

City of Milford



CITY COUNCIL AGENDA

Monday, November 13, 2017

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

6:00 P.M. WORKSHOP

Call to Order - Mayor Bryan Shupe

New Business

Code of Conduct Training/Public Integrity Commission-Deborah Moreau

Adjourn

7:00 P.M. PUBLIC HEARING

F. Jerry & Jan W. Kovach

Final Minor Subdivision of 16.46+/- acres

R1 (Single Family Residential) and C3 (Highway Commercial) Zoning District.

560 S DuPont Blvd and 17776 Oak Hill Drive, Milford Delaware.

Present Use: Residential; Proposed Use: Same

Tax Map 1-30-3.11-002.00 and 1-30-3.11-009.00

ORDINANCE 2017-20

An ordinance to amend Chapter 180-Residential Rental Operation License to allow the transfer of a license during the licensing period upon payment of administrative fees and request an inspection prior to occupancy by a new renter.

ORDINANCE 2017-22

An ordinance to amend Chapter 178-Realty Transfer Tax in order to limit the first-time home buyer exception solely to the grantee's portion of the City realty transfer tax (typically one-half (1/2) of the total City transfer tax) and require grantors to pay grantor's portion of the City realty transfer tax (typically one-half (1/2) of the total City transfer tax) and prohibit first-time home buyer grantors and grantees from contractually modifying the apportionment of the transfer tax to decrease the grantor's portion of the transfer tax.

COUNCIL MEETING

Call to Order - Mayor Bryan Shupe

Invocation

Pledge of Allegiance

CITY COUNCIL AGENDA

November 13, 2017

Page 1 of 2

Approval of Previous Minutes

Recognition

Police Officer Promotion

Monthly Police Report

Monthly City Manager Report

Monthly Finance Report

Committee & Ward Reports

Communication & Correspondence

Unfinished Business

Classification and Compensation Study-Implementation Authorization

New Business

Proclamation 2017-28/Small Business Saturday

Proclamation 2017-30/Veterans Day

Streets Division/Pavement Patcher Purchase Authorization

Electric Division/Bucket Truck Purchase Authorization

Council Rules Discussion

Adjourn

Motion to Enter Executive Session

- A. Executive Session pursuant to 29 Del. C. §10004 (b)(4) for the purpose of the discussion of strategy sessions, including those involving legal advice or opinion from an attorney-at-law, with respect to collective bargaining or pending or potential litigation.
- B. Executive Session pursuant to 29 Del. C. §10004 (b) (2) for the purpose of discussing site acquisitions for any publicly funded capital improvements, or sales or leases of real property.

Return to Public Session

- A. Potential vote related to strategy sessions, including those involving legal advice or opinion from an attorney-at-law, with respect to collective bargaining or pending or potential litigation.
- B. Potential vote related to site acquisitions for any publicly funded capital improvements, or sales or leases of real property.

All items on the agenda are subject to a potential vote.

