

City of Milford



CITY COUNCIL AGENDA

November 14, 2016 - 5:30 P.M.

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

PUBLIC WORKSHOP - 5:30 p.m.

Call to Order - Mayor Bryan Shupe

Presentation/City of Milford Business License Proposed Ordinance

Public Comment

Adjourn

COUNCIL MEETING - 7:00 p.m.

Call to Order - Mayor Bryan Shupe

Invocation

Pledge of Allegiance

Approval of Previous Minutes

Recognition

Code Purple 2016-17 Update*

Recognition/Milford Police Department Officers

Monthly Police Report

Monthly City Manager Report

Monthly Finance Report

Committee & Ward Reports

Communications & Correspondence

December 27th Council Meeting/Canceled

Unfinished Business

New Business

Bid Award/Sewer Jet Vacuum Truck/NJPA Purchasing Plan

Adjourn

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

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

102116 *111016 Late Addition by City Manager 111416 Agenda Items Rearranged (City Manager)

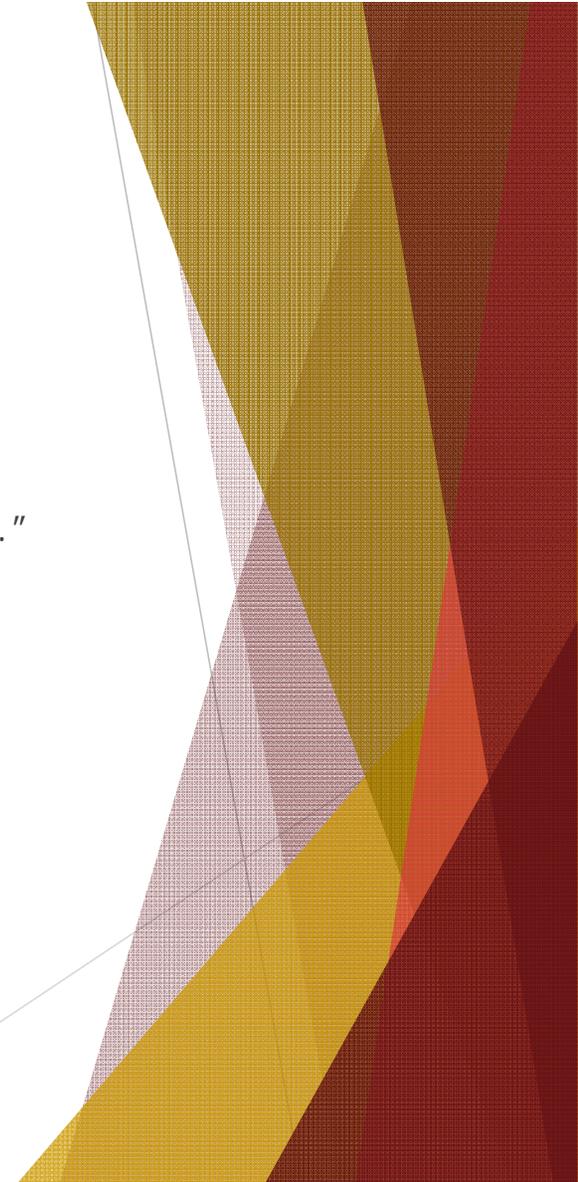


Business Licenses

November 14, 2016

Proposed Program Details

- ▶ Require businesses to register annually (Jan-Dec) with the City through the business license program.
- ▶ Business is defined as “any person engaged in the sale of goods or services including, but not limited to, any retail, wholesale, service, food service, professional or personal service or other general commercial activity that requires a business license with the State of Delaware, Division of Revenue.”



Exemptions

- ▶ Deliveries of goods or property to a licensed business.
- ▶ Utility companies authorized by the City to operate.
- ▶ Charitable, religious, educational, public service facility, social association or club, governmental agency.
- ▶ Exhibitor in a museum, the Milford Library, an education facility.
- ▶ Yard or garage sales not part of a regularly recurring activity.
- ▶ Sale of agricultural or nursery items grown on the premises of the property owner and sold seasonally.
- ▶ Business activities of insurance agents and companies specifically exempted from municipal business license fees under 18 Del. Code Chapter 712.
- ▶ Any activities permitted pursuant to Chapter 168 Peddling, Soliciting and Transient Merchants, Chapter 107 Contractors, or Chapter 180 Residential Rental Operating Licenses.

Timeline - New Businesses

- ▶ Beginning January 1, 2017, new businesses will be required to obtain a business license from the City.
- ▶ New businesses will be required to obtain a certificate of zoning from the Planning & Zoning Department prior to issuance of the business license.
 - ▶ Fee for certificate of zoning will be included in the cost of the business license for new businesses

Timeline - Existing Businesses

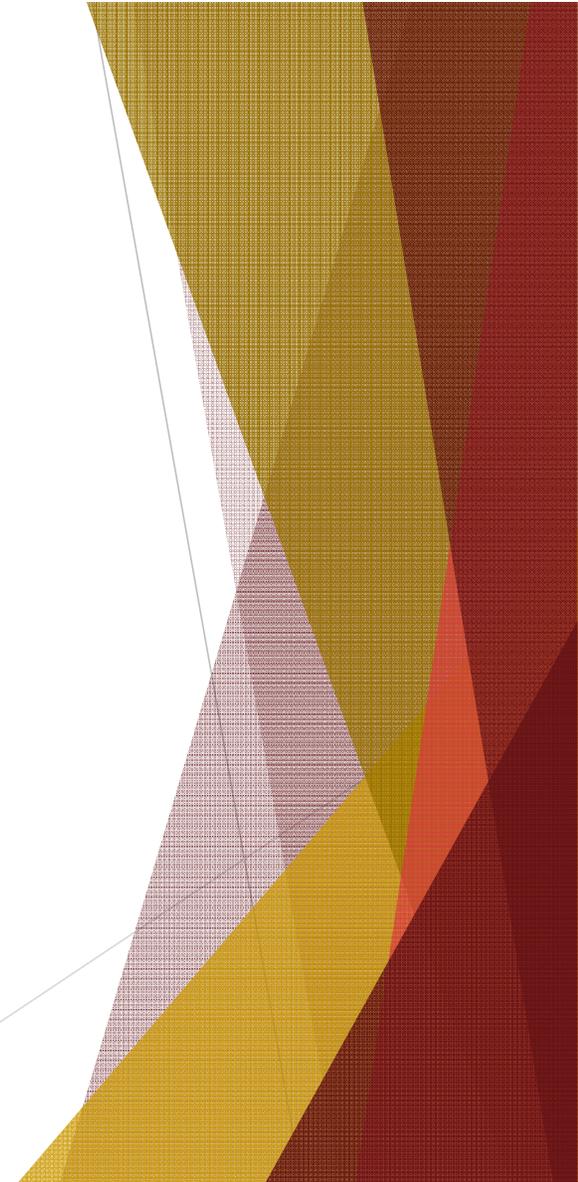
- ▶ Existing businesses can begin registering with the City January 1, 2017. All existing businesses will have until June 1, 2017 to obtain their business license.

Application and Fee

- ▶ Application will include the company name, phone number & street address; owner name, phone number, street address; EIN or SS#; type of business; number of employees; copy of other licenses issued by the State or other agencies; statement of compliance with City ordinances.
- ▶ The fee will be \$120/year. For new businesses registering after July 1, the fee will be \$60 for the half year.

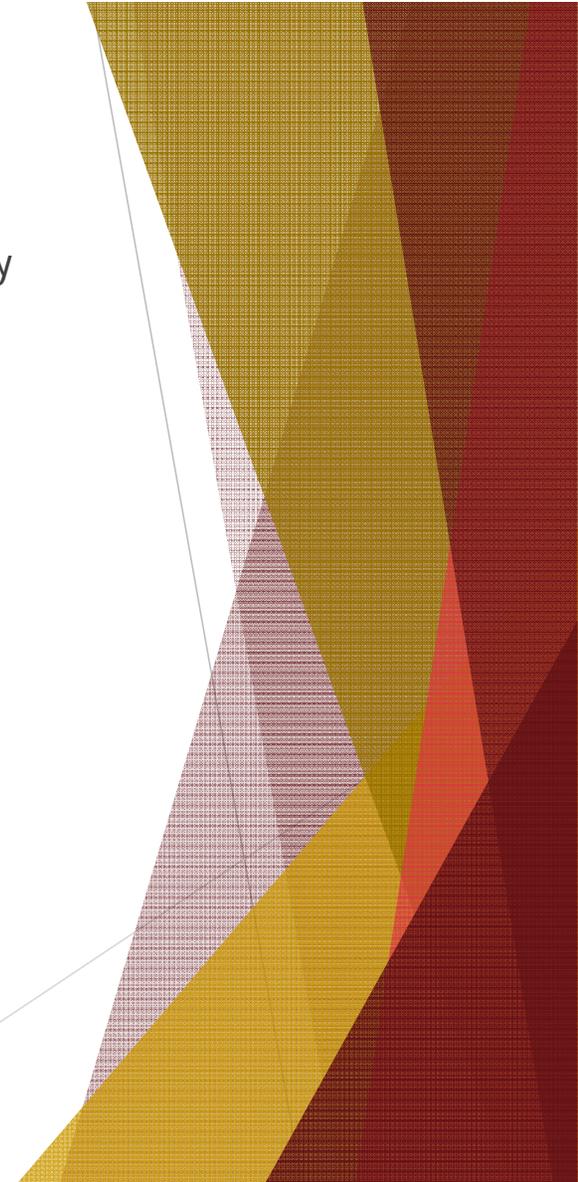
Protection of Business Community

- ▶ Ensure Businesses within the City are legitimately licenses and insured.
- ▶ Provides data that can enable Milford Police Department, City utilities, or other first responders to contact business owners in emergency situations.
- ▶ Enforcement tool to address for businesses with illegal activities.
- ▶ Ensure business properties are compliant with City ordinances.



Exposure and Networking

- ▶ Supports creation of a comprehensive database that tracks business activity within the City. The dataset will allow the City to track new businesses, closed businesses and estimated employment figures.
- ▶ The dataset will provide a list of available commercial/industrial buildings and suites that can be incorporated into the City's mapping system and be shared with economic development agencies.
- ▶ The City will be able to provide specific information regarding available commercial space to potential investors and entrepreneurs which will promote full build out and occupancy of existing commercial space.
- ▶ Can also assist existing business with expansion needs.
- ▶ The City may have the ability to provide basic business, contractor and solicitor information - based on registration data - on the City's website to view.



CITY OF MILFORD

DELAWARE



"THE GARDEN CITY OF TWIN COUNTIES"

OFFICE OF THE CHIEF OF POLICE
KENNETH L. BROWN

400 N.E. FRONT STREET
MILFORD, DE 19963
(302) 422-8081 FAX (302) 424-2330

TO: Mayor and Members of City Council
FROM: Kenneth L. Brown, Chief of Police
DATE: October 4, 2016
RE: Activity Report/Oct 2016

Monthly Stats:

A total of 553 arrests were made by the Milford Police Department during October 2016. Of these arrests, 214 were for criminal offenses and 339 for traffic violations. Criminal offenses consisted of 36 felonies and 178 misdemeanors. Traffic violations consisted of 29 Special Duty Radar, 4 Drunk-Driving charges, 306 other.

Police officers investigated 66 accidents during the month and issued 98 written reprimands. In addition, they responded to 1199 various complaints including city requests and other agency assistance.

Monthly Activities:

The Milford Police Department participated in the City's Trick or Treat event on October 31, 2016. Employees decorated the Department and advertised on social media for parents to bring their children by for a trick or treat goodie bag given out by Chief Brown. We had a great response from the public with approximately 75 children stopping by to trick or treat.

Two officers attended the Crisis Intervention Team Training in Dover. The Criminal Investigations Unit attended the 21st Annual Homicide Conference at Dover Downs. The Department was trained by Kent County Paramedics in the Administration of Naloxone/NARCAN. Chief Brown, Captain Bailey and Secretary Knorr attended the 2016 IACP Conference in San Diego, CA.

SRO:

Pfc. Stanton and Cpl. Bloodsworth took part in a statewide meeting of school resource officers. This meeting updated SRO's of new policies and procedures, as well as new laws and case law.

Sgt. Masten and Cpl. Bloodsworth participated, along with Milford School District staff, in receiving recognition from the Delaware Department of Homeland Security for meeting all the requirements of the "School Safety Act". Secretary Mosley presented 5 schools in this district with awards for their commitment to student and staff safety.

Cpl. Bloodsworth organized a mass swearing in ceremony of dozens of new AAA Safety Patrollers that will assist in helping keep our schools safe. There ceremony included an official swearing in by Judge Adams from the Delaware Justice of the Peace Court system who was assisted by Chief Brown & Lt. Wells. Students from Benjamin Banneker, Lulu Ross, and Mispillion Elementary participate in this program.

K9 Unit:

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

Seized Items

Notes: K9 unit seized \$825.00 of US Currency which was connected to drug activity

OCT 2016 ACTIVITY REPORT

	OCT 2016	TOTAL 2016	OCT 2015	TOTAL 2015
COMPLAINTS	1199	12445	952	11777
CRIMINAL ARRESTS	214	1756	88	1615
Felonies	36	431	13	358
Misdemeanors	178	1325	75	1257
TRAFFIC ARRESTS	339	4141	287	4628
Special Duty Radar	29	1158	59	1709
D.W.I.	4	45	10	53
Other	306	2969	218	2866
REPRIMANDS	98	1139	91	1119
ACCIDENTS	66	572	61	592
Fatal	0	2	0	0
PARKING SUMMONS	8	69	14	97
CRIME PREV. CHECKS	26	312	35	299
FINES RECEIVED	\$8,835.26	\$ 79,373.98	\$ 9,894.93	\$ 97,789.27



OFFICE OF THE CITY MANAGER
ERIC NOREBERG, ICMA-CM
302.424.3712, FAX 302.424.3558

201 SOUTH WALNUT STREET
MILFORD, DE 19963
www.cityofmilford.com

City Manager's Report November 14, 2016

ADMINISTRATION

-City Hall locks have been changed and new keys issued to appropriate staff.
-The City-wide Halloween costume and decoration contest was a hit. Our celebrity judge was DMI's Steve Twilley who determined the top prize for individual costume went to witch Vicki Knorr at MPD and the top prize for decorations went to Parks & Recreation for their interior and exterior decorations. In all, four locations participated in decorating and employees from six work units dressed in costume for the occasion.

Parks & Recreation

- Park staff planted over 300 pansies and 300 tulips in City maintained flower beds at various locations around town.
- The flower bed located by the boat ramp had new plants installed, landscape timbers were pressure washed and an old boat which had previously been used for decoration was removed to clean up the area.
- Shrubbery at the new City parking lot behind the old M&T bank was trimmed, vines were cut back, and trees were removed. Existing large trees will be topped in the near future.
- Trees were trimmed by park staff at the old cemetery on Walnut Street, and staff oversaw the removal of three large trees, stump grinding and some additional trimming of a large tree by a contractor.
- 12 yards of mulch was installed by crews at the park downtown in preparation for the holiday stroll in early December.
- Maintenance of the Tony Silicato Memorial Park continues with cutting of the grass and another treatment of fertilizer.
- All of the flowers in the hanging baskets and on the bridges were removed by park staff in preparation for holiday decorations.
- The storm water pond behind the Parks and Rec building was cut back for the winter.
- Discussions began with Milford Little League to formalize a lease/maintenance agreement between the City and Little League.
- Park staff assisted with cleaning up the parade route for the Community Parade and with lending of equipment and some logistics. Staff also completed a trash run the following day after the parade.
- Instructional Tennis program was completed October 12 as was Youth Hockey Instructional program.
- Registration for winter programs began on October 15 to include youth basketball, indoor soccer, youth wrestling and gymnastics and tumbling.
- Youth soccer continues and has suffered from three weekends of cancellations due to the weather. Make up games will continue into November. Parks & Rec has contracted with Fifer Orchards to provide free donuts and cider for all the soccer kids on the last weekend of games.
- Began survey layout on Goat Island in preparation for the building of the overlooks and pavilion which is due to begin construction in early November.
- Held a pre-bid meeting and a bid opening for the construction of our kayak dock, however no bids were received. We are in the process of talking to potential contractors to find the reason why no bids were received.

-Parks & Rec held their annual Halloween party on October 25 for area kids, where they played games, participated in a costume contest and received goody bags. Parks & Rec also decorated the office building for - Halloween and took home the prize for first place, for best decorated department.
-Park & Rec also received a \$3500 donation from the Milford Chamber of Commerce for assisting with the Riverwalk Freedom festival.

PLANNING & ECONOMIC DEVELOPMENT

Enforcement & Inspections Division

Code Enforcement Case Activity

New Cases: 19

Closed Cases: 66

Open at Start of Month: 224

Open at End of Month: 177*

*132 cases are Weed/Grass violations which stay open until the end of the growing season.

Code Enforcement Violation Activity

Abandoned Vehicle: 2

Dangerous Tree: 5

Furniture: 0

Generic: 0

Property Maintenance: 3

Rubbish & Garbage: 1

Weeds & Grass: 8

Zoning Use: 0

Total: 19

Rental Inspections Performed: 5

Rental Licenses Issued: 14

Vendor Licenses Issued: 1

Contractors Licenses Issued: 15

Building Permits Issued

Commercial Foundation: 0

Commercial Building Permit: 8

Demolition: 6

Residential New Construction: 16

Residential Renovation/Accessory Structure: 12

Roof/Siding: 6

Solar Panels: 2

Utility (Electric/Water): 1

Total: 51

Planning & Zoning Division

-Advertised for the new Code Official position. Interviews will be conducted in early November.

-Planning Commission held a Comprehensive Plan workshop to review the current comprehensive plan's visions, goals and objectives. Results from the community questionnaire were presented to the Commission. - Key stakeholders including the MPD, Milford School District, Downtown Milford Inc and several large employers were in attendance. Workshops will be held prior to each Planning Commission meeting for the next several months. In November, December and January, the Commission will review each chapter of the plan and make modifications as needed.

-Planning Commission approved the Preliminary Site Plan for Gator and Associates, Inc. to redevelop an existing commercial building on Route 14 to include a Brew Pub, Fitness Center and Warehouse space.

- Planning Commission continued discussions on a new Riverfront Development zoning category to promote mixed use development in the Downtown area.
- The Board of Adjustment did not meet during the month of October.
- Staff met with the Cabinet Committee for State Planning Issues to confirm conditions of Downtown Development District designation have been met.
- Staff met as part of a working group revising/updating the Dover/Kent MPO Regional Bicycle Plan. The working group will continue to meet monthly over the next year to review the existing plan and set new goals and objectives.

PUBLIC WORKS DEPARTMENT

- Bill Foxwell setup road closure barricades for the International Food Festival downtown. The street sweeper cleaned the parade routes prior to events. Crews setup barricades and stage for the Community Parade. Chris Hitchens turned on all of the street lights along the parade routes repairing any that were malfunctioning.
- Numerous people within the Department worked on ordering light replacements, banners, wreaths and window candles for Christmas decorations downtown. The new LED bulb replacements will be completed by the Electric division.

Electric Division

- Rob Palladino had one of our bucket trucks at the Touch-A-Truck event that was held at Chik-Fil-A on Saturday, October 8, 2016 from 9:30 a.m.-12:00. Rob handed out Electric Safety Activity Books to the kids and Electric Efficiency Tips packets available for the adults.
- The electric crew energized the temporary service to the new Bayhealth campus.

Power Outages: 10/16-SE area; blade failure.
 Closed Work Orders: 14
 Trouble Service Calls: 33
 New Electric Services Installed: 10
 Preventative Maintenance/Trees Trimmed: 30
 Miss Utility Locates: 88

Water & Wastewater Division

- Charlie Nordberg and Vince Waydelis completed locates for various projects, did a hydrant flow test at Hearthstone and Wilkins Road, checked various sewers, cleaned the sewer line at 210 NE Fourth Street, replaced five sanitary sewer manhole frames and covers at Parson Thorne Apartments, completed a water head count for aerator at the Seabury WTP, assisted the boring company on Milford-Harrington Hwy for a water leak and cut grass at well sites and pump stations.
- On Friday October 7, Steve Ellingsworth, Charlie Nordberg, Vince Waydelis, Shawn O'Neil, Ben Benson and Billy Ratlieff attended an Expo hosted by DRWA. They attended several classes on cyber control for computers, and confine spaces. Afterwards there were several competitions for towns where Charlie placed 2nd and Billy finished 3rd in excavator ball retrieve. Vince and Ben won the horse shoe competition; Steve and Shawn tried the corn hole game but failed. It was a great time to meet and greet vendors and employees from different towns.

Streets & Solid Waste Division

Bulk Pick Ups: 13 (\$300 in charges billed)
 Additional Containers: Trash-0; Recycle-2; Yard Waste-0
 Service Terminated: 0
 Change Container Size: 6
 Damaged/Replaced Container: 41
 After Hours Calls: 0

- The Street Division over saw the contract line painting on Airport Road, then followed up with painting arrows and stop blocks.
- Street Division brush hogged the fields at Boys & Girls Club and the Solar Field for the final mowing of the season.
- Crews over seeded the Milford Community Cemetery.
- Brian Jackson and Timmy Webb attended a Winter Maintenance, Snow & Ice Control course at the Pardee Center in Dover.
- Crews eradicated the yellow centerline on Marshall Street and installed two “No Parking” signs on the west side of the 100 block of Marshall Street. Parking is permitted now on the east side only. Due to the width of the street, parking could only be accommodated on one side of the street. Signs have since been stolen and not put back up yet. A second set of signs were installed on October 28 but were taken overnight, posts and all. Milford PD is investigating. Letters have gone out to all property owners and tenants in the 100 block of Marshall Street regarding the parking situation.
- Bill Foxwell, Bill Hughes and Brian Jackson assisted Warehouse Manager Les Scotten with unboxing 80 new chairs for Public Works and putting on new racks.
- Porcelain Berry application has been completed for the season. William “Bill” Pike sprayed 57.5 acres citywide this season.
- Brian Jackson and Billy Foxwell Brad Dean, Rob Palladino, Jeremiah Curry and Dale Breeding attended Chainsaw Safety Course at the Rehoboth Beach Fire Station.
- A leaf collection public notice went out in both Milford Chronicle and Milford Beacon as well as on the City website, social media and CodeRED. Collection is to begin the week of November 1 in Wards 1 & 2 then the following week on Monday in Wards 3 & 4. The schedule will run every other week through the month of November and weekly through December and January.
- We received notification from DNREC that our Universal Recycling Grant –Cycle 8 application was partially funded for the educational stickers for our recycling/yard waste containers and the purchase for educational/outreach literature.
- Solid Waste Driver Adam Hurd drove a demonstrator automated side-arm “one man truck” for two days in all four wards collecting trash. He said it definitely would take some getting used to but felt pretty good about. A second truck demonstration of a semi-automated is planned as well. Timmy Webb and Adam took a trip to Middletown for a demonstration of their automated trash truck in operation.
- Fall clean-up week was a huge success with the help of the Streets crews. Solid Waste crews said it seemed like there was a lot more bulk out than in past years on a clean-up week. With 2015 cleanup week tonnage (DSWA) at 74.72 tons, 2016 came in at 80.41 tons.
- Renovations to the new City parking lot behind the old M&T Bank have begun. Concrete and asphalt improvements are underway, along with lighting upgrades and replacement of the fence (cost shared with the neighbor).

SOLID WASTE/RECYCLING MONTHLY DIVERSION REPORT

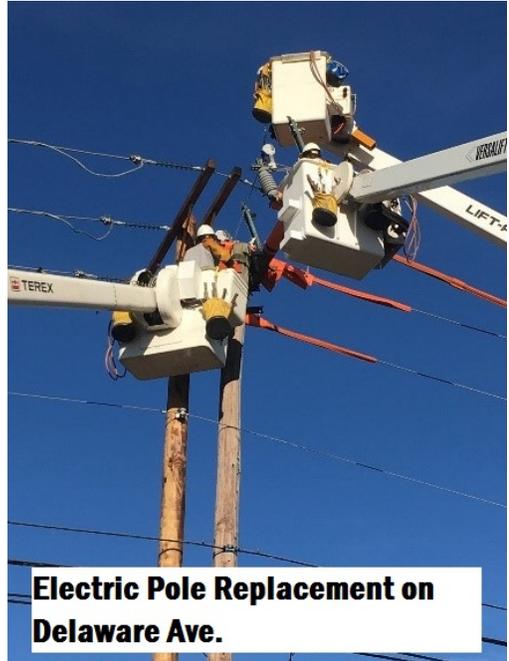
November 2016

	<u>SOLID WASTE TONNAGE</u>	<u>CURBSIDE RECYCLING</u>	<u>DROP-OFF CENTER RECYCLING</u>	<u>YARD WASTE</u>	<u>TOTAL</u>	<u>DIVERSION</u>
<i>Jul-16</i>	257.73	61.46	36.54	36.56	392.29	34.3%
<i>Aug-16</i>	305.05	47.20	37.97	42.77	432.99	29.5%
<i>Sep-16</i>	255.22	60.11	41.23	32.41	388.97	34.4%

	<u>SOLID WASTE TONNAGE</u>	<u>CURBSIDE RECYCLING</u>	<u>DROP-OFF CENTER RECYCLING</u>	<u>YARD WASTE</u>	<u>TOTAL</u>	<u>DIVERSION</u>
2013	3903.34	617.90	213.77	473.85	5208.86	25.1%
2014	3206.04	645.88	243.90	472.08	4567.90	29.8%
2015	3077.95	642.20	259.49	446.27	4425.91	30.5%
2016 (YTD)	2312.95	479.02	301.03	318.71	3411.71	32.2%



Mr. Benson changing meters on SE Second St.



Electric Pole Replacement on Delaware Ave.



Tree Removal on S Washington St.



Mr. Ellingsworth Filling in For Mr. Helmick.

**CITY OF MILFORD
FUND BALANCES REPORT**

Date: SEPTEMBER 2016

Cash Balance - General Fund Bank Balance	\$4,474,606
Cash Balance - Electric Fund Bank Balance	\$3,147,938
Cash Balance - Water Fund Bank Balance	\$1,628,737
Cash Balance - Sewer Fund Bank Balance	\$1,235,330
Cash Balance - Trash Fund Bank Balance	\$291,704

	<u>General Improvement</u>	<u>Municipal Street Aid</u>	<u>Real Estate Transfer Tax</u>	<u>Solid Waste Reserves</u>
Beginning Cash Balance	378,231	1,149,102	1,672,795	0
Deposits	10,000		207,389	
Interest Earned this Month	123	365	584	
Disbursements this Month	(1,470)		(41,666)	
Investments				250,000
Ending Cash Balance	\$386,884	\$1,149,467	\$1,839,102	\$250,000

	<u>GF Capital Reserves</u>	<u>Water Capital Reserves</u>	<u>Sewer Capital Reserves</u>	<u>Electric Reserves</u>
Beginning Cash Balance	1,630,866	7,290,325	3,506,100	6,977,188
Deposits				
Interest Earned this Month	2,003	757	360	740
Disbursements this Month		(38,787)		(18,379)
Investments	250,000			
Ending Cash Balance	\$1,882,869	\$7,252,295	\$3,506,460	\$6,959,549

	<u>Water Impact Fee</u>	<u>Sewer Impact Fee</u>	<u>Electric Impact Fee</u>	<u>Economic Development Fund</u>
Beginning Cash Balance	\$1,498,410	967,293	437,715	551,804
Deposits	3,046	1,610	1,800	
Interest Earned this Month				
Disbursements this Month				
Investments				
Ending Cash Balance	\$1,501,456	\$968,903	\$439,515	\$551,804

INTEREST THROUGH THE THIRD MONTH OF THE FISCAL YEAR:

General Fund	4,125	Water Fund	1,164
GF Capital Reserves	2,336	Water Capital Reserves	2,096
Municipal Street Aid	985	Sewer Fund	1,015
Real Estate Transfer Tax	1,413	Sewer Capital Reserves	1,035
Electric Fund	2,515	Trash Fund	1,857
Electric Reserves	1,999		

TOTAL INTEREST EARNED TO DATE \$20,540

REVENUE REPORT

Page Two

Date: September 2016	AMOUNT BUDGETED	MTD	YTD	25% of Year Expended YTD%
ACCOUNT				
Economic Development Fund	201,255	0	40,000	19.88%
General Fund Reserves	411,000	0	0	0.00%
Realty Transfer Tax-Police	500,000	41,667	125,000	25.00%
Real Estate Tax	3,762,970	1,627	3,758,415	99.88%
Business License	106,250	400	1,950	1.84%
Rental License	85,000	350	700	0.82%
Building Permits	75,000	2,327	16,416	21.89%
Planning & Zoning	15,000	1,254	5,552	37.01%
Grasscutting Revenue	16,000	0	16,000	100.00%
Police Revenues	440,000	160,899	184,782	42.00%
Misc. Revenues	272,820	7,256	28,507	10.45%
Transfers From	3,300,000	274,999	825,000	25.00%
Total General Fund Revenues	\$9,185,295	\$490,779	\$5,002,322	54.46%
Water Revenues	2,730,500	274,530	773,507	28.33%
Sewer Revenues	2,506,500	241,601	680,993	27.17%
Kent County Sewer	1,850,000	175,552	488,518	26.41%
Solid Waste Revenues	1,360,440	113,794	345,221	25.38%
Electric Revenues	24,902,790	2,710,681	7,663,014	30.77%
TOTAL REVENUES	\$42,535,525	\$4,006,937	\$14,953,575	35.16%
YTD Enterprise Expense		15,547		
YTD Enterprise Revenue		27,158		
LTD Carlisle Fire Company Building Permit Fund		130,061		

EXPENDITURE REPORT

Page Three

Date: September 2016

25% of Year Expended

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	YTD%	UNEXPENDED BALANCE
City Manager					
Personnel	461,930	\$37,072	101,326	21.94%	360,604
O&M	259,095	\$4,027	23,419	9.04%	235,676
Capital	0	\$0	0		0
Total City Manager	\$721,025	\$41,099	\$124,745	17.30%	596,280
Planning & Zoning					
Personnel	184,400	\$13,913	40,496	21.96%	143,904
O&M	67,975	\$1,652	7,149	10.52%	60,826
Capital	0	\$0	0		0
Total P, C & I	\$252,375	\$15,565	\$47,645	18.88%	204,730
Code Enforcement & Inspections					
Personnel	225,210	\$11,651	32,746	14.54%	192,464
O&M	69,290	\$4,846	14,057	20.29%	55,233
Capital	25,000	\$0	0	0.00%	25,000
Total P, C & I	\$319,500	\$16,497	\$46,803	14.65%	272,697
Council					
Personnel	31,225	\$3,141	7,339	23.50%	23,886
O&M	44,650	\$3,039	7,751	17.36%	36,899
Council Expense	17,000	\$1,697	9,140	53.76%	7,860
Contributions	206,000	\$0	66,000	32.04%	140,000
Codification	9,500	\$0	4,164	43.83%	5,336
Employee Recognition	11,000	\$0	0	0.00%	11,000
Insurance	21,740	\$0	9,818	45.16%	11,922
Christmas Decorations	15,000	\$0	0	0.00%	15,000
Economic Development	15,000	\$0	0	0.00%	15,000
Resident Survey	15,000	\$89	7,821	52.14%	7,179
Armory Expenses	10,000	\$0	0	0.00%	10,000
Total Council	\$396,115	\$7,966	\$112,033	28.28%	284,082
Finance					
Personnel	418,395	\$29,886	84,804	20.27%	333,591
O&M	62,270	\$6,003	14,562	23.39%	47,708
Capital	0	\$0	0		0
Total Finance	\$480,665	\$35,889	\$99,366	20.67%	381,299
Information Technology					
Personnel	148,680	\$9,766	26,724	17.97%	121,956
O&M	177,450	\$8,721	21,400	12.06%	156,050
Capital	55,000	\$17,458	34,340	62.44%	20,660
Total Information Technology	\$381,130	\$35,945	\$82,464	21.64%	298,666

EXPENDITURE REPORT

Page Four

Date: September 2016

25% of Year Expended

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	YTD%	UNEXPENDED BALANCE
Police Department					
Personnel	3,944,180	\$292,594	838,197	21.25%	3,105,983
O&M	507,360	\$38,290	125,774	24.79%	381,586
Capital	71,600	\$47,082	61,989	86.58%	9,611
Total Police	\$4,523,140	\$377,966	\$1,025,960	22.68%	3,497,180
Streets & Grounds Division					
Personnel	476,960	\$30,436	86,087	18.05%	390,873
O&M	407,905	\$33,010	82,068	20.12%	325,837
Capital	211,000	\$0	0	0.00%	211,000
Debt Service	16,475	\$0	0	0.00%	16,475
Total Streets & Grounds	\$1,112,340	\$63,446	\$168,155	15.12%	944,185
Parks & Recreation					
Personnel	605,635	\$51,979	155,776	25.72%	449,859
O&M	267,370	\$18,648	66,648	24.93%	200,722
Capital	126,000	\$12,165	12,165	9.65%	113,835
Total Parks & Recreation	\$999,005	\$82,792	\$234,589	23.48%	764,416
Total General Fund					
Operating Budget	\$9,185,295	\$677,165	\$1,941,760	21.14%	7,243,535

EXPENDITURE REPORT
Page Five

Date: September 2016

25% of Year Expended

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	YTD%	UNEXPENDED BALANCE
Water Division					
Personnel	314,350	\$23,898	68,366	21.75%	245,984
O&M	1,111,675	\$88,458	255,554	22.99%	856,121
Capital	402,730	\$0	9,407	0.00%	393,323
Debt Service	901,745	\$71,500	77,004	8.54%	824,741
Total Water	\$2,730,500	\$183,856	\$410,331	15.03%	2,320,169
Sewer Division					
Personnel	314,350	\$23,894	68,362	21.75%	245,988
O&M	1,144,955	\$40,525	197,145	17.22%	947,810
Capital	434,725	\$0	0	0.00%	434,725
Debt Service	612,470	\$0	12,736	2.08%	599,734
Sewer Sub Total	\$2,506,500	\$64,419	\$278,243	11.10%	2,228,257
Kent County Sewer	1,850,000	\$168,389	481,514	26.03%	1,368,486
Total Sewer	\$4,356,500	\$232,808	\$759,757	17.44%	3,596,743
Solid Waste Division					
Personnel	401,470	\$30,015	81,602	20.33%	319,868
O&M	697,970	\$57,740	165,598	23.73%	532,372
Capital	261,000	\$0	0	0.00%	261,000
Total Solid Waste	\$1,360,440	\$87,755	\$247,200	18.17%	1,113,240
Total Water, Sewer Solid Waste	\$8,447,440	\$504,419	\$1,417,288	16.78%	7,030,152
Electric Division					
Personnel	1,254,300	\$91,650	269,079	21.45%	985,221
O&M	1,755,045	\$144,592	423,340	24.12%	1,331,705
Transfer to General Fund	2,500,000	\$208,333	625,000	25.00%	1,875,000
Capital	450,000	\$0	0	0.00%	450,000
Debt Service	346,445	\$0	0	0.00%	346,445
Electric Sub Total	\$6,305,790	\$444,575	\$1,317,419	20.89%	4,988,371
Power Purchased	18,600,000	\$1,557,893	5,391,512	28.99%	13,208,488
Total Electric	\$24,905,790	\$2,002,468	\$6,708,931	26.94%	18,196,859
TOTAL OPERATING BUDGET	\$42,538,525	\$3,184,052	\$10,067,979	23.67%	32,470,546

INTERSERVICE DEPARTMENTS REPORT

Page Six

Date: September 2016

ACCOUNT	AMOUNT BUDGETED	MTD	25% of Year Expended		UNEXPENDED BALANCE
			YTD	YTD%	
Garage					
Personnel	89,850	6,777	19,262	21.44%	70,588
O&M	78,135	5,706	19,499	24.96%	58,636
Capital	0	0	0		0
Total Garage Expense	\$167,985	12,483	\$38,761	23.07%	129,224
Public Works					
Personnel	199,550	15,719	36,807	18.45%	162,743
O&M	171,745	27,271	55,247	32.17%	116,498
Capital	23,235	0	21,708	93.43%	1,527
Total Public Works Expense	\$394,530	64,330	\$113,762	28.83%	280,768
Billing & Collections					
Personnel	532,230	41,165	117,322	22.04%	414,908
O&M	225,530	17,261	47,764	21.18%	177,766
Capital	0	0	0		0
Total Billing & Collections	\$757,760	58,426	\$165,086	21.79%	592,674
City Hall Cost Allocation					
Personnel	0	0	0		0
O&M	61,000	4,852	21,864	35.84%	39,136
Capital	0	0	0		0
Total City Hall Cost Allocation	\$61,000	4,852	\$21,864	35.84%	39,136

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

CJ Fair
302 Weiner Avenue Apt b
Harrington, De 19952



October 13, 2016

Brian Shupe; Mayor
City Hall of Milford
Milford; DE, 19963

Dear Mr. Shupe:

My name is Lester Fair and I am writing you as Milford's current Mayor to express my appreciation towards the city. I am most thankful for the way that basketball surrounded the city. There are two basketball courts in close proximity that I would spend most of my childhood. The sense of basketball in the community prevented me from participating in the negative elements in the city such as, drug dealing which also surrounded me as much as basketball. I am also thankful for those negative elements as much as the positive ones because it showed me what I wanted out of life which was to get my family out of the situation we were in.

I am thankful for the size of the town. It was a small town so, I have always been surrounded by a big support system consisting of most people in the city. I was encouraged throughout my life by various people in the city to pursue my career in basketball in music. I am also thankful for the area of Milford I grew up which was Banneker Heights. It was a area of poverty which gave me a hard work ethic and as sense of gratitude for things that some would take for granted.

The city of Milford, DE made me the person I am today. All of the values in life that I now have was most likely formed by the people and experiences that took place in the city. In the future of the city I hope to see the same elements that have influenced my life. I hope that basketball become a more significant element of the city.

Sincerely,

Lester Fair
A resident of Milford, DE



November, 2016

It is hard to believe that in less than three weeks, Santa Claus will coming to town. As always, he arrives on the Saturday after Thanksgiving which means he'll be arriving on November 26th at 11:00 and once again be making his seasonal entrance on a fire truck with sirens blasting.

His hours will be Friday evenings from 5:00 to 8:00 and Saturdays and Sundays from 11:00 to 3:00. In addition, he will be there on the third Thursday of December from 5:00 to 8:00.

We thank you for all you do and have done in the past years to make Milford such a beautiful and welcoming place during the holiday season. The Santa House is such an example of a community effort. We have well over a hundred individuals working behind the scenes to make our Christmas season such a special one for so many little ones anticipating what Christmas morning may bring to them. It is only with the support of the city and so many others in the community working together that our DMI Santa House is such a special one.

We sincerely thank you for all of your efforts in making this endeavor such a successful one for our community. If you have any questions, suggestions or want more information, please feel free to call me (Bev, 424-4465) or Steve at the DMI office at 839-1180. Thank you again and please try to stop by the house and visit with Santa.

Appreciatively,

Bev French

Bev French, DMI Santa House Chairperson



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

THURSDAY, DECEMBER 1, 2016

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

DINNER: 6:30 P.M. – 7:15 P.M.

PROGRAM: 7:15 P.M.

PROGRAM:

Two speakers will make presentations on this month’s program:

- Diane Laird, DEDO Downtown Delaware State Coordinator, on new projects and funding opportunities in commercial districts, including the value of getting involved in Delaware’s “Downtown Network.”
- Miriam Pomilio, Office of State Planning Coordination, on the Delaware Geographic Data Committee FirstMap GIS program.

Next Meeting: Thursday, January 26, 2017

WE MUST HAVE YOUR RESERVATIONS NO LATER THAN NOVEMBER 25, 2016

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

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

PLEASE LIST THE NAMES OF THOSE ATTENDING

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

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



Sussex County Association of Towns

20 W Fourth Street, Blades, Delaware 19973

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

S.C.A.T. Dinner for Wednesday, December 7th, 2016

LOCATION: Victoria's Restaurant @ Boardwalk Plaza Hotel
2 Olive Avenue
Rehoboth Beach

TIME: 6:00 pm - Social (cash bar)
6:30 pm - Dinner

HOST: City of Rehoboth Beach

SPEAKER: Holiday Party (no speaker)

COST: \$40.00

MENU: Garden Salad with Maple Walnut Vinaigrette
Warm Breads
Pan Seared Lobster Crab Cake and Filet Mignon
Roasted Root Vegetables
Sweet Pea Risotto
Cappuccino Cheesecake
Coffee and Iced Tea

For reservations, please contact Sharon Sherwood at 302-227-4641
or via email to ssherwood@cityofrehoboth.com no later than

NOVEMBER 28th, 2016

SEATING IS VERY LIMITED!

