

MILFORD CITY COUNCIL
MINUTES OF MEETING
July 24, 2017

Milford City Council held Public Hearings on Monday, July 24, 2017 in the Joseph Ronnie Rogers Council Chambers at Milford City Hall, 201 South Walnut Street, Milford, Delaware.

PRESIDING: Mayor Bryan Shupe

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

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

COUNSEL: City Solicitor David Rutt, Esquire

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

ORDINANCE 2017-16

Susan Frketic of Kids First Academy on behalf of Faulton LLC for a Conditional Use to allow a public, private or professional school on 2.00+/- acres in a BP (Business Park) Zoning District. Property is located on the south side of Mullet Run Street, 550.1 feet west of Hickman Door Way and Mullet Run Street Intersection; 156/158 Mullet Run Street, Milford, Delaware. Present Use: Warehouse & Office; Proposed Use: Warehouse and Private School. Tax Map MD-16-173.00-01-03.07.

City Planning Coordinator Pierce advised that properties within 200 feet of the site were notified of the public hearing in addition to its publication in the Milford Beacon on May 24, 2017.

He reported that the property was originally approved in 2003 for office space and warehouse space.

The applicant proposes to convert the existing 2,400 square foot office and 6,000 square feet of warehouse into a private school. The proposed school would serve pre-kindergarten through 12th grade and have approximately 35 students. The school will employ five instructors and one administrator. Hours of operation will be 7:00 a.m. through 5:30 p.m.. The location would offer a before/after school care program. The area behind the existing warehouse space would be used as an outdoor recreation/play area for the students.

Chapter 230-19 states “public, private or professional schools” are conditional uses within the Business Park zoning district.

Mr. Pierce shared that the existing site does not meet the minimum parking criteria found in the Zoning Ordinance and additional parking needs to be provided. The applicant has already received approval from the State Fire Marshal Office for a re-striping plan to accommodate the required number of parking spaces.

Under the proposed re-striping plan, it would meet the parking and loading standards in Chapter 230. It is noted that all parking must be contained on the site and no parking will be permitted along Mullet Run or the adjoining properties.

The site meets the established setback requirements and there will be no anticipated adverse impacts due to the lack of screening.

The Planning Commission recommended unanimous approval at their June meeting with the following conditions:

- * The parking lot must be re-striped to add eight spaces;
- * A building permit from the City must be obtained for the interior renovations and the change in use, which will require a commercial plumbing permit from the Division of Public Health and approval from the State Fire Marshal’s Office;
- * Hours of operation will be Monday through Friday from 7:00 a.m. to 5:30 p.m.;
- * Fencing must be installed around the proposed play area within one year of opening.

It was confirmed the business on the right is a storage accessory building with two vacant bays for the contractor's office which is located to the left.

Councilman Mergner expressed concern about the safety of the students in comparison to the business park environment. Planning Coordinator Pierce reiterated the fencing requirements and suggested the applicant address the interim plan for recreational purposes.

Councilwoman Peel then asked the applicant if they are required to follow the playground structure under the Office of Childcare Licensing. Solicitor Rutt asked that response be postponed and be made part of her testimony record.

Principal Sue Frketic then addressed Council stating that she wanted to personally thank Mr. Pierce for all the hard work he has done in the past couple months to help get this approval.

Principal Frketic confirmed they are not operating under the Office of Childcare Licensing.

Councilman Brooks said he looked at the site today and it is a big area and asked if the fence will be installed before the one-year. Principal Frketic explained that they will install it as soon as possible but right now they are focusing on the interior renovations. A portion of the warehouse would then be used as an indoor recreation area. They are currently at the Boys and Girls Club and have a very good working relationship with them and are able to use their playground as well.

Solicitor Rutt then asked the Principal to explain the plan versus relying on what the City Planning Coordinator reported.

Ms. Frketic commented that Kids First Academy started in 2009 as a part-time tutoring service and has grown steadily from a home-school into a private school to meet the needs in this area. They cater to a number of children that struggle in public schools and larger classrooms. They have been looking for a site for approximately five years and accommodate students from pre-kindergarten through 12th grade.

