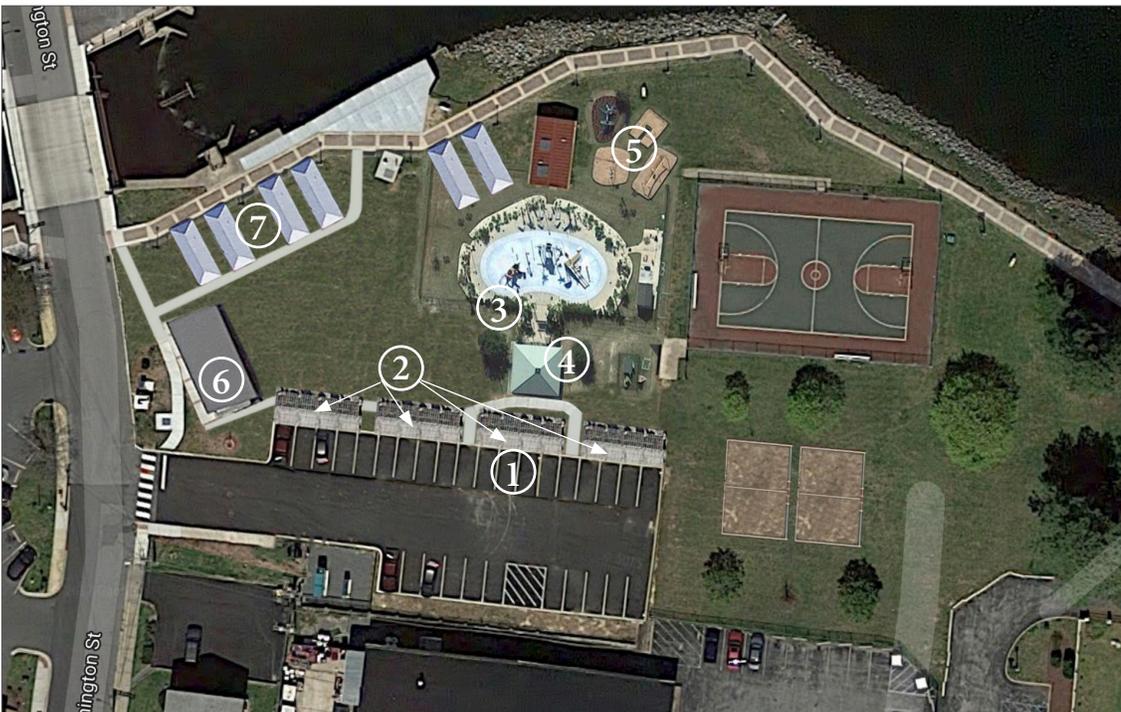


## Rivertown/Riverplace Recreation

The ‘Milford Rivertown Rebirth Plan 2025’ proposed a very ambitious development opportunity along the banks of the Mispillion River at Marvel Square Park, called ‘Riverplace’ (see page 19 of that report). However, and for very good reasons, that recommendation has been modified to rely less on significant built development and more on recreational development. During input sessions with various stakeholders during the Roadmap process a number of key needs were expressed for downtown that seem to be ideally suited for the site previously identified for Riverplace. These stated needs included, but were not limited to: a splash pad, a playground, basketball courts, beach volleyball courts, public restrooms, an open air pavilion, structures to support a farmers market, and micro-retail opportunities. The site plan photo-renderings below illustrate how the current Marvel Square Park area could be configured to accommodate those stated recreational desires into a rebranded ‘Rivertown’ or ‘Riverplace’ recreation center.



*Existing Condition: (left): A basketball court is supported by a single-loaded parking lot with adjacent pump house.*

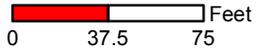


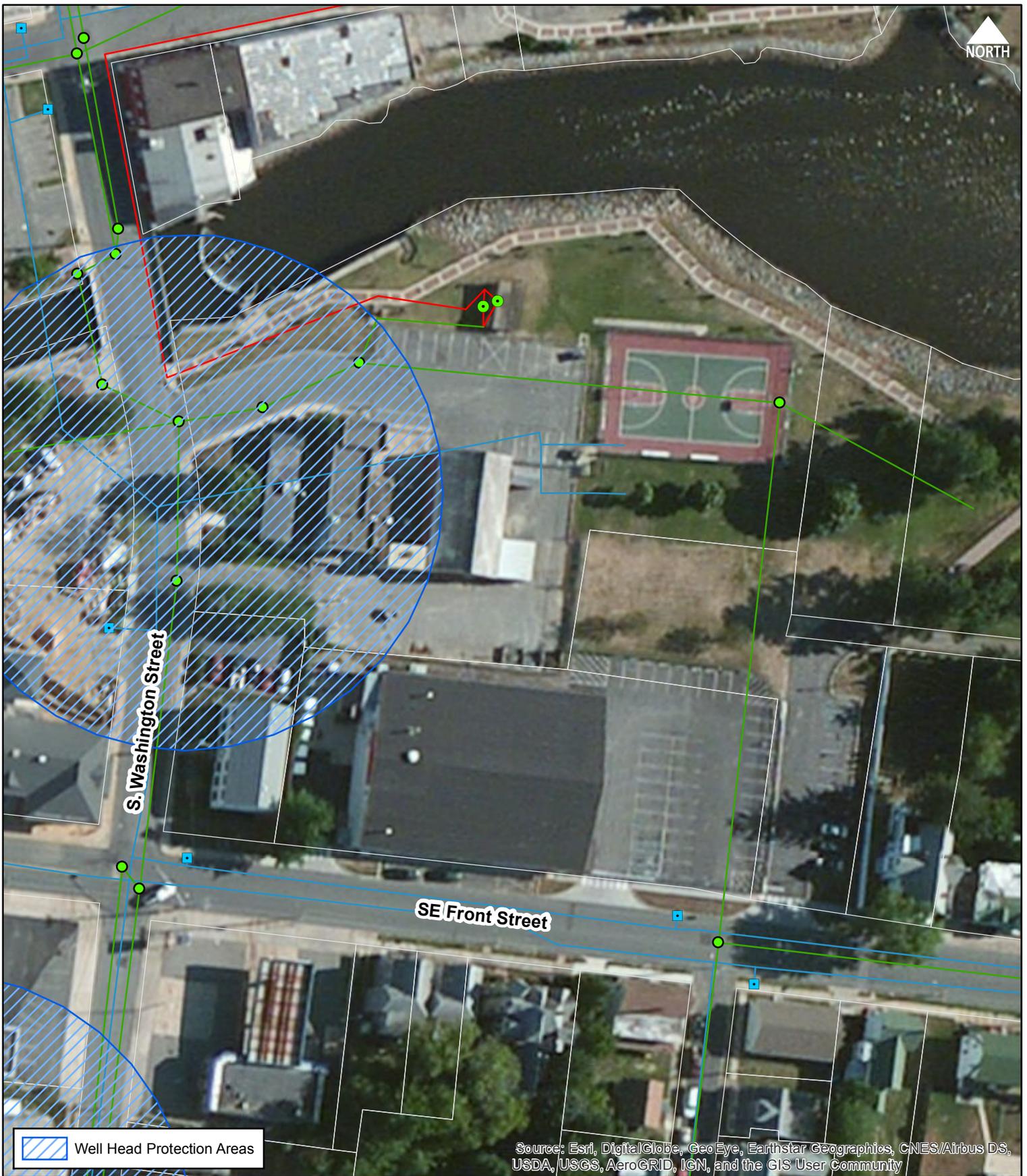
*Proposed Conditions: (above): 1) The parking lot is moved south and double-loaded. 2) It is flanked on its northern edge by four structures that would support a farmers market (trucks could back up under the structures) when in session and when not, would contain swings and benches. 3) A splash pad would be surrounded by a public restroom/changing facility (4) and playground (5). 6) An open-air pavilion/stage would face a green space that could accommodate a variety of festivals and promotional events. The green space could be flanked by micro-retail units (7).*