Please make checks payable to the **City of Rehoboth Beach**

Mail to:

City of Rehoboth Beach
Attention; Sharon Sherwood
PO Box 1163
Rehoboth Beach, DE 19971

Reminder: S.C.A.T. Steering Committee Breakfast

Friday, December 9th, 2016 at 9AM, ARENA's Delaware Coastal Airport

Cost \$10.50 (checks written to Arena's)

RSVP to vikiprettyman@bladesde.com



PUBLIC WORKS DEPARTMENT
302.422.1110, FAX 302.422.1119

180 VICKERS DRIVE
MILFORD, DE 19963

To: Eric Norenberg, City Manager
From: Mark A. Whitfield, Public Works Director
Subject: Sewer Jet/Vacuum Truck Replacement
Date: October 27, 2016

The Public Works Department is requesting the Public Works Committee consider a recommendation to replace the sewer jet/vacuum truck used by the Water/Sewer Division. The sewer jet/vacuum truck is used for the maintenance of sewer lines, manholes and pump stations.

Routine jetting of sewer lines is critical to maintaining a high level of service to residents and helps reduce sewer main back-ups. The jetting removes grease, roots, and other debris from the sewer mains. Once the foreign material is jetted to an access manhole, the debris is vacuumed from the manhole and taken for disposal at the sewage treatment plant.

The jet truck is also used to address sewer back-ups within the city's sewer system, both in mains and in the city's portion of sewer laterals going to residences/businesses. In general, the city's portion of a sewer lateral extends between the sewer and a clean-out access usually located just behind the curb. Property owners are responsible for the portion of the lateral between the house and the clean-out at the curb.

The present unit, due to design, cannot service the city's pump stations. Because of that, the city contracts the cleaning of pump stations with a private vendor. The new unit will permit city staff to maintain pump stations and significantly reduce the need for the contract service.

The present 1995 unit has over 4100 hours of use and reached the point that repair parts are no longer readily available. Council authorized \$130,000 be set aside in the Water/Sewer Capital Budget for the past three years to cover the replacement cost of the unit. Presently, \$390,000 is available for the purchase.

The Water/Sewer Division staff has evaluated several different units for the possible replacement. After viewing demonstrations as well as checking various references, staff recommends a Vactor unit be purchased from Maryland Industrial Trucks of Linthicum,

Maryland for \$378,647.00. The purchase can be made through the NJPA Purchasing Agreement through the Delaware State Contract. The unit will come on a Freightliner dual axle truck chassis.

Specifications for the truck and the jet/vacuum are attached.

Staff requests the Public Works Committee of City Council consider the replacement of the sewer jet/vacuum truck, and recommend authorizing the purchase of the unit through the NJPA National Contract to City Council.



MARYLAND INDUSTRIAL TRUCKS, INC.

1330 West Nursery Road • Linthicum, Maryland 21090
Baltimore 410.636.1255 • Fax 410. 636.5734 • Toll Free 800.481.5439
www.mdindustrialtrucks.com

 Contract Holder
GS-30F-1012H

The City of Milford
Public Works Facility
180 Vickers Drive
Milford, DE 19963
Attention: Mark Whitfield

10/21/16

Maryland Industrial Trucks, Inc. is pleased to offer the Vactor Combination Sewer Truck through the NJPA National Contract pricing.

- MODEL : Vactor 2112P-16
- 12 Yard Combination Sewer Truck with 16" PD Blower (enclosed price sheet with customer specified options)
- Freightliner 2018 114SD
- GVWR 66,000, Cummins ISL 370 HP Engine, Allison 3000 RDS Transmission (enclosed detailed specifications and dimensions)
- Total NJPA Package Price : \$378,647.00

Thank you for the opportunity to quote. Please call or E-Mail me with any questions.

Mike Moylan
Sales Representative
MD Industrial Trucks
443-386-2219
mmoylan@mdindustrialtrucks.com

2016 Vactor NJPA Price List

Ref: 022014-FSC

2100 Plus Pricsheet

Sales Code	Description	NJPA Price
2105P-15	2100 Plus PD, 15" Vacuum, 5 yrd Debris, Combo	\$198,936
2110P-15	2100 Plus PD, 15" Vacuum, 10 yrd Debris, Combo	\$198,936
2112P-15	2100 Plus PD, 15" Vacuum, 12 yrd Debris, Combo	\$206,261
2115P-15	2100 Plus PD, 15" Vacuum, 15 yrd Debris, Combo	\$211,059
2105P-16	2100 Plus PD, 16" Vacuum, 5 yrd Debris, Combo	\$201,241
2110P-16	2100 Plus PD, 16" Vacuum, 10 yrd Debris, Combo	\$201,241
2112P-16	2100 Plus PD, 16" Vacuum, 12 yrd Debris, Combo	\$207,375
2115P-16	2100 Plus PD, 16" Vacuum, 15 yrd Debris, Combo	\$213,462
2112P-1024-16	2100 Plus 1024 PD, 16" Vacuum, 12 yrd Debris, Combo	\$225,776
2115P-1024-16	2100 Plus 1024 PD, 16" Vacuum, 15 yrd Debris, Combo	\$231,865
2105P-18	2100 Plus PD, 18" Vacuum, 5 yrd Debris, Combo	\$206,843
2110P-18	2100 Plus PD, 18" Vacuum, 10 yrd Debris, Combo	\$206,843
2112P-18	2100 Plus PD, 18" Vacuum, 12 yrd Debris, Combo	\$212,850
2115P-18	2100 Plus PD, 18" Vacuum, 15 yrd Debris, Combo	\$218,716
2112P-1024-18	2100 Plus 1024 PD, 18" Vacuum, 12 yrd Debris, Combo	\$231,254
2115P-1024-18	2100 Plus 1024 PD, 18" Vacuum, 15 yrd Debris, Combo	\$237,120
2105-SE1-PLUS	2100 Plus Single Engine Fan, Single Stage, 5 yrd Debris, Combo	\$191,993
2110-SE1-PLUS	2100 Plus Single Engine Fan, Single Stage, 10 yrd Debris, Combo	\$191,993
2112-SE1-PLUS	2100 Plus Single Engine Fan, Single Stage, 12 yrd Debris, Combo	\$197,816
2115-SE1-PLUS	2100 Plus Single Engine Fan, Single Stage, 15 yrd Debris, Combo	\$205,386
2105-SE2-PLUS	2100 Plus Single Engine Fan, Dual Stage, 5 yrd Debris, Combo	\$208,186
2110-SE2-PLUS	2100 Plus Single Engine Fan, Dual Stage, 10 yrd Debris, Combo	\$208,186
2112-SE2-PLUS	2100 Plus Single Engine Fan, Dual Stage, 12 yrd Debris, Combo	\$214,009
2115-SE2-PLUS	2100 Plus Single Engine Fan, DUal Stage, 15 yrd Debris, Combo	\$221,578

2105P-15-CB	2100 Plus PD, 15" Vacuum, 5 yrd Debris, Catch Basin	\$160,907
2110P-15-CB	2100 Plus PD, 15" Vacuum, 10 yrd Debris, Catch Basin	\$160,907
2112P-15-CB	2100 Plus PD, 15" Vacuum, 12 yrd Debris, Catch Basin	\$168,221
2115P-15-CB	2100 Plus PD, 15" Vacuum, 15 yrd Debris, Catch Basin	\$173,032
2105P-16-CB	2100 Plus PD, 16" Vacuum, 5 yrd Debris, Catch Basin	\$163,212
2110P-16-CB	2100 Plus PD, 16" Vacuum, 10 yrd Debris, Catch Basin	\$163,212
2112P-16-CB	2100 Plus PD, 16" Vacuum, 12 yrd Debris, Catch Basin	\$169,345
2115P-16-CB	2100 Plus PD, 16" Vacuum, 15 yrd Debris, Catch Basin	\$175,433
2112P-1024-16-CB	2100 Plus 1024 PD, 16" Vacuum, 12 yrd Debris, Catch Basin	\$187,746
2115P-1024-16-CB	2100 Plus 1024 PD, 16" Vacuum, 15 yrd Debris, Catch Basin	\$193,836
2105P-18-CB	2100 Plus PD, 18" Vacuum, 5 yrd Debris, Catch Basin	\$168,814
2110P-18-CB	2100 Plus PD, 18" Vacuum, 10 yrd Debris, Catch Basin	\$168,814
2112P-18-CB	2100 Plus PD, 18" Vacuum, 12 yrd Debris, Catch Basin	\$174,820
2115P-18-CB	2100 Plus PD, 18" Vacuum, 15 yrd Debris, Catch Basin	\$180,686
2112P-1024-18-CB	2100 Plus 1024 PD, 18" Vacuum, 12 yrd Debris, Catch Basin	\$193,225
2115P-1024-18-CB	2100 Plus 1024 PD, 18" Vacuum, 15 yrd Debris, Catch Basin	\$199,091
2105-SE1-PLUS-CB	2100 Plus Single Engine Fan, Single Stage, 5 yrd Debris, Combo	\$153,964
2110-SE1-PLUS-CB	2100 Plus Single Engine Fan, Single Stage, 10 yrd Debris, Combo	\$153,964
2112-SE1-PLUS-CB	2100 Plus Single Engine Fan, Single Stage, 12 yrd Debris, Combo	\$159,788
2115-SE1-PLUS-CB	2100 Plus Single Engine Fan, Single Stage, 15 yrd Debris, Combo	\$167,358
2105-SE2-PLUS-CB	2100 Plus Single Engine Fan, Dual Stage, 5 yrd Debris, Catch Basin	\$170,157
2110-SE2-PLUS-CB	2100 Plus Single Engine Fan, Dual Stage, 10 yrd Debris, Catch Basin	\$170,157
2112-SE2-PLUS-CB	2100 Plus Single Engine Fan, Dual Stage, 12 yrd Debris, Catch Basin	\$175,980
2115-SE2-PLUS-CB	2100 Plus Single Engine Fan, Dual Stage, 15 yrd Debris, Catch Basin	\$183,549
2014PSTD	1000 Gallons STD (5 yrd)	\$0
2019PSTD	600 Gallons STD (Single Axle)	\$0
2019PASTD	900 Gallons STD (Tandem Axle)	\$0
2019PB	Additional Water, 1250 Gallons Total (Tandem Axle)	\$2,716
2016P	Additional Water, 1300 Gal Total (10 yrd)	\$2,436
2015PSTD	1300 Gal Water Total (15 yrd)	\$0
2018P	Additional Water, 1500 Gal Total (10 yrd)	\$3,649
2017P	Additional Water, 1500 Gal Total (15 yrd)	\$1,219

2025P	304 Stainless Steel Water Tanks Upgrade in lieu of Aluminum - Single Axle	\$7,275
2025PA	304 Stainless Steel Water Tanks Upgrade in lieu of Aluminum - Tandem Axle	\$9,094
3002PSTD	Vacuum, Single Engine Fan	\$0
3002PSTD	Vacuum, Single Engine - Dual Stage Fan	\$0
5000P	40 GPM/2500 PSI in lieu of 60 GPM/2000	\$0
5003P	50 GPM/3000 PSI in lieu of 60 GPM/2000	\$0
5001PA	60 GPM/2500 PSI in lieu of 60 GPM/2000	\$0
5003PA	70 GPM/3000 PSI in lieu of 60 GPM/2000	\$0
5002P	80 GPM/2000 PSI in lieu of 60 GPM/2000	\$0
5002PA	80 GPM/2500 PSI in lieu of 60 GPM/2000	\$0
5004P	100 GPM/2000 PSI in lieu of 60 GPM/2000 - Includes 1-1/4" X 500' Rodder Hose	\$3,634
5004PB	100 GPM/2000 PSI in lieu of 60 GPM/2000 - Does Not Include Rodder Hose	\$1,929
5005PSTD	10 GPM/700 PSI Water System	\$0
5005PA	10 GPM/2500 PSI Water System - HXX Kit 1	\$13,542
5005PB	20 GPM/2500 PSI Water System - HXX Kit 2	\$19,206
015STD	Customer Supplied Chassis Modification Charge	\$0
009PSTD	Under Engine Toolbox	\$0
010PSTD	48w x 22h x 24d Curbside Toolbox	\$0
010PSTD	40w x 22h x 24d Curbside Toolbox	\$0
011PSTD	Aluminum Fenders	\$0
012PSTD	Mud Flaps	\$0
014PSTD	Electric/Hydraulic Four Way Boom	\$0
016PSTD	Color Coded Sealed Electrical System	\$0
018PSTD	Remote Pendant Control With 35' Cord	\$0
019PSTD	Vansco Electronic Package	\$0
020PSTD	Double Acting Hoist Cylinder	\$0
022PSTD	2" Y-Strainer with 25' Fill Hose	\$0
022PSTD	(2) 2" Y-Strainers with 25' Fill Hose	\$0
025PSTD	Handgun Assembly w/35' x 1/2" Hose w/Quick Disconnects	\$0
026PSTD	Ex-Ten Steel Cylindrical Debris Tank	\$0
030PSTD	Flexible Hose Guide	\$0
032PSTD	(3) Nozzles with Carbide Inserts w/Rack	\$0
045PSTD	Suction Tube Storage - 4 Pipe	\$0
046PSTD	1" Nozzle Pipe	\$0
046PSTD	1-1/4" Nozzle Pipe	\$0
048PSTD	1" x10' Leader Hose	\$0
1001PSTD	Flat Rear Door w/Hydraulic Locks	\$0
1005PSTD	Dual Stainless Steel Float Shut Off System	\$0

1016PSTD	SS Microstrainer Prior to Blower	\$0
1024PSTD	Debris Body Vacuum Relief System	\$0
1031PSTD	Debris Deflector Plate	\$0
1032PSTD	48" Dump Height	\$0
1033PSTD	60" Dump Height	\$0
2022PSTD	Additional Water Tank Sight Gauge	\$0
2023PSTD	Liquid Float Level Indicator	\$0
4000PSTD	180 deg. Non-Extending Boom	\$0
4010PSTD	Boom Hose Storage,Post	\$0
5002PSTD	80 GPM/2500 PSI Variable Flow Water System	\$0
5011PSTD	3" Y-Strainer @ Water Pump w/3" Drain Valve	\$0
5012PSTD	Performance Package	\$0
5014PSTD	1" Water Relief Valve	\$0
5015PSTD	Midship Handgun Coupling	\$0
5022PSTD	Side Mounted Water Pump	\$0
6000PBSTD	400' x 1" Sewer Hose 2500 PSI, Piranha	\$0
6000PBSTD	400' x 1" Sewer Hose 2500 PSI, Piranha	\$0
6000PBSTD	400' x 1" Piranha Sewer Hose 3000 PSI	\$0
6005PSTD	Hose Footage Counter Front Side of Hose Reel - Mechanical	\$0
6005PASTD	Additional Hose Footage Counter, Rear of Hose Reel, Included w/Digital Counter	\$0
6007PSTD	Hose Reel Manual Hyd Extend/Retract	\$0
6009PSTD	Hose Reel Chain Cover	\$0
6017PSTD	Hydraulic Shutoff Valves	\$0
6020PSTD	Hydraulic Extending 15", Non-Rotating, Hose Reel, 1" x 800' Capacity	\$0
6020PBSTD	Hydraulic Extending 15", Rotating Hose Reel, 1" x 800' Capacity	\$0
7001PSTD	Tachometer/Chassis Engine w/Hourmeter	\$0
7003PSTD	Water Pump Hour Meter	\$0
7004PSTD	PTO Hour Meter	\$0
7006PSTD	Tachometer & Hourmeter for Centrifugal Compressor	\$0
7007PSTD	Tachometer & Hourmeter/Blower	\$0
8000PSTD	Circuit Breakers	\$0
8025PSTD	LED Lights, Clearance, Back-up, Stop, Tail & Turn	\$0
9002PSTD	Tow Hooks, Front	\$0
9002PSTD	Tow Hooks, Rear	\$0
9003PSTD	Electronic Back-Up Alarm	\$0
9021PSTD	Camera System, Rear Only	\$0
S390ASTD	8" Vacuum Pipe Package	\$0
S560STD	Emergency Flare Kit	\$0
S590STD	Fire Extinguisher 5 Lbs.	\$0
P110STD	Module Paint, DuPont Imron Elite - Wet on Wet	\$0

1003P	Debris Body Washout	\$1,346
1003PB	Rear Door Valve Flushout	\$382
1004P	Debris Body Load Limit Alarm functionally tied to Debris Body Vacuum Relief	\$1,853
1004PB	Onboard Electronic/Digital Scale system with Vacuum Relief	\$11,490
1005PA	S.S Float Ball Cage for Float Shut Off System	\$509
1007P	6" Rear Door Butterfly Valve, 3:00 position	\$738
1007PA	6" Rear Door Butterfly Valve w/Port & Fixed Basket Screen, 6:00 position	\$951
1008P	6" Rear Door Knife Valve w/Camloc, 3:00 position	\$1,106
1008PA	6" Rear Door Knife Valve w/Camloc w/Port & Fixed Basket Screen, 6:00 position	\$1,320
1008PB	6" Rear Door Drain Port w/Fixed Basket Screen, 6:00 position	\$524
1008PC	Standpipe and Screen for 6:00 Port	\$932
1008PE	6" Rear Door Knife Valve w/Camlock, Air Actuated, 3:00 Position	\$1,683
1008PF	6" Rear Door Knife Valve w/Camlock, Air Actuated w/Port & Fixed Basket Screen, 6:00 Position	\$1,897
1009P	Internally Mounted Trash Pump w/Screen	\$9,750
1009PA	Externally Mounted Trash Pump w/Floating Arm	\$10,476
1009PB	Internal Body Screen with Pump Off Ports Only	\$620
1009PD	Full Rear Door Swinging Screen	\$706
1010P	Pump Off Plumbing to Front, Outlet Location will be dependent on supplied chassis	\$2,664
1010PA	Pump Off Ports Only	\$518
1010PB	Pump Off Ports and Programming	\$2,163
1010PC	Pump Off Plumbing to Back of Cab	\$2,664
1011P	Gravity Drain Plumbed to Front, Outlet Location will be dependent on supplied chassis	\$2,701
1011PC	Gravity Drain Plumbed to Back of Cab	\$2,701
1012P	6" Decant System w/Knive Valve, Curbside	\$2,076
1012PA	6" Decant System w/Knive Valve, Streetside	\$2,076
1013P	Additional Water, Water and Debris Tanks Joined	\$2,163
1013PA	Additional Water, Water and Debris Tanks Joined, Included with Tanks Joined	\$0
1014P	Centrifugal Separators (Cyclones)	\$4,706
1014PA	Centrifugal Separators (Cyclones), 304 Stainless Steel	\$6,070
1015P	Folding Pipe Rack, Curbside	\$934
1015PH	Folding Pipe Rack, Curbside, Hydraulic	\$1,761
1015PA	Folding Pipe Rack, Streetside	\$934
1015PAH	Folding Pipe Rack, Streetside, Hydraulic	\$1,761
1015PB	Folding Pipe Rack, Rear Door	\$934
1015PBH	Folding Pipe Rack, Rear Door, Hydraulic	\$1,761
1022P	Rear Door Splash Shield	\$1,371

1023P	Lube Manifold	\$2,035
1023PA	Plastic Lube Chart	\$56
1030P	Debris Body Inspection Port w/Ladder	\$1,122
1041P	Body-Up Alarm	\$813
2002P	Low Water Light and Alarm	\$580
2001P	Low Water Light w/Alarm and Water Pump Flow Indicator	\$580
2003P	Laval Water Separator at Fill	\$1,594
2004P	Continuous Water Tank Fill	\$1,594
2006P	Air Purge	\$1,164
2007P	650 Gallon Street Flusher, 4 Heads	\$19,388
2008P	300 Gallon Street Flusher, 2 Heads	\$13,333
2011P	3" Y-Strainer at Passenger Side Fill, in lieu of 2", with 25' Fill Hose	\$391
2011PA	3" Y-Strainer at Driver Side Fill, in lieu of 2", with 25' Fill Hose	\$391
2020P	6" Gravity Fill Port on Water Tank	\$812
2021P	Additional Water Tank Fill	\$666
3013PB	Vacuum, Vac on the Go for the Single Engine Fan	\$29,566
3015P	Hot Shift Blower Drive	\$4,618
3015PA	Hot Shift Blower Drive	\$2,823
3017P	Blower High Temp Safety Shutdown	\$476
3019P	Digital Water Pressure Gauge	\$573
4001P	180 deg. 4ft Extendable Boom	\$7,953
4003P	180 deg. 8ft Extendable Boom	\$8,684
4014P	180 deg. 5 x 5 Extendable/Telescoping Boom	\$16,002
4015P	180 deg. 10ft Telescoping Boom	\$13,755
4006P	Front Joystick Boom Control	\$711
4008P	Grate Lifting Hook, Installed on Boom	\$280
4009P	Water Ring Assembly, At Hose End	\$736
4009PA	Water Ring Assembly, At Debris Body Inlet	\$736
4011PA	Wireless Controls, excluding hose reel controls	\$2,167
4011PB	Bellypack Wireless Controls, including hose reel controls	\$2,772
4011PA	Handheld Wireless Controls	\$2,183
4011PB	Bellypack Wireless Controls	\$2,772
4013P	Rotatable Boom Inlet Hose, Extendable Boom	\$518
4013P	Rotatable Boom Inlet Hose, Telescoping Boom	\$518
4013PA	Rotatable Boom Inlet Hose, 5 x 5 Boom	\$802
4022PSTD	Telescopic Boom Elbow, Standard	\$0
4022PA	Telescopic Boom Elbow, Hard Hat Style	\$418
4022PB	Telescopic Boom Elbow, Ceramic Lined	\$970
4022PC	Telescopic Boom Elbow, Chrome Lined	\$873
4022PD	Telescopic Boom Elbow, Nickel Plated	\$359
5008PA	Cold Weather Recirculator, Aux Engine Driven, 12 GPM	\$2,730

5008PB	Cold Weather Recirculator, PTO Driven, 25 GPM	\$1,543
5008PC	Cold Weather Recirculator, Transercase Driven, 12 GPM	\$7,244
5009PA	Cold Weather Recirculator, Front Crank Driven, 12 GPM	\$3,975
5009PD	Cold Weather Recirculator, Front Crank Driven, 25 GPM	\$5,047
5008PE	Cold Weather Recirculator, PTO Driven, 9 GPM	\$1,543
5009PE	Cold Weather Recirculator, Front Crank Driven, 9 GPM	\$3,975
5010P	Jet Rodder Water System Accumulator	\$2,477
5015P	Handgun Couplers, Front and Rear	\$473
5019P	Chassis Engine Cooling Package	\$3,247
5021P	Hydro Excavation Kit/Retract Reel w/50' Hose and Nozzle	\$3,082
5023P	Fan Flushout System	\$457
5024PA	Water Heater, 400,000 BTU's (May limit Water Capacity)	\$12,077
5024PC	Water Heater, 800,000 BTU's - 12V (May limit Water Capacity)	\$14,987
5025P	Cold Weather Package	\$2,561
5027P	Vaporooter System	\$8,852
6000P	400' x 1" Aeroquip Sewer Hose 2500 PSI in lieu of STD	\$107
6000PA	400' x 1" Shark Sewer Hose 3000 PSI in lieu of STD	\$3,653
6001PG	400' x 1" Piranha Armor Belt Sewer Hose 2500 PSI in lieu of STD	\$533
6001PH	400' x 1" Piranha Armor Belt Beacon Sewer Hose 2500 PSI in lieu of STD	\$707
6001P	500' x 1" Aeroquip Sewer Hose 2500 PSI in lieu of STD	\$504
6001PA	500' x 1" Shark Sewer Hose 3000 PSI in lieu of STD	\$4,936
6001PB	500' x 1" Piranha Sewer Hose 2500 PSI in lieu of STD	\$440
6001PC	500' x 1" Piranha Armor Belt Sewer Hose 2500 PSI in lieu of STD	\$1,035
6001PD	500' x 1" Piranha Armor Belt Beacon Sewer Hose 2500 PSI in lieu of STD	\$1,253
6002P	600' x 1" Aeroquip Sewer Hose 2500 PSI in lieu of STD	\$901
6002PA	600' x 1" Shark Sewer Hose 3000 PSI in lieu of STD	\$6,219
6002PB	600' x 1" Piranha Sewer Hose 2500 PSI in lieu of STD	\$823
6002PE	600' x 1" Piranha Armor Belt Sewer Hose 2500 PSI in lieu of STD	\$1,539
6002PF	600' x 1" Piranha Armor Belt Beacon Sewer Hose 2500 PSI in lieu of STD	\$1,800
6002PH	700' x 1" Aeroquip Sewer Hose 2500 PSI in lieu of STD	\$1,297
6003PF	700' x 1" Shark Sewer Hose 3000 PSI in lieu of STD	\$7,502
6002PG	700' x 1" Piranha Sewer Hose 2500 PSI in lieu of STD	\$1,207
6002PC	700' x 1" Piranha Armor Belt Sewer Hose 2500 PSI in lieu of STD	\$2,042
6002PD	700' x 1" Piranha Armor Belt Beacon Sewer Hose 2500 PSI in lieu of STD	\$2,347
6003P	800' x 1" Aeroquip Sewer Hose 2500 PSI in lieu of STD	\$1,694
6003PA	800' x 1" Shark Sewer Hose 3000 PSI in lieu of STD	\$8,786
6003PC	800' x 1" Piranha Sewer Hose 2500 PSI in lieu of STD	\$1,591
6003PD	800' x 1" Piranha Armor Belt Sewer Hose 2500 PSI in lieu of STD	\$2,546

6003PE	800' x 1" Piranha Armor Belt Beacon Sewer Hose 2500 PSI in lieu of STD	\$2,893
6000P3	400' x 1" Aeroquip Sewer Hose 3000 PSI in lieu of STD	\$918
6001PG3	400' x 1" Piranha Armor Belt Sewer Hose 3000 PSI in lieu of STD	\$974
6001PH3	400' x 1" Piranha Armor Belt Beacon Sewer Hose 3000 PSI in lieu of STD	\$1,227
6001P3	500' x 1" Aeroquip Sewer Hose 3000 PSI in lieu of STD	\$1,518
6001PB3	500' x 1" Piranha Sewer Hose 3000 PSI in lieu of STD	\$688
6001PC3	500' x 1" Piranha Armor Belt Sewer Hose 3000 PSI in lieu of STD	\$1,588
6001PD3	500' x 1" Piranha Armor Belt Beacon Sewer Hose 3000 PSI in lieu of STD	\$1,904
6002P3	600' x 1" Aeroquip Sewer Hose 3000 PSI in lieu of STD	\$2,117
6002PB3	600' x 1" Piranha Sewer Hose 3000 PSI in lieu of STD	\$1,122
6002PE3	600' x 1" Piranha Armor Belt Sewer Hose 3000 PSI in lieu of STD	\$2,202
6002PF3	600' x 1" Piranha Armor Belt Beacon Sewer Hose 3000 PSI in lieu of STD	\$2,581
6002PH3	700' x 1" Aeroquip Sewer Hose 3000 PSI in lieu of STD	\$2,717
6002PG3	700' x 1" Piranha Sewer Hose 3000 PSI in lieu of STD	\$1,556
6002PC3	700' x 1" Piranha Armor Belt Sewer Hose 3000 PSI in lieu of STD	\$2,815
6002PD3	700' x 1" Piranha Armor Belt Beacon Sewer Hose 3000 PSI in lieu of STD	\$3,258
6003P3	800' x 1" Aeroquip Sewer Hose 3000 PSI in lieu of STD	\$3,317
6003PC3	800' x 1" Piranha Sewer Hose 3000 PSI in lieu of STD	\$1,990
6003PD3	800' x 1" Piranha Armor Belt Sewer Hose 3000 PSI in lieu of STD	\$3,429
6003PE3	800' x 1" Piranha Armor Belt Beacon Sewer Hose 3000 PSI in lieu of STD	\$3,935
6004PA	Hose Wind Guide (Dual Roller), Auto, Non-Indexing with Pinch Roller	\$4,279
6004PB	Hose Wind Guide (Dual Roller), Auto, Indexing	\$4,669
6004PD	Rodder Hose Pinch Roller	\$1,275
6005PA	Additional Hose Footage Counter, Rear of Hose Reel	\$447
6005PD	Digital Hose Footage Counter	\$1,543
6006P	Rodder Hose Guard - Lexan	\$1,035
6006PA	Rodder Hose Guard - Expanded Metal	\$1,406
6008P	Hose Reel Manual Rewind	\$473
6011P	Handgun Hose Reel w/Spring Retract	\$1,159
6012P	Lateral Cleaning Kit w/150' Hose and Nozzle, 25 GPM/2000 PSI	\$2,792
6013P	Hydraulic Tool Package	\$1,325
6019P	Rodder Pump Drain Valves	\$447
6020PA	Hydraulic Extending 15", Non-Rotating, Hose Reel, 1" x 1000' Capacity	\$3,081
6020PC	Hydraulic Extending 15", Rotating Hose Reel, 1" x 1000' Capacity	\$2,144
6022P	Sewer Inspection Camera System, IBAK	\$78,351

6026P	Washington State DOT Legal Front Hose Reel	\$0
7005P	Hydraulic Oil Temp Alarm	\$335
7005PA	Intelliview in Cab Mount	\$542
8001P	Rear Directional Control, Split Arrow Traffic Controller, 10 Lights	\$1,260
8001PA	Rear Directional Control, Signal Master Arrow Board, 10 Lights	\$1,260
8001PB	Rear Directional Control, Signal Master LED Arrow Stick, 8 Lights	\$1,848
8001PC	Front Directional Control, Signal Master LED Arrow Stick, 8 Lights	\$1,848
8001PD	Rear Directional Control, Whelen Large Arrow, 16 Lights	\$4,299
8001PE	Rear Directional Control, Split LED Arrow Traffic Controller, 10 Lights	\$1,441
8002P	Hand Light w/Bumper Plug	\$335
8003P	Hand Light w/Retractable Reel	\$503
8002PA	Waterproof, Rechargeable, Wireless, Handheld, LED Spot Light w/12V Charger and Plug	\$321
8004PC	Revolving LED Beacon, Rear Federal Signal SLR Series, Amber	\$910
8004PB	Revolving LED Beacon, Front Federal Signal SLR Series, Amber	\$910
8007P	Strobe Light, Rear, Federal Signal US-5 Series, Amber	\$879
8007PC	Strobe Light, LED, Rear, Federal Signal, Amber	\$980
8008P	Brackets and Wiring for Customer Installed Strobe/Revolving Light, Rear	\$391
8004PA	Revolving Light, Cab Guard, Federal Signal 100 Series, Amber	\$630
8007PA	Strobe Light, Cab Guard, Federal Signal US-5 Series, Amber	\$879
8007PB	Strobe Light, LED, Cab Guard, Federal Signal, Amber	\$980
8008PA	Brackets and Wiring for Customer Installed Strobe/Revolving Light, Cab Guard	\$391
8012P	Additional Handlight Connector, Rear	\$128
8013P	Rear Beacon Limb Guard	\$179
8013P	Front Beacon Limb Guard	\$179
8020PF	DOT 3 Lighting Package, 4 Federal Signal Strobe Lights	\$2,062
8020PE	DOT 3 Lighting Package, 6 Federal Signal Strobe Lights	\$2,599
8020PG	DOT 3 Lighting Package, 5 Federal Signal Strobe Lights, LED	\$2,386
8020P	DOT 3 Lighting Package, 4 Whelen Strobe Lights	\$4,680
8020PA	DOT 3 Lighting Package, 6 Whelen Strobe Lights	\$4,904
8020PB	Rear Bumper Strobes, Two 6" Fed Sig Amber Strobes	\$966
8020PC	Four Flashing Light Assembly, Two Piece, (4) 7" Amber Lights	\$559
8022P	Rear Bumper Strobes, Two 5" Fed Sig Amber LED Strobes	\$1,137
8027P	LED Mid-Ship Turn Signals	\$488
8028P	Worklights (2), LED, Fixed Boom	\$701
8028P	Worklights (2), LED, Extendable Boom	\$701
8028P	Worklights (2), LED, Extendable Boom	\$701
8028P	Worklights (2), LED, Telescoping Boom	\$701
8028P	Worklights (2), LED, 5 x 5 Boom	\$701

8029P	Worklights (2), LED, Rear Door	\$956
8029PA	Worklight, LED, Operators Station	\$589
8029PB	Worklight, LED, Hose Reel Manhole	\$589
8029PC	Worklight, LED, Curb Side	\$442
8029PD	Worklight, LED, Street Side	\$442
8029PE	Worklight, LED, Aux Engine	\$442
8030P	Hose Reel Wrapped for Delivery	\$0
8040P	VactorTRAK- Remote Information Monitoring System	\$5,942
8041PA	VactorTRAK - 1 yr Subscription (US Data Plan)	\$2,838
8041PB	VactorTRAK - 2 Yr Subscription (US Data Plan)	\$5,675
8041PC	VactorTRAK - 1 yr Subscription (Canada Data Plan)	\$2,838
8041PD	VactorTRAK - 2 Yr Subscription (Canada Data Plan)	\$5,675
9001P	Ziebart Corrosion Protection	\$1,386
9001PA	Road Salt Protection	\$340
9005P	High Altitude Nozzle	\$0
9011P	Pintle Hitch Assembly, 20,000 LBS	\$1,092
9011P	Pintle Hitch Assembly, 30,000 LBS	\$1,092
9021PA	Camera System, Front and Rear	\$565
9021PB	Camera System, Front, Rear and Both Sides	\$1,087
9023P	Safety Cone Storage Rack - Drop in Style	\$146
9023PA	Safety Cone Storage Rack - Post Style	\$146
9023PB	Additional Safety Cone Storage Rack - Drop in Style	\$146
9023PC	Additional Safety Cone Storage Rack - Post Style	\$146
9024P	Water Cooler Storage Rack	\$146
9027P	Regen Warning System	\$379
9070PA	Toolbox, Front Bumper Mounted, 16 x 12 x 18 w/(2) LED Side Markers	\$1,772
9070PB	Long Handle Tool Storage	\$315
9071P	Tooltray, Behind Cab	\$660
9071PF	Toolbox, Behind Cab - 14w x 36h x 96d	\$2,878
9071PA	Partial Toolbox, Behind Cab - 17w x 30h x 48d	\$2,244
9071PE	Toolbox, Behind Cab - 16w 30h x 96d	\$2,827
9072PA	Toolbox, Driver Side Chassis Frame, 60w x 24h x 24d	\$2,350
9072PC	Toolbox, Driver Side Chassis Frame, 72w x 18h x 24d	\$2,821
9072PB	Toolbox, Driver Side Chassis Frame, 24w x 24h x 24d	\$1,431
9073PA	Toolbox, Passenger Side Chassis Frame, 30w x 18h x 24d	\$1,559
9073PB	Toolbox, Passenger Side Chassis Frame, 30w x 25h x 24d	\$1,559
9074PB	Toolbox, Driver Side Subframe, 16w x 20h x 24d	\$1,194
9074PA	Toolbox, Driver Side Subframe, 18w x 24h x 24d	\$1,194
9074PC	Toolbox, Driver Side Subframe, 18w x 15h x 10d	\$1,194
9075PC	Toolbox, Driver Side Subframe, 36w x 20h x 12d	\$1,194
9075PB	Toolbox, Driver Side Subframe, 48w x 20h x 12d	\$1,173

9075PA

Toolbox, Driver Side Subframe, 60w x 20h x 12d
Freight Charges determined by Shipping Location

\$1,320

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S P E C I F I C A T I O N P R O P O S A L

Description	Weight Front	Weight Rear	Retail Price
Price Level			
SD PRL-14D (EFF:10/05/15)			STD
Data Version			
SPECPRO21 DATA RELEASE VER 046			N/C
Vehicle Configuration			
108SD CONVENTIONAL CHASSIS	6,829	3,748	
2018 MODEL YEAR SPECIFIED			N/C
SET BACK AXLE - TRUCK			STD
STRAIGHT TRUCK PROVISION			STD
LH PRIMARY STEERING LOCATION			STD
General Service			
TRUCK CONFIGURATION			STD
DOMICILED, USA 50 STATES (INCLUDING CALIFORNIA AND CARB OPT-IN STATES)			N/C
UTILITY/REPAIR/MAINTENANCE SERVICE			N/C
GOVERNMENT BUSINESS SEGMENT			N/C
LIQUID BULK COMMODITY			N/C
TERRAIN/DUTY: 100% (ALL) OF THE TIME, IN TRANSIT, IS SPENT ON PAVED ROADS			STD
MAXIMUM 8% EXPECTED GRADE			STD
SMOOTH CONCRETE OR ASPHALT PAVEMENT - MOST SEVERE IN-TRANSIT (BETWEEN SITES) ROAD SURFACE			STD
FREIGHTLINER SD VOCATIONAL WARRANTY			STD
EXPECTED FRONT AXLE(S) LOAD : 20000.0 lbs			
EXPECTED REAR DRIVE AXLE(S) LOAD : 46000.0 lbs			
EXPECTED GROSS VEHICLE WEIGHT CAPACITY : 66000.0 lbs			
Truck Service			



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Description	Weight Front	Weight Rear	Retail Price
SEWER/INDUSTRIAL VACUUM BODY			N/C
Engine			
CUM ISL 370 HP @ 2000 RPM, 2100 GOV RPM, 1250 LB/FT @ 1400 RPM			
Electronic Parameters			
65 MPH ROAD SPEED LIMIT			N/C
CRUISE CONTROL SPEED LIMIT SAME AS ROAD SPEED LIMIT			N/C
PTO RPM WITH CRUISE SET SWITCH - 700 RPM			N/C
PTO RPM WITH CRUISE RESUME SWITCH - 800 RPM			N/C
PTO MODE CANCEL VEHICLE SPEED - 5 MPH			N/C
PTO GOVERNOR RAMP RATE - 250 RPM PER SECOND			N/C
PTO MINIMUM RPM - 700			N/C
REGEN INHIBIT SPEED THRESHOLD - 5 MPH			N/C
Engine Equipment			
2016 ONBOARD DIAGNOSTICS/2010 EPA/CARB/GHG17 BUT NOT FINAL GHG17 CONFIGURATION			STD
2008 CARB EMISSION CERTIFICATION - CLEAN IDLE (INCLUDES 6X4 INCH LABEL ON LOWER FORWARD CORNER OF DRIVER DOOR)			
NO 2013 ENGINE ESCALATOR			N/C
STANDARD OIL PAN			STD
ENGINE MOUNTED OIL CHECK AND FILL			STD
SIDE OF HOOD AIR INTAKE WITH FIREWALL MOUNTED DONALDSON AIR CLEANER			STD
DR 12V 180 AMP 28-SI QUADRAMOUNT PAD ALTERNATOR WITH REMOTE BATTERY VOLT SENSE			
(3) ALLIANCE MODEL 1231, GROUP 31, 12 VOLT MAINTENANCE FREE 3375 CCA THREADED STUD BATTERIES	40	20	
BATTERY BOX WITH ALUMINUM COVER MOUNTED SHORT SIDE TO RAIL			
STANDARD BATTERY JUMPERS			STD
SINGLE BATTERY BOX FRAME MOUNTED LH SIDE BACK OF CAB			STD
WIRE GROUND RETURN FOR BATTERY CABLES WITH ADDITIONAL FRAME GROUND RETURN			STD
NON-POLISHED BATTERY BOX COVER			STD