This was started at Ms. Frketic's home, then moved to Lincoln Community Center for a couple years. They continued to grow and found that facility was not large enough. They then went to the Boys and Girls Club, but found a need to have their own place. Financially it has been a strain to find something in the Milford area that they could afford.

Mayor Shupe then opened the floor to public comment.

Billy Baker, the father of a student that attends the Kids First Academy, then spoke. He stated that as Principal Frketic mentioned, the public school system was too much for his daughter. This provided an avenue for her to receive a quality education in comparison to her maturity level and grade, and she has successfully adapted to the structure and atmosphere of the private setting.

She had been in another private school that did not work out as well. Kids First Academy has been a big advantage to his daughter's education and has resulted in a positive outcome for many other students as well.

Councilwoman Wilson asked how many students are currently enrolled; Principal Frketic stated she has been receiving calls from other interested parents but was waiting on the outcome of this hearing before she was able to confirm there would be enough space to accept additional students.

There being no further public comments, Mayor Shupe closed the floor to public comment on the conditional use for Kids First Academy.

Councilman Burk then moved to adopt Ordinance 2017-16 authorizing the conditional use for Susan Frketic of Kids First Academy on behalf of Faulton LLC for a Conditional Use to allow a private or professional school in a Business Park Zoning District at 156/158 Mullet Run Street, Milford, Delaware, seconded by Councilwoman Wilson.

Motion carried by the following 8-0 roll call vote:

Councilman Mergner stated he votes to approve based on the Planning Commission's recommendation.

Councilman Campbell approves the Planning Commission's recommendation as noted.

Councilwoman Peel approves the motion based on the Planning Commission's recommendation and mainly because there will plenty of regulations that will fall under the governing restrictions with schools.

Councilman Burk votes yes based on the recommendation of the Planning Commission.

Councilman Brooks votes yes based on the Planning Commission and going there today and looking at the area.

Councilman Morrow votes yes based on the Planning Commission and the need for this type of education in our school district.

Councilman Starling votes yes based on the need for additional educational facilities for certain students.

Councilwoman Wilson votes yes and likes the idea of an alternative educational facility versus public schools and also based on the Planning Commission's recommendation.

ORDINANCE 2017-19

Perdue Real Estate Holdings Inc. for a Conditional Use to allow chicken processing on 24.70+/- acres in an I2 (General Industrial) Zoning District. Property is located on the east side of N Rehoboth Blvd., 1,130 feet north of NE Front Street intersection; 255 N Rehoboth Blvd., Milford, Delaware. Present Use: Poultry Processing Plant; Proposed Use: Same. Tax Map MD-16-174.19-01-09.00

City Planning Coordinator Pierce reported that this is an amendment to Perdue's original conditional use for a meat and poultry processing plant. All properties within 200 feet were notified of the public notice which was published in the Milford Beacon on June 28, 2017.

The applicant proposes to construct a 1,890 square foot trailer wash enclosure, a 13,630 square foot live receiving addition and a 1,044 square foot sanitation supply room as indicated on the site plan. A meat processing, chicken processing or seafood processing operation is a conditional use under Chapter 230-17.

The proposed trailer wash enclosure and the live receiving addition do not meet the setback requirements of 50 feet set forth in the zoning code. As a result, the applicant was required to obtain a variance from the Board of Adjustment for these encroachments. The application was approved at the July 13, 2017 Board of Adjustment hearing.

The proposed improvements do not impact current parking and traffic control for the site. As mentioned, a variance was approved for two proposed encroachments into the rear property setback. There is an existing fence and vegetative screen located along the eastern property line separating the existing facility from the adjacent agricultural use. The applicant has stated that the proposed live receiving facility, referred to as a controlled atmosphere stunning addition, will serve to enclose the unloading operation which should reduce current noise and dust impacts on neighboring properties.

The Planning Commission approved the final site plan contingent upon Council's approval of the conditional use amendment and recommended unanimous approval at their July 18, 2017 hearing.