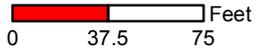


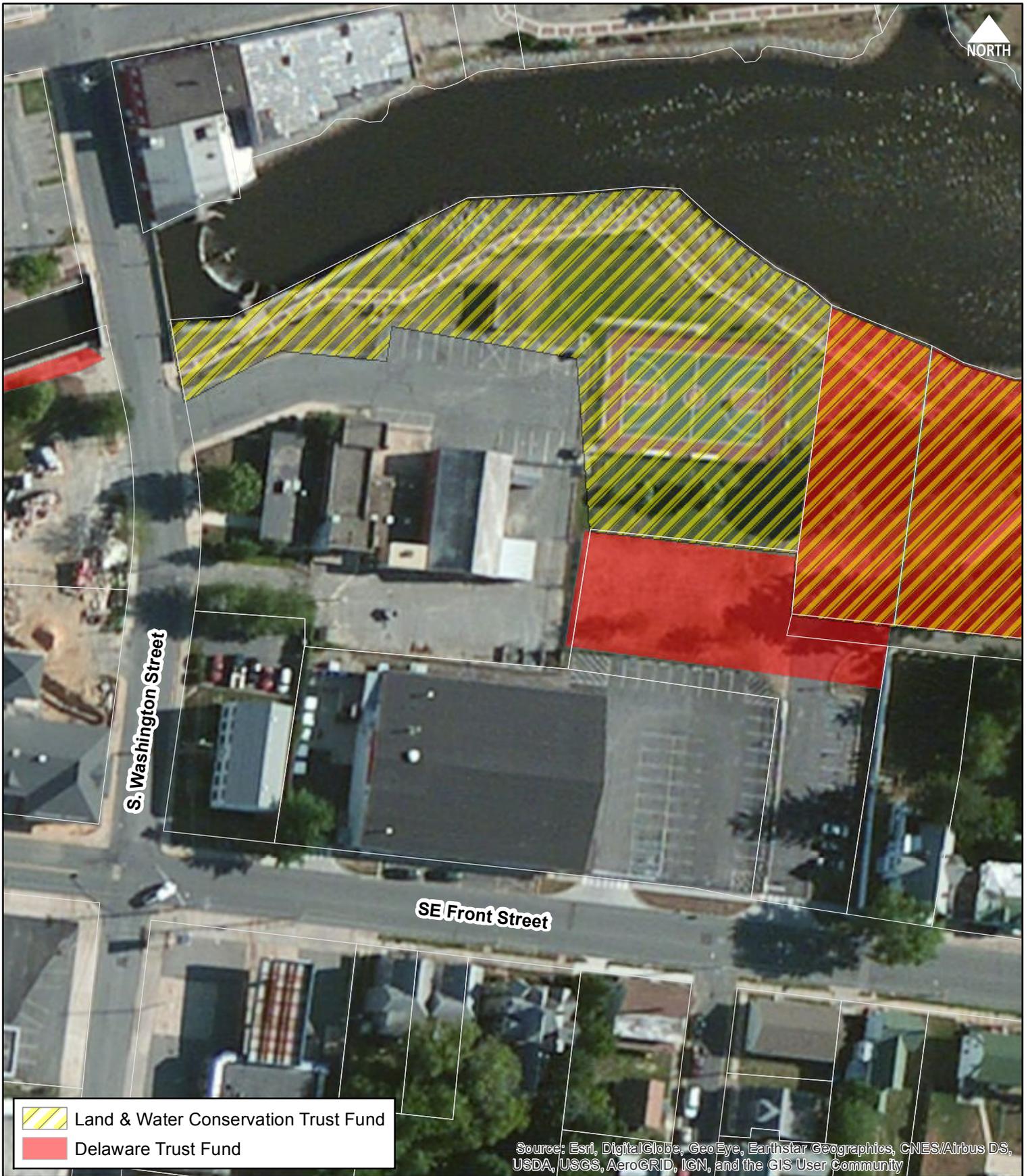
- Wetlands
- Base Flood Elevation
- FIRM Panel

FEMA, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

	Scale: 	Title:  <b>Exhibit E</b> <b>City of Milford</b> <b>Wetlands &amp; Floodplain</b>
	Drawn by: WRP      Date: 11/16/16	
Filepath: RFP_WashingtonStreet_Environmental.mxd		



	Scale:  Feet 0      37.5      75	Title:  <h2 style="text-align: center;">Exhibit F</h2> <h3 style="text-align: center;">City of Milford</h3> <h3 style="text-align: center;">Water &amp; Sanitary Sewer Utilities</h3>
	Drawn by: WRP      Date: 11/16/16	
Filepath: RFP_WashingtonStreet_Uilities.mxd		



- Land & Water Conservation Trust Fund
- Delaware Trust Fund

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

	Scale:  Feet 0      37.5      75	Title:  <b>Exhibit G</b> <b>City of Milford</b> <b>LWCF &amp; DTF Protected Lands</b>
	Drawn by: WRP      Date: 12/07/16	
Filepath: RFP_WashingtonStreet_ProtectedLands.mxd		

§ 230-13.1. - C-2A Riverfront Development District.

In a C-2A District no building or premises shall be used and no building shall be erected or altered which is arranged, intended or designed to be used except for one or more of the following uses and complying with the requirements so indicated.