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Description	Weight Front	Weight Rear	Retail Price
POSITIVE LOAD DISCONNECT WITH CAB MOUNTED CONTROL SWITCH MOUNTED OUTBOARD DRIVER SEAT	8		
CUMMINS TURBOCHARGED 18.7 CFM AIR COMPRESSOR WITH INTERNAL SAFETY VALVE			STD
ELECTRONIC ENGINE INTEGRAL SHUTDOWN PROTECTION SYSTEM			STD
RH OUTBOARD UNDER STEP MOUNTED HORIZONTAL AFTERTREATMENT SYSTEM ASSEMBLY WITH RH B-PILLAR MOUNTED VERTICAL TAILPIPE	30	25	
ENGINE AFTERTREATMENT DEVICE, AUTOMATIC OVER THE ROAD REGENERATION AND DASH MOUNTED REGENERATION REQUEST SWITCH			STD
10 FOOT 06 INCH (126 INCH+0/-5.9 INCH) EXHAUST SYSTEM HEIGHT			N/C
RH CURVED VERTICAL TAILPIPE B-PILLAR MOUNTED ROUTED FROM STEP			N/C
13 GALLON DIESEL EXHAUST FLUID TANK			STD
100 PERCENT DIESEL EXHAUST FLUID FILL			STD
STANDARD DIESEL EXHAUST FLUID PUMP MOUNTING			STD
LH UNDER CAB DIESEL EXHAUST FLUID TANK LOCATION			
STANDARD DIESEL EXHAUST FLUID TANK CAP			STD
ALUMINUM AFTERTREATMENT DEVICE/MUFFLER/TAILOPIPE SHIELD(S)			N/C
HORTON DRIVEMASTER ADVANTAGE ON/OFF FAN DRIVE			STD
AUTOMATIC FAN CONTROL WITHOUT DASH SWITCH, NON ENGINE MOUNTED			STD
CUMMINS SPIN ON FUEL FILTER			STD
COMBINATION FULL FLOW/BYPASS OIL FILTER			STD
1200 SQUARE INCH ALUMINUM RADIATOR	10		STD
ANTIFREEZE TO -34F, OAT (NITRITE AND SILICATE FREE) EXTENDED LIFE COOLANT			STD
GATES BLUE STRIPE COOLANT HOSES OR EQUIVALENT			STD
CONSTANT TENSION HOSE CLAMPS FOR COOLANT HOSES			STD
RADIATOR DRAIN VALVE			STD
PHILLIPS-TEMRO 1000 WATT/115 VOLT BLOCK HEATER	4		
BLACK PLASTIC ENGINE HEATER RECEPTACLE MOUNTED UNDER LH DOOR			N/C



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Description	Weight Front	Weight Rear	Retail Price
ELECTRIC GRID AIR INTAKE WARMER			STD
DELCO 12V 38MT HD STARTER WITH INTEGRATED MAGNETIC SWITCH			STD
Transmission			
ALLISON 3000 RDS AUTOMATIC TRANSMISSION WITH PTO PROVISION			STD
Transmission Equipment			
ALLISON VOCATIONAL PACKAGE 223 - AVAILABLE ON 3000/4000 PRODUCT FAMILIES WITH VOCATIONAL MODELS RDS, HS, MH AND TRV			STD
ALLISON VOCATIONAL RATING FOR ON/OFF HIGHWAY APPLICATIONS AVAILABLE WITH ALL PRODUCT FAMILIES			N/C
PRIMARY MODE GEARS, LOWEST GEAR 1, START GEAR 1, HIGHEST GEAR 6, AVAILABLE FOR 3000/4000 PRODUCT FAMILIES ONLY			STD
SECONDARY MODE GEARS, LOWEST GEAR 1, START GEAR 1, HIGHEST GEAR 6, AVAILABLE FOR 3000/4000 PRODUCT FAMILIES ONLY			STD
PRIMARY SHIFT SCHEDULE RECOMMENDED BY DTNA AND ALLISON, THIS DEFINED BY ENGINE AND VOCATIONAL USAGE			STD
SECONDARY SHIFT SCHEDULE RECOMMENDED BY DTNA AND ALLISON, THIS DEFINED BY ENGINE AND VOCATIONAL USAGE			STD
PRIMARY SHIFT SPEED RECOMMENDED BY DTNA AND ALLISON, THIS DEFINED BY ENGINE AND VOCATIONAL USAGE			STD
SECONDARY SHIFT SPEED RECOMMENDED BY DTNA AND ALLISON, THIS DEFINED BY ENGINE AND VOCATIONAL USAGE			STD
LOAD BASED SHIFT SCHEDULE AND VEHICLE ACCELERATION CONTROL RECOMMENDED BY DTNA AND ALLISON, THIS DEFINED VOCATIONAL USAGE			STD
DRIVER SWITCH INPUT - DEFAULT - NO SWITCHES			STD
VEHICLE INTERFACE WIRING CONNECTOR WITH PDM AND BLUNT CUTS, AT BACK OF CAB			
ELECTRONIC TRANSMISSION CUSTOMER ACCESS CONNECTOR FIREWALL MOUNTED			
CUSTOMER INSTALLED CHELSEA 277 SERIES PTO			N/C
PTO MOUNTING, LH SIDE OF MAIN TRANSMISSION			N/C



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Description	Weight Front	Weight Rear	Retail Price
MAGNETIC PLUGS, ENGINE DRAIN, TRANSMISSION DRAIN, AXLE(S) FILL AND DRAIN			STD
PUSH BUTTON ELECTRONIC SHIFT CONTROL, DASH MOUNTED			STD
TRANSMISSION PROGNOSTICS - ENABLED 2013			STD
WATER TO OIL TRANSMISSION COOLER, IN RADIATOR END TANK			STD
TRANSMISSION OIL CHECK AND FILL WITH ELECTRONIC OIL LEVEL CHECK			STD
SYNTHETIC TRANSMISSION FLUID (TES-295 COMPLIANT)			STD
Front Axle and Equipment			
DETROIT DA-F-20.0-5 20,000# FL1 71.0 KPI/3.74 DROP SINGLE FRONT AXLE	210		
MERITOR 16.5X6 Q+ CAST SPIDER CAM FRONT BRAKES, DOUBLE ANCHOR, FABRICATED SHOES	10		N/C
NON-ASBESTOS FRONT BRAKE LINING			STD
CONMET CAST IRON FRONT BRAKE DRUMS			STD
SKF SCOTSEAL PLUS XL FRONT OIL SEALS			STD
VENTED FRONT HUB CAPS WITH WINDOW, CENTER AND SIDE PLUGS - OIL			STD
STANDARD SPINDLE NUTS FOR ALL AXLES			STD
HALDEX AUTOMATIC FRONT SLACK ADJUSTERS			
STANDARD KING PIN BUSHINGS			STD
TRW THP-60 POWER STEERING WITH RCH45 AUXILIARY GEAR	130		N/C
POWER STEERING PUMP			STD
4 QUART POWER STEERING RESERVOIR			N/C
OIL/AIR POWER STEERING COOLER			N/C
ORGANIC SAE 80/90 FRONT AXLE LUBE			STD
Front Suspension			
20,000# TAPERLEAF FRONT SUSPENSION	200		
MAINTENANCE FREE RUBBER BUSHINGS - FRONT SUSPENSION			STD
NO FRONT SUSPENSION SPRING BRACKET OPTIONS			STD
FRONT SHOCK ABSORBERS			STD
Rear Axle and Equipment			
RT-46-160 46,000# R-SERIES TANDEM REAR AXLE		2,960	



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Description	Weight Front	Weight Rear	Retail Price
4.56 REAR AXLE RATIO			
IRON REAR AXLE CARRIER WITH STANDARD AXLE HOUSING			STD
MXL 17N MERITOR EXTENDED LUBE MAIN DRIVELINE WITH FULL ROUND YOKES	40	40	
MXL 17T MERITOR EXTENDED LUBE INTERAXLE DRIVELINE WITH HALF ROUND YOKES			N/C
(1) INTERAXLE LOCK VALVE FOR TANDEM OR TRIDEM DRIVE AXLES			N/C
BLINKING LAMP WITH EACH INTERAXLE LOCK SWITCH, INTERAXLE UNLOCK DEFAULT WITH IGNITION OFF			N/C
MERITOR 16.5X7 Q+ CAST SPIDER CAM REAR BRAKES, DOUBLE ANCHOR, FABRICATED SHOES			STD
NON-ASBESTOS REAR BRAKE LINING			STD
STANDARD BRAKE CHAMBER LOCATION			N/C
CONMET CAST IRON REAR BRAKE DRUMS			STD
SKF SCOTSEAL PLUS XL REAR OIL SEALS			STD
HALDEX GOLDSEAL LONGSTROKE 2-DRIVE AXLES SPRING PARKING CHAMBERS		20	N/C
HALDEX AUTOMATIC REAR SLACK ADJUSTERS			
SYNTHETIC 75W-90 REAR AXLE LUBE			
STANDARD REAR AXLE BREATHER(S)			STD
Rear Suspension			
HENDRICKSON RT463 REAR SUSPENSION @ 46,000#		810	
HENDRICKSON RT/RTE - 7.19" SADDLE			N/C
STANDARD AXLE SEATS IN AXLE CLAMP GROUP			STD
52 INCH AXLE SPACING			N/C
STEEL BEAMS AND BRONZE CENTER BUSHINGS WITH BAR PIN ADJUSTABLE END CONNECTIONS			N/C
FORE/AFT CONTROL RODS			STD
Brake System			
WABCO 4S/4M ABS WITHOUT TRACTION CONTROL			STD
REINFORCED NYLON, FABRIC BRAID AND WIRE BRAID CHASSIS AIR LINES			STD
FIBER BRAID PARKING BRAKE HOSE			STD
STANDARD BRAKE SYSTEM VALVES			STD



Prepared for:
 City of Milford
 201 South Walnut St
 Milford, DE 19963
 Phone: 302 424 3712

Description	Weight Front	Weight Rear	Retail Price
STANDARD AIR SYSTEM PRESSURE PROTECTION SYSTEM			STD
STD U.S. FRONT BRAKE VALVE			STD
RELAY VALVE WITH 5-8 PSI CRACK PRESSURE, NO REAR PROPORTIONING VALVE			STD
BW AD-9 BRAKE LINE AIR DRYER WITH HEATER	20		N/C
AIR DRYER MOUNTED INBOARD ON LH RAIL			N/C
STEEL AIR TANKS MOUNTED AFT INSIDE AND/OR BELOW FRAME JUST FORWARD OF REAR SUSPENSION			
PULL CABLES ON ALL AIR RESERVOIR(S)			
Trailer Connections			
UPGRADED CHASSIS MULTIPLEXING UNIT			STD
Wheelbase & Frame			
5425MM (214 INCH) WHEELBASE			N/C
11/32X3-1/2X10-3/16 INCH STEEL FRAME (8.73MMX258.8/0.344X10.19 INCH) 80KS	380	-70	
BODY COMPANY INSTALLED ADDITIONAL FRONT FRAME REINFORCEMENT FOR SNOW PLOW			N/C
2100MM (83 INCH) REAR FRAME OVERHANG			N/C
FRAME OVERHANG RANGE: 81 INCH TO 90 INCH	-40	180	N/C
CALC'D BACK OF CAB TO REAR SUSP C/L (CA) : 148.45 in			
CALCULATED EFFECTIVE BACK OF CAB TO REAR SUSPENSION C/L (CA) : 145.45 in			
CALC'D FRAME LENGTH - OVERALL : 336.37			
CALC'D SPACE AVAILABLE FOR DECKPLATE : 148.45 in			
CALCULATED FRAME SPACE LH SIDE : 36.76 in			N/C
CALCULATED FRAME SPACE RH SIDE : 90.7 in			N/C
SQUARE END OF FRAME			STD
FRONT CLOSING CROSSMEMBER			STD
STANDARD WEIGHT ENGINE CROSSMEMBER			STD
STANDARD MIDSHIP #1 CROSSMEMBER(S)			STD
STANDARD REARMOST CROSSMEMBER			STD
HEAVY DUTY SUSPENSION CROSSMEMBER		30	N/C
Chassis Equipment			
14 INCH PAINTED STEEL BUMPER			STD
FRONT TOW HOOKS - FRAME MOUNTED	15		



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Description	Weight Front	Weight Rear	Retail Price
BUMPER MOUNTING FOR SINGLE LICENSE PLATE			STD
GRADE 8 THREADED HEX HEADED FRAME FASTENERS			STD
Fuel Tanks			
100 GALLON/378 LITER ALUMINUM FUEL TANK - LH	20		
25 INCH DIAMETER FUEL TANK(S)			STD
PLAIN ALUMINUM/PAINTED STEEL FUEL/HYDRAULIC TANK(S) WITH PAINTED BANDS			STD
FUEL TANK(S) FORWARD			STD
PLAIN STEP FINISH			STD
FUEL TANK CAP(S)			STD
ALLIANCE FUEL FILTER/WATER SEPARATOR			STD
EQUIFLO INBOARD FUEL SYSTEM			STD
HIGH TEMPERATURE REINFORCED NYLON FUEL LINE			STD
Tires			
MICHELIN XFE 425/65R22.5 20 PLY RADIAL FRONT TIRES	172		
MICHELIN XDE M/S 11R22.5 16 PLY RADIAL REAR TIRES		88	
Hubs			
CONMET PRESET PLUS IRON FRONT HUBS			STD
CONMET PRESET PLUS IRON REAR HUBS			STD
Wheels			
ACCURIDE 29807 22.5X12.25 10-HUB PILOT 4.75 INSET 5-HAND STEEL DISC FRONT WHEELS	98		
ACCURIDE 28828 22.5X8.25 10-HUB PILOT 2-HAND HD STEEL DISC REAR WHEELS		104	STD
Cab Exterior			
108 INCH BBC FLAT ROOF ALUMINUM CONVENTIONAL CAB			STD
AIR CAB MOUNTS			STD
NONREMOVABLE BUGSCREEN MOUNTED BEHIND GRILLE			STD
FRONT FENDERS SET-BACK AXLE			STD
BOLT-ON MOLDED FLEXIBLE FENDER EXTENSIONS	10		
LH AND RH GRAB HANDLES			STD
STATIONARY BLACK GRILLE			STD



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Description	Weight Front	Weight Rear	Retail Price
BLACK HOOD MOUNTED AIR INTAKE GRILLE			STD
FIBERGLASS HOOD			STD
HOOD LINER INSULATION WITH SINGLE FIREWALL INSULATION			
SINGLE 14 INCH ROUND POLISHED AIR HORN ROOF MOUNTED			STD
DUAL ELECTRIC HORNS			
SINGLE HORN SHIELD			STD
DOOR LOCKS AND IGNITION SWITCH KEYED THE SAME			STD
REAR LICENSE PLATE MOUNT END OF FRAME			STD
HALOGEN COMPOSITE HEADLAMPS WITH BLACK BEZELS			STD
LED AERODYNAMIC MARKER LIGHTS			
DAYTIME RUNNING LIGHTS - LOW BEAM ONLY			
INTEGRAL STOP/TAIL/BACKUP LIGHTS			STD
STANDARD FRONT TURN SIGNAL LAMPS			STD
DUAL WEST COAST MOLDED-IN COLOR HEATED MIRRORS			
DOOR MOUNTED MIRRORS			STD
102 INCH EQUIPMENT WIDTH			STD
LH AND RH 8 INCH MOLDED-IN COLOR CONVEX MIRRORS MOUNTED UNDER PRIMARY MIRRORS			N/C
RH DOWN VIEW MIRROR			
RH 8 INCH STAINLESS STEEL FENDER MOUNTED CONVEX MIRROR WITH TRIPOD BRACKETS	4		
STANDARD SIDE/REAR REFLECTORS			STD
63X14 INCH TINTED REAR WINDOW			STD
TINTED DOOR GLASS LH AND RH WITH TINTED OPERATING WING WINDOWS			STD
MANUAL DOOR WINDOW REGULATORS			STD
TINTED WINDSHIELD			STD
8 LITER WINDSHIELD WASHER RESERVOIR, CAB MOUNTED, WITHOUT FLUID LEVEL INDICATOR			STD
Cab Interior			
OPAL GRAY VINYL INTERIOR			STD
MOLDED PLASTIC DOOR PANEL WITHOUT VINYL INSERT WITH ALUMINUM KICKPLATE LOWER DOOR			

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Description	Weight Front	Weight Rear	Retail Price
MOLDED PLASTIC DOOR PANEL WITHOUT VINYL INSERT WITH ALUMINUM KICKPLATE LOWER DOOR			
BLACK MATS WITH SINGLE INSULATION			STD
DASH MOUNTED ASH TRAYS AND LIGHTER			
FORWARD ROOF MOUNTED CONSOLE WITH UPPER STORAGE COMPARTMENTS WITHOUT NETTING			STD
IN DASH STORAGE BIN			STD
(2) CUP HOLDERS LH AND RH DASH			STD
GRAY/CHARCOAL FLAT DASH			STD
SMART SWITCH EXPANSION MODULE			
5 LB. FIRE EXTINGUISHER	10		
HEATER, DEFROSTER AND AIR CONDITIONER			STD
STANDARD HVAC DUCTING			STD
MAIN HVAC CONTROLS WITH RECIRCULATION SWITCH			STD
STANDARD HEATER PLUMBING			STD
DENSO HEAVY DUTY AIR CONDITIONER COMPRESSOR			STD
BINARY CONTROL, R-134A			STD
PREMIUM INSULATION			
SOLID-STATE CIRCUIT PROTECTION AND FUSES WITH SPARE FUSE KIT			
12V NEGATIVE GROUND ELECTRICAL SYSTEM			STD
DOME DOOR ACTIVATED LH AND RH, DUAL READING LIGHTS, FORWARD CAB ROOF			
CAB DOOR LATCHES WITH MANUAL DOOR LOCKS			STD
(1) 12 VOLT POWER SUPPLY IN DASH			STD
TRIANGULAR REFLECTORS WITHOUT FLARES	10		
BASIC HIGH BACK AIR SUSPENSION DRIVER SEAT WITH MECHANICAL LUMBAR AND INTEGRATED CUSHION EXTENSION	30		
BASIC HIGH BACK AIR SUSPENSION PASSENGER SEAT WITH MECHANICAL LUMBAR AND INTEGRATED CUSHION EXTENSION	25	10	
DUAL DRIVER SEAT ARMRESTS AND INBOARD PASSENGER SEAT ARMREST	6		
LH AND RH INTEGRAL DOOR PANEL ARMRESTS			STD
GRAY CORDURA PLUS CLOTH DRIVER SEAT COVER			
GRAY CORDURA PLUS CLOTH PASSENGER SEAT COVER			



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Description	Weight Front	Weight Rear	Retail Price
HIGH VISIBILITY ORANGE SEAT BELTS WITH DRIVER INDICATOR LIGHT AND AUDIBLE ALARM			
ADJUSTABLE TILT AND TELESCOPING STEERING COLUMN	10		
4-SPOKE 18 INCH (450MM) STEERING WHEEL			STD
DRIVER AND PASSENGER INTERIOR SUN VISORS			STD
Instruments & Controls			
GRAY DRIVER INSTRUMENT PANEL			STD
GRAY CENTER INSTRUMENT PANEL			STD
ENGINE REMOTE INTERFACE WITHOUT INTERLOCKS			
BLACK GAUGE BEZELS			STD
LOW AIR PRESSURE INDICATOR LIGHT AND AUDIBLE ALARM			STD
2 INCH PRIMARY AND SECONDARY AIR PRESSURE GAUGES			STD
DASH MOUNTED AIR RESTRICTION INDICATOR WITH GRADUATIONS			
97 DB BACKUP ALARM		3	
ELECTRONIC CRUISE CONTROL WITH SWITCHES IN LH SWITCH PANEL			STD
KEY OPERATED IGNITION SWITCH AND INTEGRAL START POSITION; 4 POSITION OFF/RUN/START/ACCESSORY			STD
ICU3S, 132X48 DISPLAY WITH DIAGNOSTICS, 28 LED WARNING LAMPS AND DATA LINKED			STD
HEAVY DUTY ONBOARD DIAGNOSTICS INTERFACE CONNECTOR LOCATED BELOW LH DASH			STD
2 INCH ELECTRIC FUEL GAUGE			STD
ENGINE REMOTE INTERFACE WITH INCREMENT/DECREMENT			
ENGINE REMOTE INTERFACE CONNECTOR AT BACK OF CAB			N/C
ELECTRICAL ENGINE COOLANT TEMPERATURE GAUGE			STD
2 INCH TRANSMISSION OIL TEMPERATURE GAUGE			STD
ENGINE AND TRIP HOUR METERS INTEGRAL WITHIN DRIVER DISPLAY AND HOBBS PTO OPERATION HOUR METER	2		



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Description	Weight Front	Weight Rear	Retail Price
(1) DASH MOUNTED PTO SWITCH WITH INDICATOR LAMP FOR CUSTOMER INSTALLED PTO	5		
ELECTRIC ENGINE OIL PRESSURE GAUGE			STD
OVERHEAD INSTRUMENT PANEL			
SMARTPLEX HUB MODULE WITH OVERHEAD SWITCH MOUNTING, CENTER CONSOLE (6 SWITCH SLOTS)	44		
AM/FM RADIO WITH FRONT AND REAR AUXILIARY INPUTS AND J1939	10		
DASH MOUNTED RADIO			N/C
(2) RADIO SPEAKERS IN CAB			N/C
AM/FM ANTENNA MOUNTED ON FORWARD LH ROOF	2		N/C
POWER AND GROUND WIRING PROVISION OVERHEAD			
ROOF/OVERHEAD CONSOLE CB RADIO PROVISION			
ELECTRONIC MPH SPEEDOMETER WITH SECONDARY KPH SCALE, WITHOUT ODOMETER			STD
STANDARD VEHICLE SPEED SENSOR			STD
ELECTRONIC 3000 RPM TACHOMETER			STD
IGNITION SWITCH CONTROLLED ENGINE STOP			STD
PRE-TRIP LAMP INSPECTION, ALL OUTPUTS FLASH, WITH SMART SWITCH			
6 ON/OFF LATCHING SMARTPLEX SWITCHES			
DIGITAL VOLTAGE DISPLAY INTEGRAL WITH DRIVER DISPLAY			STD
SINGLE ELECTRIC WINDSHIELD WIPER MOTOR WITH DELAY PROGRAMMED TO SLOWEST SPEED WITH PARK BRAKE SET			
MARKER LIGHT SWITCH INTEGRAL WITH HEADLIGHT SWITCH			STD
ONE VALVE PARKING BRAKE SYSTEM WITH DASH VALVE CONTROL AUTONEUTRAL AND WARNING INDICATOR			
SELF CANCELING TURN SIGNAL SWITCH WITH DIMMER, WASHER/WIPER AND HAZARD IN HANDLE			STD
INTEGRAL ELECTRONIC TURN SIGNAL FLASHER WITH HAZARD LAMPS OVERRIDING STOP LAMPS			STD
Design			
PAINT: ONE SOLID COLOR			STD



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Description	Weight Front	Weight Rear	Retail Price
Color			
CAB COLOR A: L0006EB WHITE ELITE BC			STD
BLACK, HIGH SOLIDS POLYURETHANE CHASSIS PAINT			STD
NO FUEL TANK CABINET PAINT			STD
POWDER WHITE (N0006EA) FRONT WHEELS/RIMS (PKWHT21, TKWHT21, W, TW)			STD
POWDER WHITE (N0006EA) REAR WHEELS/RIMS (PKWHT21, TKWHT21, W, TW)			STD
STANDARD BLACK BUMPER PAINT			STD
STANDARD E COAT/UNDERCOATING			STD
Certification / Compliance			
U.S. FMVSS CERTIFICATION, EXCEPT SALES CABS AND GLIDER KITS			STD

TOTAL VEHICLE SUMMARY



Weight Summary			
	Weight Front	Weight Rear	Total Weight
Factory Weight ⁺	8344 lbs	7968 lbs	16312 lbs
Total Weight⁺	8344 lbs	7968 lbs	16312 lbs

ITEMS NOT INCLUDED IN ADJUSTED



2016 OBD/2010 EPA/CARB/GHG14 ESCALATOR
 STANDARD DESTINATION CHARGE



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(+) Weights shown are estimates only.

If weight is critical, contact Customer Application Engineering.

(**) Prices shown do not include taxes, fees, etc... "Net Equipment Selling Price" is located on the Quotation Details Proposal Report.



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Q U O T A T I O N

108SD CONVENTIONAL CHASSIS

SET BACK AXLE - TRUCK	20,000# TAPERLEAF FRONT SUSPENSION
CUM ISL 370 HP @ 2000 RPM, 2100 GOV RPM, 1250 LB/FT @ 1400 RPM	108 INCH BBC FLAT ROOF ALUMINUM CONVENTIONAL CAB
ALLISON 3000 RDS AUTOMATIC TRANSMISSION WITH PTO PROVISION	5425MM (214 INCH) WHEELBASE
RT-46-160 46,000# R-SERIES TANDEM REAR AXLE	11/32X3-1/2X10-3/16 INCH STEEL FRAME (8.73MMX258.8/0.344X10.19 INCH) 80KS
HENDRICKSON RT463 REAR SUSPENSION @ 46,000#	2100MM (83 INCH) REAR FRAME OVERHANG
DETROIT DA-F-20.0-5 20,000# FL1 71.0 KPI/3.74 DROP SINGLE FRONT AXLE	BODY COMPANY INSTALLED ADDITIONAL FRONT FRAME REINFORCEMENT FOR SNOW PLOW

COMMENTS:

Projected delivery on ___ / ___ / ___ provided the order is received before ___ / ___ / ___.

APPROVAL:

Please indicate your acceptance of this quotation by signing below:

Customer: X _____ Date: ___ / ___ / ___.

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MILFORD CITY COUNCIL
MINUTES OF MEETING
September 13, 2016

A Meeting (Charter Review) of the Milford Charter Review Committee was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall on Tuesday, September 13, 2016.

IN ATTENDANCE: Committee Members:
 Councilmember Christopher Mergner

 City Manager Eric Norenberg and City Clerk Terri Hudson

 City Solicitor David Rutt

The review with Councilman Mergner convened at 5:24 p.m.

City Manager Norenberg then highlighted the amendments that have been made by the Committee during the past few meetings.

Solicitor Rutt provided background for various changes that were needed in addition to answering Councilmember Mergners' questions.

The most current draft will be presented to the Charter Review Committee one final time before it is presented for the first time to City Council during a Workshop Session.

The Rreview adjourned at 6:05 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

Attachment:

Current Draft (Dated 09-13-2016)

Milford City Charter

ARTICLE I. - INCORPORATION, TERRITORY AND ANNEXATION

1.01 - Incorporation.

The inhabitants of the City of Milford ("the City") within the corporate limits hereinafter defined in this Charter or as hereafter extended as hereinafter provided, shall be and constitute a body politic and corporate, and shall be known and identified as the City of Milford.

1.02 - Territorial Limits.

The boundaries of the City of Milford are hereby established and declared as recorded on the official map of record in the Recorder of Deeds Office for Kent County and for Sussex County in the State of Delaware (official recorded copies to be kept by the City Clerk) as presently exists and as hereinafter amended:

In addition to the aforesaid, the Territorial Limits of the City of Milford shall also include all lands annexed by the City of Milford pursuant to Section 1.04 of this Charter. The City Council may, at any time hereafter, cause a survey and plot to be made of the City, and the survey and plot, when made and approved by the City Council, shall be recorded in the offices of the Recorders of Deeds in and for both Kent and Sussex Counties, State of Delaware, and the same, or the record thereof, or a duly certified copy of said record shall be evidence in all courts of law and equity in this State.

1.03 - Wards.

The City of Milford shall be divided into four wards and a map entitled "Official Ward Map, Milford, Delaware" will delineate the ward boundaries with legal descriptions of each ward attached and kept on file in the Office of the City Clerk. The official ward map shall be identified by the signature of the Mayor, be attested by the City Clerk and bear the seal of the City. The map, legal descriptions and any future changes shall be recorded in both Kent and Sussex County within a reasonable time after the effective date of the amendment approved by City Council. City Council shall adopt the official map and any future amendments by ordinance.

~~The City Council may provide for a fifth Ward and re-arrange the boundaries of the four Wards provided for herein, in the event of annexation or re-apportionment as hereinafter set forth.~~

1.04 ~~==~~ Annexation-

The City may from time to time extend its boundaries through the process of annexation in accordance with Delaware Code and the following procedures shall apply:

- (a) All the property owners of the territory contiguous to the then existing corporate limits and territory of the City of Milford, by written Petition with the signature of each such Petitioner duly witnessed, may request the City Council to annex that certain territory in which they own property.

- (1) The petition presented to the City Council shall include the tax parcel number(s), a description of the territory requested to be annexed in electronic format, a sealed survey (dated within one year of the application), present and requested zoning, a

statement of compliance with the Comprehensive Plan and the reasons for the requested annexation.

- (2) If the Planning Director deems the application complete, the petition shall be provided to the Mayor and City Council to be referred to the Annexation Committee. If the Annexation Committee is not duly constituted, the Mayor of the City of Milford shall appoint a Committee composed of not less than three (3) of the elected members of the City Council and one member of the City Planning Commission to investigate the possibility of annexation. Not later than ninety (90) days following referral of the application to the Annexation Committee by the City Council the Committee shall submit a written report containing its findings and conclusions to the Mayor and City Council of Milford. The report so submitted shall include the advantages and disadvantages of the proposed annexation, both to the City of Milford and to the territory proposed to be annexed, and shall contain the recommendation of the Committee whether or not to proceed with the proposed annexation and the reasons therefore.
 - (3) A Plan of Services for the property must be completed in accordance with Delaware Code. This Plan of Services must be completed for review and acceptance prior to final legislative action on the annexation.
 - (4) The annexation/rezoning application shall also be referred to the Planning Commission for a Public Hearing and review and recommendation to City Council. Within sixty (60) days of the final recommendation by the Planning Commission City Council shall hold a public hearing to consider the annexation and zoning application.
 - (5) Following the public hearing and subject to the acceptance of the Plan of Services, City Council may then pass a resolution annexing such territory to the City of Milford. Such resolution shall be passed by the affirmative vote of two-thirds (2/3) of all the elected members of the City Council. If the resolution fails to receive the affirmative vote of two-thirds (2/3) of the elected members of the City Council, the territory proposed to be annexed shall not again be considered for annexation for a period of six (6) months from the date that the resolution failed to receive the required affirmative vote.
 - (6) Prior to the resolution being considered, an ordinance that is conditioned on the approval of the annexation application must be adopted to establish a zoning district for the property to be annexed.
 - (7) If the resolution receives a favorable vote for annexation, the City Council shall cause a description and a plot of the territory so annexed to be recorded in the Office of the Recorder of Deeds in and for the County in which the property is located, but in no event shall said recordation be completed more than ninety (90) days following the date of the favorable vote for annexation by the City Council. The territory considered for annexation shall be considered to be a part of the City of Milford from the time of recordation. The failure to record the description of the plot within a specified time shall not make the annexation invalid, but such annexation shall be deemed to be effective at the expiration of the ninety (90) day period from the date of the favorable vote of the City Council.
- (b) If five (5) or more property owners, but less than all of the property owners of a territory contiguous to the then limits and territory of the City of Milford, by written Petition with

the signature of each such Petitioner duly witnessed, shall request the City Council to annex that certain territory in which they own property.

- (1) The petition presented to the City Council shall include the tax parcel number(s), a description of the territory requested to be annexed in electronic format, a sealed survey (dated within one year of the application), present and requested zoning, a statement of compliance with the Comprehensive Plan and the reasons for the requested annexation.
- (2) If the Planning Director deems the petition complete, the petition shall be provided to the Mayor and City Council to be referred to the Annexation Committee. If the Annexation Committee is not duly constituted, the Mayor of the City of Milford shall appoint a Committee composed of not less than three (3) of the elected members of the City Council and one member of the City Planning Commission to investigate the possibility of annexation. Not later than ninety (90) days following its appointment by the Mayor, the Committee shall submit a written report containing its findings and conclusions to the Mayor and the City Council of Milford. The report so submitted shall include the advantages and disadvantages of the proposed annexation, both to the City of Milford and to the territory proposed to be annexed, and shall contain the recommendation of the committee whether or not to proceed with the proposed annexation and the reasons therefor.
- (3) A Plan of Services for the property must be completed in accordance with Delaware Code. This Plan of Services must be completed for review and acceptance prior to final legislative action on the annexation.
- (4) The annexation/rezoning application shall also be referred to the Planning Commission for a Public Hearing and review and recommendation to City Council. Within sixty (60) days of the final recommendation by the Planning Commission, City Council shall hold a public hearing to consider the annexation and zoning application.
- (5) Following the public hearing and subject to the acceptance of the Plan of Services, City Council may then pass an ordinance annexing such territory to the City of Milford. Such ordinance shall be passed by the affirmative vote of two-thirds (2/3) of all the elected members of the City Council. If the ordinance fails to receive the affirmative vote of two-thirds (2/3) of the elected members of the City Council, the territory proposed to be annexed shall not again be considered for annexation for a period of six (6) months from the date that the ordinance failed to receive the required affirmative vote.

The ordinance shall contain a description of the territory proposed to be annexed, requested zoning, and shall fix a time and place for a public hearing on the subject of the proposed annexation and zoning. The ordinance shall be published in a newspaper having a general circulation in the City of Milford at least one (1) week prior to the date set for the public hearing, or, at the discretion of the City Council, the said ordinance shall be posted in two (2) public places both in the City of Milford and in the territory proposed to be annexed and on the City website.

- (6) Within sixty (60) days following the public hearing on the proposed Annexation Petition, and upon the acceptance of the Plan of Services by the State of Delaware, the City Council may adopt an ordinance annexing such territory to the City of Milford, subject to the approval of the property owners in the territory to be annexed. Said approval or disapproval shall be signified at a Special Election as set forth

hereinafter. The ordinance of the City Council to annex the territory must be passed by the affirmative vote of two-thirds (2/3) of all the elected members of the City Council.

- (7) In the event that the ordinance does not receive an affirmative vote by two-thirds (2/3) of all the elected members of the City Council, no Special Election shall be held and the territory previously proposed to be annexed shall not again be considered for annexation for a period of six (6) months from the date the ordinance failed to receive the required affirmative vote.
- (8) Following the affirmative vote, but in no event later than thirty (30) days after said ordinance has been adopted, the City Council shall order a Special Election to be held not less than thirty (30) nor more than sixty (60) days after said affirmative ordinance was adopted by City Council.
- (9) The notice of the time and place of the said Special Election shall be published within thirty (30) days immediately preceding the date of this Special Election in at least two (2) issues of a newspaper having a general circulation in the City of Milford, or at the discretion of the City Council, the said notice may be posted in in two (2) public places, both in the City of Milford, in the territory proposed to be annexed, and on the City website, at least fifteen (15) days prior to the date set forth for the said Special Election.
- (10) At the Special Election, every property owner, whether an individual, partnership or a corporation in the territory proposed to be annexed shall have one (1) vote. Property held by a partnership or by a corporation shall vote only by a power of attorney or corporate resolution duly executed. In the event that an individual holds a Power of Attorney or corporate resolution duly executed and acknowledged, specifically authorizing the said individual to vote for the owner of a property held by a partnership or by a corporation at the said Special Election, a duly authenticated Power of Attorney or corporate resolution shall be filed in the Office of the City Manager of the City of Milford. Said Power of Attorney or corporate resolution so filed shall constitute conclusive evidence of the right of said person to vote in the Special Election for such partnership or for such corporation. Property owners in the area proposed to be annexed shall have only one vote regardless of the number of parcels owned.
- (11) The City Council of the City of Milford may cause either voting machines or paper ballots to be used in the Special Election, the form of the ballot to be printed as follows:
 - For the proposed annexation
 - Against the proposed annexation
- (12) The Mayor of the City of Milford shall appoint three (3) persons to act as a Board of Special Election. One (1) of the said persons so appointed shall be designated as the Presiding Officer. Voting shall be conducted in a public place as designated by the ordinance calling the Special Election. The polling place shall be open from 10:00 a.m. until 6:00 p.m., or until all those entitled to vote have done so on the date set for the Special Election. All persons in the polling place at the time of the closing of the polls shall be permitted to vote, even though such votes are not cast until after the time for the closing of the polls.

(13) Immediately upon the closing of the polling place, the Board of Special Election shall count the ballots for and against the proposed annexation and shall announce the result thereof. The Board of Special Election shall make a Certificate under their hands of the votes cast for and against the proposed annexation and the number of void votes and shall deliver the same to the City Council. Said Certificate shall be filed with the papers of the City Council. In order for the territory proposed to be annexed to be considered annexed, a majority of the votes cast from the territory proposed to be annexed must have been cast in favor of the proposed annexation.

(14) In the event that the Special Election results in an unfavorable vote for annexation, no part of the territory considered at the Special Election for annexation shall again be considered for annexation for a period of at least six (6) months from the date of the said Special Election.

(15) If a favorable vote for annexation shall have been cast, the City Council of the City of Milford shall cause a description and a plot of the territory so annexed to be recorded in the Office of the Recorder of Deeds, in and for the County in which the property is located, but in no event shall said recordation be completed more than ninety (90) days following the date of the said Special Election. The territory considered for annexation shall be considered to be part of the City of Milford from the time of recordation. The failure to record the description or the plat within the specified time shall not make the annexation invalid, but such annexation shall be deemed to be effective at the expiration of the ninety (90) day period from the date of the favorable Special Election.

- (c) Annexation Agreement. Notwithstanding any provision herein to the contrary, where, pursuant to §1.04(a) or (b) of this Charter, annexation proceedings are initiated by a property owner(s) holding record title to real property in territory contiguous to the then existing corporate limits of the City, such petition may be made contingent upon an annexation agreement with the City which agreement may address any matters which would be relevant to the subject lands, if annexed. By way of example and not in limitation, such agreement may address zoning, subdivision approval, tax relief, public utilities and public improvements. In the event the City Council approves such an agreement and votes to accept a petition under this §1.04 of this Charter, such Annexation Agreement shall be deemed a material part of the annexation and shall be included in all subsequent steps of the annexation procedure.

The resolutions and notices adopted by the City Council shall recite that the proposed annexation includes and is subject to an annexation agreement. The resolution and ballots, if an election is required, annexing the territory shall recite that the annexation is subject to an annexation agreement and shall incorporate the terms of such agreement by specific reference. An annexation agreement may be modified or amended by mutual agreement of the petitioner and the City Council at any time prior to the resolution adopted by City Council annexing the land into the City of Milford, or prior to the resolution ordering the special election pursuant to §1.04 of this Charter. In any event, the Annexation Agreement shall run with the land and be recorded with the annexation resolution.

- (d) Property shall be designated to a contiguous ward(s) when annexed into the City pursuant to Article I.

1.05 – Deannexation.

- (a) Except as provided for in Section 1.05(b), below, deannexation shall follow procedures established in the Delaware Code.

(b) The City Council may authorize the deannexation of property with zero residents and assessed valuation of less than \$25,000 by ordinance following a public hearing.

ALTERNATE (b):

The City Council may authorize the deannexation of a parcel which contains less square footage than the smallest permitted parcel in the zoning district in which it is located.

ARTICLE II. ~~—~~ NOMINATIONS AND ELECTIONS

2.01 - City Elections.

- (a) The annual municipal election shall be held on the fourth Saturday in the month of April between the hours of ~~12 noon and 8~~ 10:00 a.m. to 6:00 p.m. at such places as shall be determined by the City Council and in accordance with State law. Except that, in any year when the fourth Saturday in April falls between Good Friday and Easter Sunday, the annual municipal election shall be held on the third Saturday of April.
- (b) The election shall be held under the supervision of an Election Board, consisting of no less than three nor more than five electors of the City to be appointed by the City Council. The Election Board shall be Judges of the election and shall decide upon the legality of the votes offered.
- (c) A clerk from each respective Ward will be assigned to verify the identity and residence of each prospective voter within their election district that intends to vote on the day of the municipal election. The clerk shall obtain this information from the alphabetical list of registered voters provided for this purpose. Those persons not properly registered shall not be permitted to vote at that particular election and become eligible only after being qualified before the next registration deadline. City Council shall appoint an election clerk(s) for each Ward in which there is a contest.
- (d) Every person who resides within the City of Milford boundaries for at least thirty (30) days prior to the registration deadline or natural persons owning property within the City of Milford at least thirty (30) days prior to the registration deadline, and who are over the age of eighteen (18) years, shall be entitled to one vote at said annual municipal election or special election; provided, however, that the City Council may, by ordinance, establish a reasonable procedure for the registration of voters and, in such event, compliance therewith may be a prerequisite to voting at the annual election. A Corporation, Partnership, Limited Partnership or other legally created entity is prohibited from registering and voting as a non-resident property owner unless property within the City is titled in an individual name.
- (e) It is the responsibility of those registered voters who own property in more than one Ward to declare at least sixty (60) days prior to the election which Ward they will vote in on the day of the election. In the event that a person owns property(s) in the City in addition to their place of residency, he or she may vote once only where he or she resides.
- (f) Upon the close of an annual municipal election or special election, the votes shall be counted and read publicly. The person having the highest number of votes, for each office, shall be declared duly elected in accordance with State law, and shall continue in office during the terms for which they are chosen, or until their successors are duly elected and qualified.
- (g) The Election Board shall enter in a book to be provided for that purpose, a minute of the election containing the names of the persons chosen, shall subscribe the same, and shall

give to the persons elected certificates of Election, which book, containing such minutes, shall be preserved by the City Council and shall be evidence in any Court of law or equity. All ballots cast, in the event paper ballots are used, and all tabulations of votes from voting machines, if used at said election, and all other records of election shall be preserved in the Custody of the City Clerk for a period of time as required by State law.