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

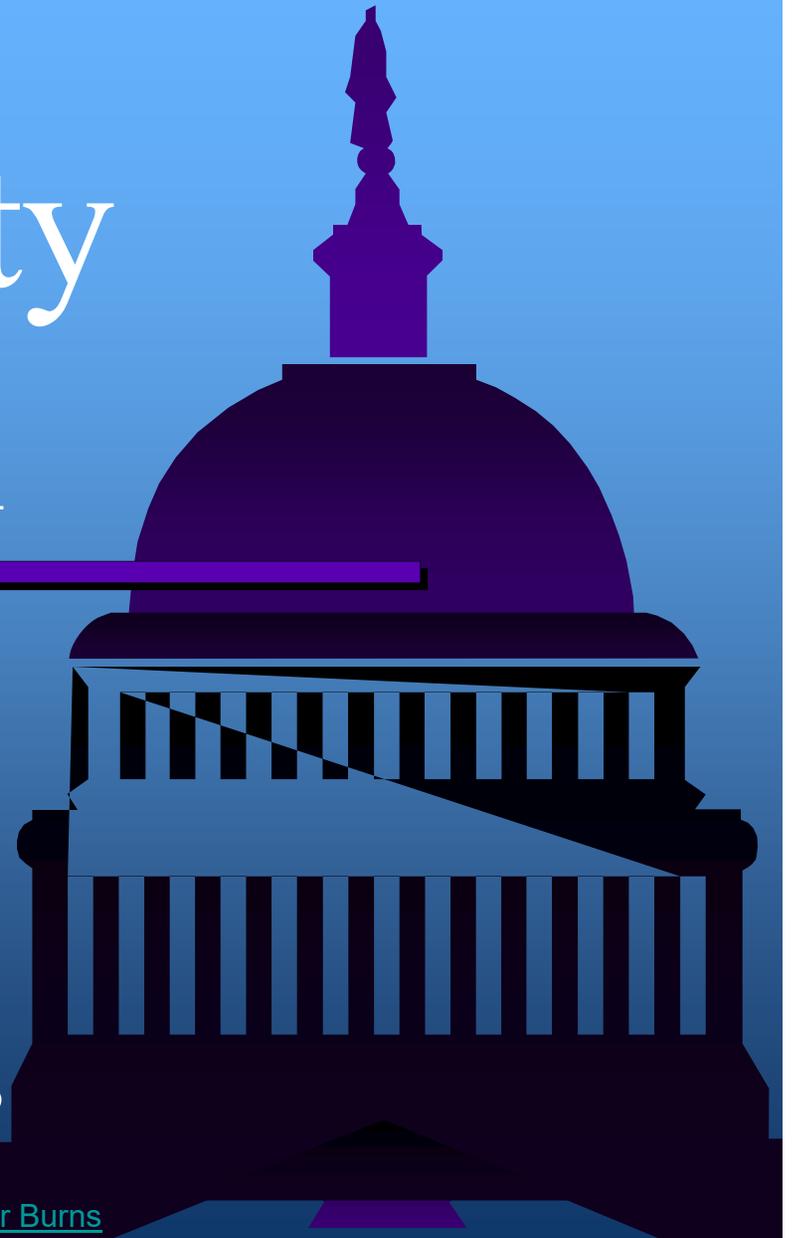
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Public Integrity Commission

Ethics in Government

“Divorced from ethics, leadership is reduced to management and politics to mere technique”.

[James MacGregor Burns](#)



Lt. Gov. Darr resigns amid ethics violations, possible impeachment

By ArkansasOnline
This article was published January 10, 2014 at 6:30 p.m.



PHOTO BY BENJAMIN KRJAIN
Lt. Gov. Dan Claitor, Tuesday, that he has no intention of resigning.



AP Photo

Oregon governor facing ca state probe

By JONATHAN TOPAZ | 2/9/15 3:10 PM EST

John Kitzhaber won a fourth term as Oregon's g but he is now facing perhaps the starkest challe

Ex-speaker, once a big powerbroker, convicted in N.Y.

Associated Press

NEW YORK — Former state Assembly Speaker Sheldon Silver was convicted Monday in a \$5 million corruption case that took down one of New York's most powerful politicians and stunned a capital that had become accustomed to scandal.

The jury verdict came after a three-week trial in which federal prosecutors claimed that the 71-year-old Democrat traded favors to enrich himself and then lied about it. The defense countered that the government was trying to criminalize the longtime routines of Albany politicians.

Even in a state capital where more than 30 lawmakers have left office facing criminal charges or allegations of ethical misconduct since 2000, the case against Silver was an extraordinary turn. An assemblyman since 1976, Silver was one of Albany's most storied political figures, a consummate backroom operator with the power to decide the fate of legislation single-handedly.

Silver, who remains free on bail until a sentencing date not yet set, plans to appeal.

"I'm disappointed right now.