- A. Purpose. The purpose of the Riverfront Development District is to create an atmosphere that encourages mixed use residential and commercial development along riverfront properties in the downtown area. The district shall preserve the character of the adjacent central business district and historic areas while providing an attractive and convenient combination of shopping and living units. The district shall be limited to those properties adjacent to the Mispillion River and shall be prohibited along North and South Walnut Street, Northwest Front Street and shall not be allowed within any of the historic districts.
- B. Permitted uses. In a C2-A district, land, buildings or premises shall be used by right for one or more of the following:
- (1) General merchandise stores, including such uses as department stores, apparel and accessories, hardware, shoes, drugs and variety stores.
  - (2) Specialty retail stores, including such uses as gifts, antiques, crafts, newspapers, beer, wine or liquor, tobacco, flowers, sporting goods, books, jewelry, leather goods and stationery stores.
  - (3) Personal service establishments, including such uses as barbers, beauticians, shoe repair and tailors.
  - (4) Financial institutions, loan companies and banks.
  - (5) Restaurants, excluding fast-food or franchised food service operated restaurants.
  - (6) Retail food stores, including bakeries, confectionery, candy or gourmet shops, small convenience grocery shops (without gas pumps) and meat, fish or produce stores.
  - (7) Professional services and administrative activities, including such uses as offices of agents, brokers, physicians, dentists, attorneys, architects, engineers, musicians and artists and governmental offices serving the public.
  - (8) Libraries, museums, art galleries and public information centers.
  - (9) Fraternal, social service, union or civic organization.
  - (10) Studio for artists, designers, photographers, musicians, sculptors and related uses.
  - (11) Municipal and public services and facilities, including City Hall, municipal parking lots, water storage towers, water reservoirs, water pumping stations, water treatment plants, sewage pumping stations, sewers (storm and sanitary), street rights-of-way, utility transmission and distribution lines, public transportation bus or transit stops, police and fire stations and substations for electric, gas and telephone facilities.
  - (12) Craft distillery and microbrewery establishments, provided that:
    - (a) All permits and approvals required by the Delaware Alcoholic Beverage Commission are obtained and remain in full force and effect.
    - (b) All aspects of the distilling or brewing process are completely confined within a building, including storage of all materials and finished products.
    - (c) Such establishment offers the public, on a regular and continuing basis, various activities ancillary to its distilling and/or brewing process, including by way of example: tours of the premises, educational classes, demonstrations, tasting rooms, and retail sales areas limited to the sale of beer, mead, cider, or spirits brewed or distilled on the premises for consumption off-premises and other retail items.

- (d) On-site consumption or tasting associated with a craft distillery or microbrewery establishment shall be permitted. Any area associated with on-site consumption or tasting shall not operate as a stand-alone bar or tavern, shall be located on the premises of the craft distillery or microbrewery establishment, and shall be ancillary to the primary use. "Ancillary" for purposes of this section means subordinate, auxiliary, smaller and less intensive than the primary use. On-site consumption or tasting of alcohol shall be limited to those products brewed or distilled on the premises, except as otherwise permitted by Delaware Law.
- (e) All food sales shall be limited to prepackaged snack items or those food items prepared by a food establishment licensed by the State of Delaware. If a craft distillery or microbrewery intends to operate on its premises a food establishment that is otherwise a permitted use in this district (i.e. restaurant, café, or full-service restaurant), the City may require the property owner to provide the City with a letter of no objection from the Delaware Alcoholic Beverage Control Commissioner regarding the operation of a food establishment on the premises of a craft distillery or microbrewery.
- (f) Outdoor seating and gathering areas shall be permitted subject to the following requirements:
  - i. Permanent and temporary outdoor seating and gathering areas shall be subject to building permit application and approval requirements.
  - ii. Outdoor seating and gathering areas and ancillary improvements shall include physical barriers from public rights-of-way and physical and visual barriers from adjoining properties. Physical barriers along public rights-of-way shall restrict access from the public rights-of-way to the outdoor seating and gathering areas and shall not exceed four feet in height. Barriers along adjoining property lines shall create a physical and visual barrier consisting of fencing six feet in height or vegetation at least six feet in height. The regulations herein shall be in addition to any regulations imposed by the State of Delaware.
  - iii. Maximum occupancy and points of ingress/egress shall be clearly marked. Occupancy of outdoor seating and gathering areas shall not exceed one person per 15 square feet of the outdoor seating and gathering areas identified in the building plans or any other occupancy limit established by the Office of the State Fire Marshall.
  - iv. All structures and uses related to outdoor seating and gathering areas and facilities are subject to the City of Milford Building Code and the City of Milford Zoning Code.
  - v. The occupancy of outdoor seating and gathering areas shall be included when calculating the building requirements and minimum parking standards required by the City of Milford and State of Delaware. Outdoor seating and gathering areas shall meet all requirements of the City of Milford and the State of Delaware.
  - vi. Tables, chairs, umbrellas, equipment, games, and any other items provided in connection with outdoor seating and gathering areas shall be maintained in good repair and shall be secured during non-business hours in a safe and orderly manner.
  - vii. Any licensing required by the Delaware Alcoholic Beverage Control Commissioner for outdoor seating and gathering areas shall be obtained.
- C. Conditional uses subject to special requirements. The following uses are permitted subject to receiving a conditional use permit by the City Council as provided in Article IX of this chapter:

- (1) Commercial indoor recreation activities, including amusement arcades, indoor theaters, social clubs, youth clubs or similar facilities.
- (2) Laundromats and dry-cleaning establishments.
- (3) Fast-food or franchised food service operated restaurants.
- (4) Day-care centers.
- (5) Community residential treatment program.
- (6) Multifamily residential when part of a mixed-use development, with commercial uses in the same building and/or on the same site.

D. Area and bulk requirements.

- (1) Maximum number of units per acre shall be 16.
- (2) Minimum lot area shall be 5,000 square feet.
- (3) Minimum lot width shall be 50 feet.
- (4) Maximum building coverage shall be 60%
- (5) Front yard setback shall be 15 feet minimum
- (6) Side yard setback shall be 14 feet aggregate total with a minimum of 6 feet.
- (7) Rear yard setback shall be 20 feet.
- (8) Height of buildings shall not exceed four stories or 50 feet.
- (9) Minimum separation distance between dwelling structures on the same lot shall not be less than 15 feet.
- (10) Parking shall comply with the requirements provided in Article IV of this chapter.
- (11) Signs shall comply with the requirements provided in Article VI of this chapter.
- (12) For mixed use residential and commercial projects, off-street parking, parking beneath buildings, front, side and rear setbacks, landscaping and buffering, lot coverage, number of units per building and building separation shall be as determined by the Planning Commission.

MILFORD CITY COUNCIL  
MINUTES OF MEETING  
April 24, 2017

A Meeting of the City of Milford Economic Development Committee was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall, 201 South Walnut Street, Milford, Delaware on Monday, April 24, 2017.

PRESIDING: Chairman Christopher Mergner

IN ATTENDANCE: Committee Members:  
Councilman James Starling Sr.