When asked more information about the trailer washer station, Mr. Pierce explained that once they unload the poultry, the truck and cages are sanitized prior to moving onto the next farm to gather more chickens in an effort to reduce the spread of disease. There is currently an on-site treatment facility that will be adjacent to the new addition so that the wastewater would enter into their pre-treatment program before being discharged into the City/County wastewater system.

Perdue Director of Operations Dean Walston was present. He stated that Mr. Pierce was very eloquent in describing the trailer wash process. Poultry is brought to Milford from Maryland, Delaware and Virginia and avian influenza has received a lot of attention from a disease standpoint. A lot of states they travel in have established strict biosecurity and sanitation standards.

As a result, every trailer that leaves the Milford Plant must have a certificate that states it has been commercially cleaned and

sanitized. This is a reaction to some of the influenza that has been found in the United States over the past several years. It is a contingent step for their business because they are in multiple states.

Mr. Walston also advised that Perdue's equipment needs to be the cleanest on the shore and that is what this trailer-wash facility will allow.

Because this will be enclosed, that wastewater will be captured and the solids removed from the site by a waste hauler; the water is then captured and goes through the normal pre-treatment system before it is released into the City/County system under their current permit guidelines.

When asked if the State Board of Health regulates the operation, Mr. Walston explained the various State Veterinarians actually stop the equipment on the road. For example, the State of Pennsylvania may stop a load going to a farm and request to see the certificate which is followed up by feedback to Perdue. Both the Delaware State Veterinarian and the Pennsylvania Veterinarian have actually monitored the process.

Councilman Mergner asked if the Milford Plant has this process today; Mr. Walston advised there is a washing system that is used for the cages inside the building. He feels it is not done as well as they would like and during the winter, because it is in the open air, it tends to freeze. As a result, some is done inside and some is done outside.

The new structure will be enclosed primarily because of the temperature.

Mr. Walston advised there is no other wash station on the Eastern Shore like the one they are proposing.

He stated that the second piece of the process is the automation of the process in the CAS (Central Authentication Service) building. The process they are proposing will be manual and involves hoses and people. The process will include the transition to an automated controlled atmosphere stunning. Once the equipment is removed from the trailer, the trailer will be washed by the driver inside a building. All of the components of transport will go through an automated process and when it comes out the other end, it will go back on the truck and no human intervention will be needed at that point. However, that transition is approximately two years down the road.

Mr. Walston added that about a year ago, Perdue made an animal care commitment to the world that they will be a leader in animal care. With that, they publicly announced a number of things they were going to do. The controlled atmosphere stunning is a technique used heavily in Europe and in their turkey operation in Indiana. That was one of their commitments and an attribute that their customers and consumers will look for.

He is pleased that Milford was chosen and last week, Jim Perdue told the national media that he is excited that the Milford facility will be the first to pilot the controlled atmosphere stunning technology. This will be the first phase of a \$17 million investment in the company.

Councilman Campbell asked if these additions will create more jobs; Mr. Walston stated that the wash station initially will create twelve to fourteen additional positions. As they automate, that will change.

He feels that the attribute they are going to add by improving their animal welfare position is going to make their brand, facility and the products they produce more valuable. In turn, that means more hours for the business and their associates and provides an opportunity to grow in the future.

Mayor Shupe then opened the floor to public comment; no one responded; the Mayor then closed the floor.

Councilman Morrow moved to adopt Ordinance 2017-19 authorizing an amendment to the conditional use for Perdue Real Estate Holdings Incorporated to allow poultry processing at 255 N Rehoboth Blvd., Milford, Delaware, seconded by Councilwoman Wilson.

Motion carried by the following unanimous 8-0 vote:

Councilman Mergner votes yes based on the Planning Commission's recommendation.

Councilman Campbell votes yes based on the Planning Commission's recommendation.

Councilwoman Peel votes yes based on the Planning Commission's recommendation.

Councilman Burk votes yes based on the Planning Commission's recommendation.

Councilman Brooks votes yes based on the Planning Commission and the City Manager showing him exactly where it is going to be located.