- (h) Any vacancy in the Election Board shall be filled by ~~the electors present~~ City Council at a Special Meeting prior to the ~~time of the annual~~ election, ~~by naming from the electors present, such person or persons as shall be necessary to fill such vacancy.~~
- (i) In the event of a tie vote for any office, a Special Election for said office(s) only shall be held within thirty (30) days and the registration books shall remain closed until the outcome of the Special Election is determined.
- (j) Not less than sixty (60) days prior to the Annual Election, all candidates for the office of ~~City Councilperson~~ Councilmember shall file with the ~~City Manager~~ Clerk a nominating petition, stating the name of the candidate, the office for which he or she is nominated, and shall be signed by not less than ten (10) registered voters in the Ward in the City of Milford in which the candidate resides. Nominations for the Office of Mayor shall be filed with the City Manager not less than sixty (60) days prior to the Annual Election and shall contain the name of the candidate, the office for which he or she is nominated and shall be signed by not less than ten (10) registered voters in the City of Milford.

2.02 - Emergency election postponement; declaration.

After consultation with the City of Milford Board of Elections, the City Clerk of the City of Milford may issue a declaration postponing the date of an election as the result of civil disorder, a natural disaster, a state of emergency or any other catastrophic event. Once the declaration is issued, the affected election is postponed. The City Clerk shall promptly set a date on which the postponed election will be held. The date of the postponed election shall not be later than fourteen (14) calendar days after the original date of the election.

2.03 - Absentee Ballot Procedures.

Absentee voting in the City of Milford is in accordance with State law.

2.04 - Voting Machines for Local Office and Mayor and City Council Ballots.

- (a) Voting machines for Mayor and City Council Elections. The City of Milford shall conduct all elections for local office using voting machines that the Department of Election of the State of Delaware provides.
- (b) Names on Ballots. The Department of Elections shall prepare the voting machines for the election of members of a Municipal Government by listing the names of all certified candidates submitted by the municipality in alphabetical order by last name without political party or other designation.

2.05 - Ballots for Ordinances ~~and Charter Amendments.~~

~~An~~

Any ordinance ~~or Charter amendment to be voted on~~ requiring a vote by ~~the City eligible voters,~~ shall be presented ~~for voting~~ by ballot title. The ballot title of a measure may differ from its legal title and shall be a clear, concise statement describing the substance of the measure without argument or prejudice. Below the ballot title shall appear the following question: "Shall the above described (ordinance) (amendment) be adopted?"

Immediately below such questions shall appear, in the following order, the words "yes" and "no" and to the left of each a square in which by making a cross (X) the voter may cast his vote.

2.06 - Voting Machines for Referenda and Annexation Elections.

The City Council may provide for the use of mechanical or other devices for voting or counting the votes not inconsistent with law.

2.07 - Council Districts; Adjustment of Districts.

(a) Number of Districts. There shall ~~initially~~ be four (4) City Council districts to be known as Wards.

~~(b) Districting Commission. The City Council shall comprise the districting commission.~~

(c) Report; Specifications. By the first day of January of the second year following the decennial census, the districting commission shall file with the City Clerk a report containing a recommended plan for adjustment of the Council district boundaries to comply with these specifications:

(1) Each district shall be formed of compact, contiguous territory, as nearly rectangular as possible, and its boundary lines shall follow the center lines of streets or other natural boundaries or survey lines as required.

(2) Each district shall contain as nearly as possible the same number of qualified voters and Districts shall not differ in population by more than ten (10) percent of the population in the smallest district created. The report shall include a map and description of the districts recommended and shall be drafted as a proposed ordinance. Once filed with the Clerk, the report shall be treated as an ordinance introduced by a Council member.

(d) Procedure. The procedure for the Council's consideration of the report shall be the same as for other ordinances, provided that the summary, including both the map and descriptions of the recommended districts, must be published in two newspapers of general circulation in the City of Milford and the City website, no less than one month prior to its adoption. [MS1]

~~(e) The Commission may, but is not required to, establish five Wards instead of four, with two Councilpersons to be elected from each Ward.~~

(e) Enact Ordinance. The City Council shall adopt the ordinance at least six (6) months before the next regular City election.

(g) Effect of Enactment. The new Council districts and boundaries, as of the date of enactment, shall supersede previous Council districts and boundaries for all the purposes of the next regular City election, including nominations. The new districts and boundaries shall supersede previous districts and boundaries for all other purposes as of the date on which all Council memberpersons elected at the regular City election take office.

ARTICLE III. - POWERS OF THE CITY - COUNCIL AND MAYOR

3.01 - Enumerated Powers.

The City of Milford shall have all powers possible for a city to have under the constitution and laws of this State as fully and completely as though they are specifically enumerated in this Charter. Without limiting the scope of the foregoing provision, the City is specifically empowered as follows:

- (a) The City shall have the power to acquire lands, tenements, real property or interests therein by condemnation for the purpose of providing sites for public buildings, parks, sewers, sewage disposal or electric plants or the erection or construction of lines or conduits for the transmission of electricity, water, gas ~~or~~, sewerage, public utility of any nature, or for any other municipal purpose, whether within or without the limits of the City, and the procedure therefore shall be as contained in the Revised Code of Delaware 1953, as amended, and shall have the power to dispose of real property by Ordinance. The City of Milford may ~~transmit electric, gas and/or water from the plant or plants owned~~ own and ~~operated by said City~~ operate public utilities and public services to places or properties beyond the limits of said City and upon such terms, charges and conditions that the City Council may determine and approve.

QUESTION: Is this where to add language regarding acquisition of utilities?

- (b) The City Council is vested with authority on behalf of the City to enter into contracts for the rendering of personal service to the City and/or the purchase of supplies and doing of work for any municipal purpose for the City provided. Notwithstanding anything herein to the contrary, public competitive bidding shall not be required under any of the following circumstances:
 - (1) A contract for any service to be rendered by the State of Delaware or any political subdivision thereof.
 - (2) A contract for professional services.
 - (3) A contract which is less than Thirty Fifty Thousand Dollars (\$~~30~~ 50,000). Such a contract shall not be for a portion of a project or proposal that would otherwise require bidding. The aggregate amount shall not exceed Thirty Fifty Thousand Dollars (\$~~30~~ 50,000).
- (c) The contract shall be awarded to the lowest responsible bidder, but City Council may reject any and/or all bids for any cause by it deemed advantageous to the City.
- (d) All ~~formal~~ contracts approved by the City Council shall be signed by the Mayor with the Seal of the City attached and attested by the City Clerk. The City Manager is authorized to execute all other contracts and agreements for the City of Milford.
- (e) The City Council shall have the power and authority to anticipate revenue by borrowing upon the faith and credit of the City of Milford in accordance with the provision of Article VIII of this Charter.
- (f) The City Council shall have the authority to establish and maintain a pension system for employees of the City of Milford, to be paid to such employees, or dependents, in such amounts, at such times, and in accordance with such rules and regulations as the City Council shall from time to time resolve or decree. QUESTION: Should we include "or contractually obligated to pay"?

(g) Notwithstanding any of the provisions of Section 3.01 and without complying with the competitive bidding procedures described herein, the City of Milford may enter into any contract necessary or desired in connection with a TIF District or a special development district created or designated by the City of Milford pursuant to Article IX of this Charter except a contract in which the City of Milford is directly contracting for the procurement of the labor or material for public improvements for the benefit of such district, provided that the foregoing exception shall not apply to development or similar type contracts between the City of Milford and an owner of real property in such district when the contract is generally for the transfer by the owner to the City of Milford of the work performed and the cost of labor or material provided by such owner for the benefit of such district.

(h) The City Council shall have the authority to enter into public private partnerships.

(i) May provide for the organization of a fire department and the control and government thereof; establish fire limits and do all things necessary for the prevention or extinguishment of fires; and, in their discretion, contribute, donate or give such amounts of money as they may deem appropriate unto any Volunteer Fire Company or Companies incorporated under the laws of Delaware, or any Volunteer Fire Association or Associations maintaining and operating firefighting equipment and providing service to the City; provided that any such contribution, donation or gift may be made subject to such conditions and stipulations as to the use thereof as the City Council shall deem advisable.

3.02 - Construction.

The powers of the City under this Charter shall be construed liberally in favor of the City, and the specific mention of particular powers of the Charter shall not be construed as limiting in any way the general power stated in this article.

3.03 - Intergovernmental Relations.

The City may exercise any of its powers or perform any of its functions and may participate in the financing thereof, jointly or in cooperation, by contract or otherwise, with anyone or more states or civil divisions or agencies thereof or the United States of America ~~ef~~ or any agency thereof.

3.04 - Notice of Action.

No action, suit or proceeding shall be brought or maintained against the City of Milford, the Mayor or the City Council of the City of Milford for damages on account of physical injuries, death or injury to property by reason of the negligence of the City of Milford or any of its departments, offices, agents or employees thereof, ~~unless the person by or on behalf of whom such claim or demand is asserted shall, within one (1) year of the occurrence of such injury, notify the City Manager in writing of the time, place, cause and character of the injuries sustained.~~

3.05 - Investigations.

The City Council may make investigations into the affairs of the City and the conduct of any City Department, office or agency and for this purpose may subpoena witnesses, administer oaths, take testimony and require the production of evidence. Any person who fails or refuses to obey a lawful order issued in the exercise of these powers by the City Council shall be guilty of a

misdemeanor, punishable by a fine of not more than \$500.00, or by imprisonment for not more than ten (10) days, or both.

3.06 - Independent Audit.

The City Council shall provide for an independent annual audit of all City accounts and may provide for such more frequent audits as it deems necessary. Such audits shall be made by a certified public accountant or firm of such accountants who have no personal interest, direct or indirect, in the fiscal affairs of the City government or any of its officers. The City Council shall, without requiring competitive bids, designate such accountant or firm annually or for a period not exceeding three years, ~~provided that the designation for any particular fiscal year shall be made no later than 30 days after the beginning of such fiscal year.~~ If the State makes such an audit, the City Council may accept it as satisfying the requirements of this Section. City Council must review and accept each annual audit.

3.07 - Mayor - General Powers.

The Mayor shall be the executive of the City and shall preside at meetings of the City Council, but shall have no vote except in case of a tie. The Mayor shall execute on behalf of the City all agreements, contracts, bonds, deeds, leases and other documents authorized by Council necessary to be executed ~~subject to Section 3.01(d) herein.~~ The Mayor or his/her designee shall countersign all orders, checks and warrants authorized by City Council; and shall have all and every power conferred and perform the duties imposed upon him by this Charter and the ordinances of the City. The Mayor may ~~appoint~~establish such committees, appoint committee members and designate the committee Chairs as he or she deems necessary for the proper administration of City Council.

3.08 - Vice Mayor.

At the annual organizational meeting, the City Council shall also elect by a majority vote of the entire City Council a Vice-Mayor who shall act as Mayor during the temporary absence or inability of the Mayor, and while so acting, shall be vested with all the powers and authority of the Mayor. ~~The Vice Mayor shall qualify as a Councilperson while acting as Mayor for the purpose of establishing a quorum.~~ The Vice Mayor shall qualify as a City Councilmember while acting as Mayor for the purpose of establishing a quorum and shall be able to vote as a City Councilmember.

3.09 - General Powers and Duties.

All powers of the City shall be vested in the City Council, except as otherwise provided by law or this Charter and the City Council shall provide for the exercise thereof and for the performance of all duties and obligations imposed on the City by law.

ARTICLE IV. – CITY COUNCIL GOVERNMENT - COMPOSITION, QUALIFICATIONS, VACANCIES AND PROCEDURE

4.01 - Composition of Government.

The government of the city and the exercise of all powers conferred by this charter except as otherwise provided herein, shall be vested in an elective body called the City Council, consisting of a Mayor and ~~eight (8) Councilpersons.~~Councilmembers. Whenever the word "Mayor" is used, it shall refer solely to the Mayor. Whenever the words "City Council" ~~are~~ is used ~~they~~ it shall refer to the ~~eight (8) Councilpersons.~~members. The government of the City of Milford and the exercise of all powers conferred by this Charter, except as otherwise provided herein shall be vested in a Mayor and a City Council. The City Council ~~shall~~ consist of not more than ~~ten (10)~~ eight (8) members. Two of the members of the City Council shall reside in that portion of the City known

and described as the First Ward, two in that portion known as the Second Ward, two in that portion known as the Third Ward and two in that portion known as the Fourth Ward. In the event a Fifth Ward is created, two members of City Council shall reside in that portion of the City known and described as the Fifth Ward. The Mayor and ~~Councilpersons~~City Councilmembers shall each serve for a term of two years.

4.02 - Annual Organizational Meeting.

At seven o'clock (7:00) p.m. on the second Monday following the annual election, the Mayor and City Council shall meet at the City Council Chamber and shall assume the duties of their offices after being first duly sworn or affirmed to perform their duties with fidelity and in accordance with the Charter of the City.

4.03 - Compensation and Expenses.

The City Council may determine the annual salary of ~~Councilpersons~~ members and the Mayor by ordinance, but no ordinance increasing such salary shall become effective until the date of commencement of the terms of ~~Councilpersons~~ Councilmembers elected at the next regular election, provided that such election follows the adoption of such ordinance by at least six months. ~~Councilpersons~~ Councilmembers and the Mayor shall receive their actual and necessary expenses incurred in the performance of their duties of office, in accordance with a policy established by City Council by Resolution.

4.04 - Prohibitions.

- (a) Except where authorized by law, no Mayor or ~~Councilperson~~members shall hold any other City office or employment during the term for which he or she was elected to the Office of Mayor or City Council, and no former Mayor or ~~Councilperson~~ members shall hold any compensated appointive City office or employment until two (2) years or more after the expiration of the term of office for which he or she was elected. No former Mayor or Councilmembers shall become employed by a contractor, supplier, or vendor doing business with the City if such firm's contract was approved by the City during the time the former Mayor or Council member was in office or a company whose annexation, zoning or development agreement was approved by the City during the time the former Mayor or Councilmember was in office until two (2) years or more after the expiration of the term of office for which he or she was elected.
- (b) Appointments and removals. Neither the Mayor, City Council nor any of its members shall in any manner dictate the appointment or removal of any City administrative officers or employees whom the Police Chief or City Manager or any of his or her subordinates are empowered to appoint, but the Mayor or City Council may express its views and fully and freely discuss with the City Manager or Police Chief anything pertaining to appointment and removal of such officers and employees.
- (c) Interference with Administration. Except for the purposes of inquiries and investigations under Section 4.08, the Mayor or City Council or its members shall deal with City officers, ~~and employees~~ or independent contractors who are subject to the direction and supervision of the City Manager solely through the City Manager, and neither the Mayor or City Council nor its members shall give orders to any such officer, ~~or employee~~ or independent contractor, either publicly or privately. Likewise, the Mayor or City Council or its members shall deal with Police officers, and employees or independent contractors who are subject to the direction and supervision of the Police Chief solely through the Police Chief, and neither the Mayor or City Council nor its members shall give orders to any such officer, or employee or independent contractor, either publicly or privately.

4.05 - Vacancies, Forfeiture of Office; Filling of Vacancies.

(a) Vacancies.

- (1) The Office of the Mayor shall become vacant upon death, resignation, forfeiture or removal from office in any manner authorized by law, or ceases to be a lawfully registered voter of the City and a resident of the City and the vacancy is confirmed by City Council.
- (2) The Office of a Council ~~person~~ member shall become vacant upon death resignation or removal from office in any manner authorized by law, or ceases to be a lawfully registered voter of the City and a resident of the Ward in which he/she resided at the time of the election and the vacancy is confirmed by City ~~Council~~.

(b) Forfeiture of Office. ~~A Councilperson~~ The Mayor or a Councilmember shall forfeit his or her office if he or she (1) lacks at any time during his or her term of office any qualification for the office prescribed by this Charter or by law, (2) violates any express prohibition of this Charter, or (3) is convicted of a crime involving moral turpitude.

(c) Filling of Vacancies. If a vacancy occurs in the City Council and the remainder of the unexpired term is ~~less~~ more than ~~three (3)~~ twelve (12) months, the vacancy shall be filled ~~in the next general~~ by a special election. If a vacancy occurs in the City Council and the remainder of the unexpired term is less than ~~six (6) months but more than three (3)~~ twelve (12) months, the City Council ~~may~~ shall within 45 days of the vacancy ~~occurring being confirmed~~, by a majority vote of all of its remaining members, appoint a qualified person to fill the vacancy until the person elected at the next regular election takes office. ~~If at the time a vacancy occurs the remainder of the unexpired term is six (6) months or greater than six (6) months, the election authorities shall call a special election to fill the vacancy for the remainder of the unexpired term.~~ The special election shall be held ~~not sooner than twenty (20) days nor later than thirty (30) days in accordance with State election laws~~ following the occurrence of the vacancy ~~and shall be otherwise governed by the provisions of Article VII.~~ Notwithstanding the requirement that a quorum of the City Council consists of five (5) members, if at any time the membership of the City Council is reduced to less than five (5), the remaining members may, by majority action, appoint additional members to raise the membership to five (5).

4.06 - Qualification for Mayor and City Council.

- (a) No person shall be eligible for election as Mayor unless he or she is a citizen of the United States of America, a bona fide resident of the City of Milford and has continuously resided therein for a period of two (2) years preceding the day of the election, is over the age of eighteen (18) years prior to the day of the election, has not been convicted of a felony, submits a criminal background check of the person's entire criminal history record from the State Bureau of Identification, and is nominated therefore, as hereinafter provided.
- (b) No person shall be eligible for election as a City Council member unless he or she is a citizen of the United States of America, a bona fide resident of the Ward in the City of Milford where they are seeking election and has continuously resided therein for a period of one year preceding the day of the election, is over the age of eighteen (18) years prior to the day of the election, has not been convicted of a felony, submits a criminal background check of the person's entire criminal history record from the State Bureau of Identification, and is nominated therefore, as hereinafter provided.
- (c) The Mayor shall be eligible to serve in such elected office unless he or she does not continue to be a resident of the City during his or her respective term(s) of office nor shall any member

of City Council be eligible to serve in such elected office unless they continue to be a resident of their Ward during their respective terms of office.

- (d) If a Council member files and runs for Mayor, and is elected before his or her City Council term has expired, the elected Mayor's City Council seat shall be considered vacant when the elected Mayor is sworn in on the second Monday following the date of the election.

4.07 - Judge of Qualifications.

The City Council shall be the judge of the election and qualifications of its members and of the grounds for forfeiture of their office and for that purpose shall have power to subpoena witnesses, administer oaths and require the production of evidence. A member charged with conduct constituting grounds for forfeiture of office shall be entitled to a public hearing on demand, and notice of such hearing shall be published in one or more newspapers of general circulation in the City at least one week in advance of the hearing. Decisions made by the City Council under this Section shall be subject to review by the Superior Court.

4.08 - Procedure.

- (a) Meetings. The City Council shall meet regularly at least once in every month at such times and places as the City Council may prescribe by rule. Special meetings may be held in compliance with State law and may be on the call of the Mayor or of four or more members. All meetings shall be public; however, the City Council may recess for the purpose of discussing in a closed or executive session ~~limited to its own membership any matters~~ as permitted by State Law.
- (b) Rules and Journal. The City Council shall determine its own rules and order of business and shall provide for keeping a journal of its proceedings. This journal shall be a public record. Unless or until other rules are adopted, the City Council shall follow Roberts Rules of Order and parliamentary procedure.
- (c) Voting. Voting, except on procedural motions, shall be by roll call, and the ayes and nays shall be recorded in the journal- ~~or by voice vote at the option of the Mayor unless otherwise required by State law.~~ Five members of the City Council shall constitute a quorum, but a smaller number may adjourn from time to time and may compel the attendance of absent members in the manner and subject to the penalties prescribed by the rules of the City Council. No action of the City Council, except as otherwise provided in the preceding sentence and in Section 4.05(c), shall be valid or binding unless adopted by the affirmative vote of four or more members of the City Council.

4.09 - Action Requiring an Ordinance.

The City Council is hereby vested with the authority to enact ordinances or resolutions ~~(resolution includes actions taken upon motion whether by roll call or voice vote and whether or not the Resolution has been prepared as a writing)~~ relating to any subject within the powers and functions of the City, or relating to the government of the City, its peace and order, its sanitation, beauty, health, safety, convenience and property, and to fix, impose and enforce the payment of fines and penalties for the violation of such ordinances or resolutions, and no provision of this Charter as to ordinances on any particular subject shall be held to be restrictive of the power to enact ordinances or resolutions on any subject not specifically enumerated. For purposes of this paragraph, resolutions shall include actions by City Council taken in accordance with this Charter.

In addition to other acts required by State law or by specific provision of this Charter to be done by ordinance, those acts of the City Council which shall be by ordinance which are:

- (a) Adopt or amend an administrative code or establish, alter or abolish any City department, office or agency;
- (b) Provide for a fine or other penalty or establish a rule or regulation for violation of which a fine or other penalty is imposed;
- (c) Levy taxes, except as otherwise provided in Article X with respect to the property tax levied by adoption of the budget;
- (d) Grant, renew or extend a franchise;
- (e) Regulate the rate charged for its services by a public utility;
- (f) Authorize the borrowing of money;
- (g) Sell or lease or authorize the sale or lease of any asset of the City if its value is equal to or greater than 1/5 of 1% of the assessed value of all real property within the corporate limits.
- (h) Amend or repeal any ordinance previously adopted; and
- (i) Change of zone or conditional use of land.

Acts other than those referred to in the preceding may be done either by ordinance or by resolution.

4.10 - Ordinances in General.

- (a) Form. Every proposed ordinance shall be introduced in writing and in the form required for final adoption. No ordinance shall contain more than one subject which shall be clearly expressed in its title. The enacting clause shall be "The City of Milford hereby ordains?" Any ordinance which repeals or amends an existing ordinance or part of the City Code shall set out in full the ordinance sections or subsections to be repealed or amended and shall indicate the matter to be omitted by enclosing it in brackets or by strikeout type and shall indicate new matter by underscoring or by italics.
- (b) Procedure. An ordinance may be introduced by the Mayor, any member of City Council or the City Manager at any regular or special meeting of the City Council- in accordance with City Council Rules established by Resolution. Upon introduction of any ordinance, the City Clerk shall distribute a copy to the Mayor, each Council-~~M~~member and to the City Manager. An ordinance shall be placed on the agenda for introduction and for adoption by title; the introduction and the adoption may not be on the same meeting date. As soon as practicable after adoption of any ordinance, the Clerk shall have it published together with a notice of its adoption.
- (c) Effective Date. Except as otherwise provided in this Charter, every adopted ordinance shall become effective at the expiration of ten (10) days after adoption or at any later date specified therein.
- (d) "Publish" Defined. As used in this section, the term "publish" means to print publish in one or more newspapers of general circulation in the City and on the City website:
 - (1) A brief summary of the Ordinance, and
 - (2) The places where complete copies of it have been filed and the times when they are available for public inspection.

4.11 - Emergency Ordinances.

To meet a public emergency affecting life, health, property, public safety or the public peace, the City Council may adopt one or more emergency ordinances, but such ordinances may not levy taxes, grant, renew or extend a franchise, regulate the rate charged by any public utility for its services or authorize the borrowing of money except as provided in subsection 6.09(b). An emergency ordinance shall be introduced in the form and manner prescribed for ordinances generally, except that it shall be plainly designated as an emergency ordinance and shall contain, after the enacting clause, a declaration stating that an emergency exists and describing it in clear and specific terms. An emergency ordinance may be adopted with or without amendment or rejected at the meeting at which it is introduced, but the affirmative vote of at least five (5) members shall be required for adoption. After its adoption, the ordinance shall be published and printed as prescribed for other adopted ordinances. It shall become effective upon adoption or at such later time as it may specify. Every emergency ordinance, except one made pursuant to Subsection 6.09(b), shall automatically stand repealed as of the sixty-first (61st) day following the date on which it was adopted, but this shall not prevent re-enactment of the ordinance in the manner specified in this section if the emergency still exists. An emergency ordinance may also be repealed by adoption of a repealing ordinance in the same manner specified in this section for adoption of emergency ordinances.

4.12 - Codes of Technical Regulation.

- (a) The City Council may adopt any standard code of technical regulations by reference thereto in an adopting ordinance. The procedure and requirements governing such an adopting ordinance shall be as prescribed for ordinances generally except that:
- (b) The requirements of Section 4.10 for distribution and filing of copies of the ordinance shall be construed to include copies of the code of technical regulations as well as of the adopting ordinance, and
- (c) A copy of each adopted code of technical regulations, as well as the adopting ordinance, shall be authenticated and recorded by the City Clerk pursuant to Subsection 4.13(a).
- (d) Copies of any adopted code of technical regulations shall be made available by the City Clerk for distribution or for purchase at a reasonable price.

4.13 - Authentication and Recording, Codification Printing.

- (a) Authentication and Recording. The City Clerk shall authenticate by his or her signature and record in full in a properly indexed book kept for the purpose all ordinances and resolutions adopted by the Council.
- (b) Codification. The City Council shall provide for the continual preparation of a general codification of all City ordinances and resolutions having the force and effect of law. The general codification shall be adopted by the City Council by ordinance and shall be published promptly in bound or loose-leaf form, together with this Charter and any amendments thereto, pertinent provisions of the Constitution and other laws of the State of Delaware, and such codes of technical regulations and other rules and regulations as the City Council may specify. The compilation shall be known and cited officially as the Code of the City of Milford. Copies of the Code may be furnished to City officers, placed in libraries and public offices for free public reference, provided online accessible through the City website, and made available for purchase by the public at a reasonable price fixed by the City Council.
- (c) Printing of Ordinances and Resolutions. The City Council shall cause each ordinance and resolution having the force and effect of law and each amendment to this Charter to be printed promptly following its adoption, and the printed ordinances, resolutions and Charter amendments shall be distributed or sold to the public at reasonable prices to be fixed by the

City Council. Following publication of the first Code of the City of Milford and at all times thereafter, the ordinances, resolutions and Charter amendments shall be printed in substantially the same style as the Code currently in effect and shall be suitable in form for integration therein. The City Council shall make such further arrangements as it deems desirable with respect to reproductions and distribution of any current changes in or additions to the provisions of the Constitution and other laws of the State of Delaware, or the codes of technical regulations and other rules and regulations included in the Code.

4.13 - Code of Ethics

The Mayor and City Council shall develop, adopt and adhere to a Code of Ethics applying to elected officials and to City employees in general.

ARTICLE V. - ADMINISTRATION AND APPOINTEES

5.01 - Form of Government.

The form of government established by this charter shall be known as the "City Council-Manager" form.

5.02 - City ~~Manger~~ Manager - Appointment; Qualifications and Compensation.

The City Council shall appoint a City Manager for an indefinite term. He or she need not be a resident of the City or state at the time of his appointment but may reside outside the City while in office only with the approval of the City Council. The City Council may enter into an employment contract with the City Manager. An employment contract with a City Manager shall be in writing and shall specify the conditions of employment.

5.03 - City Manager - Removal.

The City Council shall remove the City Manager from office in accordance with the following procedures and those conditions contained in the City Manager's employment contract:

- (a) The City Council shall adopt by affirmative vote of a majority of all of its members a preliminary resolution which must state the reasons for removal and may suspend the City Manager from duty for a period not to exceed forty-five (45) days. A copy of the resolution shall be delivered promptly to the City Manager.
- (b) Within five (5) days after a copy of the resolution is delivered to the City Manager, he or she may file with the City Council a written request for a public hearing or Executive Session at the choice of the City Manager. This hearing shall be held at a City Council meeting not earlier than fifteen (15) days nor later than thirty (30) days after the request is filed. The City Manager may file with the City Council a written reply not later than five (5) days before the hearing.
- (c) The City Council may adopt a final resolution of removal, which may be effective immediately, by affirmative vote of a majority of all its members at any time after five (5) days from the date when a copy of the preliminary resolution was delivered to the City Manager, if he has not requested a public hearing, or at any time after the public hearing if he has requested one. The City Manager shall continue to receive his salary until the effective date of a final resolution of removal.

5.04 - Acting City Manager.

By letter notice filed with the City Clerk, the City Manager shall designate, subject to the approval of the City Council, a qualified City administrative officer to exercise the powers and perform the duties of City Manager during his temporary absence or disability. During such absence or disability, the City Council may revoke such designation at any time and appoint

another officer of the City to serve until the City Manager shall return or his or her disability shall cease.

5.05 - Powers and Duties of the City Manager.

The City Manager shall be the chief administrative officer of the City. He or she shall be responsible to the City Council for the administration of all City affairs placed in his charge or under this Charter. He or she shall have the following powers and duties:

- (a) He or she shall appoint, and when he or she deems it necessary for the good of the service City, suspend or remove City employees and appointive administrative officers provided for by or under this Charter, except as otherwise provided by law, this Charter or personnel rules adopted pursuant to this Charter. He or she may authorize any administrative officer, who is subject to his or her direction and supervision, to exercise these powers with respect to subordinates in that officer's department, office or agency.
- (b) He or she shall direct and supervise the administration of all departments, offices and agencies of the City, except as otherwise provided by this Charter or by law.
- (c) He or she shall attend all City Council meetings and shall have the right to take part in discussion but may not vote.
- (d) He or she shall see that all laws, provisions of this Charter and acts of the City Council, subject to enforcement by him or her or by officers subject to his or her direction and supervision, are faithfully executed.
- (e) He or she shall prepare and submit the annual budget and capital program to the City Council.
- (f) He or she shall submit to the City Council and make available to the public a complete report on the finances and administrative activities of the City as of the end of each fiscal year.
- (g) He or she shall make such other reports as the City Council may require concerning the operations of City departments, offices and agencies subject to his direction and supervision.
- (h) He or she shall keep the City Council fully advised as to the financial condition and future needs of the City and make such recommendations to the City Council concerning the affairs of the City as he deems desirable.
- (i) He or she shall perform such other duties as are specified in this Charter or may be required by the City Council.

5.06 - City Clerk - Appointment and Duties.

The City Council shall appoint an officer of the City who shall have the title of City Clerk. The City Clerk shall give notice of City Council meetings to its members and the public, maintain a permanent record of all City Council proceedings and documents, manage the City's elections, act as the custodian of the City Seal, affixing it to all documents, records, contracts and agreements requiring a seal and attesting to same by signature and perform other duties as are assigned to him or her by this Charter or by the City Council.

5.07 - City Solicitor.

At the Annual organization meeting, the City Council shall appoint a City Solicitor who shall be removable at the pleasure of the City Council either with or without due cause as stated. It shall be his, her or its duty to give legal advice to the City Council and other officers of the City and to perform other legal services as may be required by the City of Milford. The City Solicitor

~~may shall~~ be an individual licensed to practice law in the State of Delaware or may be a Delaware law firm any member of which can perform the duties of the City Solicitor.

5.08 - Police Department.

The City Council shall appoint a Chief of Police for an indefinite term and fix his or her compensation. The terms of his or her employment shall be contained in an employment contract.

- (a) It shall be the duty of the City Council to appoint a Chief of the City- Milford Police ~~Department, and such number of subordinates as the City Council may deem wise.~~ The City Council shall, from time to time, make rules and regulations (which may be proposed by the Chief of Police) as may be necessary for the organization, government and control of the Police ~~Force department.~~ The police shall preserve peace and order, and shall ~~compel obedience enforce~~ within the City limits ~~to~~ the ordinances of the City and the laws of the State; and they shall have such other duties as the City Council shall from time to time prescribe. ~~After the initial Chief of City Police and the initial subordinates are appointed in accordance with the terms of this Charter, thereafter, any subsequent Chiefs of Police shall be appointed by the City City Council, but any subsequent subordinates shall be hired or fired by the then Chief of Police.~~
- (b) Each ~~member of the Police Force~~ police officer shall be vested, within the City limits and ~~within one mile outside of said limits~~ as permitted by State law, with all the powers and authority of a state peace officer, and in the case of the pursuit of an offender, their power and authority shall extend to any part of the State of Delaware.
- (c) The Chief of Police shall be responsible to City Council and shall be removed from office in accordance with the provisions of State law ~~and the following procedures:~~
 - ~~(1) The City Council shall adopt by affirmative vote of a majority of all of its members a preliminary resolution which must state the reasons for removal and may suspend the Chief of Police from duty for a period not to exceed 45 days. A copy of the resolution shall be delivered promptly to the Chief of Police.~~
 - ~~(2) Within five (5) days after a copy of the resolution is delivered to the Chief of Police, he may file with the City Council a written request for a public hearing. This hearing shall be held at a City Council meeting not earlier than fifteen (15) days nor later than thirty (30) days after the request is filed. The Chief of Police may file with the City Council a written reply not later than five (5) days before the hearing.~~
 - ~~(3) The City Council may adopt a final resolution of removal, which may be made effective immediately, by affirmative vote of a majority of all its members at any time after five (5) days from the date when a copy of the preliminary resolution was delivered to the Chief of Police, if he has not requested a public hearing, or at any time after the public hearing if he has requested one.~~
 - ~~(4) The Chief of Police shall continue to receive his salary until the effective date of a final resolution of removal.~~
 - ~~(5) By letter filed with the City Clerk, the Chief of Police shall designate, subject to approval of the City Council, a qualified police officer to exercise the powers and perform the duties of the Chief of Police during his temporary absence or disability. During such absence or disability, the City Council may revoke such designation at any time and appoint another officer of the City to serve until the Chief of Police shall return or his disability shall cease.~~
- (d) The Chief of Police shall:
 - (1) Administer, direct and supervise the operation of the police department.

- (2) Prepare ~~and submit~~ an annual budget and capital program ~~to in conjunction with~~ the City Manager. This shall then be placed by the City Manager into the Annual Budget and Capital Program for City Council approval.
- (3) Attend all City Council Meetings and shall have the right to participate in any discussion of police concern, but shall have no vote.

5.09 - City Holding Cells.

The City Council may maintain a holding cell for the City, which shall be used as a place for the temporary detention of persons accused of violations of law or ordinances for a reasonable time, in cases of necessity, prior to transport to a detention facility, hearing and trial or arraignment.

~~5.10 - City Alderman.~~

- ~~(a) At the next regular meeting following the Annual Organization Meeting, the City Council may appoint an Alderman and an Acting Alderman.~~
- ~~(b) The Alderman may or may not be a resident of the City of Milford and shall have his office at some convenient place within the limits of the City of Milford, as designated by City Council. He or she shall be sworn or affirmed to perform the duties of his office with fidelity by the Mayor. In the event of his absence from the City or, if for any cause he or she may be unable to perform the duties of his office, the City Council is authorized to appoint an Acting Alderman with the same powers, jurisdiction and authority.~~
- ~~(c) He or she shall have jurisdiction over and cognizance of all breaches of the peace and other violations of the ordinances of the City of Milford, to hold trial, to imprison offenders, and to impose and enforce fines, forfeitures and penalties as may be prescribed by the ordinances of the City.~~
- ~~(d) He or she shall be under the direct supervision of the City Manager. The prison in either Kent or Sussex County may be used for the imprisonment of offenders under the provisions of this Charter.~~
- ~~(e) Upon the expiration of his term of office, or upon resignation or removal from office, the Alderman shall forthwith deliver to his successor all books, papers, documents and other things belonging or appertaining to his office, and shall pay over to the Treasurer all moneys in his hands belonging to the City. Upon neglect or failure to make such delivery or payment for the space of five (5) days, he shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not more than Five Hundred Dollars (\$500.00), or imprisoned for not more than one (1) year, or shall suffer both fine and imprisonment at the discretion of the Superior Court.~~
- ~~(f) At every regular monthly meeting of the City Council, the Alderman shall report in writing all fines imposed by him, and all fines and penalties and other money received by him during the preceding month belonging to the City. He shall pay all such moneys to the City within ten (10) days after making report to the City Council, or for failure to make payment to the City for the space of ten (10) days, he shall be deemed guilty of a misdemeanor, and shall be punished, upon conviction, as herein above provided.~~
- ~~(g) The Alderman shall keep a docket in which all his official acts shall be entered.~~
- ~~(h) The Acting Alderman may or may not be a resident of the City of Milford; shall keep a separate docket, and in the absence or inability of the Alderman shall have all the powers of the Alderman as herein provided.~~

~~5.11 - Finance Department.~~ 5.10 - Finance Department.

There shall be a City Finance Department which shall be directed and supervised by an officer of the city who shall have the title of Finance Director. The Finance Director shall be appointed and supervised by the City Manager. The Finance Director shall have the duties of

chief financial officer of the City of Milford, but may delegate such duties to subordinates under his direction. He or she shall pay out any monies upon check signed by two members of either Mayor or City Council or their designee. He or she shall keep a true accurate and detailed account of all monies received and all monies paid out by the city in all its activities and for all its departments, offices and agencies; shall preserve all vouchers and financial records, but under a records disposal program and schedule ~~approved by the City Council~~ consistent with State law, may periodically destroy such records and vouchers. He or she shall make such reports at such times as the City Manager and City Council shall direct and which will keep the City Council, City Manager and the public informed of the financial condition of the ~~city~~ City.

5.4211 - Planning Department.

QUESTION: Do we need to amend further section on Annexation – City Planner vs. Planning Director?

There shall be a planning department, which shall be directed and supervised by a City Planner. The City Planner shall be appointed, supervised and removed by the City Manager. The City Planner shall have the following responsibilities:

- (a) To advise the City Manager on any matter affecting the physical development of the city;
- (b) To formulate and recommend to the City Manager a comprehensive land use plan and modification thereof;
- (c) To review and make recommendations regarding proposed actions of the City Council in implementing the comprehensive development plan;
- (d) To advise and seek advice from the planning commission in the exercise of his or her responsibilities and in connection therewith, to provide it necessary staff assistance;
- ~~___~~ (e) To review and make recommendations regarding proposed actions of the City Council in ___annexations;
- (f) ~~___~~ To strive to give citizens the opportunity to have a meaningful impact on the development of plans;
- (g) To protect the integrity of the natural environment and endeavor to conserve the heritage of the built environment;
- (h) Direction over the administration, management and enforcement of the City's building and nuisance codes.
- (i) Such other duties as may be assigned.

5.4312 - City Planning Commission.

Pursuant to State law, there is hereby established a Planning Commission for the City of Milford. The City Planning Commission shall consist of no less than five and no more than nine (9) members recommended by the Mayor and appointed by City Council.

5.4413 - Board of Adjustment.

There shall be a Board of Adjustment pursuant to the provisions of the Delaware Code. The City Council shall, by ordinance, establish a Board of Adjustment and shall provide for the adoption of standards and procedures for such Board to hear and determine appeals from administrative decisions and petitions for variances in the case of peculiar and unusual circumstances which may be required by the City Council or by law.

ARTICLE VI. - FINANCIAL PROCEDURES

6.01 - Fiscal Year.

The Fiscal year of the City shall be set by the City Council.

6.02 - Submission of Budget Date.

On or before the last day of the twelfth (12th) month of each fiscal year, the City Manager shall submit to the City Council a budget for the ensuing fiscal year and an accompanying message.

6.03 - Budget Message.

The City Manager's message shall explain the budget both in fiscal terms and in terms of the work programs. It shall outline the proposed financial policies of the City for the ensuing fiscal year, describe the important features of the budget, indicate any major changes from the current year in financial policies, expenditures, and revenues together with the reasons for such changes, summarize the City's debt position and include such other material as the ~~manager~~City Manager deems desirable.

6.04 - Operating Budget.