Mayor Bryan Shupe

City Manager Eric Norenberg & City Clerk Terri Hudson

Chairman Mergner called the Committee Meeting to order at 6:13 p.m.

*Recommendation/Washington Street Property RFP*

Planning/Economic Development Coordinator Rob Pierce was also present.

Mr. Pierce referenced the memo and original RFP that was advertised on the City website and well as several newspapers. Only one proposal from Milford Development Associates LLC was received prior to the March 10, 2017 deadline.

Mr. Pierce reported that the proposal is for a mixed use structure with commercial on the first floor and forty market-rate apartment units above. Parking is proposed to be onsite with a portion possibly beneath the building. The apartments would contain a mixture of one, two and three bedroom units. Also included are amenities such as a potential fitness center as well as rooftop terraces.

The site is the former Washington Street Water Treatment Plant across from Milford Public Library.

Two additional outbuildings proposed along the Riverwalk would contain retail. Included is enhanced landscaping on the property edges and the enhancement of the existing park space on the north side of the river. The developer is considering a small amphitheater or some improvement on the north side of the green area.

The developer anticipates the project cost to be between \$4 and \$5 million dollars and anticipates completion within thirty-six (36) months of construction commencement.

The RFP requires staff to evaluate the proposal based on responsibility and responsiveness. Staff believes that the development team has the ability, capacity and skill to design and construct the proposal and the character, integrity, reputation and experience to complete the work.

The developer recently completed a similar type project in the City of Seaford though it was mainly apartment or residential uses and no commercial component. They are also working in the City of Salisbury on a similar waterfront redevelopment project.

Mr. Pierce noted that the proposal is consistent with the City's Comprehensive Plan, Downtown Master Plan and the goals and objectives outlined in the City's Downtown Development District Plan. The proposed mixed use structure will provide residential options in the downtown area while engaging the river, promoting positive activities and providing additional commercial retail space.

The project is anticipated to provide new jobs and an influx of people into the downtown area, as well as increase the City's property tax base.

The Coordinator reported that the proposer submitted an offer of \$1.00 to purchase the land though City Council will need

to approve that value for the purchase. They also requested a waiver from the performance bond requirement for the construction of the building.

The project site is severally impacted by some items outside the control of the development team including the floodplain, the well-head protection area and a portion of the land that is under conservation easements with the State of Delaware and the Federal Government.

The City will need to work toward relocating some of the facilities to provide a more defined project area. Mr. Pierce said he has been working with the State the past few months on some possible resolutions.

Mr. Pierce then referred to the artist renderings of the proposed buildings. He reported the developer has requested a five-story complex (not six as depicted in the rendering). However, City code only allows four stories.

He also recommends input from City Council regarding the exterior look as it relates to the compatibility of surrounding architecture and uses.

The City has 180 days to award the contract from March 10<sup>th</sup>. If City Council agrees to move forward, the City would enter into a sixty-day negotiating period with the Development Team followed by the execution of a Land Purchase Agreement.

Mr. Pierce informed the Committee that because only one proposal was submitted, he recommends the proposer present their ideas and vision for the property.

Principal Keith Fisher of Fisher Architecture addressed the Committee stating he will be working with Developer David Perlmutter and his team from Milford Development Associates LLC on this project. He spoke about their project 'The Residences at River Place, LLC' in Seaford, a waterfront property on the Nanticoke River and the difference it has made to that community by giving the City an identity and a lifestyle. He sees that transcending into this project as well.

Similar to what they did in Seaford, Mr. Fisher said they plan to meet with a lot of people and not only City employees and officials, but people in the community that will be impacted. By doing that, they were able to garner a significant amount of feedback that shaped the project in its final stages.

He explained that the rendering is simply his team's vision and an image of what could be done though that does not mean it will be identical. Instead, they want feedback and are willing to work with the City to find solutions to the land trust and wellhead protection issues. Those pieces will shape their site plan and ultimately create the program.

Mr. Fisher believes the area will be an even better project than what has been done, particularly because they learned a lot during the Seaford project.

When asked about their planned project in Salisbury, Mr. Perlmutter shared that it involved a long term land lease in the area of the City parking lot and the Port of the Salisbury Marina next to Brew River. Mr. Fisher confirmed that current River Place Apartments complex is a tax credit development that was done by another developer. North of that is a vacant piece of land where a similar project will be developed.

A land disposition agreement is already in place and site plan approval has been granted.

He advised there was a significant amount of Program Open Space monies that had gone into the marina project. Neither the City of Salisbury nor the developer were aware of that when the project was planned. As a result, it was financially infeasible for the developer to buy the land. They got creative with portions of the property purchased for the upland portion while other areas were leased. As a result, there was a lot of arranging and evolving that went into the project.

Chairman Mergner then referenced the forty plus units in Milford and asked if that is a concrete number or whether it was based on other projects. Mr. Perlmutter responded by stating that developers always more than they can physically fit though that is just 'the nature of the game'.

Chairman Mergner believes that is a big number in his opinion. Mr. Fisher said they had the same feedback in Seaford initially.

Mr. Perlmutter explained that in Seaford, the first phase consisted of two buildings; the first had thirty-six units and was just completed. They are preparing to start the second building. They have pre-leased approximately thirty units and anticipate they will be 100% leased over the next two weeks.

He pointed out that the market is there and the leases are market-rental rates. He anticipates that Milford's rental rate may be slightly higher than Seaford. They are planning to attract professionals, particularly with the new Bayhealth campus being built. They also feel Milford has a good market of retirees and with its close proximity to the beach, many people locate here who cannot afford beach properties.

Mr. Perlmutter shared that the units will be good quality construction with granite countertops, stainless appliances, nine-foot ceilings, trash shoots in the hallway and elevator buildings. He emphasized this will be luxury, vacation living in a downtown community.

The properties will be managed themselves and though there will be no full-time maintenance person, the residents will have a number to call at which time someone will be dispatched.

When asked how much experience Mr. Perlmutter has in renting retail space, he stated that his family has been developing commercially for sixty years in the Washington, D.C. area. He has done a number of shopping centers with retail leasing. They are currently working with a big restaurant group for the Salisbury project and a restaurant group that is interested in the Milford project.

Mr. Fisher noted that with Seaford project at the point it is, their team now has more available resources to meet the City's schedule and work toward what is needed to get this project accomplished. He emphasized the need for the land disposition agreement to be worked out so that Mr. Perlmutter can proceed. He agreed there will be a number of details that need to be worked out though they are ready when the City is.

When asked if the Committee had any concerns, Chairman Mergner said he is comfortable with moving forward with the next steps; Councilman Starling agreed.