Councilman Morrow votes yes based on the Planning Commission's recommendation and the improvements Perdue is bringing to the community.

Councilman Starling votes yes based on the Planning Commission's recommendation.

Councilwoman Wilson votes yes based on the Planning Commission's recommendation in addition to the enhancement of their facilities and the benefits to Milford.

There being no further business, the Public Hearing was adjourned by Mayor Shupe at 7:30 p.m.

Respectfully submitted,

A handwritten signature in black ink that reads "Terri K. Hudson". The signature is written in a cursive, flowing style.

Terri K. Hudson, MMC
City Clerk/Transcriber

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July 24, 2017

A Meeting of Milford City Council was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall on Monday, July 24, 2017

PRESIDING: Mayor Bryan Shupe

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

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

COUNSEL: City Solicitor David Rutt, Esquire

CALL TO ORDER

Mayor Shupe called the Council Meeting to order at 7:31 p.m.

RECOGNITION

Milford Police Department Promotion

Officer John Collins was present to be recognized for a promotion. Chief Brown advised Council that Officer Collins started in Milford in March 2014 after working at Milton Police Department. He was promoted in April 2015 to PFC and tonight is being recognized for his promotion to Corporal effective June 1, 2017.

COMMUNICATIONS AND CORRESPONDENCE

Wastewater Issues

City Manager Norenberg referenced a two-page document submitted by Steve Ellingsworth, Assistant Supervisor for Water and Sewer Plant Operations, describing two jobs that had to be done on weekends in July:

On Saturday, July 15, 2017 at 4:30 A.M., I responded to an alarm for flooding on the basement (1st) floor of Washington Street pump station. A Maxi fit coupling had come loose on a 12" discharge line causing waste fluid to pour into the basement when the pumps kicked on. I called Clean Delaware to assist in pumping the wastewater out of the first floor so it would not reach the second floor and destroy motors on that floor. I also called in Vince Waydellis, Shawn O'Neil, and Bill Hughes to help out. We brought in a bypass pump and hooked up outside to bypass the pump station. We had trouble finding an 8x6 fitting to connect the bypass hose but after making several phone calls we found one at Blair Road Supply in Selbyville. I also call Wayne Brenneman and Erik Retzlaff to help me out, knowing Mr. Retzlaff did the engineering work and Mr. Brenneman was the inspector when this pump station was refurbished about three years ago. They were a big help in controlling what could have been a major problem. It was a long, hot, busy day for all. Everyone worked together well and we had no major issues we could not handle. Once again, I would like to thank the following people that were involved in the activities.

*Marvin Millman – Kent County Treatment Plant
Bill Bradley – Town of Georgetown
Rodney Marvel – Sussex County
Kevin Reichold - HD Supply*

A special Thanks to Tony DiBuo of Blair Road Supply in Selbyville who had the part we needed.

On Sunday, July 23, 2017, we were called to Washington Street pump station because the pump stop working. We put in another pump supplied by Godwin Pumps of New Jersey. A big thanks to Dale Bracken of Godwin Pumps for his assistance.

What we found was the screen had plugged up with rags and other unmentionables. The pump had run all night and ran out of fuel. We cleaned the screen several times that day.

Erik Retzlaff is assisting in getting a company to come in and repair the pipe and clean up/grease pumps in order to get the station back up and running.

The City Manager hopes to find some educational materials and create an information campaign that other Cities have used to educate people on 'what not to flush or put down the drain' because of the problems we are encountering and the purchase of expensive equipment needed to address such items.

Councilman Burk recommended contacting Kent County Environmental Program Manager Jim Newton for related materials.

Mount Enon Annual Conference

Councilwoman Wilson confirmed that Mayor Shupe and City Manager Norenberg received an invitation to the Mount Enon Conference on Wednesday that she plans to attend.

Mayor Shupe said he has a family conflict but City Manager Norenberg will be filling in for him and provide the welcome address.