The budget shall provide a complete financial plan of all City funds and activities for the ensuing fiscal year and, except as required by law or this Charter, shall be in such form as the City Manager deems desirable or the City Council may require. In organizing the budget, the City Manager shall utilize the most feasible combination of expenditure classification by fund, organization unit, program, purpose or activity, and object. It shall begin with a clear general summary of its contents; shall show in detail all estimated income, indicating the proposed property tax levy, and all proposed expenditures, including debt service, for the ensuing fiscal year; and shall be so arranged as to show comparative figures for actual and estimated income and expenditures of the current fiscal year and actual income and expenditures of the preceding fiscal year; and shall be so arranged as to show comparative figures for actual and estimated income and expenditures of the current fiscal year and actual income and expenditures of the preceding fiscal year. It shall indicate in separate sections:

- (a) Proposed expenditures for current operations during the ensuing fiscal year, detailed by offices, departments and agencies in terms of their respective work programs, and the method of financing such expenditures;
- (b) Proposed capital expenditures during the ensuing fiscal year, detailed by offices, departments and agencies when practicable, and the proposed method of financing each such capital expenditure;
- (c) Anticipated net surplus or deficit for the ensuing fiscal year of each utility owned or operated by the City and the proposed method of its disposition; subsidiary budgets for each such utility giving detailed income and expenditure information shall be attached as appendices to the budget.

The total of proposed expenditures shall not exceed the total of estimated income.

6.05 - Capital Program.

- (a) Submission to City Council. The City Manager shall prepare and submit to the City Council a five-year capital program at the time the annual budget is submitted to City Council as defined in Section 6.02.

- (b) Contents. The capital program shall include:
- (1) A clear, general summary of its contents;
 - (2) A list of all capital improvements which are proposed to be undertaken during the five fiscal years next ensuing, with appropriate supporting information as to the necessity for such improvements;
 - (3) Cost estimates, method of financing and recommended time schedules for each such improvement; and
 - (4) The estimated annual cost of operating and maintaining the facilities to be constructed or acquired.

The above information may be revised and extended each year with regard to capital improvements still pending or in process of construction or acquisition.

6.06 — City Council Action on Operating Budget.

The City Council shall adopt the operating budget on or before the last day of the twelfth (12th) month of the fiscal year currently ending. If it fails to adopt the budget by this date, the amounts appropriated for current operation for the current fiscal year shall be deemed adopted for the ensuing fiscal year on a month-to-month basis, with all items in it prorated accordingly, until such time as the City Council adopts an operating budget for the ensuing fiscal year. Adoption of the budget shall constitute appropriations of the amounts specified therein as expenditures from the funds indicated and shall constitute a levy of the property tax therein proposed.

6.07 — City Council Action on Capital Program.

Adoption. The City Council, by resolution, shall adopt the capital program with or without amendment on or before the last day of the twelfth (12th-) month of the current fiscal year.

6.08 - Public Records.

Copies of the budget and the capital program as adopted for the fiscal year are public records and shall be made available to the public through the Freedom of Information Act and the City of Milford website.

6.09 - Amendments after Adoption.

- _(a) Supplemental Appropriations. If during the fiscal year the City Manager certifies that there are ~~available for appropriation~~ revenues in excess of those estimated in the budget ~~and that they- that may be available for appropriation~~, the City Council by ordinance may make ~~by~~ supplemental appropriations for the year up to the amount of such ~~excess~~ additional revenue.
- (b) Emergency Appropriations. To meet a public emergency affecting life, health, property or the public peace, the City Council may make emergency appropriations. Such appropriations may be made by emergency ordinance. To the extent that there are no available un-appropriated revenues to meet such appropriations, the City Council may exercise short term borrowing authority as provided in Section 8.07 of this Charter.
- (c) Reduction of Appropriations. If at any time during the fiscal year it appears probable to the City Manager that the revenues available will be insufficient to meet the amount appropriated, he shall report to the City Council without delay, indicating the estimated amount of the deficit, any remedial action taken by him and his recommendations as to any other steps to be taken. The City Council shall then take such further action as it deems necessary to prevent or

minimize any deficit and for that purpose it may by ordinance reduce one or more appropriations.

- (d) Transfer of Appropriations. At any time during the fiscal year, the City Manager may transfer part or all of any unencumbered appropriation balance among programs within a department, office or agency and, upon written request by the City Manager, the City Council may by majority vote transfer part or all of any unencumbered appropriation balance from one department, office or agency to another.
- (e) Limitations: Effective Date. No appropriation for debt service may be reduced or transferred, and no appropriation may be reduced below any amount required by law to be appropriated or by more than the amount of the unencumbered balance thereof. The supplemental and emergency appropriations and reduction or transfer of appropriations authorized by this section may be made effective immediately upon adoption.

6.10 - Lapse of Appropriations.

Every appropriation, except an appropriation for a capital expenditure, shall lapse at the close of the fiscal year to the extent that it has not been expended or encumbered. An appropriation for a capital expenditure shall continue in force until the purpose for which it was made has been accomplished or abandoned; the purpose of any such appropriation shall be deemed abandoned if three (3) years pass without any disbursement from or encumbrance of the appropriation.

6.11 - Administration of Budget.

- (a) Work Programs and Allotments. At such time as the City Manager shall specify, each department, office or agency shall submit work programs for the ensuing fiscal year showing the requested allotments of its appropriation by periods within the year. The City Manager shall review and authorize such allotments with or without revision as early as possible in the fiscal year. He or she may revise such allotments during the year if they deem it desirable and shall revise them to accord with any supplemental, emergency, reduced or transferred appropriations.
- (b) Payments and Obligations Prohibited. No payment shall be made or obligation incurred against any allotment or appropriation except in accordance with appropriations duly made and unless the City Manager or his/her designee first certifies that there is a sufficient unencumbered balance in such allotment or appropriation and that sufficient funds there from are or will be available to cover the claim or meet the obligation when it becomes due and payable. Any authorization of payment or incurring of obligation in violation of the provisions of this Charter shall be void and any payment so made illegal; such action shall be cause for removal of any officer who knowingly authorized or made such payment or incurred such obligation, and he or she shall also be liable to the City for any amount so paid. However, except where prohibited by law, nothing in this Charter shall be construed to prevent the making or authorizing of payments or making of contracts for capital improvements to be financed wholly or partly by the issuance of bonds or to prevent the making of any contract or lease providing for payments beyond the end of the fiscal year, provided that such action is made or approved by ordinance.

ARTICLE VII. - TAXATION, ASSESSORS AND ASSESSMENT OF TAXES

7.01 - ~~[General Assessment of Real Property].~~
~~Not less frequently than every~~

Every ten (10) years, there shall be made a general assessment which shall be a true, just and impartial valuation and assessment of all the real property within the limits of the City.

7.02 - ~~[Supplemental Assessments]~~.

It shall be the duty of the City Manager to include supplemental assessments prepared by ~~the~~ a certified assessor(s) for the purposes of adding property not included in the last assessment or increasing or decreasing the assessment value of property which was included in the last general assessment. In the year that a supplement assessment is made, the General Assessment then in force as modified by the supplemental assessment, shall constitute the assessment for the year.

7.03 - ~~[Assessment Copies to City Council]~~.

The City Manager shall make and deliver to the City Council, as soon as the assessments are made, such number of copies as the City Council shall direct.

7.04 - ~~[Real Property Assessment by City Council]~~.

~~The real property of the City Assessor(s) shall be assessed by the City Council.~~

~~7.05 - [Notification of Assessment]~~.

The City ~~Tax Assessor~~Manager or designee shall notify the property owner in writing of any change in assessment.

~~7.06 - [05 - Public Notice]~~.

The City Council shall, prior to a given date set by resolution in each year, cause a copy of the General Assessment as adjusted by the supplemental assessment as made in said year, to be ~~hung~~posted in two (2) public places in the City, ~~and there to remain~~ for ~~the space a period~~ of ten (10) days ~~for public information~~. Attached to said copies shall be a notice of the day, hour and place that the City Council will sit as a Board of Revision and Appeal; and the notice of the ~~hanging up posting~~ of the copies of the assessment and the places where the same are ~~hung up posted~~ and of the day, hour and place when the City Council will sit as a Board of Revision and Appeal shall be published on the City website and in at least one (1) issue of a newspaper circulated in the City.

~~7.07 - [06 - Corrections and Revisions of Assessments]~~.

At the time and place designated in the notice aforesaid, the City Council shall sit as a Board of Revision and Appeal to correct and revise the assessment, and to hear appeals concerning the same. They shall have full power and authority to alter, revise, add to and take from the said assessment. The decision of a majority of the City Council shall be final and conclusive; and no member of City Council shall sit on his own appeal.

~~7.08 - [07 - Revised Assessment]~~.

The assessment, as revised and adjusted by the City Council, shall be the basis for the levy and collection of the taxes for the City. If any ~~taxable~~ property owner fails or neglects to perfect his or her appeal to the Board of Revision and Appeal, he or she shall be liable for the tax for such year as shown by the assessment lists.

~~7.09 - [08 - Taxes on Cable and Utility Installations]~~. Utility Improvements.

The City Council shall also have the right to levy and collect taxes on ~~all underground cables and any utility installations, and upon all telephone, telegraph or power poles or other erections of like character erected or improvements~~ installed within the limits of the City, together with the wires and appliances thereto or thereon attached, that are now or in the future assessable and taxable, and to this end, may at any time direct the same be included in or added to the City Assessment. In case the owner or lessee of such ~~poles, erections, installations or appliances~~ utility improvements shall neglect or refuse to pay the taxes that may be levied thereon, the said taxes may be collected by the City in the same manner as other taxes, and upon continued non-payment, the City Council shall have the authority to cause the same to be removed.

~~7.10 - [09 - Determination of Rate of Taxation] -~~

The City Council shall determine and fix a rate of taxation which with other anticipated revenue will produce approximately the amount of money necessary to defray the expenses of the City for the current year, including interest on bonded indebtedness and for redemption of maturing bonds and for maintenance of a sinking fund.

~~7.11 - [10 - Limit of Taxation] -~~

The limit of taxation for current expenses shall be that rate which, by estimation, will produce a sum not exceeding two (2) percent of the assessed value of real property with improvements located in the City.

~~7.12 - [11 - Taxes - Delinquencies] -~~

- ~~(a)~~ (a) Not later than the second (2nd) month of a new fiscal year, the City Manager shall make available to the City Council a list containing the names of the taxables owners of taxable properties within of the City and, opposite the name of each, the amount of his the real property assessment, as well as the tax upon the whole of his the assessment, and the rate per hundred (100) dollars of assessed valuation. Attached to a tax list shall be a warrant, under the seal of the City of Milford, signed by the Mayor and attested by the City Clerk commanding the City Manager to make collection, when due, of the taxes as stated and set forth in the tax list.
- (b) All taxes, when and as collected by the City Manager, shall be paid to or deposited to the credit of the City in banking institutions approved by City Council.
- (c) All taxes shall be due and payable on the date set by City Council. To every tax not paid after the said date each year there shall be added and collected a penalty, for each month that the said tax remains unpaid. The penalty rate charged is to be set by City Council through ordinance. Before exercising any of the powers herein given for the collection of taxes, written notices of the amount due shall be given to the taxable.
- (d) All taxes assessed upon any real estate and remaining unpaid prior to a new tax year billing shall constitute a first (1st) lien against all real estates of the delinquent taxpayer situated within the limits of the City of Milford. In the case of a life estate, the interest of the life tenant shall first be liable for the payment of any taxes so assessed. The City Manager, in the name of the City of Milford, may institute suit before any Justice court of the Peace within Kent County or Sussex County, or before the Alderman of the said City, or competent jurisdiction in the ~~Court of Common Pleas in and for Kent or Sussex County, or in the Superior Court of the~~ State of Delaware, for the recovery of the unpaid tax in an action of debt, and upon judgment obtained, may sue out writs of execution as in case of other judgments recovered ~~before a Justice of the Peace or in the Court of Common Pleas or in the Superior Court as the case may be~~ within those courts.

- (e) In addition, the City Manager, acting on behalf of the City, may execute on any judgment obtained in any judgment obtained in a court of competent jurisdiction pursuant to Delaware law. In the sale of lands for the payment of delinquent taxes, the following costs normally assessed for the conduct of sales:

(THE CITY SOLICITOR SUGGESTS INCORPORATING TITLE 9, CHAPTER 87 ENTITLED COLLECTION OF DELINQUENT TAXES, SUBCHAPTER II, MONITION METHOD OF SALES, WHICH THE GENERAL ASSEMBLY HAS ENACTED FOR DELINQUENT TAX SALES IN THE COUNTIES IN THE MILFORD CHARTER BY REFERENCE. IT ITEMIZES THE COSTS THAT CAN BE COLLECTED AND ALSO PROVIDES THAT REASONABLE ATTORNEY'S FEES FOR EXECUTING ON THE JUDGMENT CAN BE COLLECTED AS PART OF THE SALE. IF IT IS ADOPTED IN THE CHARTER, THE CITY CAN BY ORDINANCE SET SOME OF THE FEES TO MEET ITS OWN NEEDS. IT CAN BE PUT INTO THE CHARTER AMENDMENT IF THE COMMITTEE ADOPTS THE TITLE 9 LANGUAGE.)

~~pursue the sale of the lands and tenements of the delinquent taxpayer, or the lands of tenements of a delinquent taxpayer alienated subsequent to the levy of the tax and with the following conditions:~~

- ~~(1) No sale shall be approved by the Superior Court if the owner be ready at Court to pay the taxes, penalty and costs, and no deed shall be made until the expiration of one (1) year from the date of the sale, within which time the owner, his heirs, executors or assigns, shall have the power to redeem the land execute on payment to the purchase, his personal representatives, or assigns, of the costs, the amount of the purchase money and twenty percent (20%) interest thereon and the expense of having the deed prepared.~~
- ~~(2) After satisfying the tax due and the costs of expenses of sale from the proceeds of sale, the amount remaining shall be paid to the owner of the land, or upon the refusal of said owner to accept said residue, or if the owner is unknown or cannot be found, the amount remaining shall be deposited any judgment obtained in some bank in the City of Milford, either to the credit of the owner, or in a manner by which the funds may be identified. a court of competent jurisdiction pursuant to Delaware law.~~
- (3) In the sale of lands for the payment of delinquent taxes, the following costs ~~shall be allowed, to be deducted from the proceeds of sale, or chargeable against the owner as the case may be in the amount then customarily charged:~~ normally assessed for the conduct of sales.

~~To the Prothonotary for filing and recording Petition~~

~~For filing and recording return of sale~~

~~To the City Manager for preparing certificate~~

~~For making sale of land~~

~~For preparing and filing return~~

~~For posting sale bills~~

~~In addition, the costs of printing handbills and publications of the advertisement of sale in a newspaper shall be chargeable as costs. The cost of the deed shall not be chargeable as costs, but shall be paid by the purchaser of the property of the delinquent taxpayer.~~

- ~~(4) If the owner of any lands and tenements against which a tax shall be levied and assessed shall be unknown, this fact shall be stated in the advertisement of sale.~~

- (f) In the event of the death, resignation or removal from office of the City Manager of the City of Milford, before the proceedings of the sale of land shall have been completed, his

successor in office shall succeed to have all of his powers, rights and duties in respect to said sale. In the event of the death of the purchaser at such sale prior to his receiving a deed for the property purchased thereat, the person having right under him by consent, devise, assignment or otherwise may refer to the Superior Court of the State of Delaware in and for Kent or Sussex County, a petition representing the facts and praying for an order authorizing and requiring the City Manager to have executed and acknowledged a deed conveying to the Petitioner the premises sold, or a just proportion thereof; and thereupon the Court may make such order touching the conveyance of the premises as shall be according to justice and equity.

- (g) However, should the City Council so elect, the City Manager is empowered to sell the lands and tenements of the delinquent taxpayer or the lands and tenements of a delinquent taxpayer alienated subsequent to the levy of the tax, by the direction of the City Council, using any of those procedures specified for the sale of land for the collection of taxes on the part of the taxes for Sussex County or Kent County, and all such procedures and methods available for the sale of land, as aforesaid, as they are presently enacted and hereafter amended, are included herein and made a part hereof by reference in the statutes made and provided, substituting the City of Milford for Sussex County or Kent County therein.
- (h) The provisions of this Section 7.4211, other than the provisions of subsection (b) of this Section 7.4211, shall apply to all special ad valorem taxes and special taxes levied by the City of Milford pursuant to Article IX of this Charter, provided that all references in this Section 7.12 to a tax list shall, for all purposes relating to such special ad valorem taxes and special taxes, be deemed to refer to the tax list showing the amounts of special ad valorem taxes or special taxes levied against the real property within a special development district.

7.4312 - Real Estate Transfer Tax.

The City of Milford reserves the right to enact a Real Estate Transfer Tax by ordinance through the City Council. Any change to the Real Estate Transfer Tax must be in accordance to Delaware laws.

7.4413- Assessment, Payment, and Collection of Taxes ~~For~~ for New Construction.

In the event that the Mayor and City Council of the City of Milford desire to collect and levy taxes on newly constructed property not taxed by virtue of the city's annual assessment, the city may enact an ordinance to do so.

ARTICLE VIII. - BORROWING OF MONEY AND ISSUANCE OF BONDS

8.01 - ~~{Bonds}-.~~

The City of Milford may borrow money and to secure the payment of the same, is hereby authorized and empowered to issue bonds or other kinds or forms of certificate or certificates of indebtedness pledging the full faith and credit of the City of Milford; or such other security or securities as the City Council shall elect, for the payment of the principal thereof and the interest due thereon.

All bonds or other kinds or forms of certificate or certificates of indebtedness issued by the City of Milford in pursuance hereof shall be exempt from all State, County or municipal taxes.

8.02 - ~~{Purpose of Bonds}~~.

This power or authority to borrow money may be exercised by the City of Milford to provide funds for, or to provide for the payment of, any of the following projects or purposes:

- (a) Refunding any or all outstanding bonds or other indebtedness of the City at the maturity thereof or in accordance with any callable feature or provision contained therein;
- (b) Meeting or defraying current annual operating expenses of the City in an amount equal to but not in excess of currently outstanding, due and unpaid taxes, water rents, license fees or other charges due the City and available, when paid, for meeting or defraying current annual operating expenses of the City;
- (c) Erecting, extending, enlarging, maintaining and repairing any plant, building, machinery or equipment for the manufacture, supplying or distribution of ~~gas, water, electricity, sewerage or drainage system, or any of them, any public utility~~ and the condemning or purchasing of any lands, easements and rights-of-way which may be required therefore;
- (d) Constructing, paving, ~~laying-out engineering~~, widening, extending, repairing and maintaining streets, lanes, alleys and ways, and the paving, constructing, ~~laying-out engineering~~, widening, extending, repairing and maintaining of curbing and gutters along the same and the condemning or purchasing or any lands, easements or rights-of-way which may be required therefore;
- (e) Any other purpose consistent with the promotion of health, education, public safety or the general welfare of the City of Milford.

8.03 - ~~{Bonds or Certificates of Indebtedness - Resolutions}~~.

The power to borrow money and to secure the payment thereof by the issuance of bonds or other kinds or forms of certificate or certificates of indebtedness for any purpose above specified shall only exercise in the following manner:

The City Council shall adopt a resolution proposing unto the electors of the City that money be borrowed by the City for any of the above-named purposes. The resolution proposing the borrowing shall plainly set forth the following matters:

- (a) The amount of money, or the amount of money not exceeding which, it is proposed shall be borrowed;
- (b) The rate of interest, or the rate of interest not exceeding which, it is proposed shall be paid;
- (c) The manner in which it is proposed to be secured;
- (d) The manner in which it is proposed that it shall be paid or funded, or both;
- (e) A short and clear description of the purpose or purposes for which the money or monies shall be used, and which description shall include the estimated cost of carrying out the purpose or purposes aforesaid; and
- (f) A statement of the time and place for a public hearing upon the resolution, whereat the City Council shall vote upon the final authorization for the loan.

8.04 - ~~[Notice of Resolution]~~.

- (a) It shall then be the duty of the City Council to give notice of the time and place of such public hearing upon the resolution by publishing a copy of the resolution aforesaid in at least one (1) issue of a newspaper published in the City of Milford at least one (1) week before the time fixed for said hearing ~~and by~~, posting ~~copies thereof on the City of Milford website, and~~ in five two (2) public places ~~throughout in~~ the ~~said~~ City at least one (1) week before the time fixed for said hearing.
- (b) At the time and place mentioned in such notice, the City Council shall sit in public session and at such public session, or an adjourned session thereof, shall vote upon a resolution giving its final authorization for the loan. If such resolution shall be adopted by the City Council, then the City Council shall pass a second resolution ordering and directing that a Special Election be held in the City of Milford not less than thirty (30) days nor more than sixty (60) days (as may be determined by the City Council) after the date of the hearing and passage of the resolution authorizing the loan by the City Council.
- (c) The purpose of such Special Election shall be to vote for or against the proposed loan.
- (d) The City Council shall give notice of the time and place for holding the said Special Election to all the electorate of the City of Milford by posting notices thereof in five two (2) public places in said City at least two (2) weeks prior to the day fixed for the holding of such Special Election, and by publishing a copy of such notice once each week during those two (2) weeks immediately preceding that week during which the day fixed for the holding of such Special Election shall fall in a newspaper generally circulated in the City of Milford ~~in addition to the city website~~. Such notice of the Special Election shall likewise contain the same information with respect to the borrowing as required to be contained in the original resolution proposing the borrowing, excepting a statement of the time and place for a public hearing upon the resolution, whereat the City Council shall vote upon the final authorization for the loan.
- (e) The Special Election shall be conducted by an Election Board whose members shall be appointed or selected in the same manner and they shall have the same qualifications as hereinbefore provided in the case of annual elections of the City. ~~At least five days prior to the date of the Special Election, the City Council shall cause to be prepared, printed and have available for distribution, a sufficient number of ballots: upon one half of which ballot shall be printed the words "For the Proposed Borrowing" and upon the other half of said ballot shall be printed the words, "Against the Proposed Borrowing", and a box shall be provided after each and the voter instructed to place and "X" in the box provided after the choice he wishes to cast his vote. If voting machines are used, in which case, the voting machines shall be arranged in a manner consistent with the requirements for paper ballots.~~ The City Council of the City of Milford may cause either voting machines or paper ballots to be used in the Special Election, the form of the ballot to be printed as follows:

For the proposed borrowing against the proposed borrowing

Against the proposed borrowing against the proposed borrowing

(f) At such Special Election every person who would be entitled to vote at an annual election if held on that day shall be entitled to one (1) vote.

(g) The Inspector of the Election shall deposit all ballots in the ballot box provided for that purpose in the presence of the person casting such ballot; he or she, the said Inspector, first writing upon the outside of said ballot the number of votes being cast thereby by the person casting such ballot, unless voting machines are used. Immediately upon the closing of the polls, the Special Election Board shall count the votes for and against the proposed borrowing and shall announce the result thereof, and shall make a certificate under their hands of the number of votes cast for and the number of votes cast against the proposed borrowing and shall deliver such Certificate, in duplicate, to the City Council. One (1) copy of the Certificate the City Council shall enter in the minutes of the next meeting of the City Council and the other copy thereof shall be filed with the papers of the City Council.

8.05 - ~~{Payment of Bonds or Certificates of Indebtedness}~~.

The form of the bonds or certificates of indebtedness and the thereunto attached coupons, if any, the time or times of payment, the time or times of payment of interest, the classes, the series, the maturity, the registration, any callable or redeemable feature, the denomination and the name thereof and any other relative or pertinent matters pertaining thereto shall all be determined by the City Council after the special election.

The bond or bonds or certificates of indebtedness shall be offered at public or private sale as determined by the City Council. All bonds or certificates of indebtedness forming a single issue need not be offered for sale at a single sale but any given issue of bonds or certificates of indebtedness authorized as hereinbefore provided may be sold in whole or in part, from time to time and until the entire authorized issue be disposed of, as the City Council may deem most advisable.

(a) The City Council shall provide in its budget and in fixing of the rate of tax, or otherwise, for the payment of principal or such bond or bonds or certificate or certificates of indebtedness at the maturity thereof together with the interest due or which may hereafter become due thereupon and, in a proper case or as recommended by ~~bound bond~~ counsel, it shall also provide a sinking fund therefore.

(b) Unless any such bond or bonds or certificate or certificates of indebtedness shall otherwise provide therein, the full faith and credit of the City of Milford shall be deemed to be pledged for the due payment of any such bond or bonds or certificate or certificate of indebtedness and interest thereon according to its terms when and after the same have been duly and properly executed, delivered and due value received therefore.

8.06 - Refinancing ~~Of~~ of Municipal Bonds.

Notwithstanding the foregoing provisions of this Section, the City Council of the City of Milford may authorize by Resolution the refinancing of existing bonds or other obligations of the City, without the necessity of a Special Election; provided that the issue of the refinancing obligations results in a present value savings to the City. Present value savings shall be determined by using the effective interest rate on the refinancing obligations as the discount rate calculated based on the internal rate of return. The principle amount of the refinancing obligations may exceed the outstanding principle amount of the obligations to be refinanced.

8.07 - Short Term Borrowing.

Notwithstanding the foregoing provisions of this Section, City Council may authorize, by resolution, short term borrowing by the City without the necessity of a Special Election. The City of Milford may borrow money up to the amount of the annual tax billings. The borrowed money shall be for one of the following: operating deficits, emergencies declared by Council, and short term capital project funding. The money shall be paid back in no longer than ~~five (5)~~ ten (10) years.

ARTICLE IX. - TAX INCREMENT FINANCING AND SPECIAL DEVELOPMENT DISTRICTS

9.01 - Tax Increment Financing and Special Development Districts.

In addition to all other powers the City of Milford may have, and notwithstanding any limitation of law, the City of Milford shall have all powers and may undertake all actions for the purposes set forth in, and in accordance with Delaware Code relating to the Municipal Tax Increment Financing Act and Delaware Code relating to Special Development Districts.

9.02 - Non-Recourse.

Bonds are non-recourse to the City of Milford and shall only be paid from Tax Increment Financing and Special Development District [hereinafter 'TIF' and 'SDD' respectively] assessments permitted by Delaware Code. Bonds are non-recourse to property owners who purchase subject to a TIF or SDD. Property owners who purchase subject to a TIF or SDD shall only be responsible for TIF or SDD obligations determined by the individual assessment of their property.

ARTICLE X. - SEVERANCE

If any provision of this Charter is held invalid, the other provisions of the Charter shall not be affected thereby. If the application of the Charter or any of its provisions to any person or circumstance is held invalid, the application of the Charter and its provision to other persons or circumstances shall not be affected thereby.

ARTICLE XI. - TRANSITIONAL PROVISIONS

11.01 - Officers and Employees.

(a) Rights and Privileges Preserved. Nothing in this Charter except as otherwise specifically provided shall affect or impair the rights or privileges of persons who are City officers or employees at the time of its adoption.

(b) Continuance of Officers and Employees. Except as specifically provided by this Charter, ~~if at the time this Charter takes full effect or any amendment thereto,~~ a City administrative officer or employee holds any office or position which is or can be abolished by or under this Charter, or any amendment thereto, he or she shall continue in such office or position until the taking effect of some specific provision under this Charter, or any amendment thereto, directing that he or she vacate the office or position.

11.02 - Departments, Offices and Agencies.

- (a) Transfer of Powers. If a City department, office or agency is abolished by this Charter, or any amendment thereto, the powers and duties given it by law shall be transferred to the City department, office or agency designated in this Charter, or any amendment thereto, or, if the Charter, or any amendment thereto, makes no provision, as designated by the City Council.
- (b) Property and Records. All property, records and equipment of any department, office or agency existing when this Charter, or any amendment thereto, is adopted shall be transferred to the department, office or agency assuming its powers and duties, but, in the event that the powers or duties are to be discontinued or divided between units or in the event that any conflict arises regarding a transfer, such property, records, or equipment shall be transferred to one or more departments, offices or agencies designated by the City Council in accordance with this Charter, or any amendment thereto.

11.03 - Pending Matters.

All rights, claims, actions, orders, contracts and legal or administrative proceedings shall continue except as modified pursuant to the provisions of this Charter, or any amendment thereto, and in each case shall be maintained, carried on or dealt with by the City department, office or agency appropriate under this Charter.

11.04 - State and Municipal Laws.

In General, all City ordinances, resolutions, orders and regulations which are in force when this Charter, or any amendment thereto, becomes fully effective are repealed to the extent that they are inconsistent or interfere with the effective operation of this Charter, or any amendment thereto, or of ordinances or resolutions adopted pursuant thereto. To the extent that the Constitution and laws of the State of Delaware permit, all laws relating to or affecting this City or its agencies, officers or employees which are in force when this Charter, or any amendment thereto, becomes fully effective, are superseded to the extent that they are inconsistent or interfere with the effective operation of this Charter, or any amendment thereto, or of ordinances or resolutions adopted pursuant thereto.

11.05 - Survival of Powers and Validations Sections.

- (a) All powers conferred upon or vested in the City of Milford by any Act or Law of the State of Delaware, not in conflict with the provisions of this Charter, or any amendment thereto, are hereby expressly conferred upon and vested in the City of Milford as though herein fully set out.
- (b) All ordinances adopted by the City Council of the City of Milford, or which are in force for the government of the City of Milford at the time of the approval of this Charter, or any amendment thereto, are continued in force and effect as ordinances of the City of Milford until repealed, altered or amended under the provisions of this Charter, or any amendment thereto, and the acts of the City Council of the City of Milford and of the officials thereof as lawfully done or performed under the provisions of the ~~Charter~~ Charter, or any amendment thereto, of the City of Milford or ordinance thereof, or of any law of this State, prior to the approval of this Act, are hereby ratified and confirmed.
- (c) All taxes, fines, penalties, forfeitures, assessments or debts due the City of Milford and all debts due from the City of Milford, at the effective date of this Charter, and any amendment thereto, shall, respectively, be deemed due to or from the City of Milford and said

obligations shall severally remain unimpaired until paid, and the power, right, and authority to collect taxes imposed under the provisions of this Charter, and any amendment thereto, and the processes which may be employed for that purpose, shall be deemed to apply and extend to all unpaid taxes, assessments or charges imposed under the provisions of this Charter, and any amendment thereto, and the processes which may be employed for that purpose, shall be deemed to apply and extend to all unpaid taxes, assessments or charges imposed under the Charter of the City of Milford immediately preceding the adoption of this Charter, and any amendment thereto.

- (d) The bonds heretofore given by or on account of any official of the City of Milford shall not be affected or impaired by the provision of this Act but shall continue in full force for the benefit of the City of Milford.

ARTICLE XII. - REPEALER

This Act shall operate to amend, revise and consolidate "An Act to Reincorporate the City of Milford", being Chapter 148, Volume 72, Laws of Delaware, and the several amendments and supplements thereto. The Act shall be deemed to be a public Act and the parts hereof shall be severable and, in the event any part or section hereof shall be held unconstitutional, such holding shall not in any way invalidate the remaining provisions of this Act.

MILFORD CITY COUNCIL
MINUTES OF MEETING
October 4, 2016

A Meeting of the Public Works Committee was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall on Tuesday, October 4, 2016.

PRESIDING: Public Works Committee Chairman Owen Brooks Jr.

IN ATTENDANCE: Committee Members:
Councilwoman Lisa Ingram Peel

Mayor Bryan Shupe

City Manager Eric Norenberg and City Clerk Terri Hudson

Chairman Brooks called the Committee Meeting to order at 5:34 p.m.

Public Works Director Mark Whitfield was in attendance.

City Manager Norenberg explained there are only a couple of action items though most of the agenda items are informational. In addition, a November meeting will be scheduled due to some additional items that will need to be discussed at that point.

He then deferred to the Public Works Director.

Proposed Revisions/Chapter 193/ Solid Waste Management Code & Solid Waste Collection Schedule

Mr. Whitfield explained that they have reviewed some items in the Solid Waste Code because it is somewhat inflexible in terms of when refuse, bulk items and leaves are to be collected. In terms of leaf collection, the city only has one unit for collecting leaves. During heavy leaf drop times, which are typically the second, third and fourth week of November, the city is barely able to cover half the town with the one unit. He thinks it also creates some frustrations whenever we announce the City will be collecting leaves weekly but only collect every other week.

As a result, he proposes creating a schedule that can be adhered to rather than telling our residents what the ordinance reads and not being able to follow through.

The Public Works Director said his desire is to have weekly leaf collection though we will need to consider additional equipment which is currently our limiting factor. He feels that is one of the most pressing issues the City has faced over the years.

The other issue is makeup days with regard to holidays. Mr. Whitfield said he has been told that the Public Works staff issues a collection schedule the beginning of each year. He found the collection schedule does not always coincide with the ordinance in terms of holidays and makeup days.

The other issue is bulk item collection. Mr. Whitfield explained that they are looking at the possibility of adding a one-man collection truck that will provide some flexibility in terms of improving services within the city. Right now the ordinance states that bulk items are to be collected on Wednesdays. He has been successful in other locations by collecting bulk items and yard waste on Mondays. Because most holidays fall on Monday, there will be no collection on those days.

Presently the ordinance states that recycling material is to be picked up every other week. They are also considering collecting recycling materials on a weekly basis and the same day as refuse collection.

The Public Works Director said that in order to address all issues, it would be more appropriate for the City Manager, along with the Public Works Director, to have the authority to put together a schedule that can be published ahead of time. This will also allow the City Manager/Public Works Director to provide special collections that may be needed as a result of a storm or other issues.

Mr. Whitfield said the City has been publishing an annual schedule the beginning of each year and though it has worked fairly well, he is recommending the ordinance be changed to allow the City Manager to do that.

Mr. Norenberg referenced the current schedule and the Public Works Director report, as well as recommended edits to Chapter 193. They propose striking out proscriptive and restrictive language and replacing it with the expanded authority.

He noted that Section 193-7 states the City Manager is hereby authorized to administer Chapter 193 pertaining to the solid waste collection system. Added to that is the 'city manager shall promulgate and publish such rules and schedules as necessary for the efficient and economical collection of garbage recycling and yard waste with adequate notice of the collection schedule to be provided to all customers and any change thereto.'

Any language that is rigid will be removed; other than that, there are very little changes.

Chairman Brooks feels the biggest problem in collecting recycling, bulk, trash, etc. has been the lack of communication over the years. He recalled our employees had five days off in November 2015. His phone started ringing and Irv Ambrose told him the City said to put his trash out a certain day and all his neighbors did as well. Since then, they have informed him not to put it out and everyone had to put theirs back. Then they told him another day they would pick it up. Then he was told the crews weren't working that day.

He informed the Committee that Irv Ambrose called him to find out when they were supposed to put the trash out; Councilmember Brooks made a phone call to Public Works and was unable to reach anyone there until finally he was able to contact Assistant Supervisor Norman Brady. Mr. Brady told Councilmember Brooks to tell Mr. Ambrose to leave the trash out and he would make arrangements to pick it up.

Councilmember Brooks called Mr. Ambrose and told him to have his people put it back out.

Councilmember Brooks said that all of his neighbors watch when he puts his trash out and then they put their trash out. His son lives on North Washington Street and he puts it out the night before to make sure his trash is picked up. He is unsure if the other people who don't use the schedule can remember which days the collection is. They get confused and sometimes it is on Monday and the next pickup is on Wednesday and some of the people on his block can't ever remember. Some people put it out on Wednesday but he feels there has been a communication problem for years and that needs to be corrected.

Mr. Norenberg agrees that has been a problem and the reason Mr. Whitfield is recommending garbage and recycling be collected on the same day with the fewest amount of changes from the schedule. He agrees that with recycling, it is difficult to determine which week it is being picked up because it is every other week. In addition, there is even more confusion when there is a holiday that interrupts the normal schedule. Most cities either collect on a holiday or as Mr. Whitfield suggested, not have collections on Mondays because that is the day the majority of holidays fall.

It was confirmed that changing the yard waste and bulk pickup to Monday will provide a more consistent schedule versus the confusion created by the calendars particularly on holiday weeks. Councilmember Peel confirmed that Mr. Whitfield has had success with this in the past. The Public Works Director feels it makes the entire process much simpler. He stated that having trash and recycling on the same day, each week will be much easier to remember. The same applies to yard waste and bulk items on Mondays except when there is a holiday.

Mr. Whitfield, stated that in addition to a simpler schedule, the City needs to be consistent. His staff has informed him that consistency was lacked in previous years and the reason they are working to revise the code.

Mayor Shupe asked if there is any significant cost savings as to why recycling has only been collected every other week; Mr. Whitfield said he does not see a huge cost savings. The amount of time and equipment required for collecting trash three days a week and recycling and yard waste two days a week, compared to trash and recycling being collected four days a week will not require any additional manpower and the hours will equal one another.

Mr. Whitfield emphasized he is not increasing cost, but is improving Citywide services to our customers.

He then reiterated that his recommendation is to pick up yard waste and bulk items on Mondays; trash and recycling would be moved to Tuesday, Wednesday, Thursday and Friday with one ward assigned to one of those particular days.

Councilmember Brooks agreed it has been confusing over the years and recalled trash collection on Monday and Thursdays, then recycling was added on Wednesdays and it has been difficult to keep up with.

Mayor Shupe agrees this is a simple solution and should increase recycling numbers in addition to making our customers happy with recycling and yard waste being picked up weekly.

Mr. Norenberg explained they are still discussing the bulk item collection because a lot of customers still do not understand that process. Customers still put out bulk items without notification which requires tagging and communication between the code and solid waste departments. However, they feel it can be picked up faster through a schedule such as the Public Works Director is proposing and consistent communication about when and what to do.

The goal is to avoid a situation where the bulk items sit outside for three weeks while the notices are issued.

The City Manager added that the City will continue offering one or two free bulk pickups per year as is currently done. Any additional collection beyond that is charged a \$50 fee. Any weather-related emergency may create a need for special pickups which the City would provide as well.

Mayor Shupe asked the plan and timeline for the ordinance changes; Mr. Norenberg stated that if the City Clerk is able to have this ready for introduction on Monday, Mr. Whitfield will be able to explain the details which can be refined before the first of the year when the new schedule is typically published. Introducing this on Monday also leaves some additional time for refinement prior to the October 24th adoption date.

Councilmember Brooks confirmed that Council will need to approve it before it becomes effective adding that he does not want to speak for six other Councilmembers. Mr. Norenberg agreed noting this is only the recommendation level this evening.

Councilmember Peel likes the idea of a cleaner, simpler schedule and that each ward is picked up on a separate day.

Councilmember Brooks said the consensus of the Committee is to proceed to City Council with its introduction.

Report/DNREC Recycling Grant Application

Mr. Norenberg then discussed the grant application geared toward improving recycling in the community. One complaint involves the City not collecting every week which results in the recycling container quickly filling. The customer then begins to throw recyclables into the garbage because that is picked up on a weekly basis.

More frequent recycling collections will make the process much easier for our customers, particularly those with large families or someone that does a lot of on-line purchasing and receives large boxes/packing materials.

Public Works Director Whitfield informed the Public Works Committee members that a DNREC Recycling grant was recently submitted. He stated that his Assistant Christie Murphy and he went to Dover and met with DNREC officials to determine what type of funding was available for the various projects being considered. They felt that educating the public about what items go into each bin is essential to our overall operation. One of the biggest issues they are faced with is the

amount of foreign material that is put into the recycling bins. It involves some language issues though other customers decide to place garbage items in the recycling bin when their garbage container is full. A lot of these issues are the result of a policy that was put in place by DNREC that any load that is compromised with foreign materials is fined \$250 once it is dumped onto their floor. That is in addition to the disposal fees that are assessed.

Mr. Whitfield feels that our solid waste crews do a good job of looking into the container to prevent that from happening so the City has not yet received one of those fines. When anything is observed by our crews, the cart is tagged and the resident notified.

The goal is to be able to identify areas and customers where recycling participation is the lowest and to educate them about contaminated recycling. The addition of educational stickers to lids of each recycling and yard waste cart, as well as literature packets, should assist in diverting more material to recycling facilities instead of the local landfill.

The photo displays of acceptable recycling materials on a sticker will also improve participation and decrease contamination within the non-English speaking population of the City.

If the grant is awarded, it will take approximately four to six weeks for printing after the design phase is completed.

Rehrig Pacific Company (RPC) will do all the necessary work by providing the route/day maps for City collection areas. Residents will be given a one to two week advance notice of the project start date. The city will allow RPC crews to follow our collection vehicles for two consecutive weeks which will allow them to place the educational sticker/RFID (radio frequency identification) tag on each cart. During this time, RPC will also be creating a database of all City recycling and yard waste carts with the RFID tag placement.

Mr. Whitfield noted that presently, we are only seeing about a 50% recycling participation.

His plan is to also add the RFID tags to our waste containers though that will have to be paid by City funds though the same reader and database will be used. The only work required will be to add the serial numbers to the waste cart.

He confirmed this is a 100% DNREC-funded grant in the amount of \$138,182.25 with very little City manpower needed.