Mayor Shupe said that in talking with Mr. Perlmutter, he wants the City to be in the room and at the table when making many of the decisions and stressed that this will be a "Milford" project. In that manner, some of the aesthetics and many of the little things that are important to this community can be worked in. He looks forward to developing the project together and believes this will be a great asset to this area.

Chairman Mergner appreciates Mr. Perlmutter's interest and agrees this needs to be more unique to Milford with its own touch and the input of the public. He feels the City wants this to be very successful and looks forward to being involved.

Mr. Pierce explained the next step will be to draft the land disposition agreement though he is sure the Economic Development Committee and City Council will want to see more detail before the City signs off.

Chairman Mergner asked that Council be involved as well. City Manager Norenberg asked at what point he recommends Council involvement; Chairman Mergner suggests Council see it as we proceed.

Mr. Fisher stated that considering their experience, they are willing to put together a rough draft of the agreement for the City to review and comment.

Mr. Pierce said there will be some insurances in the agreement that whatever is developed is some thing the City desires versus totally signing over the right to develop that land. He said the City will be fully engaged throughout the project in terms of site design and architectural review.

Mr. Fisher pointed out that ultimately they will be subject to Planning Commission review and other development approval

and reviews.

*Armory Reuse*

City Manager Norenberg recalled the conversations he and Mayor Shupe have had with a number of groups about potentially using the armory. He recalled the deed restrictions associated with the acquisition of the facility from the State of Delaware that requires the use to be for public purposes.

The Parks and Recreation will have more extensive uses of the storage buildings at the back of the Armory property for parks maintenance. They had been using a couple off-site buildings for storage in the past though they are being sold or will no longer be available. As a result, three buildings at the back of the site will now be used for this purpose.

That leaves only the main building and the front half of the site to be discussed.

Mr. Norenberg advised the Civil Air Patrol is requesting to use the lower level of the building and a Community Gardening group is proposing a pilot community garden on a portion of the land.

He then introduced Lieutenant Colonel Richard Senato, Recruiting and Retention Officer out of Dover Air Force Base.

Colonel Senato then introduced Lieutenant Fox who will possibly be the Immediate Commander until Senior Member Stokes becomes the Permanent Commander upon completion of her training.

Colonel Senato then provided a brief background on the Civil Air Patrol (CAP). The organization was founded in December 1941, one week before the Japanese attack on Pearl Harbor, as a result of more than 150,000 citizens concerned about the defense of America's coastline. It was composed of pilots that were unable to join the military at that time.

Delaware is home to one of the original Coastal Patrol units, based in Rehoboth Beach

A number of submarine patrols were done and the CAP pilots were credited with sinking two German submarines.

After World War II, the CAP became the auxiliary of the U.S. Air Force and was charged with three primary missions-- aerospace education, cadet programs and emergency services.

Colonel Senato is attached to the Squadron at Dover Air Force Base who primarily handles search and rescue. Approximately 85% of the Air Force's search and rescue duties within the United States are handled by this unit who possesses the largest civilian aircraft fleet in the country.

The cadet program, a paramilitary organization guided by the Air Force, consists of male and females between the ages of 12 and 18 years old. The cadets are trained in search and rescue, communication, rocketry, flight, customs, etc. The Senior Program participates with the cadet squadrons. The CAP also regularly assists DelDOT through the use of their planes, as well as Homeland Security.

Colonel Senato announced their purpose is to start a unit in Milford. He explained they are a volunteer operation whose money comes from members' donations. They typically meet in churches, on military bases, in armories and airports throughout the country. They understand the responsibility of maintaining any facility they are using. Their cooperation with any organization that allows them to use a facility has always been 125% in addressing any problems during their weekly meetings.

He believes that Milford is prime for a cadet program for the youth of this City and this will be a unique opportunity for the armory to be used. Their intent is to use the lower level. Being a paramilitary organization, they need an office area, office space, drilling and muster area and primarily classrooms. Colonel Senato feels the lower level of the armory would meet those needs.

Most buildings used by the CAP throughout the country are multi-usage with the areas they use available for use by other organizations. He feels with this being an ex-military building, will very efficiently serve the Dover and Milford areas.

Councilmember Mergner asked how many cadets Colonel Senato anticipates; the Colonel said it is difficult to estimate, but Dover Air Force has a cadet squadron of 31. The current minimum is three senior members and eight cadets though there are no limitations to their numbers. They have a lot of ex Air Force that work with the cadets. There is also a unit in Georgetown and Milford being in the middle would be a good nucleus to bring in more youngsters.

He confirmed there is a program within the school system and recruiting usually begins in the elementary schools though that is not the case in the Milford School District or the private schools in this area.

Mr. Norenberg said a potential draft lease was prepared considering there is a considerable amount of space that would be a shared common area with at least one other tenant. They would be jointly responsible for utilities and maintaining the common areas of the building though the entity using the upper level would be responsible for that refurbishment.

He is hoping to find a positive use that will not require the City to do a lot of maintenance on the building prior to it being leased. If they are willing to remodel the basement and bring the building up to code and collaborate with the other tenant, this could be a win-win for the community.

The City Manager noted there has been other interest though there were conflicts with the deed restrictions as a result of those potential uses.

He will be bringing back a negotiated lease to Council for their consideration if the committee does not object to this use.

Chairman Mergner recommends pursuing this use as he believes it will be a positive influence for the City and a great fit. Councilman Starling agreed.

*Community Garden/R. Blake Moore, CCA, Delaware Department of Agriculture*

Mr. Norenberg then referenced the grass area to the north of the parking lots adjacent to the cemetery and east of the fence that is being proposed for a small community garden.

Blake Moore of the State Department of Agriculture said he is representing LEADelaware and Milford Resident Juanita Smith who would like to start a Community Garden.

He explained that LEADelaware is a two-year leadership program that is overseen by the University of Delaware Extension and Delaware Department of Agriculture. It is designed to promote leadership in the next generation of leaders in the agriculture and natural resources sectors in Delaware.

Each class is assigned a two-year program to create something in a Delaware community that would be a long-term resource and a place the community can come together, all while leaving behind a legacy.

LEADelaware Class IV consists of ten fellows who have until March 2018 to work on the project.

In April, of last year, they met with Mayor Shupe and talked about the community garden. At the same time, Juanita Smith was hosting an interest meeting.

Mr. Moore commented that Juanita Smith had indicated there was plenty of interest from the community though she was unable to get the support needed to move forward with its creation. Since that time, LEADelaware has agreed to work with her and the City of Milford to create a community garden in Milford.

They have since been working with the City Manager on locations and an opportunity to start the community garden.

Any upkeep would be overseen by Mr. Moore and Ms. Smith, as well as any addition community members who choose to be elected to the board.

Chairman Mergner asked why that location and if there may be a more appropriate location in Milford; Mr. Norenberg shared

that they had considered two locations because there is very limited City property available. The other site is the vacant lot next to the City's new well behind City Hall. There was also some support from Kent County though that may not be available at this site. He feels it would positive to have that activity in this particular neighborhood and this site would have easy access for the public.