UNFINISHED BUSINESS

Ethics Policy

City Manager Norenberg recalled the charter requirement that was adopted included language on an Ethics Code. A draft was presented at the last meeting at which time there was a question of using the State Ethics Commission to oversee sanctions, investigations, appeals, etc. for any concerns that were raised under the Ethics Policy. Solicitor Rutt's firm did some research and found that would not be possible under the rules of the Public Integrity Commission. If Milford has their own policy, Milford needs to establish their own commission to oversee these matters.

Solicitor Rutt stated there was a decision on the same issue that involved the Public Integrity Commission who informed the City of Newark they would not have jurisdiction.

Councilman Brooks stated that at least three times he has received the Code of Ethics even if we can't find it. He did some research and found a Code of Ethics from 1984 though it was later decided we would follow the State code.

He asked Councilman Morrow if he recalled that and Councilman Morrow agreed.

Mayor Shupe said the issue is whether or not the current Council wants to create their own commission or continue to use the State's Commission. We are required to have some education and training to ensure we are up to date with the proper knowledge of the State of Delaware's ethics.

Councilman Campbell feels that the new draft pertains specifically to the City of Milford and believes that is more appropriate.

Councilman Burk asked if there is anyway we can compare the two documents and suggested including both documents in the packet. Solicitor Rutt said he has a copy but anyone can look at Title 29 Chapter 58 of the Delaware Code which can be found on line.

Councilman Brooks feels the State has trained professionals whereby Milford will only have volunteers who are hard to get for other boards. He prefers having someone that deals with ethics to be trained versus someone that only has a little knowledge. He prefers a professional interrogate him because they know what they are doing.

Councilman Burk pointed out we have enough trouble filling vacancies on the Planning Commission as he discussed before.

He emphasized that is a group that meets on a regular basis and he does not anticipate this body would meet regularly. He also asked how experienced they would be if they are appointed and agrees there is more experience at the State level if they are doing it on a regular basis versus someone that is called upon every ten years or so.

Solicitor Rutt explained the Public Integrity Commission has one or two appointees, but the majority are chosen from the general public.

Councilman Burk noted that there is much more experience on the State level, versus the Milford level, which is a concern even though he is not opposed to an policy.

Solicitor Rutt noted that he recommended a commission of five, but that could be reduced to three if Council prefers. That was only an arbitrary number, though it needs to be an odd number.

According to Councilman Brooks, you have to investigate the person, then explain the reason you voted. He said it takes a lot of time to investigate a problem and not just a fifteen-minute hearing.

Councilman Burk feels that it would be difficult for a City the size of Milford to have an impartial body.

Councilman Morrow referenced a typo on Section 120-4(e) Gifts and Favors where an employee or official should not accept anything in excess of \$50 though it appears to be \$50,000. Councilman Brooks emphasized that Council should not accept any gifts.

City Manager Norenberg stated that in addition to the two documents being added to the packet, he recommends Council look up the Delaware Public Integrity Commission to look at their members. Two are attorneys and other members are on boards, employed or involved in nonprofits. He believes that because they are not all experts, they do have a fair amount of training.

The matter will be discussed again at the August 14th meeting.

Service Club Sign Display Concept Design

Mr. Norenberg recalled a few weeks ago Council discussed some possible locations for a collection of service club signs in our community. At that time, it was agreed they would need to be placed at the northeast corner of Front and Walnut Streets where some old fencing exists.

After discussing it with Public Works and Parks and Recreation, it was decided there would be too much clutter at that corner.

He referenced a photo in the packet of a small grassy area between the current Police Department and the Kent County Pumping Station on Northeast Front Street. It faces north and though State Route (SR) 14 is currently busy, once the overpass is added and the Streetscapes Project completed in the next couple of years, it will become a real gateway into the downtown area.

Samples of other welcome/service signs in other cities were also included in the packet.

Councilman Mergner does not have a preference and trusts the staff's judgment. The only concern he has is to make sure the sign will hold up and not need to be replaced in two to three years.

Mayor Shupe added that a number of the civic organizations have offered to assist with the funding.

Councilwoman Wilson feels the more we can add the better; however, we will not be able to include all of them. In comparison, she prefers the Laramie's service club sign as is shown in the packet.