The Public Works Director said he wanted to highlight the work done by Christie Murphy who did the yeoman's amount of work in gathering the materials and working with the City Manager to submit this grant. In addition, DNREC was impressed with the interest shown by the City of Milford. There was very little interest from other cities within the state so creating this new partnership with DNREC will go a long way with future grants as well.

Councilmember Peel asked if this was awarded; Mr. Whitfield confirmed it was submitted by the deadline on Friday though we should hear something within the next two months.

Councilmember Brooks noted it is unusual though he is pleased to receive a 100%-funded grant.

He explained that he lives by the high school and a lot of students will walk by and if his trash can is out, they will throw a soda can into the wrong container. He asked if he will receive a letter of complaint as a result. Mr. Whitfield reported that in Delaware, you can put a soda can or plastic bottle in the trash. However, trash cannot be put in the recycling or yard waste container.

Councilmember Peel applauded Mr. Whitfield adding this is very innovative and a fresh perspective of educating our citizens and solving some long term problems the City has experienced many years. She said kudos to the Public Works Director and his Assistant Christie Murphy.

Councilman Brooks said when he saw this, he called Mayor Shupe to complain about where the City was going to get a \$138,000 match because most of the grants that come before council require matching funds. He is very pleased with what has been presented.

Mr. Whitfield said DNREC has \$1 million and the City of Milford was the only municipality that showed any interest. As long as DNREC offers grants, the Public Works Director assured the Committee members that he will apply for them.

Update/Shawnee Acres Pump Station Project

The Public Works Director stated that the Shawnee Acres Pump Station (SAPS) was one of the first items he was given. He agrees we need to address the issues in that area, particularly with Bayhealth coming on board and especially during the interim period while the Southeast Pump Station is built. They will be adding a flow into the Shawnee Acres Pump Station, as well as ongoing development in that area.

Mr. Whitfield reported there are four options. The first three is a band-aid approach that will get the City through the first three to five years; however, within five to ten years, the replacement of the Shawnee Pump Station will need to be considered.

He said the real issue is whether to consider a permanent improvement now or band-aid it for the next three to five years and push the ultimate decision out another five to ten years.

According to Jason Loar, P.E., a Principal with DBF, Incorporated, maintenance is needed to this pump station. They have considered both long term and short development. The only way to address this long term would be to completely replace the pump station.

He said there are advantages and disadvantages; the biggest disadvantage is the price tag of \$1.4 to \$1.5 million. However, the City has \$4 million allocated for sewer projects of which \$2 million of USDA funds remains after the Fisher Avenue pump station rehabilitation is completed.

As a result, their recommendation is to use the USDA funding package and upgrade the Shawnee Acres Pump Station which will take care of it long term while slowly rolling in the additional collection of pump station improvements as development proceeds south and east of State Route 1.

Mayor Shupe asked if the City uses \$1.5 million of the USDA funds, are there other projects that were earmarked and will have to be eliminated. Mr. Loar stated that any other additional projects have not yet been determined though there has been discussion about the I&I removal and other projects that will need to be prioritized though the Shawnee Acres Pump Station is one of the priority projects.

Councilmember Brooks asked if there are some utility cost-sharing agreements with developers in this area. Mr. Norenberg stated there was some funding agreed to by Bayhealth and Wickersham. Mr. Loar pointed out that was designated for the Southeast Pump Station that is currently being designed and not the Shawnee Pump Station.

It was confirmed that Shawnee Acres is on this pump station.

Mr. Loar concurred that Bayhealth and Wickersham will be on the Southeast Pump Station. When Councilmember Brooks asked what other developments will be on the Shawnee Acres Pump Station, Mr. Loar explained the long range is that the Shawnee Pump Station will theoretically provide service to Shawnee Acres, Orchard Hill, Hearthstone I, Meadows at Shawnee, West Shores, Matlinds Estates (when served), Hearthstone II and fifteen acres of miscellaneous commercial development which equates to 3,110 EDU's. He emphasized that is the ultimate build out for Shawnee Acres.

Mr. Loar further explained the near-term plan is to construct the Southeast Pump Station that will serve Bayhealth, Wickersham and the immediate southeast area. That flow will go to the Shawnee Pump Station for a short-term duration and until the development causes the necessity for a new force main from the Southeast Pump Station directly to the gravity system that feeds the Kent County Pump Station. In turn, that would relieve some of the stress off Shawnee and provide additional capacity to that development.

A phased approach would be used to upgrade the Southeast Pump Station. There is a proposed pump station for the

development east of Route 1. Mr. Loar explained this is a long range plan based on how the southeast portion of the City develops.

Councilmember Brooks asked if the developers in these areas, including Hearthstone, have agreed to help fund these projects. Mr. Loar confirmed the developers have been asked to contribute to the remaining portion of Shawnee that was not funded and equates to about 55%. However, an additional impact fee or sewer user fees will be accessed to those developers that have not yet come forward but will go through Shawnee, in addition to those that will be using the pump station east of Route 1, should that area be developed.

Mayor Shupe asked if Shawnee Acres is the next link in the chain needed to get this to southeast Milford and potentially to the development east of Route 1.

Mr. Loar stated yes reiterating it is a phased approach with the first phase being the upgrade of the Shawnee station; as development moves forward, they will consider the next steps.

Public Works Director Whitfield informed the committee there is also an issue at Slaughter Beach and the potential they would come through the City and tie into this line. Mr. Loar referenced an older plan that Slaughter Beach would become a county sanitary district and come through Milford. There are also thoughts of it coming further north through the Fisher Avenue Pump Station.

He stressed that is only a consideration but should be considered.

Mr. Norenberg pointed out if that happened in the southeast area, it could help defray some of the costs of the new force main that would be needed near Route 1.

Councilmember Brooks said when the hospital is operating and more houses are built in this area, and the developer east of Route 1 begins to build, he hopes that all of the developers are made to pay for the upgrades and that no one developer gets a free ride anymore.

Mayor Shupe asked if Council is able to approve funding with the understanding that these future developers must agree to pay when they develop as was done with the Southeast Milford Pump Station. Councilmember Brooks agrees and recalls that Wickersham and another developer were made to pay toward the project when they developed their property and feels we need to be fair to all the developers.

Mayor Shupe asked if we are too far along in the process to have portions of Hearthstone I and Hearthstone II contribute; Mr. Whitfield said that is a question he would pose to the solicitor. However, if the City has a cost and something needs to be upgraded without a previous agreement, he believes the City should have the authority to impose a fee to help pay for it prior to the development coming on board.

Councilmember Brooks agreed and reiterated it is very important we be fair to all our developers.

Mr. Loar explained they have considered what is being discussed. For example, if Shawnee is upgraded to what is being proposed, it would be approximately 45% utilized based on the current development that already exists. He agrees there are several developments, including Shawnee Acres, Hearthstone I, Matlinds Estates and Hearthstone II and the fifteen acres of commercial that could be charged. Those additional sewer fees would equate to about 55% of the Shawnee Acres pump station capacity. They estimate approximately \$460 per EDU is needed to recoup some of that money for the City.

Mr. Norenberg stated that he will discuss this with Solicitor Rutt before any legislative is brought forward.

Councilmember Peel pointed out that some of these areas are still building and referenced Orchard Hill and Hearthstone.

The consensus of the committee was to figure out the financing for the Shawnee Acres pump station long-term plan versus band-aiding it with smaller projects over the next few years.

The City Manager said they will work with Mr. Rutt to explore the last discussion before they bring the project before Council at the first meeting in November.

Councilmember Peel asked for a better idea of the fees we are imposing in dollars, possibly on an average so she can better understand the cost per EDU.

Mayor Shupe pointed out there is another 6,000 units planned that have not been built and will need to be served by this pump station.

NJPA Purchasing Cooperative & Plans/Specialized Equipment Procurement

The Public Works Director reminded the Committee we have two large pieces of equipment that will be purchased in the near future. One is the automatic refuse collection truck and the second is a sewer jet vacuum truck. Both range from \$275,000 to \$325,000.

The traditional way to purchase these vehicles was to create a set of specifications together and go out and bid. There are now agencies that access competitively awarded nationally leveraged cooperative purchasing contracts from various suppliers, one being the NJPA (National Joint Powers Association). That prevents the City from spending time putting these specs together while also having the opportunity to design and build the truck the way the users want it.

Mr. Whitfield explained this is a legal process because it was a competitive process when the proposals were submitted. As a result, a number of municipalities have been using in.

The previous Pennsylvania municipality Mr. Whitfield worked for used a similar agency. As a result, there was no individual piece of equipment bid for more than fifteen years.

The big advantage is the time and effort saved from staff having to put specifications together though what is more important, the fact that our employees are able to design and build it to their needs without worrying about the low bidder.

As a result, the Public Works Director recommends these two vehicles be purchased through NJPA. Because both are over the \$30,000 threshold, they would come back with the NJPA purchase price for Council approval.

Mr. Norenberg explained that the State of Delaware has already authorized and approved purchasing through NJPA which is similar to purchasing off Delaware state contracts as is done for fuel and other items.

The recommendation will be presented to this Committee which is the reason he recommends another Public Works Committee meeting in November.

Councilmember Brooks asked where the money will come from; Councilwoman Peel recalled it being discussed during the process and the City Manager confirmed it was part of a three-year capital budget plan.

Mayor Shupe asked what account the trucks are paid from; Mr. Norenberg confirmed it would be from the enterprise funds/utility fees. He further explained that the fees paid for solid waste are only used for related expenses in that department and over time, those rates should cover the cost of the operations. The same would apply to sewer fees which help pay for any equipment needed to maintain those facilities.

Mayor Shupe asked if those funds are separate or do they all go into the general fund; the City Manager verified each has a separate enterprise fund. The City's goal is to have healthy reserves in each of those accounts as we budget for future capital equipment purchases.

Councilmember Brooks said building the truck the way we want stops us from buying it from the lowest bidder. Mr. Norenberg reiterated it has already been bid through the NJPA.

It was again confirmed that the City's charter allows this.

Update/Smart Meter Project

Mr. Whitfield reported they have met with the suppliers that will be installing the smart meters and related hardware and software. They are expecting to have a quote for water and electric around the end of the year.

His staff has spent a significant amount of time, along with the water and sewer department employees, to resolve a number of issues in regard to their placement though he is confident we will receive a good and accurate quote based on the information that has been provided.

Mr. Norenberg recalled several weeks ago, AMP staff met with various city departments throughout the day to review specifications in detail. He hopes to present that information to this Committee in November and move forward with the Council authorization in December. However, the Public Works staff is continuing to work on details on various modules and similar items. Once that is finalized, the Committee will be informed of the next steps.

The City Manager also reminded the Committee about the need for public education by our staff through our website, the news media as well as through various civic organizations to prevent misinformation and misunderstandings about the project.

Because we are a DEMEC member, the ongoing costs to the operations, as well as the monitoring and support that AMP will be providing for the City, will be a monthly fee that will flow through DEMEC similar to our power costs. As a result, an agreement is being negotiated that will have to be approved by City Council.

In addition to Milford, there are two other municipalities on the peninsula with completed the Smart Metering projects. In addition, DEMEC member Seaford is approximately one month behind Milford.

Update/Airport Road Improvement Project

Mr. Whitfield reported that the first short-term improvement was completed on Monday when Airport Road was finally painted.

Long term, DBF is in the process of surveying Airport Road to begin the design. The intent is to have the design and permitting process completed in December, the project going out for bid in January and the award completed in February. Construction is proposed to begin the first of March with a completion goal by the end of June/mid July though Mr. Whitfield explained that is an extremely tight time frame.

Councilmember Brooks asked if Tenth Street, adjacent to the Wawa Market, can be striped. He said this has been needed for many years and because the lines are so faint, it confuses drivers exiting from Route 113 who are attempting to enter Wawa off Tenth Street and often end up in the opposite lanes.

The Public Works Director informed him that NW Tenth Street by Wawa was also painted on Monday and agrees it was somewhat of a 'no man's land' because the lane markers were so difficult to see.

Schedule/November Public Works Committee Meeting

The next meeting was scheduled on Monday, November 6, 2016 at 5:30 p.m.

Mayor Shupe thanked Public Works Director Whitfield adding that he is very impressed with the amount of work that has been done and projects that are now moving ahead.

He feels the trash ordinance amendments are extremely positive and our residents will be very pleased considering the schedule is much simpler with so little future impact due to holidays.

The Mayor is very happy with the Public Work Director's recommendation and experience and is very appreciative of the knowledge he brings to the City and our Public Works Department.

There being no further business, Councilmember Peel moved to adjourn the Committee meeting, seconded by Chairman Brooks. Motion carried.

The Committee Meeting adjourned at 6:50 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

MILFORD CITY COUNCIL
MINUTES OF MEETING
October 10, 2016

A Meeting of the City of Milford Community Affairs Committee was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall, 201 South Walnut Street, Milford, Delaware on Monday, October 10, 2016.

PRESIDING: Chairwoman Lisa Ingram Peel

IN ATTENDANCE: Committee Members:
Councilmembers James Burk and James Starling Sr.

Mayor Bryan Shupe

City Manager Eric Norenberg and City Clerk Terri Hudson

Chairmember Peel called the Committee Meeting to order at 5:34 p.m.

Planning and Economic Activities Coordinator Rob Pierce was also present.

Request for Code Waiver (Joseph Phillips & Jan Broulik):

*City of Milford Code Chapter 79 - Animals
Article III-Prohibited Animals*

*Zoning Code Amendment/Addition -
One-Family Residential Zone (R-20, R-15, R-10, R-8 and R-7)*

Councilwoman Peel asked for an update on the request to permit chickens within City limits.

Planning Director Pierce reported that the City Clerk and Deputy City Clerk assisted with obtaining information from the various municipalities throughout the state. Responses were received from approximately 24 towns and counties. Of them, Kent County, Sussex County, Milton, Wyoming, Dover and Newark allow chickens to some extent within their jurisdictions.

He reported that Dover and Newark have limits on the number allowed, acreage and setbacks. Both Kent County and Milton allow them as conditional uses.

Mr. Pierce will continue to use the City of Dover ordinance that was referenced by the property owners who asked that this be considered. As a result, an amendment to the R1 and R2 zoning categories, which would allow chickens as a conditional use, was drafted. He explained that a public hearing would then be required so that the Planning Commission and City Council could ensure that all area requirements would be met. It would also allow the public an opportunity to object if they feel it will adversely impact their property.

The proposed language would read as follows:

(13) Keeping of Chickens for individual domestic purposes subject to the following restrictions:

- (a) Keeping of chickens shall be an accessory use and not permitted on lots smaller than 10,890 square feet in lot area.
- (b) No more than five (5) chickens shall be permitted on a residential lot.
- (c) Chickens shall be registered with the Delaware Department of Agriculture.
- (d) Chickens shall be penned in a coop that shall be at least four (4) square feet per chicken.
- (e) All chicken coups shall be located in a rear yard and shall be a minimum of 20 feet from side and rear property lines.
- (f) Any odor associated with the chickens shall not be discernable from property lines.
- (g) Keeping of roosters shall be prohibited.
- (h) Any lot with chickens shall either comply with these requirements by _____(date), or remove the

chickens.

Mr. Pierce reported that he met with Chief Brown and City Manager Norenberg to discuss the Animal Ordinance and agree that no changes are needed to the Animal Ordinance because the following section states:

“No person shall keep or slaughter any swine, cow, bull, sheep, goat, goose, duck, hen, rooster, turkey or like animal or other farm animal within the City of Milford unless in conformity with Chapter 230, Zoning, and properly licensed and inspected by the appropriate state agencies.”

He feels adding this conditional use to Chapter 230 conforms and can be managed with any conditions and restrictions imposed.

Mr. Norenberg stated that some additional Animal Code updates are needed, including the reference to the new State Animal Agency. However, that will need to be run through the Police Committee initially.

Chairmember Peel then confirmed that whenever someone is interested, they will have to come before the Planning Commission and City Council through the conditional use application process. Mr. Pierce explained the other option is to allow it as a permitted accessory use as long as the requirements in the code are met. In such case, City staff would allow it.

Chairwoman Peel prefers having it go through the public hearing/conditional use process versus City staff being permitted to grant the approval. Mr. Pierce pointed out that any neighbors within 200 feet of the property would then be notified and have a right to voice their opinion.

Chairwoman Peel then referenced the quarter-acre lot and recalled the Committee recommended a larger lot size. Councilmember Burk agreed adding that he was reviewing the minutes and confirmed the minimum lot size recommended was one acre. Mr. Pierce said if that is what the Committee prefers, he will make that change.

Councilmember Burk stated he also has concerns with the 20-foot setback from the property lines. He feels that is much too close for the coop. He prefers following Kent County's regulation which requires 50 feet.

Councilmember Burk reemphasized his concerns of mirroring the City of Dover's ordinance which is very new and not well tested according to their code official. The Kent County's ordinance has been in effect much longer.

Chairwoman Peel agrees the consensus of the Committee was that a minimum of one acre was required.

Councilmember Burk then asked if fences should be considered to prevent the animal from leaving the yard. The Planning Coordinator said they should be in the coup and assumes that would be a fenced-in area. Councilmembers Peel and Burk both pointed out that language is not included and needs to be added. Mr. Pierce pointed out the language states they shall be penned within the coup.

Mayor Shupe asked if there is any language Mr. Pierce has seen related to a community use such as a farmer's market and bed and breakfast and not only for domestic purposes. Chairwoman Peel believes most people want chickens solely for their fresh eggs.

When asked about the slaughtering language, Mr. Pierce noted that agricultural uses are permitted in the City. He referenced a few farms on the outskirts of City limits which is the basis for the exemption to the conformity with the zoning code.

Councilmember Burk also confirmed the Committee previously agreed to five chickens per acre and believes the property owner who had asked this be permitted had initially requested sixteen chickens. Because they had three acres, this would fall short of their request.

Chairwoman Peel asked if it would be more appropriate to separate the language 'keep' and 'slaughter'. Councilman Burk

asked the property owner who made the request to comment. Mr. Pierce suggested adding a separate provision though the City has no ability to determine if they are slaughtered because typically that would be done out of sight.

Councilman Burk is concerned about opening the gates to allow people to have all types of farm animals that are raised for slaughtering.

Chairwoman Peel then stated she is satisfied with the five chickens per acre, increasing the setback to 50 feet and requiring a one acre minimum but is concerned that once a conditional use is granted, the ability to slaughter still exists.

City Manager Norenberg said he will check with the solicitor to determine if keeping them means they will only die of natural causes.

Councilmember Burk asked if there is a provision in any of the municipal ordinances that allow the City to revoke the conditional use if a potential health risk occurs; Mr. Norenberg feels that falls under the State's jurisdiction. Councilman Burk asked if the Department of Agriculture really does anything with residential chickens. The planner reiterated that registration through that agency is required though Councilman Burk questions the enforcement when it comes to residential uses and whether they would come into our City limits to enforce this.

Chairwoman Peel also questioned enforcement; Mr. Pierce believes that unsanitary pens could fall under the general property maintenance code. Councilman Burk pointed out that the International Property Maintenance Code does not cover livestock and is concerned with some diseases in addition to unsanitary pens that could create a health hazard. He recalled a couple years ago, barriers were placed on chicken farms and people could not go beyond such barriers.

Councilmember Burk asked if the City Manager was familiar with the registration process was for the Department of Agriculture. Mr. Pierce believes there was a form that had to be completed though he is unsure of the actual process. Councilmember Burk suggests relying and contacting the Department of Agriculture should we encounter a problem.

Mr. Pierce confirmed that he will change the ordinance to one acre and add the 50-foot setback. That amended ordinance will then be forwarded to the Planning Commission for their review. He asked the Committee to confirm Mr. Phillips is able to meet the 50-foot setback.

Mr. Joseph Phillips of 2 Causey Avenue then addressed the Committee stating that they have 3.14 acres and are requesting twelve chickens to provide fresh eggs for their Bed and Breakfast. He questioned the 50-foot setback for the coop and stated that he is unsure that can be accomplished though they will try. He said their property is somewhat hour-glassed shaped and narrows in the front yard though very large in the rear.

The Chair then asked the size setback Mr. Phillips was able to meet; he indicated he was unsure and had not thought about it. He noted there are several easements on his property one being an access road/drive to Church Street and Maple Avenue. The easement off Church is also used as an entrance to other properties in the area. He asked if it would be measured from that boundary line and referenced other obstacles on the property that could have an impact.

When asked where the line would start, Mr. Pierce confirmed it would start 20 feet from the property line; Mr. Phillips asked for clarification and whether 20 or 50 feet was being considered. Mr. Pierce stated that if 50 feet was a problem, it could be reduced to 20 feet.

Councilmember Burk said he will consider 20 feet though the quarter acre is too small and inappropriate in his opinion.

Mr. Phillips confirmed they are asking for twelve chickens to be approved.

Councilmember Burk noted there has already been some push back from other council members; Mr. Phillips pointed out there are already people in town that raise them. Councilwoman Peel and Councilman Burk agreed adding that it comes back to code enforcement.

Chairwoman Peel said if this is approved and chickens are permitted through the conditional use process, she is curious if the City can provide a similar situation to the tax forgiveness program for any resident who is currently raising chickens,

Arriving a few minutes earlier, Councilmember Starling said that though he has thought about it, he is concerned how this is going to impact neighboring properties. He believes that someone else is going to come up with another request. He emphasized the length of time the ordinance has been in effect and the reasons behind it. If someone is violating it, then it needs to be addressed. Regardless, he believes this will cause the City some problems.

Chairwomanmember Peel provided a synopsis of the discussion noting that a conditional use would be required before chickens are allowed. Any person requesting this would be required to come before the Planning Commission and City Council to obtain authorization.

Mr. Pierce added the minimum lot size would be one acre which reduces the number of properties where this would be possible.

Chairwoman Peel agrees the one acre will work though she is unsure about the setback. Councilman Burk said we can start with a 20-foot setback and can always later amend it if needed. His big concern is that the City of Dover has not allowed this long enough to provide Milford any feedback. As a result, we are unaware of what type problems we may encounter as Councilman Starling alluded to.

Mr. Phillips understands the setback is for the benefit of the neighbors, but his property is completely surrounded by driveways and shrubbery which makes it secluded.

Councilman Burk pointed out that with a conditional use, they can add whatever restrictions are needed. If the lot is a one acre minimum, allowing five chickens per acre is reasonable in his opinion.

Chairwoman Peel asked if Mr. Phillips can work with four chickens per acre; Mr. Phillips said that four chickens per acre would suit their needs.

Chairwoman Peel then verified the following amendment will be presented for consideration:

- (13) Keeping of Chickens for individual domestic purposes subject to the following restrictions:
- (a) Keeping of chickens shall be an accessory use and not permitted on lots smaller than one acre.
 - (b) No more than four (4) chickens shall be permitted per residential acre.
 - (c) Chickens shall be registered with the Delaware Department of Agriculture.
 - (d) Chickens shall be penned in a coop that shall be at least four (4) square feet per chicken.
 - (e) All chicken coups shall be located in a rear yard and shall be a minimum of 20 feet from side and rear property lines.
 - (f) Any odor associated with the chickens shall not be discernable from property lines.
 - (g) Keeping of roosters shall be prohibited.
 - (h) Any lot with chickens shall either comply with these requirements by _____ (date), or remove the chickens.

Councilman Starling asked how we will respond when another resident requests a different type animal and recalls during the 60's and early 70's when horses, pigs and chickens could be found on residential lots. The ordinance prohibiting farm animals was instituted because of the problems the City was experiencing.

The planner confirmed that other animals are still prohibited and any new requests would require a new code revision. He feels that a cap on the number of chickens is needed and recommends twelve. The Committee agreed.

When asked about enforcement, City Manager Norenberg confirmed that the code department would enforce it from a zoning aspect. However, once the chickens are loose and off the property, then it becomes a public right-of-way issue which fall under the jurisdiction of the police department as was discussed with Chief Brown.

Chairwoman Peel then opened the floor for public comment. No one responded.

It was then noted that because this is a zoning code amendment, public hearings will be held before the Planning Commission and City Council prior to its adoption.

Community Engagement Process/City Business License

City Manager Norenberg recalled previous conversations regarding a City Business License that would be effective January 1st. This will allow some lead time to get the ordinance adopted and provide proper notification. During a recent meeting with the Chamber of Commerce Board, he and Planning and Economic Development Coordinator Rob Pierce presented a number of pending code updates which included the potential for a business license.

Though there was a fair amount of discussion at the time, it was agreed the next step would be to provide the information to the business community through either a workshop or he and Mr. Pierce could host a public meeting where business owners would learn about the permit process. As a result, he is presenting this to the Committee for feedback on the proper venue and whether the Community Affairs Committee or City Council should host it or have something organized by City staff.

When asked for comments, Councilman Burk wants to make sure all the players are invited including the Chamber, DMI, Downtown Merchants Association and any similar group that may represent Milford businesses.

Mayor Shupe recommends that we provide a public notification due to the number of businesses that have no affiliation with any of those groups.

Mr. Norenberg added that we would use the media and social media, in addition to requesting the Chamber and DMI send blast emails to their membership. This evening, he is only asking what type venue the Committee feels would be appropriate.

Chairwoman Peel asked if the attendees would be able to provide comment and input at the workshop; Mr. Norenberg said one option is a public hearing process that would begin with City Planning Coordinator Piece making a presentation to explain the entire process. Public comments would then follow.

Another option would be an open house where people could drop in at their convenience between a certain time frame. Attendees would meet with City staff under that scenario.

Chairwoman Peels likes the idea of the workshop, similar to what was done with the Workforce Development Commission, where there was a 20-minute presentation and everyone was on common ground. She likes that one idea played off another with people providing input while listening to other opinions.

Councilman Burk agrees that it is important that everyone hear all comments. If this were done at a workshop prior to a Council meeting, most of the downtown businesses would be closed and the owners could attend. Chairwoman Peel agreed noting that it is very valuable to have the elected officials present.

Councilman Burk also prefers having minutes to refer back to as needed.

Mayor Shupe said that coming from a business standpoint, the first thing a business is going to ask is how having a business license will benefit their business. Having that dialog will allow for the exchange and a clearer understanding. He believes there may be things the business community has thought of that can also be implemented.

Councilman Burk noted there are a number of Milford businesses whose owners have properties in other towns and are familiar with the business license process. In those cases, they may have something new to bring to the table.

It was agreed the workshop would be held on Monday, November 14th at 5:30 p.m. The item can then be added to the November 28th agenda for introduction and consideration by City Council on December 12th. He does not want the public

to get the impression we are rushing the matter and wants to allow plenty of time for feedback.

Chairwoman Peel confirmed that invitations will be sent out to the appropriate groups to ensure proper notification of all interested parties.

Chapter 180 Residential Rental Operating Licenses/James O'Neill

City Manager Norenberg reported that Mr. O'Neill met with him to describe a situation that is impacting him and his family in regard to a rental property. His request and suggestion seemed reasonable and in discussing it with the City Planner they felt it was appropriate to have the Community Affairs Committee review and decide what steps needed to be taken.

Mr. O'Neill introduced himself stating that he lives at 14 Princeton Road in Shawnee Acres which is not within the City limits. However, he just moved and still owns the property at 612 Lakelawn Drive where he lived for many years. Since his move, he has become involved with some of the items relating to Chapter 180 Residential Rental Operating Licenses.

In reviewing the chapter, he found that some of the language was unclear and that a number of the definitions were counter to the intent the chapter was written and originally developed. In particular, the landlord definition that states 'a person and/or an authorized representative, heir, successor or assignee of a person who leases or otherwise permits another person to occupy a rental unit for money or other consideration'.

Mr. O'Neill also questioned the rental definition that states 'any house, building, structure or portion thereof, which is occupied, rented or leased as the home or residence of one or more persons. Rental unit does not include motel, hotel or bed-and-breakfast rooms where paying guests' stay on a temporary basis. Rental unit also does not include rehabilitation or mental health group homes where residents may pay rent but the home is managed and owned by nonprofit entities for the benefit of the renters' special needs.'

The tenant is defined as 'a person who occupies a rental unit for which said person pays money or gives other consideration'.

Mr. O'Neill pointed out the way it is written conceivably means that a husband or a wife that has the property in only one of their name(s), who has a spouse that resides there and buys the groceries every week, or is given either money or some other consideration, makes the home a rental.

He feels that is not the intent of the ordinance; taking it another step, is where the owner is there with a domestic partner. Mr. O'Neill does not feel that is the intent either though when it was written, that may not have been an issue.

Another example is a parent and an underage child who does the dishes every night could be interpreted as 'other consideration' making it seem as though it is rented to the child.

A child who is supposed to cut the grass and shovel the snow, or any similar chore, could be considered 'other considerations' though he does not believe that is the intent of the ordinance.

Another common scenario is a child who comes back from college and is living at the parent's house or a parent who is living in a child's home and maintaining it can also be 'other considerations'.

Mr. O'Neill asked if that if the City's intent is that when the child moves back in the house, it becomes a rental unit. The way it is currently written could easily be interpreted in that manner.

In his situation, he and his wife moved to another home though his adult child still lives in the home. He asked if the City views him as really renting the house from him and believes this needs to be clarified.

After he met with Mr. Norenberg, Mr. O'Neill went ahead and applied and paid for his rental license and is not arguing that. He is looking at the idea of where the line should be drawn and reiterated the many possible scenarios where the line could be drawn.

Mr. O'Neill feels the overall rules that are there are fairly reasonable in addition to the \$50 fee. He simply feels that clarification is needed and suggests the ordinance have an additional exemption for an immediate family member(s) or domestic partners.

Councilmember Burk asked if an inspection was done on the property; Mr. O'Neill said he left that possibility open but no one asked to do that. He was hoping that would not be necessary though he is not worried about any problems with the property but does not particularly care for the intrusion on his children.

Councilmember Burk was only curious about the process and the only reason he asked. Mr. O'Neill said he filled out the form and received a letter from the City saying he was in compliance and thought the process was very simple.

City Planner Pierce then explained that he sent some proposed language to the City Manager shortly after it was brought to the City's attention by Mr. O'Neill.

He referred to the following additional exceptions:

§ 180-4. - Rental operating license required; exceptions.

A. No landlord shall operate a rental unit in the City unless an application has been filed and a current rental operating license has been issued for the specified rental unit for the current year.

B. Exceptions.

(1) No rental license shall be required where the owner occupies the dwelling unit.

(2) No fee shall be charged if the occupant provides written verification that they are directly related to the owner.

He feels this would clear up any conflict presented by Mr. O'Neill adding that these two exceptions are directly out of another municipality's code.

Mr. Pierce said he was informed that since the inception of the ordinance, the City has charged for rental licenses regardless of the relationship to the owner. We have been consistent with the policy and have explained to some property owners who have had similar situations and were required to register.

When asked who gets an inspection, Mr. Pierce explained they are being done on demand at the current time. For example, if the neighbor calls with a complaint and there seems to be excessive issues or overcrowding, an inspection is then scheduled. Once an additional code official is hired after January, the goal is to do at least 800 a year.

Councilmember Burk verified that at that point, every application would receive an inspection. Mr. Pierce reported the City has 1,600 units and we are trying to break it down so that the multi-family units who have registered with property managers are spot checked. He is hoping the City can pair up with the state's inspections such as HUD. However, at least one inspection would be done every year on multi-family units with four units or less.

Councilmember Burk asked if all the new rentals will be inspected after the additional staff member is hired. Mr. Pierce said inspections will be scheduled throughout the year. For example on two days, seven inspections are being planned which will cover approximately 800 inspections. Re-inspections would be assigned the other two days and on-call inspections assigned to Fridays.

For example, when a tenant comes into setup utility services, the code official could do the inspection between tenants which seems to be an appropriate time. In that manner if violations are found, there would be no intent to evict tenants or move people out until the conditions are remedied.

The goal is for a once-a-year inspections; doing this in between tenants would allow for that.

Councilmember Starling asked how much time would be allowed before the landlord has to repair or correct an issue after it is discovered; Mr. Pierce said that depends on the type of violation though there typically is an allowance of five days to ten days based on the type of violation.

The rental license or annual renewal letter explains the time frame so that landlords are familiar with the process.

Councilman Burk explained that other municipalities provide a check sheet with the various violations and time frames. Mr. Pierce noted that is also being developed.

It was confirmed that a life/health issue would require a condemnation.

Chairwoman Peel feels there are many people renting to family members whom she believes would like to be protected under the rental rules. In Mr. Pierce's opinion, they should still be registered as a rental though the City may want to consider waiving the fee.

Chairwoman Peel then asked if they are required to submit some type of proof of their relation before the fee is waived; Councilman Burk also asked to what extent we consider family and whether it should only apply to immediate family. Mr. Pierce agrees a definition is needed for relatives.

Councilman Burk pointed out that when you get into housing codes, you need to be very careful when defining family; Mr. Pierce agrees.

Councilman Burk noted that definitions of single family homes are being changed in many municipal codes. References to people who were previously defined as blood related or married are being changed to groups of people that cohabitate as a single housing single unit or something similar, thereby removing the single family language in its entirety.

Chairwoman Peel pointed out that families are no longer nuclear families. Councilman Burk agreed adding that it has been thrown out of court in many cases as a result.

When asked for additional comments from Mr. O'Neill, he questioned room rentals when the owner lives at the residence. For example, there was a home in his previous neighborhood that had up to three lodgers living in the house at one time without a rental license. He encourages the City to address those situations as well.

Chairwoman Peel asked if changing the language as Mr. Pierce as suggested would solve the problem; Mr. O'Neill commented that it will solve his problem though he is unsure if it will solve all problems.

Mr. Pierce said if the home is owner-occupied, it will be difficult to identify someone who is renting a basement, for example. He confirmed that boarding and rooming houses are permitted in one of our downtown residential zones though Councilman Burk pointed out it requires a conditional use. He noted that a property owner cannot simply turn a single family home into a boarding house without some sort of approval.

It was agreed that Mr. Pierce would research some additional definitions of family in relation to housing codes. Mr. Pierce said he will run it by our attorney adding that the draft amendments he presents typically mirror those from other municipalities or counties. In this case, he will look for a definition of 'directly related'.

City Manager Norenberg commented that the Delaware State Housing Authority is another good resource because they are constantly required to update their codes as a result of HUD. He did a quick search of the HUD website but only found a definition from 2009.

Mr. Pierce added we may have some additional changes pertaining to the code in relation to the additional inspections, scheduling, fees, etc. Once it is ready, it will be presented to City Council if the Committee agrees.

The City Manager confirmed that the Committee is comfortable with Mr. Pierce moving forward with the next step at the

Council level; the Committee agreed that was how they wished to proceed.

Holiday Decoration Recommendations

City Manager Norenberg recalled that over a year ago, Council agreed that some of the holiday decorations needed to be refreshed. There was money allocated last year though the project did not move forward. That same money was reallocated for decoration this year. He has recently asked Public Works Director Mark Whitfield to work with the Parks and Recreation Director to inventory what is currently being used.

Public Works Director Whitfield was present and reported that neither he nor Mr. Norenberg were in Milford during the holidays last year and have no idea of what needed to be replaced. He has looked at the existing stock and found that most of the fifteen figures that are being used are 20 plus years old. He and the Electric Superintendent assessed the inventory and both agree that the Seasons Greeting banners need to be discarded.

About half of the figures can still be used though the others need to be replaced.

Mr. Whitfield found a company that sold the same figurines but to replace all fifteen would take the entire budget. Other options are to switch out lights on the various trees and to add LED fixtures.

He and the City Manager also have found that the ‘Welcome to Milford’ banners are becoming faded and need to be replaced. He is aware that DMI is considering a banner program and as a bridge to that, the City might want to consider holiday banners that could be placed on the poles and would mimic those that are put up in the park areas.

The Public Works Director stated they are also considering lighting two additional trees at City Hall. He is recommending placing LED candles in the windows of all the City-owned buildings. Adding wreaths to City buildings and some of the downtown fixtures is another low cost.

Mr. Whitfield then asked for recommendation on the following options:

1. Replacing all tree lights using LED lighting (\$2000)
2. Installation of approximately 40 holiday banners, in lieu of Welcome to Milford banners (\$4000)
https://www.sierradisplay.com/sb_dynamic.asp?var=holidays&page=5
3. Completing two additional trees at both City Hall and the police station (\$1500)
4. Adding window LED window candles to City Hall, finance, and police station windows (\$400)
5. Adding additional wreaths to street light poles downtown
6. Adding wreathes to police station, finance, customer service, and City Hall doors (\$300).

	Option A	Option B	Option C
White LED Lighting for Trees	\$ 2,000	\$ 2,000	\$ 2,000
Banners	\$ 4,000	\$ 4,000	\$ 4,000
Two additional Lit Trees	\$ 1,500		
LED Window Candles	\$ 400		
Wreaths on City Buildings	\$ 300		

Wreaths for Downtown Streets	\$ 3,500	\$ 3,500	
1 - 2 new figures	\$ 3,300		
2 - 4 new figures		\$ 5,500	
4 - 6 new figures			\$ 9,000
<hr/>			
	\$ 15,000	\$ 15,000	\$ 15,000

Chairwoman Peel agreed the Season Greeting banners are very dated. She likes the idea of the banners, two additional lit trees as well as the lighting and wreaths throughout the downtown area.

Councilman Burk likes option A and though he encourages resurrecting any of the figurines if possible. Chairwoman Peel said her concern is that if we continue to purchase figurines, it sounds as though they require ongoing maintenance in addition to more storage room.

Both Chairwoman Peel and Councilman Burk stated they prefer option 1.

In regard to the banners, the City Manager explained that DMI is looking for a grant to replace the current banners because they are becoming tattered or have broken brackets. They planned to discuss the project at their board meeting last week though he has not had a change to follow up on the outcome. If DMI agrees and finds a source of funding, the City would be willing to switch the holiday banners out with new banners after the first of the year. He and the Public Works Director have some ideas they will pitch to DMI which will allow the banners to be replaced on a regular basis, thus preserving them for a much longer time.

It was confirmed the \$4,000 allocated for the new holiday banners will replace those outside the Walnut Street (downtown), Front Street and riverwalk areas that are typically maintained by our parks and recreation department.

Mayor Shupe recommended making a wish list by asking for business support to do some additional decorating.

Chairwoman Peel really likes the snowflakes and asked if they have to be placed on a pole. Mr. Whitfield explained they can be mounted independently or placed on a pole.

Mr. Whitfield confirmed the figurines and banners will take about three to four weeks to receive.

Mr. Norenberg suggests Chairwoman Peel report on the decorations tonight and get some feedback from Council on how to proceed. Otherwise, it can be reported at the next meeting and the options e-mailed to all of Council depending on their request.

Adjourn

There being no further business, Councilmember Burk moved to adjourn the Community Affairs Committee meeting, seconded by Councilmember Starling. Motion carried.

The Committee meeting was adjourned at 6:51 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

MILFORD CITY COUNCIL
MINUTES OF MEETING
October 10, 2016

A Meeting of Milford City Council was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall on Monday, October 10, 2016.

PRESIDING: Mayor Bryan Shupe

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

City Manager Eric Norenberg, Police Chief Kenneth Brown and
City Clerk/Recorder Terri Hudson

COUNSEL: City Solicitor David Rutt, Esquire

CALL TO ORDER

Mayor Shupe called the Council Meeting to order at 7:04 p.m.

INVOCATION AND PLEDGE

The Pledge of Allegiance followed the invocation given by Councilmember Starling including an acknowledgment to Samuel Wylie, the first City of Milford Parks and Recreation Director hired in the early 1970's, who passed away.

APPROVAL OF PREVIOUS MINUTES

Motion to approve the September 12, September 17 and September 26, 2016 Council Meeting minutes made by Councilmember Burk, seconded by Councilmember Morrow. Motion carried.

RECOGNITION

No special guests.

MONTHLY POLICE REPORT

Police Committee Chairman Burk presented the monthly report on behalf of Chief Brown noting the officers were extremely busy in September. Councilmember Peel moved to accept, seconded by Councilmember Campbell. Motion carried.

CITY MANAGER REPORT

Mr. Norenberg referenced his report in the packet and referred to the retreat summary asking anyone with any questions to contact him.

He is scheduling a meeting with Councilwoman Peel to develop a process and approach to strategic planning as a result of the work that occurred at the Council retreat.

The City Manager also noted that based on the new state contract will save the City approximately \$2,000 (more than 40%) in bottled water by switching to a new vendor.

Councilmember Brooks moved to accept the City Manager Report, seconded by Councilmember Starling. Motion carried.

MONTHLY FINANCE REPORT

Finance Committee Chairman Morrow reported that through the second month of Fiscal Year 2016-2017 with 17% of the fiscal year having passed, 25% of revenues have been received and 16% of the operating budget expended.