In regard to the lease, though there are a couple details that still need to be worked out, there is also a water line which runs across this site that will have to be avoided.

Mr. Norenberg reported that he wanted to present the information to the committee for their opinion considering this will be a three to five-year pilot program even though the garden could be easily moved if necessary at some point in the future.

When asked how large it will be; Mr. Moore explained that it can be big or small depending on who is interested. It can anywhere from two raised beds to twenty or thirty. He has participated in a community garden on the Herman Holloway Campus in New Castle County which is used for many different things. It is a therapeutic garden for some of the patients at the hospital and a CSA (community supported agriculture method) to raise funds for the gardens. Local education including food preparation and programs on how to grow and use fresh vegetables are part of their training programs.

Mr. Moore announced they have also received a \$1,000 micro-grant from the Delaware Department of Agriculture to get the project started.

With no objection from the Committee, Mr. Norenberg will continue to work on the lease. In the meantime, more soil testing will be done to ensure there are no environmental hazards.

Chairman Mergner and Councilman Starling both recommended proceeding.

*New Economic Development Opportunities/Strategies for Maximum Benefits*

City Manager Norenberg said he wanted to discuss some strategies we should be thinking about considering the economic opportunities as a result of DE Turf and the new Bayhealth Campus.

Chamber of Commerce Executive Director Jo Schmeiser and DMI Board President Lisa Fitzgerald were also in attendance.

Ms. Schmeiser reported that she is a member of the DE Turf Usage Committee. At this point, they have been working with the 81-room Hampton Inn and local hotels and businesses to provide information. Bayhealth was generous in donating several hundred bags that will be filled with the Quality of Living book, Milford map and other items from local businesses. They want to encourage those visitors and participants at the sports complex to come to Milford versus going to the beach towns.

She is also meeting with Kent County Tourism who is considering a mobile site at the sports complex and is willing to provide information from Milford though she will be able to report more on that after she meets with them tomorrow.

The goal is to disseminate a lot of information from Milford retailers and Downtown Milford, Inc. as a way to get people here to support our businesses economically and in particular, get them to return and visit on a future vacation.

Mr. Norenberg advised there have been a number of meetings in recent weeks though this is an area where staff and other officials want to make sure we are capitalizing on the opportunity and taking advantage of the many visitors to DE Turf.

Mayor Shupe advised he will be meeting with the DE Turf Director on May 1<sup>st</sup> to discuss how Milford can be more active with DE Turf. He wants to discuss at what point we need to connect with the individuals who are planning to attend these tournaments and whether Milford could be included at the registration point, when they are searching for information or at the point they physically show up on site.

The Mayor is unsure if that requires a partnership with the business community or if the City of Milford should be responsible. He thinks it is important that these people understand that Milford is only two miles to the south of the site.

He commended Ms. Schmeiser on the great job she has done for the Chamber and the reason he will discuss this from the City side in some form of a partnership.

Chairman Mergner stressed that from his involvement in that lifestyle over the past eight years with his children, it is all about DE Turf and how they want to help Milford. When they call or go online, Milford would be linked to their site and would direct them. For example, the user would have the ability to click on links for lodging, restaurants, etc. He feels their site will heavily dictate where these people end up and if it is in Milford or Dover or the resort area.

The Chairman also suggests getting the local restaurant owners to meet with DE Turf and as a group, talk about what they can do to attract people to Milford. He recommends vouchers, coupons, specials be considered as part of their tournament packet, for example.

Chairman Mergner agrees the first thing they will want to do is go to the beach and Milford needs to reach out in an appealing manner that will need the group effort of local businesses.

Mayor Shupe believes there may be a more unique way of addressing it which could possibly be through a sponsorship at DE Turf such as having a field named after the City. Chairman Mergner disagrees that it needs to be more on a personal level.

Councilmember Burke arrived during the meeting and referenced the electronic billboard in the southbound lane by the sports complex that rotates every eight seconds. There is a second one being added as well that could be considered.

Chairman Mergner feels it will mean much if they are provided with something they can use or get in an email such as a 10% discount at a Milford restaurant or store. He feels it is very important to have some kind of promotional strategy.

Mayor Shupe stated that this needs to be done through the Milford business community and he encourages finding more details about those opportunities.

Chairman Mergner reiterated that a community strategy meeting needs to be scheduled with DE Turf and local businesses. Included should be DMI and the Chamber. He recalled Kent Economic Partnership Board Director James Waddington offering their assistance when this project was only a vision.

It was discussed that DE Turf was willing to find ways to add links to the Chamber, DMI and City of Milford website though that has not yet happened. Mr. Norenberg hopes that is still being explored because the construction is not yet complete and they are still working through a lot of issues.

Solicitor Rutt also arrived during the meeting and announced that he is a member of the DE Turf Board and an Open House is scheduled on May 13<sup>th</sup> beginning at 9:00 a.m. He encouraged the Committee and Council Members to attend.

Due to the scheduled time of the Council meeting, Councilman Starling moved to adjourn the meeting, seconded by Chairman Mergner. Motion carried.

The other agenda items will be added to the next meeting.

The Economic Development Committee meeting adjourned at 7:13 p.m.

Respectfully submitted,



Terri K. Hudson, MMC  
City Clerk/Recorder

Mill Street (Old Peninsula Oil Building) Property Lease



**TO:** Mark Whitfield, City Manager  
**FROM:** Christie Murphy, Solid Waste and Facilities Supervisor  
**CC:** Mike Svaby, Public Works Director  
**DATE:** October 8, 2020  
**RE:** City Wide LED Project – Revised Funding Request

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On December 10, 2019, City Council approved a recommendation to upgrade the City’s current lighting situation to LED technology within all City facilities, funded with a mix of three different grant/incentive-based sources (almost \$91,000) and FY20 Capital Funding (\$30,000). During the final walk through, it was determined that United Electric had undercounted in several areas during their assessment of our facility. As a result, the material and installation costs increased by \$32,173.23. Please see the attached worksheet for a breakdown of the lighting and fixtures recount and impact on the overall project costs. A revised rebate application has been resubmitted to DNREC to reflect the recount and associated increase. On October 5, 2020, we received the attached notice that reflects a new rebate increased from \$10,702 to \$29,667.

All materials have been ordered and are currently being stored at the Public Works Facility. Moving forward, staff recommends the professional services of EDiS to ensure the best installation practices for this project. With the increase in costs, related to the additional materials and professional services, \$19,904.15 is needed to complete the project. Fortunately, the increase in the DNREC Grant and the Green Energy Funds are sufficient to cover the updated costs, and provides the ability to replenish the capital funding used for the project.