Milford Community Parade/Utility Bill Insert

The City Manager recalled that for a number of years, the City has included a flyer in our utility bills asking for financial

support of the Milford Community Parade. The price to add the inserts is \$730 though for another \$20, something can be added to the back. The flyer is designed so that the bottom can be torn off and returned with the donation.

Mr. Norenberg is suggesting we add a back page with updated information about the City's utility plan to install smart meters for electric and water customers. There would be no pertinent information on the bottom that our customers will need when they submit their donation with the tear-off.

Councilman Mergner suggested that because this is prime electric bill time due to higher bills as a result of the hot weather, perhaps another time could be considered next year. He recommends possibly November (after the parade) or March or when electric costs are lower based on usage. He feels that may result in more contributions for the parade.

Councilwoman Wilson moved to authorize using discretionary funding needed for our Customer Service Department to print, add the parade inserts and collect the donations, to include the smart metering information on the reverse side, seconded by Councilman Starling. Motion carried.

Downtown Milford Inc./Riverwalk Farmers Market/Alcohol Vendor

Mr. Norenberg referenced the following addendum to the original request for an alcohol waiver at the Riverwalk Farmer's Market:

TO: City of Milford
FROM: Downtown Milford, Incorporated - Riverwalk Farmer's Market Committee
DATE: July 10, 2017
SUBJECT: Addendum to Special Event Permit

The Riverwalk Farmer's Market would like to accept Harvest Ridge Winery, a local winery, to our farmer's market. They make excellent wines from local grapes and obtain their fruit from local sources whenever possible. Their business model stays within the theme of our own Riverwalk Farmer's Market where we like to promote local farmers and local homemade product vendors. They would provide samples of their product to attendees; which will include wine and cider. Vendors like this have started participating in local farmers' markets throughout the state and have helped the farmer's market to expand. The winery and Riverwalk Farmer's Market will adhere to all state laws, and Downtown Milford, Inc. would hold the gathering license. The Riverwalk Farmer's Market is requesting that this vendor be added to the Special Event Permit and be able to participate in the market.

Councilman Burk expressed concern that Council has to approve alcohol waivers with every vendor; Mr. Norenberg explained it is required by an ordinance.

Councilman Burk asked if this will only be approved for Harvest Ridge Winery; Mr. Norenberg recommended a motion to authorize up to three or five alcohol vendors to display in the Farmer's Market if he wished. Councilman Burk said he does not want to have to go through the procedure every time some other alcohol vendor decides they want to do the same thing the following week.

Councilman Burk has a hard time with a limit on the number of vendors who can sell alcohol. He does not want the Farmer's Market to turn it into a liquor store. He is recommending one vendor per event per week, but he also does not want to go through this each time there is a different brewery or winery.

Councilman Burk moved to approve the request to allow one featured alcohol vendor per week at the Farmer's Market for the remainder of the season, seconded by Councilwoman Peel. Motion carried by a vote of 7-1 with one dissenting vote by Councilman Starling. Councilwoman Wilson stated she was hesitant but will approve for the benefit of the Farmer's Market.

Transportation Alternatives Program (TAP) Design/Funding/NE & NW Front Street

Planning Coordinator Pierce recalled that in December 2016, the City submitted an application to the State of Delaware, Department of Transportation (DelDOT) for Transportation Alternatives Program (TAP) funding for bicycle and pedestrian

improvements along Northeast and Northwest Front Street between Route 113 and Rehoboth Boulevard. This would involve the area that was not part of the Streetscapes Project that occurred in the past.

The proposed project would include new sidewalks and curbing, multi-use paths, landscaping and bump-outs where necessary, bicycle facilities, crosswalks, potential elimination of shoulders in some areas and traffic calming techniques as vehicles enter into the City from the east and west.

Though the specifics have not been developed, the TAP program would fund the concept design and 80% of the final design and construction phases. Each project cannot exceed \$1 million in construction costs. That means the improvements could be broken into multiple phases. We will have a better idea once the design is completed and a cost estimate provided.