He explained that the revenues are up as a result of the additional property taxes that have been paid.

Councilmember Burk moved to accept the August Finance Report as presented, seconded by Councilman Brooks. Motion carried.

City Manager Norenberg then updated Council on the tax collections that were due September 30, 2016. As of this past Friday, the customer service staff was continuing to open envelopes and post payments that had been postmarked prior to that due date.

Once that is complete, he will provide Council with a report showing the current delinquencies and payment plans currently underway. A new letter will then be drafted and sent to any delinquent property owners.

Councilman Campbell noted that a number of property owners are making installment tax payments through the county as a result of the school tax increase. He recommends the City consider that as well. Mr. Norenberg is unfamiliar with those requests though that was allowed for delinquent property owners to get caught up and have any penalties waived.

COMMITTEE & WARD REPORTS

Community Affairs Committee

Chairwoman Peel reported the Community Affairs Committee met to discuss changing our zoning code to allow chickens and the purchase of new holiday decorations.

She further explained that a meeting was held earlier during which time the committee decided a conditional use would be added to the zoning code which would permit chickens. The Planning Coordinator is working on some additional language that would limit the number permitted, the minimum acreage, required setbacks, etc. This would require public hearings before the Planning Commission and City Council in addition to mandatory registration with the Department of Agriculture.

Chairwoman Peel then asked Council how much input they would like in holiday decorations. Public Works Director Mark Whitfield attended the meeting and reminded the Committee that \$15,000 had been budgeted for the decoration project. The committee felt that instead of continually repairing/replacing the mechanical figurines that also create storage issues, they would purchase something more sustainable like window candles, door wreaths and additional lighting of trees.

It was also recommended that the light post banners throughout the downtown areas be changed out for the holidays.

Chairwoman Peel asked if Council would like to have input in the matter or do they prefer the Committee making these choices. The Councilmembers were comfortable with the Committee making the decisions.

Councilmember Wilson noted that the banners were purchased by DMI and not by the City. Chairwoman Peel agreed and their plans are to work with DMI on the replacements.

Councilmember Mergner confirmed the big tree in front of City Hall is lit adding that the lighting of that tree during the holidays would be a nice event.

Mayor Shupe stated that he, the City Clerk and City Manager have discussed restoring that event back to the downtown though it was not officially discussed during the Committee meeting. It used to be a tradition in the downtown but had not been done for a couple of decades. Councilmembers Mergner and Wilson agreed it would be a nice welcome to the holiday season.

The City Manager is planning to coordinate the event with DMI.

Chairwoman Peel advised that the current 'Seasons Greetings' decorations will be retired.

Councilwoman Wilson said she was on the Holiday Decorating Committee for many years and recommends the Committee Members make the decisions versus the entire Council because a few opinions seem to accomplish more than a larger number.

Public Works Committee

Chairman Brooks reported that a Public Works Committee meeting was held on October 4th to discuss eight agenda items. He said many of those items are on tonight's council meeting. He was very pleased with how smooth things went at the meeting and the amount of work that has been accomplished by the new Public Works Director Mark Whitfield and City Manager Norenberg. Any questions that were brought up during the meeting were immediately answered which was a new experience for him and the Committee members.

NAACP Banquet

Councilman Starling thanked the City Officials who attended the Annual Banquet.

Haitian Creole Community Relations Group

Councilwoman Wilson reported on a recent meeting during which time a number of new community leaders attended. She was very pleased the Nemours Health System Administrator from the Wilmington area joined forces with other local leaders to discuss ways to enhance that committee.

Councilwoman Wilson explained they are focusing on pocket areas where some of the Haitians reside as well as various means of transportation. Perdue is in the process of providing transportation to and from work while the Nemours Administrators are working with DART to increase the number of stops in the Greater Milford area particularly as the City grows in the southeast area.

They also discussed the impact of Hurricane Matthew and how the committee can put together some Milford resources to assist their families in Haiti. Additional information will follow. They will be soliciting others to join in this effort and have already made contact with Dover Air Force Base who could be a potential delivery option.

Comprehensive Plan/East of Route 1 Highway Commercial Development Concerns

Councilman Campbell said he has received a number of calls and hopes that many of those concerned will show up for these hearings.

Mayor Shupe said the City has done an excellent job sending letters to property owners within 200 feet of the site, in addition to the HOAs to ensure everyone is aware of what could occur in that area.

City Manager Norenberg stated that one of the concerns our City Planner has heard is that it will not matter whether or not they voice their concerns and he hopes that Council encourages these property owners to speak on this matter or any similar development in which there are concerns.

Mayor Shupe agrees and asked that Councilmembers need to encourage these people to attend these meetings.

Solicitor Rutt clarified that the Wednesday, October 11th workshop is an opportunity for people to look at the plans and drawings but is not a public meeting in terms of taking testimony or public discussion. However, there are scheduled public hearings the following two weeks on October 18th and October 24th. Any public comments made during those hearings will be made part of the public record. At that time, the Planning Commission and City Council will deliberate and take a vote.

Mr. Rutt emphasized that on Wednesday night, there will be no discussion or promises or huddling in the corner by anyone on City Council or Planning Commission as to the matter that is being presented to them. The workshop is only for the purposes of disseminating information as to the plans and not where someone will talk at the podium.

It was confirmed the comprehensive plan survey was closed on September 30th.

COMMUNICATIONS & CORRESPONDENCE

Included in packet.

UNFINISHED BUSINESS

*PFM Financial Advisors LLC/Director Jamie Schlesinger & Bond Counsel Tim Anderson
Presentation/City of Milford Bond Matter/Series of 2011 Refinancing/Series of 2016 Issuance*

Mr. Schlesinger introduced himself stating that he is the Director of PFM that has been the City's financial advisor for a number of years. They have been monitoring the potential for a refinancing of some of the City's existing debt. There was a bond issue from 2011 that is outstanding and callable in January 2017. He commented this is the perfect time to consider the adoption and to move forward with a resolution and ordinance related to the refinancing.

He pointed out that interest rates have been low for a while and the all-time low occurred a month or so ago. Though they have increased slightly, they are still at historic lows. The City plans to lock into the new interest rates in the next month or so in an effort to save some money.

Mr. Schlesinger then referred to a summary of the City's outstanding debt and noted that what is being considered is the outstanding balance of the Series A of 2011 that has a principal balance of just below \$8 million. The current average interest rate is between 2 and 4.5% though the average is 4%.

This is not an extension of the debt but instead similar to a home mortgage refinancing with the City taking advantage of the market and reducing its interest rates.

It was noted that the City has a couple projects over the next year, one being the meter project. Mr. Schlesinger pointed out there are a couple ways to take the savings and how the principal payments would be structured moving forward.

The Director emphasized that the savings he is presenting are estimates and the exact number cannot be determined until the actual bonds are sold.

He explained that in Option 1, the City would take the savings up front. In the June 30, 2017 year, the reduced interest cost would be \$445,000 and in the June 30, 2018 year, savings would be \$159,000. Following that, there is a savings of approximately \$5,000 a year.

Mr. Schlesinger explained the savings can be utilized to help fund other projects and one of particular interest is the meter project that is proposed.

In Option 2, the savings would be taken over time. Starting now and the maturity of the bond, there would be approximately \$40,000 generated per year. Though there would be a little more savings, taking the savings up front makes the most sense considering the projects that are coming up and the fact that time is money.

He then explained that once City Council adopts the resolution and the ordinance at the next Council meeting, his firm will prepare to sell the bonds over the internet PFM Auction where nationwide underwriters have the ability to offer their interest rates and costs. Ultimately, whoever offers the lowest rates wins and the lower the rate, the more the City will save.

The process to acquire the City's bond rating is still required; currently the City has a AA- with Standard and Poor's.

The bond sale would then be scheduled within the next month with settlement occurring prior to the end of the year.

Based on the current estimates, PFM believes the City will save approximately \$600,000 with Option 1.

Councilwoman Wilson asked if there is a risk of selling bonds on line versus the standard way or way it used to be done.

Mr. Schlesinger explained that the only way to competitively sell bonds is to use the internet auction sites. That allows many more bidders at one time and gives them the ability to bid multiple times. The anonymous bidders sign into the website for the fifteen-minute auction. Though they are unaware of the other bidders or the rates being offered, they do understand that if they are not the winner, they can continue to offer bids which lowers the interest rate. From that perspective it generates much more savings for the City.

Councilwoman Wilson asked who watches or shops this for the City; Mr. Schlesinger explained they are the advisor and working on behalf of the City and thereby establish the sale, the bid specs and are responsible for putting it on line for the underwriters to bid.

He further explained that the underwriters, who are the people that buy the bonds, are big financial firms interested in General Obligation Bonds such as Janney Montgomery Scott, Boenning and Scattergood, Mellon, etc.

The process continues until the other firms no longer offer any lower interest rates; at that point the auction ends.

Mr. Schlesinger pointed out that because these bonds are callable in January 2017, this is the right time.

He informed Council the final maturity year would be 2037 regardless of the option that is chosen. The principal is paid in January of every year and the interest paid in January and July. The only difference in the two options is how the principal payments are structured to generate the savings. Choosing option 1 provides a big savings up front.

Councilmember Burk asked what our Finance Director recommends. Mr. Norenberg explained that Mr. Schlesinger and Mr. Portmann have consulted and the City Manager has consulted with Mr. Portmann. When you consider the time value of the money, the present value will virtually result in the same savings to the City up front. Mr. Portmann sees this as an advantage by using the \$664,000 toward the Smart Meter project.

Mr. Schlesinger agrees there is a time value of money calculation that should be considered. When the payments are discounted over the life of the bonds at a yield of about 2.75%, it turns out to be about the same in the grand scheme of things.

He also pointed out that most clients take the savings up front because it can be taken immediately.

The City Manager explained these are electric and sewer bonds and the savings can only be used for specific projects. Because it relates to the metering project and we meter the water in order to know what goes into our sewer, we are able to use the savings for the Smart Meter Project.

The consensus of Council was to take the money up front.

He then reviewed the following preliminary financing schedule:

- Early/Mid August - Request for Information for Preliminary Official Statement
- Mid August - Start Preliminary Official Statement
- End of September/Early October - Rating Call
- October 10th - City Meeting to Discuss Refinancing (1st Reading)
- October 24th - City Meeting to Discuss Refinancing (2nd Reading)
- Mid October - Rating Received
- End of October - Post POS/Invitation to Bid to Auction Website
- End October/Early November - Price Bonds
- End November/Early December - Settlement

Mr. Schlesinger also reported there is a lot of administrative work being done in conjunction with bond counsel to prepare the offering statement, which is the document the potential bond holders and rating agencies will review to learn about the City and its demographics. Once that is completed and after the City's rating is received, they will be ready to sell the bonds following the adoption of the ordinance by City Council on October 24th.

Councilman Campbell asked what costs are associated with the fees. Mr. Schlesinger noted that the fees from his firm (PFM) and the bond counsel, as well as expenses associated with S&P (rating agency), Cusip (unique number assigned to bonds) and advertising/publications are all built into the numbers. The net result is the \$600,000.

He emphasized that neither his firm nor the attorneys make any additional money based on the option chosen.

Mr. Schlesinger reminded council that his firm has been watching this for awhile and keeping the City administration informed.

*Adoption/Refunding Resolution 2016-15/City of Milford General Obligation Bonds
Proposes the Approval of the Refunding Project and Establishes Time and Place for Public Hearing*

Mayor Shupe then read the below related Resolution into record:

*NOTICE OF PUBLIC HEARING
RESOLUTION 2016-15*

WHEREAS, the City Council of the City of Milford, Delaware ("City Council") has been advised that the City of Milford can achieve present value debt service savings by refunding the City's outstanding General Obligation Bonds, Series A of 2011 (the "Refunding Program").

NOW, THEREFORE, BE IT RESOLVED, and it is resolved that the City Council of the City of Milford does hereby propose the borrowing of an amount of money not exceeding \$9,800,000 to be utilized for the Refunding Program described above, and to pay certain costs associated with the issuance of its General Obligation Bonds, Series of 2016 (the "2016 Bonds"). The average rate of interest on the 2016 Bonds shall not exceed 5.00%. The 2016 Bonds shall be secured by the full faith and credit of the City. The 2016 Bonds shall be paid or funded by available revenues of the City. The City is authorized to use a portion of the proceeds of the 2016 Bonds to pay costs associated with the issuance of the 2016 Bonds. A public hearing upon this resolution and final authorization for the borrowing is scheduled in the Council Chambers of Milford City Hall, 201 South Walnut Street, Milford, Delaware on October 24, 2016 at 7:00 p.m. with final authorization for the borrowing expected at the regular monthly meeting to follow on the same date.

IN WITNESS WHEREOF, I hereto set my hand and caused the Seal of the City of Milford to be affixed this 24th day of October 2016.

*Mayor Bryan W. Shupe
Attest City Clerk Teresa K. Hudson*

Councilman Burk moved to adopt Resolution 2016-15 and proceed with Option 1, Up Front Savings Structure, seconded by Councilman Morrow. Motion carried with no one opposed.

Introduction/Ordinance 2016-19:

*Authorizing a Certain 2016 Refunding Project and Incurrence of Indebtedness;
Authorizing Issuance of General Obligation Bonds Series of 2016 to Provide Funds
For and Toward Such Refunding Project; Setting Forth Terms of the 2016 Bonds*

City Manager Norenberg introduced Ordinance 2016-19, related to the 2016 Bond Issue, and its potential adoption following a Public Hearing on October 24, 2016:

ORDINANCE 2016-19

AUTHORIZING A CERTAIN 2016 REFUNDING PROJECT HEREIN DESCRIBED AND THE INCURRENCE OF INDEBTEDNESS; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS, SERIES OF 2016 (THE "2016 BONDS") TO PROVIDE FUNDS FOR AND TOWARD SUCH REFUNDING PROJECT; SETTING FORTH TERMS OF THE 2016 BONDS; PROVIDING FOR BOOK-ENTRY ONLY BONDS; APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION OF A PAYING AGENT AGREEMENT AND PROVIDING FOR THE APPOINTMENT OF A PAYING AGENT; COVENANTING TO BUDGET, APPROPRIATE AND PAY DEBT SERVICE ON THE 2016 BONDS AND PLEDGING THE FULL FAITH, CREDIT AND TAXING POWER OF THE CITY FOR PAYMENT OF THE 2016 BONDS; SETTING FORTH THE SUBSTANTIAL FORM OF THE 2016 BONDS; PROVIDING FOR THE EXECUTION AND AUTHENTICATION OF THE 2016 BONDS; CREATING A DEBT SERVICE FUND FOR THE 2016 BONDS; PROVIDING FOR THE SALE OF THE 2016 BONDS AND AUTHORIZING THE ACCEPTANCE OF A BOND PURCHASE AGREEMENT FOR THE PURCHASE OF THE 2016 BONDS, SETTING FORTH THE MAXIMUM INTEREST RATE AND UNDERWRITER'S DISCOUNT ON THE 2016 BONDS; SETTING FORTH CERTAIN FEDERAL TAX COVENANTS; PROVIDING FOR THE APPLICATION OF 2016 BOND PROCEEDS; AUTHORIZING OFFICERS TO ACT; APPROVING THE CONTENT AND FORM OF A PRELIMINARY OFFICIAL STATEMENT AND AUTHORIZING THE DISTRIBUTION THEREOF AND AUTHORIZING THE PREPARATION, EXECUTION AND DELIVERY OF AN OFFICIAL STATEMENT AND THE UNDERTAKING OF CERTAIN CONTINUING DISCLOSURE; SETTING FORTH BOND INSURANCE PROVISIONS; SETTING FORTH THE DATE OF THE 2016 BONDS AND OTHER DOCUMENTS; PROVIDING FOR AN ESCROW AGREEMENT; AUTHORIZING OTHER NECESSARY ACTION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL INCONSISTENT ORDINANCES; AND STATING THE EFFECTIVE DATE.

NEW BUSINESS

Introduction/Ordinance 2016-14:

*Code of the City of Milford Part II-General Legislation
Chapter 230-Zoning Code Article III-Use and Area Regulations
§230-14 C-3 Highway Commercial District*

Mayor Shupe then introduced Ordinance 2016-14:

*ORDINANCE 2016-14
CODE OF THE CITY OF MILFORD
PART II-GENERAL LEGISLATION
CHAPTER 230-ZONING
ARTICLE III-USE AND AREA REGULATIONS
§230-14 - C-3 HIGHWAY COMMERCIAL DISTRICT*

WHEREAS, the City of Milford deems it necessary to provide for larger-scale commercial uses that may require large amounts of parking space or have a high traffic impact. These uses generally require locations on major arterial routes and serve both local and regional customers; and

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

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

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

Section 1.

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

Section 2.

Article III-Use and Area Regulations, 230-14 C-3 Highway Commercial District, C. Conditional Uses is hereby amended as follows:

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:

(19) Aquarium

Section 3.

Article III-Use and Area Regulations, 230-14 C-3 Highway Commercial District, D. Area Regulations is hereby amended as follows:

D. Area regulations.

- (1) Minimum lot area shall be one acre.*
- (2) Maximum lot coverage shall be 80%.*
- (3) Minimum lot width shall be as follows: for an interior lot 150 feet and for a corner lot 170 feet.*
- (4) Height of buildings shall not exceed three stories or 35 feet, **with the following exception: a motel, hotel, or aquarium may be erected to a height of over three stories, but not over five stories, and not exceeding 60 feet.***

Section 4. Dates.

Planning Commission Review and Public Hearing: September 20, 2016

City Council Introduction: October 10, 2016

City Council Public Hearing and Adoption: October 24, 2016

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

Planning Coordinator Rob Pierce recalled back in May, some modifications to the C-3 zoning category were discussed by the Community Affairs Committee. During the August and September Planning Commission meetings, an amendment was drafted which will add increased building heights and an aquarium as a conditional use. The current code does not permit buildings to exceed three stories and the amendment will permit five stories or sixty feet.

A public hearing has been scheduled on October 24th.

Introduction/Ordinance 2016-17:

Amending and Adopting by Ordinance A Third Amendment to the 2011 Southeast Master Plan of the 2008 City of Milford Comprehensive Plan East of Route 1

**Mr. Wiggles LLC (3-30-11.00-056.00);*

Change of future land use designation from low density residential to highway commercial.

**Country Life Homes Incorporated (3-30-11.00-070.00 & 3-30-11.00-070.03)*

(Former Beverly Thawley);

Change of future land use designation from low density residential to highway commercial.

Mayor Shupe introduced Ordinance 2016-17:

*Ordinance 2016-17
AMENDING AND ADOPTING BY ORDINANCE
A THIRD AMENDMENT TO THE SOUTHEAST MASTER PLAN OF
THE 2008 CITY OF MILFORD COMPREHENSIVE PLAN*

WHEREAS, pursuant to Title 22-Municipalities, Chapter 7-Planning Commission, Section 7-Establishment; Membership, of the Delaware Code, the City of Milford established a Planning Commission, and

WHEREAS, pursuant to Title 22-Municipalities, Chapter 7-Planning Commission, Section 702-Comprehensive Development Plan, of the Delaware Code, the City of Milford adopted Ordinance 2011-15, a Comprehensive Plan Update,

on July 11, 2011 to include the addition of and implementation of the Southeast Master Plan, and

WHEREAS, the City of Milford adopted Ordinance 2012-09, a second Comprehensive Plan Amendment, on June 25, 2012, and

WHEREAS, the City of Milford adopted Ordinance 2015-06, a third Comprehensive Plan Amendment, on July 27, 2015, to amend the Southeast Master Plan, and

WHEREAS, the City of Milford adopted Ordinance 2015-11, a fourth Comprehensive Plan Amendment, on June 22, 2015, and

WHEREAS, the City of Milford adopted Ordinance 2015-16, a fifth Comprehensive Plan Amendment, on October 26, 2015, a second amendment to the Southeast Master Plan, and

WHEREAS, the Planning and Economic Activities Coordinator has prepared, and consulted with the Office of State Planning, a sixth amendment to the 2008 Comprehensive Plan which will amend the Southeast Master Plan by permitting the future land use designation of three parcels from low density residential to highway commercial; and

WHEREAS, the City of Milford held a public workshop for public review and comment on the proposed amendment on October 12, 2016; and

WHEREAS, the City of Milford Planning Commission held a duly advertised public hearing for public review and comment on the 2008 Comprehensive Plan amendment on October 18, 2016 and did recommend approval and adoption of the sixth amendment of the 2008 Comprehensive Plan, and

WHEREAS, the Mayor and City Council held a duly advertised public hearing on the fourth amendment of the 2008 Comprehensive Plan on October 24, 2016, at which time the amendment of the 2008 Comprehensive Plan was reviewed with the public.

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS that the amended 2008 Comprehensive Plan is hereby adopted on October 24, 2016 and made effective as the amended 2008 Comprehensive Plan for Milford on this 24th day of October 2016.

Public Workshop: October 12, 2016

Planning Commission Review & Public Hearing: October 18, 2016

City Council Introduction: October 10, 2016

City Council Review & Public Hearing: October 24, 2016

Adoption: October 24, 2016

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

SYNOPSIS: This comprehensive plan amendment includes the following three properties:

- 1. Mr. Wiggles LLC (3-30-11.00-056.00); change of future land use designation from low density residential to highway commercial.*
- 2. Country Life Homes Inc. (3-30-11.00-070.00 & 3-30-11.00-070.03); change of future land use designation from low density residential to highway commercial.*

City Planning Coordinator Rob Pierce said it was brought to their attention after the ordinance was published that some minor technical amendments were needed. Mr. Pierce discussed it with the City Manager and City Solicitor who recommends changing the ordinance to include:

The Mayor and City Council held a duly advertised public hearing on the **THIRD** amendment to the Southeast Master Plan and the **SIXTH** amendment to the 2008 Comprehensive Plan...

In addition, the following paragraph is changed accordingly:

Now, Therefore, the City of Milford hereby ordains that the **THIRD** amendment to the Southeast Master Plan is hereby adopted on October 24, 2016 by enacting the **SIXTH** amendment to the 2008 Comprehensive Plan and made effective as the amended 2008 Comprehensive Plan for Milford on this 24th day of October 2016.

He informed Council that the clarification relates to the 'sixth' overall amendment to the Comprehensive Plan and specifically states the 'third' amendment to the Southeast Master Plan.

Mr. Pierce reiterated an informational workshop has been scheduled on Wednesday, October 12th from 5:00 p.m. to 7:00 p.m. at which time staff will be available for the public to come in and review the proposed comprehensive plan. The Planning Commission will hear the proposal on October 18th with City Council making a final determination on October 24th.

He clarified this amendment involves 120 acres of land east of Route 1, the site of the former Beverly Thawley Farm and current Mr. Wiggles property. That property owner has requested those land use designations be changed from low density residential to highway commercial.

*Introduction/Ordinance 2016-20:
Solid Waste Management Code Amendment*

Mayor Shupe introduced the following ordinance:

*Ordinance 2016-20
Chapter 193-Solid Waste Management*

The following ordinance is currently under review by Milford City Council:

WHEREAS, the City Council of the City of Milford has heretofore enacted the "Solid Waste Management Ordinance" which is codified as Chapter 193 of the City of Milford Code of Ordinances; and

WHEREAS, under the authority of this Chapter, the City's Public Works Department shall provide Solid Waste Disposal services for its residents and customers and make recommendations as to the collection, recycling, and disposal of associated waste and materials within the City and amendment or repeal of any and all rules, regulations and ordinances otherwise necessary or desirable for carrying out its purposes; and

WHEREAS, the City Council of the City of Milford possesses the authority to enact changes needed for the collection and disposal of solid waste, recyclable material and yard waste within the City; and

WHEREAS, the City Council finds that the adoption of updated provisions regarding the collection and disposition of solid waste, recyclable material and yard waste in the City is in the best interest of the health, safety and welfare of the citizens of the City.

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

*Chapter 193 - SOLID WASTE MANAGEMENT
ARTICLE I - General Provisions*

Section 1. Article I Section 193-1 Mandatory Residential Collection is hereby amended by adding a new paragraph 193-1(B) as indicated:

Section 2. Article I Section 193-4 Special and Holiday Collections is hereby repealed in its entirety and subsequent sections of this Chapter are appropriately renumbered:

Section 3. Article I Section 193-7-Supplemental Regulations is hereby retitled and amended to read as indicated:

ARTICLE II - Solid Waste

Section 4. Article II Section 193-11 Collection and Rate Schedule is hereby amended by rescinding Paragraph 193-11(B) and all subsequent paragraphs of this Section are appropriately renumbered:

ARTICLE III - Yard Waste

Section 5. Article III Section 193-15 Collection Schedule is hereby rescinded in its entirety as indicated and all subsequent sections of this Chapter are appropriately renumbered:

ARTICLE IV- Recycling

Section 6. Article IV Section 193-19 Collection Schedule is hereby rescinded in its entirety as indicated and all subsequent sections of this Chapter are appropriately renumbered:

ARTICLE V - Bulk Items

Section 7. Article V Section 193-23 Collection and Rate Schedule is hereby retitled and paragraphs 193-23(B) and 193-23(C) rescinded and a new paragraph 193-20(B) added as stated:

ARTICLE VI - TEMPORARY SUSPENSION OF SERVICES

Section 8. Dates:

Introduction: 10-10-2016

Adoption (Projected): 10-24-2016

Ordinances become effective no earlier than ten (10) days following adoption

City Manager Norenberg referred to a number of sections of the Solid Waste Code that have been updated as proposed by Public Works Director Mark Whitfield and recommended by the Public Works Committee at their meeting last week. The ordinance is scheduled for adoption at the October 24th Council Meeting.

DEMEC/Municipal Electric Utilities Renewable Portfolio Compliance Report

City Manager Norenberg advised that DEMEC (Delaware Municipal Electric Corporation) has completed the administration of the Municipal Electric Utilities Renewable Portfolio Standard for the 2015-2016 program year on behalf of its nine Municipal Electric Utilities. Per state statute, the Municipal Electric Utilities Renewable Portfolio Compliance Report must be submitted to each legislative body and the reason it is being presented to Council this evening.

EXECUTIVE SESSION

Councilmember Morrow moved to recess into Executive Session reference below permitted statute, seconded by Councilmember Mergner:

{Pursuant to 29 Del. C. §10004(b)(4)} (Collective Bargaining Matters)

Motion carried.

Mayor Shupe recessed the Council Meeting at 7:47 p.m. for the purpose of an Executive Session as permitted by Delaware's Freedom of Information Act.

Return to Open Session

City Council returned to Open Session at 7:59 p.m.

IBEW Contract Negotiations

Mayor Shupe announced that no action is needed as a result of the Executive Session discussion.

ADJOURN

There being no further business, Councilmember Peel moved for adjournment, seconded by Councilmember Mergner. Motion carried.

The Council Meeting adjourned at 8:00 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

MILFORD CITY COUNCIL
MINUTES OF MEETING
October 24, 2016

A Meeting of Milford City Council was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall on Monday, October 24, 2016.

PRESIDING: Mayor Bryan W. Shupe

IN ATTENDANCE: Councilpersons Christopher Mergner, Arthur Campbell, Lisa Ingram Peel, Owen Brooks Jr., Douglas Morrow and James Starling Sr.

City Manager Eric Norenberg, Police Chief Kenneth Brown and City Clerk Terri Hudson

COUNSEL: City Solicitor David Rutt, Esquire

CALL TO ORDER

Mayor Shupe called the Council Meeting to order at 10:31 p.m.

INVOCATION AND PLEDGE

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

RECOGNITION

Proclamation 2016-08/Extra Mile Day

Christine Ott from the Extra Mile America Organization requested Mayor Shupe proclaim November 1st as Extra Mile Day in the City of Milford. Mayor Shupe read portions of the Proclamation into record:

WHEREAS, the City of Milford, Delaware is a community which acknowledges that a special vibrancy exists within the entire community when its individual citizens collectively "go the extra mile" in personal effort, volunteerism, and service; and

WHEREAS, the City of Milford, Delaware is a community which encourages its citizens to maximize their personal contribution to the community by giving of themselves wholeheartedly and with total effort, commitment and conviction to their individual ambitions, family, friends and community; and

WHEREAS, the City of Milford, Delaware is a community which chooses to shine a light on and celebrate individuals and organizations within its community who "go the extra mile" in order to make a difference and lift up fellow members of their community; and

WHEREAS, the City of Milford, Delaware acknowledges the mission of Extra Mile America to create 550 plus Extra Mile cities in America and is proud to support "Extra Mile Day" on November 1, 2016.

NOW, THEREFORE, I, Bryan W. Shupe, Mayor of the City of Milford, do hereby proclaim November 1, 2016, to be Extra Mile Day and urge each individual in the community to take time on this day to not only "go the extra mile" in his or her own life, but to also acknowledge all those who are inspirational in their efforts and commitment to make their organizations, families, community, country or world a better place.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City to be affixed hereto this 24th day of October 2016.

COMMUNICATIONS & CORRESPONDENCE

Approval/City of Milford Logo Stone Formliner

Mayor Shupe presented a rendering of the proposed overpass on Northeast Front Street and Route 1 that is scheduled to begin construction in 2018. The rendering includes the design that was requested by the City of Milford due to this being a major gateway into our downtown area.

Planning Coordinator Rob Pierce reported they had contacted DeIDOT a couple months ago about the possibility of using formliners and adding the City's logo onto the concrete abutments. DeIDOT is considering the idea and created the rendering with the understanding the City would pay for the addition of the "Welcome to Milford" logo on the north and southbound sides of the overpass.

They are currently preparing the bid documents with plans to begin construction next year. DeIDOT must have the City's approval because it will have to be incorporated into the design when they cast the concrete for the wing walls and bridge.

Mayor Shupe reported that local legislators have offered funding assistance with the project.

Mr. Norenberg reported the estimated cost is approximately \$25,000. Mr. Mergner likes the idea but asked how confident we are of the legislators' commitment. Mayor Shupe commented he is confident we will receive the legislative funding and pointed out that in addition to the Northeast Tenth Street and east of Route 1 traffic, this will encompass Northeast Tenth Street traffic as well.

Mayor Shupe explained they are only asking Council to allow them to move forward so DeIDOT can include the design in the bid documents. However, funding is not being requested at this time. Mr. Pierce explained that DeIDOT wants a commitment the City will be responsible for the costs.

Mr. Starling expressed concern about graffiti and asked if there is anyway to protect it; Mr. Mergner agreed that is a concern after putting \$25,000 into the project. Mr. Norenberg said they will also discuss with DeIDOT what is being used to clean up in these situations.

Mr. Brooks moved to approve the funding for the overpass logo as presented. Mr. Starling seconded the motion. Motion carried.

UNFINISHED BUSINESS

Adoption/Ordinance 2016-20/Solid Waste Management Code Amendment

Mr. Norenberg recalled this ordinance being introduced at the last meeting that includes a number of recommended changes that Public Works Director Mark Whitfield had presented to the Public Works Committee.

The Public Works Director was present and stated there are four different changes. One relates to holidays due to some problems we are experiencing with makeup days. Currently the ordinance is explicit on when the makeup day should be.

He feels that based on the day of the week the holiday falls, there are simpler ways to schedule the makeup day. In his opinion, rather than codifying the makeup days, they are asking that the City Manager and Public Works Director be permitted to create a schedule. In the past couple years, the Public Works Staff has put together a schedule and published it in advance.

He also pointed out that the City only has one collection vehicle that can be used for leaves. In the heaviest leaf drop period in November, it takes an entire week to complete the south side of town. The north side of town can be done in approximately three days.

The ordinance currently states the City will collect leaves every week. Mr. Whitfield said this cannot be accomplished without additional equipment or changes being made to the schedule. He is again asking Council to allow the schedule to be changed so that residents are aware of exactly when the leaves will be collected.

The ordinance also states that bulk items will be collected on Wednesdays. Should the one-man automated truck be purchased as will be recommended, moving the bulk pickup day to Mondays and allowing the City Manager and Public Works Director to switch days as needed should work.

He also still recommends we continue with the twice-a-year collection of bulk items for free.

Currently recycling is collected once every two weeks. They are hoping to be able to collect recycling weekly once the new automated truck is in operation. As a result, he is also asking that language be removed from the ordinance and that scheduling recycling will be left to the City Manager and Public Works Directors' discretion.

Mr. Norenberg added that the leaf collection changes will be implemented upon the passage of the ordinance. The other changes will be phased in during 2017. In the meantime, they will keep the Public Works Committee and City Council updated as these services change.

Councilmember Brooks agrees that more communication is needed and that it has been inconsistent over the years and the reasons why so many of our residents are confused as to the collection schedule.

Councilmember Peel moved to adopt Ordinance 2016-20, seconded by Councilmember Mergner:

City of Milford
Ordinance 2016-20
Chapter 193-Solid Waste Management

WHEREAS, the City Council of the City of Milford has heretofore enacted the "Solid Waste Management Ordinance" which is codified as Chapter 193 of the City of Milford Code of Ordinances; and

WHEREAS, under the authority of this Chapter, the City's Public Works Department shall provide Solid Waste Disposal services for its residents and customers and make recommendations as to the collection, recycling, and disposal of associated waste and materials within the City and amendment or repeal of any and all rules, regulations and ordinances otherwise necessary or desirable for carrying out its purposes; and

WHEREAS, the City Council of the City of Milford possesses the authority to enact changes needed for the collection and disposal of solid waste, recyclable material and yard waste within the City; and

WHEREAS, the City Council finds that the adoption of updated provisions regarding the collection and disposition of solid waste, recyclable material and yard waste in the City is in the best interest of the health, safety and welfare of the citizens of the City.

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

Chapter 193 - SOLID WASTE MANAGEMENT

ARTICLE I - General Provisions

Section 1. Article I Section 193-1 Mandatory Residential Collection is hereby amended by adding a new paragraph 193-1(B) as indicated below:

§ 193-1. - Mandatory residential collection.

A. The maintenance of the public health, safety, sanitation and aesthetics requires that all residential properties in the City of Milford accept, arrange and pay for solid waste collection and disposal services in accordance with this chapter. Residential properties include detached homes, duplexes, townhouses and condominiums.

B. Customers shall keep all garbage and recycling materials separate in accordance with all collection program

guidelines.

§ 193-2. - Non-residential and multi-unit rental complex services.

Solid waste services through the City of Milford are optional for non-residential entities and multi-unit complexes in common ownership. Upon request containers may be provided, in accordance with the fee established in Section 193-11. Those opting not to utilize solid waste collection through the City shall be required to make arrangements for the disposal and/or collection of the same by a private collector/hauler at no cost to the City.

§ 193-3. - Containers required.

The City shall specify the type of container to be used for each specific collection. Use of any other type container than specified by the City is prohibited. The City will provide containers to the customer as required by the desired level of service at no up-front cost to the customer. If any container is lost or destroyed, another container shall be provided at cost to the customer. Multi-unit rental complexes under common ownership may utilize a City approved dumpster.

Section 2. Article I Section 193-4 Special and Holiday Collections is hereby repealed in its entirety and subsequent sections of this Chapter are appropriately renumbered:

~~§ 193-4. - Special and holiday collections.-~~

~~A. - Special collections. A special collection will occur one week in the spring and one week during the fall of each year. Customers shall be able to put out additional bulk items during these weeks without an additional charge. Adequate notice of the special collection dates and details shall be provided to customers.-~~

~~B. - Holiday collections. The City observes the following six holidays in which trash services will not occur:-~~

~~New Years
Memorial Day
July 4th
Labor Day
Thanksgiving
Christmas-~~

~~If the holiday or observed holiday falls on a Monday, collection will be the following day affecting all workdays including Saturdays. If holiday falls on any other weekday, only the collections after that day are shifted by one day.~~

~~C. - Holidays such as Martin Luther King Birthday, Presidents Day, Good Friday, Election Day and Veterans Day will not affect collections.~~

§ 193-5 4. - Bills, payments and deposits.

- A. The rates as established shall be an assessment and shall be billed to customers on a monthly basis. All bills for service are due and payable each month for normal and additional services performed. Monthly charges, if not paid by the due date, shall accrue interest at the rate of 1 1/2% per month until paid.
- B. Bills are rendered for any indicated period of service, either special or monthly, and will show the proper charge as determined by the applicable rate schedule. Bills shall be considered as duly rendered when delivered at or mailed to the recorded address of the customer, as provided by him for that purpose.
- C. The charges imposed under this ordinance shall be a lien against any owner-occupied property served and shall be and remain a lien for ten years from the date of assessment of such charge. Such lien shall have priority over any other lien, encumbrance or conveyance even though such other lien or liens may be of a date prior to the time of attaching of this lien. The City Manager shall have the same authorities, remedies and powers with respect to the collection of this charge as are provided for the collection of taxes.

- D. Any customer, upon receipt of a bill, having reason to doubt its accuracy shall bring or mail the bill within five days to the City for investigation.
- E. Nonpayment of two consecutive months will trigger suspension of trash collection and removal of all city-issued containers.
- F. Creation of new rental accounts, not part of a multi-unit rental complex under common ownership, will require a \$100 reimbursable deposit. Unpaid balances will be applied when account is terminated.

§ 193-6 ~~5~~ - Violations and penalties.

- A. Unless otherwise prescribed herein, any person violating any of the provisions of Chapter 193 shall, upon conviction thereof before a Justice of the Peace, be sentenced to pay a fine of not less than \$25 nor more than \$300, together with costs of prosecution.
- B. Every violation of this chapter shall be deemed a separate offense for each and every day a violation shall continue and shall be subject to the penalty imposed by this section for each and every such separate offense.

Section 3. Article I Section 193-7-Supplemental Regulations is hereby retitled and amended to read as follows:

§ 193-7 ~~6~~ - **Solid Waste Management Supplemental Regulations and Schedules**

The City Manager is hereby authorized to administer Chapter 193 of the City of Milford Code pertaining to the solid waste collection system. **The City Manager shall promulgate and publish such rules and schedules as necessary for the efficient and economical collection of garbage, recycling and yard waste materials. Adequate notice of the collection schedules shall be provided to all customers and any changes thereto.**

Article II - Solid Waste

§ 193-8 ~~7~~ - Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

SOLID WASTE - Commonly referred to as trash or garbage, consisting of everyday items that are discarded which may include food wastes, containers and product packaging and other miscellaneous wastes from residential or commercial sources. Solid waste does not include yard waste, inert waste such as construction debris, hazardous waste, toxic waste or medical waste.

§ 193-9 ~~8~~ - Unlawful acts and containment requirement.

- A. It shall be unlawful to deposit or place any trash or garbage into any yard waste container or recycling container.
- B. No solid waste or any other similar materials shall be placed in the street, drainage gutter or on the sidewalk.
- C. No solid waste of any description shall be disposed of within the limits of the City in any manner other than that prescribed herein. Deposit of solid waste upon any land, alley, street, public place, vacant lot, watercourse, ditch or any other method of disposal not in accordance with this chapter shall be a violation as prescribed herein.

§ 193-~~10~~ ~~9~~ - Collection procedures.

A. General.

- (1) All collection of solid waste materials from residences and other approved establishments shall be by city public works crews or contractors hired or contracted by the City Council.
- (2) On designated collection days, containers shall be placed just behind the curblines without interfering with

vehicular or pedestrian traffic.

- (3) Containers shall be placed no earlier than 3:00 p.m. of the day preceding the day of collection and not later than 7:00 a.m. on the scheduled day of collection and shall be removed to a point at the side or rear of the structure not later than 7:00 p.m. of the day of collection.
- B. Multi-unit rental complex collection. Owners and/or designee of multi units rental complexes desiring to utilize containers for mass storage may do so, provided that the container and the placement of the container is approved by the City Manager or his designated representative. In no case shall the container be in excess of three-cubic yards' capacity.
- C. Items prohibited.
- (1) The scope of the service rendered by the City in the collection and removal of solid waste materials is intended to serve the needs of its customers' related activities. It is considered to be beyond the scope of such service to collect or remove solid waste materials generated by clearing, construction, demolition and any other such activity producing quantities of solid waste.
 - (2) Rock, scrap building materials, appliances containing freon or other trash resulting from construction, remodeling or destruction by fire, the elements, acts of God or other causes resulting from a general cleanup of vacant or improved property or trees, brush and/or debris cleared from a property in preparation for construction or landscaping shall not be collected and removed by the City. Such materials will be removed at the expense of the customer.
 - (3) Tires will not be collected. Items too bulky or heavy to be removed during the regular city collection maybe removed after special arrangements have been made by the customer.
- D. Items piled alongside the container will not be picked up, nor will containers not provided by the City.
- E. Mandatory additional container.
- (1) Any additional items found outside container will not be picked up. Items will be tagged and customer informed of pending additional container issuance.
 - (2) Additional container delivery and associated fee will be triggered after two consecutive incidents related to additional items or three incidents in any rolling six months period.
 - (3) Payment of additional container will be the responsibility of customer until account is terminated.