**Recommendation:** Staff recommends City Council approve the additional funding request of \$19,904.15 to authorize staff to proceed with the installation of the LED material and professional services of EDiS with funding from the Green Energy Fund.

Attachment

**LED REPLACEMENT PROJECT COST  
Revision Explanation**

**\*\*\*FINAL**

	Original APPROVED Project			Revision due to Miscount of Material/Installation Cost				
<u>City Facility</u>	<u>Materials</u>	<u>Labor</u>	<u>Total Project Cost</u>	<u>Revised Materials</u>	<u>Revised Labor</u>	<u>Freight</u>	<u>Revised Project Cost</u>	
City Hall (relamp only)	\$ 4,354.70	\$ 2,500.00	\$ 6,854.70	\$ 4,646.15	\$ 2,900.00		\$ 7,546.15	
Police Dept (relamp only)	\$ 3,878.52	\$ 1,850.00	\$ 5,728.52	\$ 7,491.41	\$ 4,750.00		\$ 12,241.41	
Customer Service	\$ 5,955.32	\$ 3,500.00	\$ 9,455.32	\$ 5,445.62	\$ 4,100.00	\$ 72.28	\$ 9,617.90	
Finance	\$ 4,042.50	\$ 2,800.00	\$ 6,842.50	\$ 4,422.91	\$ 3,100.00	\$ 60.74	\$ 7,583.65	
Public Works	\$ 44,268.93	\$ 21,500.00	\$ 65,768.93	\$ 54,184.09	\$ 35,650.00		\$ 89,834.09	
Owner Controlled Contingency					\$ 5,000.00		\$ 5,000.00	
EDiS Professional Fees					\$ 10,725.00		\$ 10,725.00	
<b>OTAL PROJECT COST (w/o incentives)</b>	<b>\$ 62,499.97</b>	<b>\$ 32,150.00</b>	<b>\$ 94,649.97</b>	<b>\$ 76,190.18</b>	<b>\$ 66,225.00</b>	<b>\$ 133.02</b>	<b>\$ 142,548.20</b>	
<i>Efficiency Smart Incentive</i>			\$ (4,105.00)				\$ (4,105.00)	
<i>DNREC Grant Incentive**</i>			\$ (10,702.00)			Approved Amt: as of 10-5--2020	\$ (29,667.00)	
<i>DEMEC Green Energy Fund</i>			\$ (75,830.88)			**REVISED AMT as of 8-25-2020	\$ (88,872.05)	
<i>FY20 approved Capital Funds</i>	SEE MINUTES		\$ (30,000.00)			Green Energy Funds	\$ (19,904.15)	FY 21 Requested Funds
<b>BALANCE</b>			<b>\$ (25,987.91)</b>					



STATE OF DELAWARE  
DEPARTMENT OF NATURAL RESOURCES & ENVIRONMENTAL CONTROL  
DIVISION OF CLIMATE, COASTAL, & ENERGY

100 W. WATER STREET, SUITE 10B  
DOVER, DELAWARE 19904

ENERGY POLICY & PROGRAMS

PHONE: (302) 735-3480

October 5, 2020

City of Milford  
Christie Murphy  
180 Vickers Drive  
Milford, DE 19963

To Whom It May Concern:

Thank you for applying to the Energy Efficiency Investment Fund (EEIF) grant program. **We are happy to share that your application EEIF-0049-20 is pre-approved for a grant award in the amount of \$29,667.00 for your prescriptive lighting project at the City of Milford.**

At this time, I have completed a technical review of your application and have found it to be satisfactory and complete. **Please accept this letter as pre-approval to proceed with the scope of work proposed in your grant application.** Once the project is complete, please submit itemized invoices for the installed fixtures, along with a copy of this letter. Please be sure all invoices appear on your vendor's letterhead and clearly show payment in full, method of payment, and date. Your award will be paid following receipt and review of all invoices; as with all applications we receive, DNREC reserves the right to require a post-installation site inspection prior to award payment.

Please note that this preapproval is limited to the scope of work and project value in your application. If you find that the scope needs to change or that the project value is revised, please notify me right away, so I may consider those changes in advance of your final application review.

The Division of Climate, Coastal, & Energy applauds your interest in conserving energy, reducing greenhouse gas emissions, and lowering your facility's operating costs. Buildings use 40% of our country's overall energy and 70% of our electricity, specifically. Energy efficient buildings lessen demand on the electric grid, reduce dependence on fossil fuel energy, and improve local air quality.

If you have any questions, you may contact me by phone at (302) 735-3355 or by email at [maya.krasker@delaware.gov](mailto:maya.krasker@delaware.gov). I look forward to hearing about your project's successes.

Sincerely,

Maya Krasker  
EEIF Planner III



PUBLIC WORKS DEPARTMENT  
180 Vickers Drive  
Milford, DE 19963

PHONE 302.422.1110  
FAX 302.422.1117  
www.cityofmilford.com

To: City Council and Mayor  
From: Mark A. Whitfield, City Manager  
Subject: 2020 & 2021 Holiday Schedule  
Date: October 8, 2020

Chapter 55 (the Personnel Ordinance) of the Code of Ordinances was adopted on April 9, 2018. In the Chapter, Section 7.3 states:

***The City will grant holiday time off to all employees on all legal holidays officially adopted and approved by the Milford City Council each calendar year.***

Both the Teamster Agreement and IBEW Agreement state holidays with pay shall be designated by City Council.

Pursuant to conformance with Chapter 55, the Teamster Agreement and the IBEW Agreement, the attached Resolution has been prepared for Council's consideration.

With the cancellation of Return Day for Sussex County in 2020, staff recommends providing a full vacation day for December 31, 2020, in lieu of a ½ day each for November 5, 2020 and December 31, 2020, as previously approved by Council. Changing the two ½ day holidays to a full day holiday will provide the City with better operations and ease of record keeping.

In 2021, also proposed is the observance of Juneteenth holiday on June 19. Because Juneteenth falls on a Saturday, staff proposes to observe the holiday on Friday, June 18.

Because July 4 falls on a Sunday in 2021, the holiday will be observed on July 5. Because Christmas falls on a Saturday in 2021, it will be observed on Monday, December 25, since Christmas Eve is on Friday and that day is already a holiday. For New Year's Eve 2021, because New Year's Day is on Saturday, a full day holiday will be observed on Friday, December 31, 2021, in lieu of a ½ day for New Year's Eve.

**Recommendation:** Staff recommends Council authorize the attached Resolutions updating the 2020 Holiday Schedule and 2021 Holiday Schedule through January 1, 2022.