The final design phase could take up to eighteen months to complete, putting the start of construction and the need for the 20% construction match into the Fall of 2019.

Mr. Pierce would like to proceed with the application process with the City allocating \$30,000 out of the economic development fund to cover the 20% design match. Once the plans come back, a decision can be made on which portions of the project to fund.

DelDOT has been working with the City and actually brought this to our attention because SR 14 is scheduled for a paving project. They are trying to delay that and speed up the TAP application so they will coincide and the road can be resurfaced along with other right-of-way improvements.

It was confirmed the City has final authorization on the design.

Councilman Mergner moved to proceed with the conceptual design phase for the project area and authorize \$30,000 from the Economic Development Fund to start the process, seconded by Councilwoman Peel. Motion carried.

Adoption/Fiscal Year 2018 Tax Warrant

In accordance with the City Charter requirements, Councilman Brooks moved to adopt the FY18 Tax Warrant, seconded by Councilman Burk:

GREETINGS:

The Charter of the City of Milford provides the following:

"Article VII, Section 7.12: Attached to said tax list shall be a warrant, under the Seal of the City of Milford, Signed by the Mayor and Attested to by the City Clerk, commanding the City Manager to make collection of Taxes as stated in the Tax Lists."

THEREFORE, YOU, THE CITY MANAGER, DULY APPOINTED BY THE COUNCIL OF THE CITY OF MILFORD, ARE HEREBY COMMANDED TO COLLECT THE TAXES AS LEVIED IN THE FOUR WARDS, AS FOLLOWS:

Assessed Per Billing Register	\$1,061,148,804.00
Exemptions	[\$222,104,400.00]
TOTAL ASSESSED VALUE	\$839,044,404.00
	x.0046
ESTIMATED TAX PER PROPERTY VALUES	\$3,859,604.26
Senior Citizen Discount	[\$31,648.00]
TOTAL TAXABLE (Fiscal Year 2017-2018)	\$3,827,956.26

Due Date: September 30, 2017

Motion carried.

Solicitor Rutt said as he reported, the City Charter has been approved and there was an issue regarding past delinquent taxes. The charter now allows for the monition process. In addition, there were two house bills passed that allow municipalities the flexibility to add any maintenance, upkeep fees, etc. to the tax bill. It also has a provision that if the City proceeds with the sale, anyone interested in purchasing has to certify to the sheriff they do not own any properties on which taxes are owed. It requires them to be fiscally responsible in order to purchase the properties.

He explained this will allow municipalities to add properties that are not generating taxes back on the tax rolls and purchased by fiscally responsibly buyers.

Ratify/Purchase of Police Vehicles

In accordance with the City Charter, Mr. Norenberg explained the minimum amount requiring formal bidding and approval by City Council has gone up to \$50,000. Two 2016 Police Tahoes were included in the budget to replace two older vehicles and the total purchase is \$64,587.58.

Councilman Burk moved to approve the purchase of the two 2016 Tahoes for approximately \$64,587.58, seconded by Councilman Campbell. Motion carried.

EXECUTIVE SESSION

Councilman Burk moved to go into Executive Session reference below reason, seconded by Councilwoman Peel:

{Pursuant to 29 Del. C. 10004(b)(9)} (Personnel Matters)

Motion carried.

Mayor Shupe recessed the Council Meeting at 8:13 p.m. for the purpose of an Executive Session as permitted by Delaware's Freedom of Information Act.

RETURN TO OPEN SESSION

City Council returned to Open Session at 8:23 p.m.

Police Chief Employment Agreement

City Solicitor explained there was a discussion in the Executive Session and he is going to make a suggestion motion if Council is so compelled. The motion would be for an adjustment of the compensation package to Chief Brown, retroactive to January 1, 2017, in accordance with the recommendation of Mayor Shupe in Executive Session.

Councilman Burk moved on the motion as recommended by the City Solicitor, seconded by Councilman Campbell. Motion carried.

ADJOURN

The Council Meeting was adjourned by Mayor Shupe at 8:25.m.

Respectfully submitted,



Terri K. Hudson, MMC
City Clerk/Transcriber