Ultimately, I believe that after the legal challenges, we'll get results," he said as he left court after being convicted of all charges against him: honest-services fraud, extortion and money laundering. They carry the potential for decades in prison.



Sheldon Silver

His prosecution was a marquee case in Manhattan U.S. Attorney Preet Bharara's quest to clean up a state government he has called a "cauldron of corruption," an effort that has led to the ongoing corruption trial of Republican state Senate leader Dean Skelos.

With Monday's verdict, "Sheldon Silver got justice, and at long last, so did the people of New York," Bharara, who had watched from the courtroom audience, said in a statement.

With the conviction, Silver automatically loses his Assembly seat. He had kept it while fighting the charges, although after his arrest he was stripped of the speakership he had held since 1994.

The leader of the Assembly's Republican minority, Brian Kolb, called the conviction "a clear signal — again — to Albany: Enough is enough."

Current Speaker Carl Heastie, a Democrat and Silver's successor, said he would "continue to work to root out corruption and demand more of elected officials when it comes to ethical conduct."

After Silver's arrest, the Legislature passed modest changes, including a requirement that lawmakers disclose more about their private income.

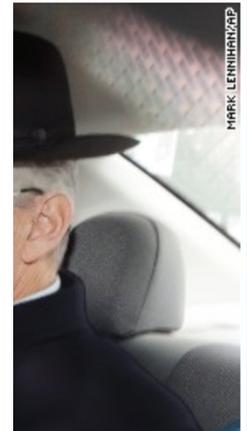
But so far, lawmakers have balked at significant reforms, such as term limits, restrictions on legislators' outside income, tighter campaign finance limits and tougher enforcement of ethics rules.

Prosecutors had argued that they proved Silver traded his office for riches: \$4 million in kickbacks from a cancer researcher and real estate developers. Prosecutors say Silver earned a million dollars more through investments.

"This was corruption," not politics as usual, Assistant U.S. Attorney Andrew Goldstein told jurors.

Dec. 1, 2015

speaker



MARK LENNIR/AP

Supreme Court overturns corruption conviction of former Va. governor McDonnell

Supreme Court overturns corruption conviction of former Va. governor McDonnell

The Supreme Court unanimously voted to overturn the public-corruption conviction of former Virginia governor Robert F. McDonnell. Here's what you need to know about the decision. (Monica Akhtar/The Washington Post)

By [Robert Barnes](#)

[Politics](#)

June 27 at 7:09 PM

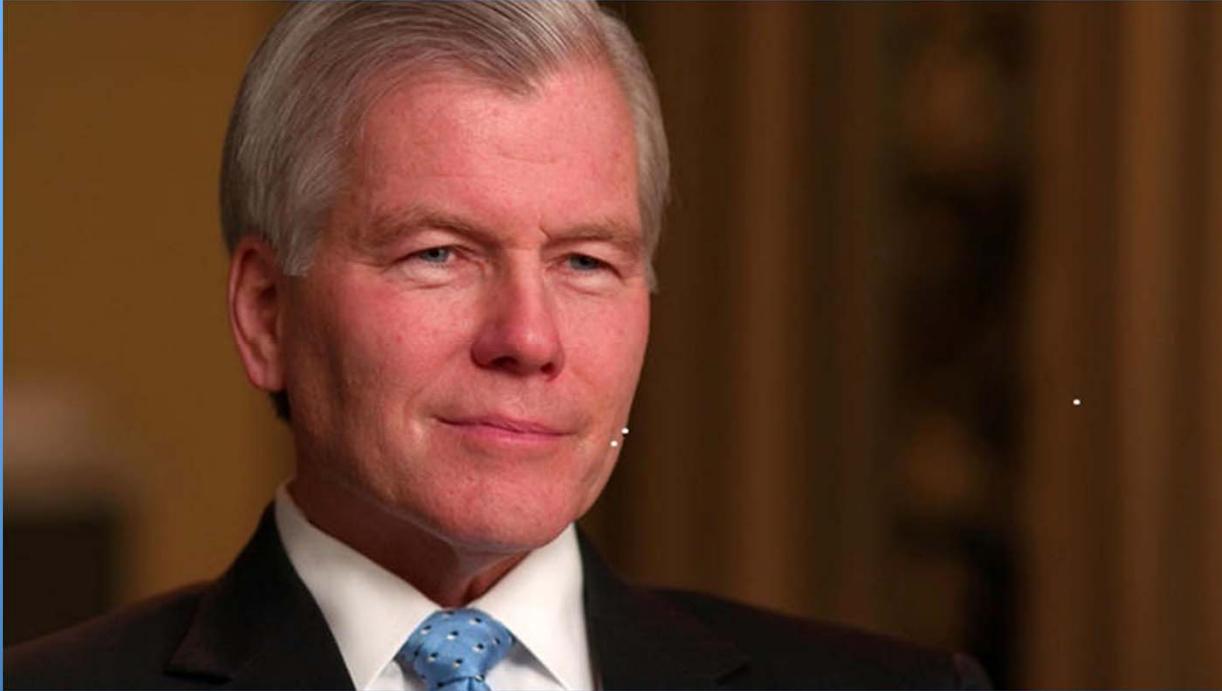
“There is no doubt that this case is distasteful; it may be worse than that. But our concern is not with tawdry tales of Ferraris, Rolexes, and ball gowns,” Roberts wrote. “It is instead with the broader legal implications of the Government’s boundless interpretation of the federal bribery statute.” CJ Roberts