# City of Milford



## RESOLUTION 2020-28 MODIFICATION TO 2020 HOLIDAY SCHEDULE

**WHEREAS**, Chapter 55 of the City of Milford Code governs personnel policies for all City of Milford employees and is intended to inform employees with important information about the City's rules, policies, practices, and procedures, as well as educate them on their own privileges and responsibilities; and

**WHEREAS**, Chapter 55 has been modified and supplemented on many occasions since its enactment, and on April 9, 2018, following a review of notable amendments, it was recommended that City Council rescind Chapter 55, in its entirety, and replace with a new Chapter 55; and

**WHEREAS**, Section 7.3 of Chapter 55 of the City Code, entitled Holidays, currently states the City will grant holiday time off to all employees on all legal holidays, officially adopted and approved by the Milford City Council each calendar year and that all City offices shall be closed during designated City holidays; and

**WHEREAS**, the even-year Return Day is a four-hour holiday for employees, though associated festivities will not be held this year due to regulations and restrictions tied to the pandemic and concern for public health; and

**WHEREAS**, in lieu of the four hours of holiday time identified in the 2020 Holiday Schedule on that day, it is recommended employees work their regular schedules and that Council authorize its amendment by transferring those four hours to the New Year's Eve holiday; and

**WHEREAS**, previously approved as a four-hour holiday, this combination will allow employees to enjoy a full-day, or eight hours of holiday time, to spend with family and friends; and

**WHEREAS**, City employees shall be granted holiday pay, or accrual time, in accordance with Chapter 55, or their respective collective bargaining agreements.

**NOW, THEREFORE BE IT RESOLVED**, that the City Council of the City of Milford, during a lawful session duly assembled on the 12<sup>th</sup> day of October 2020, by a favorable majority vote, authorize the following holidays, as amended, be observed from December 31, 2019 - January 1, 2021:

<i>Holiday</i>			<i>Holiday</i>	
New Year's Eve (Four Hours)	12/31/2019		<del>Return Day (Four Hours)</del>	<del>11/05/2020</del>
New Year Day 2020	01/01/2020		Veterans Day	11/11/2020
MLK Jr. Birthday	01/20/2020		Thanksgiving	11/26/2020
Presidents Day	02/17/2020		Day After Thanksgiving	11/27/2020
Good Friday	04/10/2020		Christmas Eve	12/24/2020
Memorial Day	05/25/2020		Christmas	12/25/2020
Independence Day	07/03/2020		New Year's Eve ( <del>Four Hours</del> )	12/31/2020
Labor Day	09/07/2020		<i>New Year Day 2021</i>	<i>01/01/2021</i>
Election Day	11/03/2020			

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Mayor Archie Campbell

Attest: \_\_\_\_\_  
City Clerk Teresa K. Hudson

# City of Milford



## RESOLUTION 2020-29 AUTHORIZATION OF 2021 HOLIDAY SCHEDULE

**WHEREAS**, Chapter 55 of the City of Milford Code governs personnel policies for all City of Milford employees and is intended to inform employees with important information about the City's rules, policies, practices, and procedures, as well as educate them on their own privileges and responsibilities; and

**WHEREAS**, Chapter 55 has been modified and supplemented on many occasions since its enactment, and on April 9, 2018, following a review of notable amendments, it was recommended that City Council rescind Chapter 55, in its entirety, and replace with a new Chapter 55; and

**WHEREAS**, Chapter 55, Section 7.3 of the City Code, entitled Holidays, currently states the City will grant holiday time off to all employees on all legal holidays, officially adopted and approved by the Milford City Council each calendar year and that all City offices shall be closed during designated City holidays; and

**WHEREAS**, City employees shall be granted holiday pay, or accrual time, in accordance with Chapter 55, or their respective collective bargaining agreements.

**NOW, THEREFORE BE IT RESOLVED**, that the City Council of the City of Milford, during a lawful session duly assembled on the 12<sup>th</sup> day of October 2020, by a favorable majority vote, authorizes the following holidays be observed from December 31, 2020 - January 1, 2022:

Holiday	Date Observed	Day
<i>New Year's Eve 2020</i>	<i>December 31</i>	<i>Thursday</i>
New Year's Day	January 1	Friday
Martin Luther King, Jr. Birthday	January 18	Monday
President's Day	February 15	Monday
Good Friday	April 2	Friday
Memorial Day	May 31	Monday
Juneteenth	June 18	Friday
Independence Day	July 5	Monday
Labor Day	September 6	Monday
Veterans Day	November 11	Thursday
Thanksgiving	November 25	Thursday
Day After Thanksgiving	November 26	Friday
Christmas Eve	December 24	Friday
Christmas	December 27	Monday
New Year's Day (2022)	December 31	Friday

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Mayor Arthur J. Campbell

Attest:

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City Clerk Teresa K. Hudson

# City of Milford



## RESOLUTION 2020-30

### AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS IN AN AMOUNT NOT TO EXCEED \$20,000,000 AND SCHEDULING OF PUBLIC HEARING ON DECEMBER 14, 2020

**WHEREAS**, the City Council of the City of Milford, Delaware (“Council”) has been advised that up to \$20,000,000 is required to finance the design, construction, and equipping of a police station and to complete other necessary infrastructure improvements in connection therewith as well as other miscellaneous capital projects (the “Capital Project”).

**WHEREAS**, the Capital Project is expected to be financed through the issuance of the City of Milford General Obligation Bonds, in one or more series or subseries (the “Bonds”).

#### **NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MILFORD:**

1. The Council hereby proposes unto the electors of the City that an amount of money not exceeding \$20,000,000 (exclusive of original issue discount) be borrowed to pay for the costs of the Capital Project and to pay the costs associated with the financing. The borrowing is expected to be accomplished through the issuance of the City’s General Obligation Bonds, in one or more series or subseries.
2. The average rate of interest on the Bonds shall not exceed 5%.
3. The Bonds shall be secured by the full faith and credit of the City.
4. The Bonds shall be paid or funded from the tax revenues of the City.
5. The City be authorized to use the proceeds of the Bonds to fund the Capital Project and will be authorized to use a portion of the proceeds of the Bonds to pay costs associated with the issuance of the Bonds.
6. The City Council hereby establishes that a Public Hearing upon this Resolution and the proposed borrowing described herein shall be held on **Monday, December 14, 2020 at 7:00 p.m.** in the Joseph “Ronnie” Rogers Council Chambers at Milford City Hall located at 201 South Walnut Street, Milford, Delaware 19663 (the “Public Hearing Venue”), and hereby directs that notice of such hearing be published and posted as required by Article VIII of the Charter of the City of Milford. If the Public Hearing Venue remains closed to the public on the date of the Public Hearing, the City Council reserves the right to host the meeting virtually.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Official Seal of the City of Milford to be affixed this 12<sup>th</sup> day of October, 2020.

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Mayor Arthur J. Campbell

Attest:

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City Clerk Teresa K. Hudson

**EXECUTIVE  
SESSION  
IN PROGRESS**