Section 4. Article II Section 193-11 Collection and Rate Schedule is hereby amended by rescinding Paragraph 193-11(B) and all subsequent paragraphs of this Section are appropriately renumbered:

§ 193-~~11~~ **10.** - Collection and rate schedule.

A. The City will collect solid waste as described in this Article II once every week.

~~B. The City Manager shall divide the City into districts and shall schedule the collection of solid waste in these districts on the day or days and at the times that shall be most efficient and convenient to the City. Adequate notice of the collection schedules shall be provided to all customers and any changes thereto.~~

Є. **B.** Residential properties:

Effective:

July 1, 2015 - \$24.00 monthly - one container

July 1, 2016 - \$24.50 monthly - one container

July 1, 2017 - \$25.00 monthly - one container

Ɔ. **C.** Non-residential properties:

Effective:

July 1, 2015 - \$24.00 monthly - one container

July 1, 2016 - \$24.50 monthly - one container

July 1, 2017 - \$25.00 monthly - one container

E. D. Multi-unit rental complex.

Effective:

July 1, 2015 - \$24.00 monthly - one container per unit or three-cubic-yard dumpster(s)

July 1, 2016 - \$24.50 monthly - one container per unit or three-cubic-yard dumpster(s)

July 1, 2017 - \$25.00 monthly - one container per unit or three-cubic-yard dumpster(s)

F. E. Additional trash container - \$ 20

Additional yard waste container - \$12

ARTICLE III - Yard Waste

§ 193-~~12~~ 11. - Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

YARD WASTE - Biodegradable waste consisting of leaves, grass clippings, twigs, small branches (less than four ft. in length), shrubbery, prunings and other garden material.

§ 193-~~13~~ 12. - Containers required.

- A. Depositing or placing any yard waste or matter into any garbage container, recycling container or on any city street or in a drainage gutter is prohibited.
- B. Mandatory additional yard waste container.
 - (1) Any additional yard waste found outside container will not be picked up. Excessive yard waste will be tagged and customer informed of pending additional yard waste container issuance.
 - (2) Additional container delivery and associated fee will be triggered by two consecutive incidents related to excessive yard waste or three incidents in any rolling six months period.
 - (3) Payment for additional yard waste container will be the responsibility of customer until account is terminated.

§ 193-~~14~~ 13. - Collection procedures.

- A. The City will collect yard waste provided that such yard waste is deposited into the yard waste containers issued by the City. Disposal of yard waste that will not fit into the container shall be the responsibility of the customer.
- B. The City will provide for looseleaf curbside collection from November 1 through January 31 in accordance with the following conditions:
 - (1) Loose leaves shall be raked and placed behind the curb for removal by the City's leaf vacuum.
 - (2) Leaves must be free of stones, branches, brush and grass clippings or they will not be collected.
 - (3) It is illegal to place, sweep or blow leaves and other yard waste into the street, storm drains or catch basins.

Section 5. Article III Section 193-15 Collection Schedule is hereby rescinded in its entirety as indicated below and all subsequent sections of this Chapter are appropriately renumbered:

~~§ 193-15. - Collection schedule.~~~~A. The City will collect yard waste as described in Section 193-14A every two weeks.~~~~B. The looseleaf curbside collection as described in Section 193-14B will be collected once each week.~~

ARTICLE IV - Recycling

§ 193-~~16~~ 14. - Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

RECYCLING - Unbagged recycling materials including cardboard, glass bottles and jars (any color), junk mail and envelopes (all types), magazines and catalogs, metal cans (tin/steel/aluminum), milk jugs, bleach/detergent bottles and shampoo bottles, narrow-neck plastic bottles, newspapers, paperboard (cereal/tissue boxes), telephone and soft cover books, pizza boxes (free of food residue). Recycling materials does not include bags, styrofoam (all types), hardback books (pages are acceptable, remove hard cover), light bulbs (all types), household batteries, electronics, broken glass/mirrors/window glass, empty aerosol spray cans, paint cans.

§ 193-~~17~~ 15. - Unlawful acts and containment requirement.

It shall be unlawful to deposit or place any recycling material into any solid waste container or yard waste container or on any city street or in a drainage gutter.

§ 193-~~18~~ 16. - Collection procedures.

The City will provide for the collection of recycling material, provided that such material is deposited into a recycling container provided by the City. Disposal of excessive material that will not fit into the container shall be the responsibility of the customer.

Section 6. Article IV Section 193-19 Collection Schedule is hereby rescinded in its entirety as indicated below and all subsequent sections of this Chapter are appropriately renumbered:

~~§ 193-19. - Collection schedule.~~

~~The City will collect recycling material once every two weeks.~~

ARTICLE V - Bulk Items

§ 193-~~20~~ 17. - Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

BULK ITEMS - Unbagged garbage other than regular household trash, such as furniture, appliances, large items including, but not limited to, lawn mowers, barbeque grills, hot water heaters, air conditioners, televisions, doors, cabinets and kids toys.

Note: Bulk items do not include materials generated by clearing, construction, demolition and any other such activity producing quantities of solid waste, rock, scrap building materials, appliances containing freon or trash resulting from construction, remodeling or destruction of fire, the elements, acts of God or other causes resulting from a general cleanup of vacant or improved property or trees, brush and/or debris cleared from a property in the preparation for construction or landscaping. Any yard waste material is not considered a bulk item and shall not be collected and removed by the City. Such materials shall be removed by the customer.

§ 193-~~21~~ 18. - Unlawful acts.

It shall be unlawful to place any bulk material or any hazardous chemical on a city street or near a drainage gutter.

§ 193-~~22~~ 19. - Collection procedures.

- A. Customers are required to contact our Customer Service Department to schedule a pickup.
- B. Customer without prior pick-up arrangements will be tagged and notified of subsequent billing.
- C. Items not removed by customer in subsequent weeks will be removed and billed accordingly.

Section 7. Article V Section 193-23 Collection and Rate Schedule is hereby retitled and paragraphs 193-23(B) and 193-23(C)

rescinded and a new paragraph 193-20(B) added as stated below:

§ 193-23 ~~20~~ 20. - ~~Collection and Rate~~ Rate Schedule.

- A. The bulk fee shall be determined on a sliding scale based on the number of large items picked up as indicated below:
- (1) A minimum of \$50 will be billed for each pickup of up to five items.
 - (2) Each additional item will be billed at \$10.

~~B. The City will collect bulk material every Wednesday.~~

~~C. The City will not collect bulk material during those weeks in which a holiday is observed and trash services do not occur. Refer to Section 193-4(b) for holidays that apply.~~

B. The City Manager shall establish procedures to allow each residential property two scheduled collections of bulk items per year at no charge.

ARTICLE VI - TEMPORARY SUSPENSION OF SERVICES

§ 193-24 ~~21~~ 21. - Authority.

- A. The City Manager or designee may suspend trash and recycling (and yard waste when applicable) collection services for owner-occupied residences only if the home is unoccupied between a minimum of three months and a maximum of 12 months.
- B. A "Temporarily Suspend Garbage Service Application" must be completed in order to place the service on hold.
- C. A "Temporarily Suspend Garbage Service Application" must be received by the Customer Service Department at least five business days prior to the start of the suspension period.
- D. The Solid Waste Department will collect the trash, recycling and yard waste (if applicable) containers at the start of the suspension and redeliver them on the expected date of return.
- E. The residence for which the suspension has been approved shall remain vacant during the suspension period.
- F. Service will automatically be reactivated at the end of the approved suspension period, unless a request for an additional period of temporary suspension has been requested and approved by the City Manager or designee prior to the automatic reactivation. Failure to request an extension prior to the reactivation date will result in the resumption of the monthly solid waste fee. Continuation of a suspension of service after reactivation requires a new "Temporarily Suspend Garbage Service Application" to be filed with the appropriate fee.
- G. When a suspension is active, the customer may not use any other city trash/recycling/yard waste services, including someone else's container or bulk service.
- H. No credit will be issued should customer fail to submit and complete the "Temporarily Suspend Garbage Service Application."
- I. Partial or retroactive payments of monthly fees are prohibited.

§ 193-25 ~~22~~ 22. - Suspension fee.

- A. At the time of the suspension request, the following service fees shall be paid by the customer:
- (1) A fee of \$35 for removal and storage of the container(s).
 - (2) A fee of \$35 for redelivery of the container(s).

- B. Service fee shall be paid at the time the "Temporarily Suspend Garbage Service Application" is submitted to the Customer Service Department.

§ 193-26 ~~23~~. - Noncompliance, violations and penalties.

- A. Noncompliance of this article will result in the immediate reactivation of the solid waste services.
- B. The account will be billed the full service fees for the entire suspension period and a \$100 account reconciliation fee assessed for noncompliance.
- C. Violations and penalties set forth in Section 193-6 shall also apply to Article VI.

Section 8. Dates:

Introduction: 10-10-2016

Adoption (Projected): 10-24-2016

Ordinances become effective no earlier than ten (10) days following adoption.

Motion carried.

NEW BUSINESS

Appointment/City of Milford Planning Commissioners

Resignation/City of Milford Board of Adjustment Member

Appointment/City of Milford Board of Adjustment Member

Mayor Shupe recalled there are currently two vacant positions on the Planning Commission. Two applications from interested parties have been submitted and he has asked Planning Coordinator Pierce to interview them and make recommendations.

City Manager Norenberg confirmed there is currently one member from Ward 3 and one member in Ward 4. Their hope was to get some interest from other residents in those wards in an attempt to keep the commission balanced geographically. Presently there are only two applications on file for boards/commissions. With the very recent notice of the vacancy on the Board of Adjustment (next agenda item), there is now a total of three vacancies. Because the Board of Adjustment only has a total of three members, these two applicants will be screened with the hope to fill the one Board of Adjustment vacancy which is more crucial at this point.

In the meantime, the City will continue to do outreach with the help of the media to encourage more applicants from Wards 3 and 4.

Reappointment/City of Milford Planning Commissioners

Mr. Campbell moved to reappoint Michael Boyle and Raymond Lynch to the Planning Commission for a three-year term, seconded by Mr. Brooks. Motion carried.

Reappointment/City of Milford Board of Adjustment Members

Mr. Campbell moved to reappoint Brendon Warfel to the City of Milford Board of Adjustment for a three-year term, seconded by Mr. Starling. Motion carried.

Approval/Taser International Body/Vehicle Camera Software Project & Contract/Five-Year Capital Funding

Chief Brown recalled discussing this proposal at which time Council indicated their support and asked him to proceed. He explained that what they discussed the first time was the cost of \$145,000 for the body cameras and in car cameras. Since that time, Taser has experienced problems with the in-car cameras and is postponing selling them until the matter has been resolved. He does not expect that to happen until at least the Spring 2017.

He is asking Council to approve the amended contract that is included in the packet for a total of \$117,000 over the five-year period. The initial installment for year one is \$35,027.50. However, he has already acquired two grants that will cover the initial payment.

A commitment of \$20,550 is needed for years two through five.

Mr. Mergner asked if this is already in the budget; City Manager Norenberg explained that following this, Council will be approving a series of budget adjustments. Even though Chief Brown has identified the revenue to cover the \$35,027.50, the additional four payments (year two to five) will need to be appropriated.

Councilwoman Peel noted that total cost and asked if this should be put out to bid based on the fact it is over the \$30,000 threshold. Mr. Rutt agreed the charter states that anything over the \$30,000 limit must be publicly bid though he is unsure what process has been followed.

Chief Brown stated the problem is the State is recommending that Delaware police agencies purchase the body cameras through Taser International due to a number of legal reasons. In addition, the Attorney General's Office already has the ability to redact and access videos from Taser's software without the police agency's involvement.

He explained the Delaware Police Chiefs' Association did a year-long pilot program during which time they tested a number of cameras. After that was completed and input was received from various people the Chief's Association is also recommending Taser and the reason Milford chose that vendor.

Chief Brown confirmed the State of Delaware provided two grants to cover the initial costs of the purchase. One is for \$30,000 and the remaining \$5,027.50 is through a second grant.

Mr. Rutt stated that the \$35,027.50 is coming from a different source and not the City of Milford. He suggested this be looked at as five different contracts each year. Considering that, the next four are all below the \$30,000 threshold required to publicly bid.

Councilman Mergner asked why a motion is required if no money is needed this year nor will the \$20,550 have to be approved until next fiscal year.

Councilman Morrow said the legal language in the contract has to be approved and recalled that City Council already voted to proceed with the project. Councilman Mergner thought it had already been budgeted which is the reason he is confused. Councilman Morrow reiterated there is no money needed this year.

The City Manager explained this needs to be considered from a budget standpoint even though the grant money has been secured and will come in as revenue. Council still needs to approve the contract and the appropriation of the revenue for this purpose.

Mr. Rutt explained it will simply be a pass-thru.

Mr. Norenberg further explained that Council still needs to authorize the capital purchase of the equipment and confirmed the next four years of funding will be approved. He noted that the actual equipment purchase is in year one and years two through five cover the cost of software support, licenses, warranties, etc.

He also recalled that during the initial presentation, Chief Brown stated he would continue to look for grants to support the supplemental years of the contract. In the meantime, the Chief still needs a commitment from Council so he can proceed with the initial investment.

Mr. Morrow moved to approve the Taser Body Vehicle Camera Software Project Contract, seconded by Mr. Mergner. Motion carried.

FY2016-2017 Budget Amendment/Police Department/Body/General Fund Reserves/Police Body Camera and Software Project Program

FY2016-2017 Budget Amendment/Transfer/Planning and Zoning to City Administration/Salary and Benefits

FY2016-2017 Budget Amendment/General Fund Reserves to Planning and Zoning/Salary and Benefits

FY2016-2017 Budget Amendment/Electric Department/IBEW Local 126 Negotiations/Legal Expenses

FY2016-2017 Budget Amendment/Police Department/Teamsters Local 326 Contract Increase

City Manager Norenberg explained that as budget adjustments are needed throughout the year, he felt it may be a simpler process to submit them on a quarterly basis so that Council has a better understanding of the expenditures and financial implications. Commitments have already been provided by Council in a couple of the requests though funding sources need to be identified.

The requests are as follows:

FY2016-2017 Budget Amendment/Electric Department/IBEW Local 126 Negotiations/Electric Legal Services:
For outside counsel to support negotiating a collective bargaining agreement with the newly approved bargaining unit comprised of members of the Public Works/Electric Department. A transfer \$20,000 from Electric Reserves to Electric Legal Service is needed.

FY2016-2017 Budget Amendment/Police Department/Teamsters Local 326 Contract Increase:
Following approval of the collective bargaining agreement for the Police union officers, the new salary chart went into effect this pay period. A transfer of \$185,500 from General Fund Reserves to Police Salary and Benefits Line is needed to cover the retroactive pay as was previously appropriated and held in reserves until the contract was ratified.

FY2016-2017 Budget Amendment/Transfer/City Administration/Salary and Benefit Line Items:
As a result of the transfer of the Deputy City Clerk/Executive Assistant to Administration as was discussed in August, \$7,137 needs to be transferred from the Planning and Zoning Salaries and Benefits Line Items to City Administration Salary and Benefits Line Items.

FY2016-2017 Budget Amendment/Planning and Zoning/Salary and Benefit Line Items:
The Office Assistant was promoted to Administrative Assistant/Permit Technician to support the work of the Planning/Building/Code Enforcement team as discussed. Accordingly, the Planning and Zoning Salaries and Benefits line items will be increased by funds from the General Fund Reserves in the amount of \$3,588.

FY2016-2017 Five-Year Capital Budget Amendment/Police Department/Body Camera Program:
As shown on the \$117,331.21 Taser International quotation provided to the Police Department, the first year amount for the body camera program has a cost of \$35,027.50 that will be funded through State grants. An amendment to the Five-Year Capital Police Budget is needed due to a \$20,550 annual commitment in years two through five of the contract.

Mr. Morrow moved to adopt the amended 5-Year Capital Police Budget for the Body Camera and Software Project as indicated in the Taser Contract, seconded by Mr. Mergner. Motion carried.

Mr. Mergner moved to approve the FY2016-2017 Budget Amendment/Transfer/Planning and Zoning to City Administration/Salary and Benefits, seconded by Ms. Peel. Motion carried.

Mr. Mergner moved to approve the FY2016-2017 Budget Amendment/Planning and Zoning/Salary and Benefits/Transfer of \$3,588 from General Fund Reserves to the Planning and Zoning Salary and Benefits Line items, seconded by Mr.

Campbell. Motion carried.

Mr. Campbell moved to approve the FY2016-2017 Budget Amendment from Electric Reserves to the Electric Department Legal Expense line item for IBEW Negotiations in the amount of \$20,000, seconded by Mr. Mergner. Motion carried.

Mr. Starling moved to approve the FY2016-2017 Budget Amendment/Police Department/Teamsters Local 326 Contract Increase in the amount of \$185,500 to the Police Department Salary and related line items, seconded by Mr. Morrow. Motion carried.

ADJOURN

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

The Council Meeting was adjourned by Mayor Shupe at 11:01 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

MILFORD CITY COUNCIL
MINUTES OF MEETING
November 2, 2016

A Meeting of the City of Milford Police Committee was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall, 201 South Walnut Street, Milford, Delaware on Wednesday, November 2, 2016.

PRESIDING: Chairman James Burk

IN ATTENDANCE: Committee Members:
Councilmembers Owen Brooks Jr. and Katrina Wilson

Mayor Bryan Shupe (Participated via Telephone)

City Manager Eric Norenberg & City Clerk Terri Hudson

Chairman Burk called the Committee Meeting to order at 5:30 p.m.

Redstone Report

Chairman Burk reported he, Councilman Morrow and Chief Brown met with Dan Redstone at the International Association of Chiefs of Police (IACP) Conference in San Diego. He briefly reviewed the updated report noting that the cost of construction from 2011 has increased to \$13 million. Chief Brown worked with Mr. Redstone to reduce the square footage by approximately 4,500 square feet less than the original proposal. Unfortunately the actual cost of construction caused the overall price to increase.

Councilman Burk wants to start getting a game plan together. He took a class at the IACP Conference about how to deal with public and public perception when you are planning a new police facility. One thing they encouraged was a lot of workshops to inform the public so that they are aware of the needs.

Chairman Burk referenced the recent flooding issue as a result of a rain event adding that we need a concerted effort of explaining why this is needed. In addition, we need to point out that we are on the preface of some more growth citywide so he feels this is the right time to get the ball rolling.

He also noted that Milford does not have the anti-police sentiment that is occurring throughout the country and he is convinced that if we involve the community, we can get everyone on board and earn their trust. However, he does understand that we will never know the results until the close of the referendum.

Chairman Burk pointed out that the \$13 million is the number that is needed and that is just the way it is.

Councilman Brooks said that is what he emphasized to everyone each day. He also tells them if we are going to have a two-percent tax increase, it will be a two-percent tax increase and nothing more. He has told a lot of people not to compare City Council to the Milford School Board.

Chief Brown said the negative part of this situation is that the project has increased by approximately \$5 million than the cost 2011 even though they have reduced the size of basically every office in the new department and anything else they could remove.

However, he has had some time and has rethought one item that was reduced. The community room was reduced approximately in half and he now feels that it will be too small. He would like to increase it back to its original size or at minimum, somewhere in the middle. The Chief pointed out there is no separate training room which was why part of the reason it was sized as originally planned.

Councilwoman Wilson was surprised it had been changed and recalled that it was supposed to be used as a multi-purpose room. Chief Brown agreed and reiterated that he reduced it too much when they downsizing the offices.

Councilwoman Wilson remembered initially, that was going to be one of the big selling points of the new department with the hope to get our residents excited about something they could potentially have the ability to use. She asked how much the room was reduced though she agrees that should probably be reconsidered.

Mr. Brooks asked if we could build a substation in another area of town and continue to use the current police department. Chief Brown said he would have to think about that. He noted that the property being considered for the new police department across the street is still centralized and provides the ability for the officers to get wherever they need in a reasonable amount of time.

Mr. Brooks said where they are now cannot be made bigger and there are a lot of problems with the parking. He agrees the parcel across the street is a great location.

Chief Brown emphasized there are a lot of problems with the current building. He said the City Manager has talked about tearing it down and making it a park. He said a park would provide the new police station across the street on the hill with a beautiful view, especially from the community room depending on its location. He agrees that room could be utilized for a number of activities.

Chief Brown thinks it is important to move forward with the lot and does not want to lose it. He is afraid another offer could be made and the department would lose that property.

Mr. Brooks asked the update on the property and recalled that three years ago, they approved a \$50,000 deposit and asked its status.

City Manager Norenberg explained it is still in the hands of our City Solicitor who was working to revise the contract that for some reason, was never executed by Growmark. He recalled that City Council gave him direction to renegotiate that contract with enough time to get through the due diligence period and evaluate the site. A referendum could then be planned for 2017. In that manner, if it failed, the City would be able to backout of the purchase contract. However, he will need to follow up with Solicitor Rutt.

To Chief Brown's point about a park, Mr. Norenberg said he spoke with FEMA a couple months ago about the possibility of funding assistance with the project. They informed him that because the proposal was to build on a completely different site, the only assistance they could provide was with the demolition of the old station. The land could then be made into another City Park. Chief Brown would then be rid of the problematic building that is located in a flood plain. It would then be turned into something that is not at risk when we have a heavy rain or snow event. At the same time, we would create a public benefit. The federal government would provide 75% to 80% of the cost to demolish the department and build a park.

Unfortunately that would not help offset the cost of the main project.

Chief Brown reiterated his concern over the reduced-size community room because it was originally built for 72 people with tables and chairs. Chief Brown reduced it to allow for 48 people which he feels is too small considering the number of officers alone the department has today. He feels it is important to change it back to its original size which would allow up to 72 people.

To offset that cost, he is willing to eliminate one of the two sally ports. Originally the plan was for two bays which would accommodate two police vehicles.

Councilman Brooks is concerned that we are removing things that sound like they may be necessary. If we don't try to get what is needed the first time, there may not be a second chance. He referenced City Barn which was supposed to meet Public Works' needs for the next forty years and is changed in some way every couple of years.

Councilwoman Wilson agrees it is important to get what we need now and stressed that we don't want to be in the same situation we are now at the current department.

Chief Brown reported that under the 2011 plan, a lot of the equipment and motorcycles were going to be stored in the garage

areas of the main building. That was removed to cut down on the amount of space needed for the main structure. Instead, some shed-type buildings can be constructed in the rear of the property and should be adequate to house that type of equipment.

Mr. Brooks again asked if anyone has spoken with Smyrna and Middletown's Town Managers to discuss how they were able to fund their new police departments. Chief Brown said he had planned to attend the Smyrna Police Department's Ribbon Cutting tomorrow though he has another meeting at the same time.

Councilwoman Wilson agrees this is a good time to proceed adding that the City has always been very truthful about any increase. In addition, there have not been the problems with the police in our town that other towns have experienced though that could change tomorrow. Therefore, she agrees that most people will support it and suggests we proceed.

Chief Brown asked if the Committee feels it is necessary for Dan Redstone to come here and speak with City Council. He would only charge for his travel expenses.

Councilman Brooks wanted to make sure Mr. Norenberg was familiar with Mr. Redstone. The City Manager said he spoke with him once but Chief Brown has since taken the lead.

Councilwoman Wilson said they met with Mr. Redstone on a couple different occasions in 2010 and 2011 and were very impressed with him. Councilman Brooks recalled him working with Alvin French on the project.

Chief Brown added that Mr. Redstone is unable to draw up any documents without knowing the exact site. Chairman Burk agreed he is concerned that the land has not yet been acquired. Mr. Redstone remembered that amount of land was very limited in Milford in addition to the need for the site to have two access roads.

Councilman Brooks wants to be able to run wires under the floor at the new police station. He said they can be placed between two levels of flooring versus being run on top of the ground floor. That way things could be moved without a problem.

Chief Brown said that cannot be done at the current department because everything below the floor is water.

Mr. Norenberg then discussed moving the new police station further back on the land away from the road which would provide additional security benefits. He said a driveway corridor could be created to the station from Northeast Front Street and a lot or two subdivided off and sold. That would generate some additional revenue though we will not know if that can be done until the design is completed and site evaluated. However, if the entire site is not needed, something similar could be done to help defray some of the costs.

It was confirmed the property has more than fifteen acres and though the majority is clear, it does have a wooded and wetland area.

Chairman Burk thinks we need to schedule some workshops and move forward with the project.

Chief Brown noted that more land is needed now because they have decided to make it a one-story building versus a two-story building. Doing that will save \$.5 million in handicapped accessible elevators.

Mayor Shupe suggested making the community room large enough it is comparable to the Carlisle Fire Company. It could then be rented out for events and meetings which would bring in some additional revenues to offset its annual operating costs.

Chief Brown said he had not thought about renting it out but the original plan was to allow civic organizations to use it. Councilwoman Wilson recalled when that was discussed in the past, Council was very excited to have the ability to host large meetings and events there. In addition, the community and non-profits would have the ability to hold various events there throughout the year.

Councilman Brooks recalled that the meeting room at Public Works was supposed to be used for that purpose as well though

its use has been very limited. Chief Brown said they recently held their post-Community Parade dinner at Public Works though it really was not large enough.

Mayor Shupe said it would be interesting to know how much revenue Carlisle Fire Company brings in from their hall each year.

City Manager Norenberg asked if Chief Brown was proposing a kitchen area where renters could serve food. The Chief said he had not thought about that but that is also something that can be pursued. The City Manager said that though that is a possibility, it would add to the complexity of leasing the room.

Mayor Shupe asked for a time line before the referendum is scheduled; Chief Brown said he and Chairman Burk have discussed having a referendum within the next year. Chairman Burk agreed that we need to start having workshops so this is very transparent and is similar to what Bayhealth has done for the hospital which created a lot of excitement.

He agrees the community room is a benefit and a good selling point. He is trying to figure out how to show people the current condition of the police department and does not feel tours would be appropriate particularly in the secured areas. However, showing people the floods or the overcrowding would definitely help paint the picture.

Councilman Brooks said the original people who lived in Milford are familiar with the flooding areas in the Northeast Front Street area between Rite Aid and up to the police department. Councilwoman Wilson feels that anyone that has been in the downtown area for even a couple years knows what that is like.

Chief Brown said the majority of people in Milford know a new police department is needed because of the water problems alone.

Chairman Burk's concern is those voters who are transplants and live in the developments outside of the downtown area. Most of them are people on fixed income and always vote. So it is important to get them on our side.

When asked if there are any more questions about the report, Mr. Brooks said he just received it and will look at it further though he personally knows we need a police station. Councilwoman Wilson said it was talked about in 2010 and 2011 and our needs have grown even more in addition to the overall expense.

City of Milford Animal Code Chapter 79 (attached)

City Manager Norenberg explained that when we started talking about permitting chickens in the community, we reviewed Chapter 79 Animal and Chapter 230 Zoning, both of which address animals.

He and Planning Director Rob Pierce met with Chief Brown to discuss both chapters and the roles and the responsibility of the police department versus code enforcement. In January, the Delaware Animal Services Division out of the State's Division of Public Health began handling community service and enforcement. They handle animal control and investigate animal cruelty and enforce some of the state laws regarding animals.

The current code includes out-of-date language referring to the Kent County SPCA. In addition, there are a number of provisions regarding feral cats that no longer apply.

He believes that Chief Brown, Planning Director Pierce and he agree where the rules and responsibilities lie relative to the police and code enforcement departments.

Mr. Norenberg also spoke with the Director of the Delaware Animal Services Division and discussed their responsibilities. Their duties include animal cruelty, animals at large, etc. In addition, our code officials will handle animal issues that are on private property including the chicken provision that has been discussed. He reported that anything on private property will fall under code enforcement as a zoning regulation opposed to something the police department would handle.

There is a proposal to update the code which is currently in the Solicitor Rutt's hands to review. Once Mr. Rutt approves, it will be presented back to this committee or to City Council for consideration in late November or early December.

It was confirmed the Delaware Animal Services Division handles all dog licensing, investigates animal cruelty and assists dogs at large or other items that fall under State Law.

Chief Brown added that they will not enforce any violations that fall under City ordinances of which barking dogs is one of the biggest violations in Milford.

Councilwoman Wilson asked how wild animals such as raccoons are handled; Chief Brown explained that currently the police department is calling private contractors though that is at the expense of the homeowner. Chairman Burk agreed adding that even DNREC will not even get involved in those situations anymore.

Councilwoman Wilson asked what happens if it is in a public area or at an abandoned home; he is concerned that a lot of these wild animals can be found at these homes and because there is no homeowner, the first call is made to the City. There is no solution if the City informs the caller that it is the property owner's responsibility when there is none.

Councilman Brooks said his neighborhood has a lot of groundhogs and Paynter Lynch used to handle it for the City but he retired.

City Manager Norenberg explained that from a public safety standpoint, if a private contractor was called to handle a situation on private property, similar to weed and grass cutting, that cost would be assessed against the property as a lien if it was not paid by the property owner directly. In the meantime, he will follow up with Mr. Rutt on this matter as well. He added that if someone was living in the house, those costs would be their responsibility.

Chairman Burk feels that because Chief Brown is working with City staff on the code changes, he suggests it go directly to Council and the committee members agreed.

Taser Body Camera Contract Update

Chief Brown confirmed the equipment has been ordered and the preliminary work completed. He hopes to have everything in place by mid December and if not, definitely after the holidays.

Chairman Burk said he went to a Taser presentation at the IACP Conference and was able to get a much better grasp and was very impressed with the product.

Adjourn

There being no further business, Councilwoman Wilson moved to adjourn the Committee Meeting, seconded by Councilman Brooks. Motion carried.

The Meeting adjourned at 6:11 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

Attachment:
City of Milford Code/Chapter 79 Animals

Chapter 79 - ANIMALS

GENERAL REFERENCES qc

ARTICLE I - Definitions

§ 79-1. - Terms defined.

As used in this chapter, the following terms shall have the meanings indicated:

ANIMAL — Dog, cat and any species of mammals except human beings.

ANIMAL CONTROL AGENCY — An agency of the state, county, municipality, or other governmental subdivision of the state which is responsible for animal control operations in its jurisdiction.

CAREGIVER — Anyone who puts out food for feral cats.

CAT COLONY — A social group of cats who avoid human contact and breed with each other to create a growing population of homeless cats; cats who group together in an alley, corner of a parking lot or a grassy area.

FERAL CAT — An untamed domestic cat living in the wild; unaltered cats released by owners who no longer care for them; offspring of such an abandoned cat.

HORSE-DRAWN VEHICLE — A carriage, wagon, cart, sled or sleigh or other device drawn by horses which has a passenger carrying capacity.

OWNER — The person, firm, corporation, organization, or department possessing, harboring, keeping, having an interest in, or having care, custody, or control of an animal.

TNR PROGRAM — A humane and nonlethal approach to feral cat population control; a comprehensive management plan where healthy feral cats are sterilized and vaccinated, then returned to their habitat and provided with long-term care.

ARTICLE II - Control of Dogs, Cats and Other Animals

§ 79-2. - Running at large; exceptions.

A. It shall be unlawful for any person or persons to permit any animal owned, kept, maintained or in the custody or control of such person or persons to run at large either upon the public streets, sidewalks, highways, alleys or thoroughfares of the City of Milford or upon private property of any other person or persons without permission of the owner of that property or of the person in possession of that property.

(1) Exceptions:

(a) Such restriction shall not apply to cats.

(b) Such restriction shall not apply to dogs owned by the Milford Police Department or other law enforcement agencies and maintained as police K-9 units while under the custody and control of the trainer or handler.

[Ord. No. 2012-16, § 3, 9-24-2012]

§ 79-3. - Dog license required.

A. The owner or lawful possessor of any dog shall obtain a license for his dog pursuant to the licensing requirements of the county in which the owner or lawful possessor resides. License must be kept current. Any owner or possessor who fails to comply with the provision of the applicable county shall be subject to a fine of not less than \$25 nor more than \$300.

B. The owner of the dog shall affix or cause to be affixed to said dog the identification tag associated with the license required in Section 9-3A. Said dog shall thereafter, at any and all times, have attached to it said identification tag.

§ 79-4. - Leash required; exceptions.

A. No animal shall be permitted in or upon any public street, sidewalk, alley, park, parkway or other public place in the City or in or upon any property belonging to said City unless said animal is on a leash and is under the complete control of the person owning or, at the time, in possession of said animal.

(1) Exceptions:

(a) Cats.

(b) Feral cats that have been trapped, spayed or neutered and re-released are exempt from Subsection A. Each cat would be ear-tipped, clearly identifying it as a product of the Kent County SPCA Feral Cat TNR Program.

B. Notwithstanding anything in this article to the contrary, no person shall be compelled to keep any animal in his possession on a leash while in or upon any public street, alley, parkway or other public place in the City if, at the time, said animal is securely confined in an automobile.

§ 79-5. - Feral cats.

A. Individuals who choose to apprehend a feral cat running at large within the City of Milford shall have the feral cat delivered to the Kent County SPCA.

B. No individual will trap a feral cat off his/her property of record except the Kent County SPCA pursuant to specific authorization from the City of Milford Police Department.

C. Each feral cat colony will be registered by the caregivers with the City of Milford and Local Animal Control Agency, which will serve as a clearinghouse for information on current caregivers and assistance for persons found in violation of this section. A caregiver who fails to register within the time allowed shall be subject to a fine of not less than \$100 nor more than \$300.

D. Any person or caregiver determined to be in violation of Subsections E(1) through (4) below shall be in violation and may be allowed a period of time to come into compliance, or provide satisfactory evidence of working to achieve compliance.

E. Failure to comply in the time given will result in issuing a violation citation. Caregivers of feral cat colonies shall implement proper management and sterilization practices as follows:

(1) Sterilize (spay/neuter) all adult cats that can be captured.

(2) Vaccinate against rabies, as required by law, all cats that can be captured.

(3) Make every attempt to remove kittens from the colony before eight weeks of age for domestication and placement.

(4) Make every attempt to sterilize all kittens over eight weeks of age and before five months of age.

(5) Make every attempt to remove sick or injured cats from the colony for immediate veterinarian care or for humane euthanasia.

(6) Assure responsibility and arrangements for feeding the cat colony regularly throughout the year, including weekends, holidays and vacations.

(7) Keep feeding areas clean and orderly.

(8) Maintain secure and safe winter shelter as required in § 79-6C of this article.

(9) A microchip implant and ear-tipping will be mandatory and used on feral cats in order to be identified as a spayed or neutered and vaccinated member of a managed colony.

(10) The feral cat caregiver shall be vaccinated for rabies; the expense will be the responsibility of the individual or rescue group.

- (11) Maintain proof of sterilization, vaccination, medical records, and implant identification for all cats. These records must be provided to the animal control or law enforcement agency upon request.

F. Animal(s) creating a public nuisance. The designated agency/rescue group will be notified within 48 hours of removal of any feral cats.

G. In the event the feral cat caregiver fails to comply with this section, the designated agency/rescue group will be notified within forty-eight-hour period before removal of any animal. The designated agency/rescue group will attempt to resolve the situation prior to removal of a cat by an enforcement agency.

§ 79-6. - Outdoor housing facilities; feral housing.

A. The following categories of cats must not be kept in outdoor facilities, unless the attending veterinarian specifically approves that practice:

- (1) Cats that are not acclimated to the temperatures prevalent in the area or region where they are maintained;
- (2) Breeds of cats that cannot tolerate the prevalent temperatures of the area without stress or discomfort (such as short-hair breeds in cold climates); and
- (3) Sick, infirm, aged or young cats.

B. When their acclimation status is unknown, cats must not be kept in outdoor facilities when the ambient temperature is less than 50° F.

C. Shelter from the elements. Outdoor facilities for cats must include one or more shelter structures that are accessible to each animal in each outdoor facility, and that are large enough to allow each animal in the shelter structure to sit, stand, vertically stretch and lie in a normal manner, and to turn about freely. It must be large enough to contain all the animals at one time. Shelters in outdoor structures for cats must contain a roof, four sides, and a floor; building surfaces in contact with animals must be impervious to moisture. Metal boxes/barrels, cars, refrigerators or freezers, and the like must not be used as shelter structures. Shelter structures must:

- (1) Provide the cats with adequate protection and shelter from the cold and heat;
- (2) Provide the cats with protection from the direct rays of the sun and the direct effect of wind, rain, or snow;
- (3) Be provided with a wind break and rain break at the entrance; and
- (4) Contain clean, dry bedding material if the ambient temperature is below 50° F. Additional clean, dry bedding is required when the temperature is 35° F. or lower.

§ 79-7. - Noisy animals.

No person shall keep any animal which causes frequent or long-continued noise so as to disturb the comfort or repose of any person in the vicinity. Any violation of this section, in addition to the penalties set forth in § 79-12, is declared to be a nuisance and as such may be abated.

§ 79-8. - Appointment of Animal Control Official; impoundment procedure.

The Society for the Prevention of Cruelty to Animals of the State of Delaware, Kent County, 32 Shelter Circle, Camden, DE (KC SPCA) has been designated as the animal control agency for the City of Milford. It shall be the duty of the SPCA to apprehend any animal found in violation of the provisions of this article and to impound such animal in a suitable place. A record of the breed, color and sex of the animal and the number of its license, if any, shall be made at the time of impoundment and shall be maintained by the SPCA.

§ 79-9. - Right of entry by Animal Control Official or designee; impoundment.

Upon presentation of proper credentials, an official of the SPCA and/or a City of Milford Code Official or Milford police officer may enter upon the yards of private property in order to enforce the provisions of this article. It shall be the duty of the Animal Control Official or his duly authorized representative to impound all animals over the age of six months that are untagged, as provided for in this article, or that are in or upon any private property without the permission and consent of the owner of such property or that are in or upon any public street, alley, sidewalk, park or other public place unleashed.

§ 79-10. - Redemption of impounded animals; costs.

The owner of any dog apprehended and impounded by the SPCA may reclaim said dog upon the payment of any fine and cost imposed for any violation of this chapter. Further, if the animal is of a character which requires a license under the laws of the State of Delaware and does not bear a license when impounded, proof of proper licensure must be demonstrated to the SPCA prior to redemption by the owner. If proof of proper licensure cannot be demonstrated by its owner, the animal cannot be reclaimed until such time as the owner has procured a proper license.

§ 79-11. - Obstruction of Animal Control Agency/Official.

No person shall willfully oppose, restrict, delay or obstruct the SPCA in the discharge or attempt to discharge or perform any act or duty authorized or prescribed herein.

§ 79-12. - Violations and penalties.

Unless otherwise established herein, the following fines and penalties shall apply to Article II of this chapter: Any person found guilty of violating the provision of this article shall forfeit to the City of Milford a fine of not less than \$25 but not more than \$300, plus the costs of prosecution.

ARTICLE III - Prohibited Animals

§ 79-13. - Keeping or slaughtering of certain animals within City limits.

No person shall keep or slaughter any swine, cow, bull, sheep, goat, goose, duck, hen, rooster, turkey or like animal or other farm animal within the City of Milford unless in conformity with Chapter 230, Zoning, and properly licensed and inspected by the appropriate state agencies.

§ 79-14. - Exception for parade animals.

Animals used in parades where a City of Milford parade permit has been issued are exempt from the provisions of this chapter.

§ 79-15. - Violations and penalties.

Any person found guilty of violating the provision of this article shall forfeit to the City of Milford a fine of not less than \$100 but not more than \$500, plus the costs of prosecution.

ARTICLE IV - Horse-Drawn Vehicles

§ 79-16. - Conditions and restrictions.

The provisions of Article III shall not be applicable to any person who brings into the City a horse for the purpose of providing transportation in horse-drawn vehicles carrying passengers on a fixed route under the following terms and conditions:

- A. Each route shall be approved by the City Manager.
- B. The horse shall not be kept or maintained within the corporate limits of the City when not being used for the purpose of providing transportation.
- C. Horse-drawn vehicles are prohibited from all other streets and areas within the City unless specifically approved by the City Manager for providing point-to-point transportation for special events, including but not limited to weddings, theatrical performances and funerals.

D. No person shall drive or operate a horse-drawn vehicle on any day or at any time that the Chief of the Milford Police Department or his designee makes a specific determination that it would be inconsistent with other special events or public safety requirements.