governor sentenced



McDonnell (2nd R) leaves U.S. District Court
in Washington, D.C., after he found guilty in his
corruption case. (AP Photo/Robyn Beck)
GETTY IMAGES

June 2016

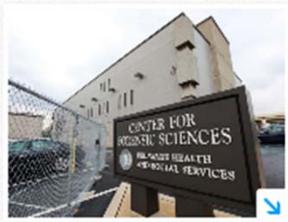


July 2017

Delaware medical examiner suspended in drug probe

Jonathan Starkey and Sean O'Sullivan, The (Wilmington, Del.) News Journal 8:36 p.m. EST February 28, 2014

Richard T. Callery oversees the state drug lab, which is being investigated for missing and tampered-with evidence.



(Photo: Suchat Pederson, The (Wilmington, Del.) News Journal)

f 26 CONNECT | t 30 TWEET | in 2 LINKEDIN | 1 COMMENT | EMAIL | MORE

WILMINGTON, Del. -- Delaware Chief Medical Examiner Richard T. Callery, who oversees the state drug lab that is now the subject of a State Police criminal investigation over missing evidence, [has been suspended with pay](#), officials said Friday.

Callery has led the Medical Examiner's Office since 1997 and earned a \$198,500 salary last year, making him the seventh highest-salaried state employee. He was suspended on Tuesday pending the results of an internal human resources investigation.

In an interview Friday afternoon, Gov. Jack Markell said "we certainly have a number of concerns about the management of the office."

"There are a number of things the investigation is reviewing and I can't talk about them today," Markell said.

STORY HIGHLIGHTS

- State waited 3 days to announce Callery's suspension
- Investigators have identified 21 cases affected by tainted evidence
- Lab handled drug evidence for all Delaware law enforcement agencies

Drug lab scandal still haunts Delaware

Jessica Masulli Reyes and Cris Barrish, The News Journal 9:28 p.m. EDT June 10, 2015

Callery's plea

Callery will plead **no contest** – which is treated the same at sentencing as a conviction – to two counts of official misconduct. The crime is a Class A misdemeanor punishable by up to one year in prison and a \$2,300 fine. A plea of no contest, technically called "nolo contendere," is not an admission of guilt.

Both Joseph Grubb, chief New Castle County prosecutor, and Callery's lawyer Dan Lyons confirmed that the plea hearing will be held Thursday in Superior Court before Judge Fred S. Silverman.

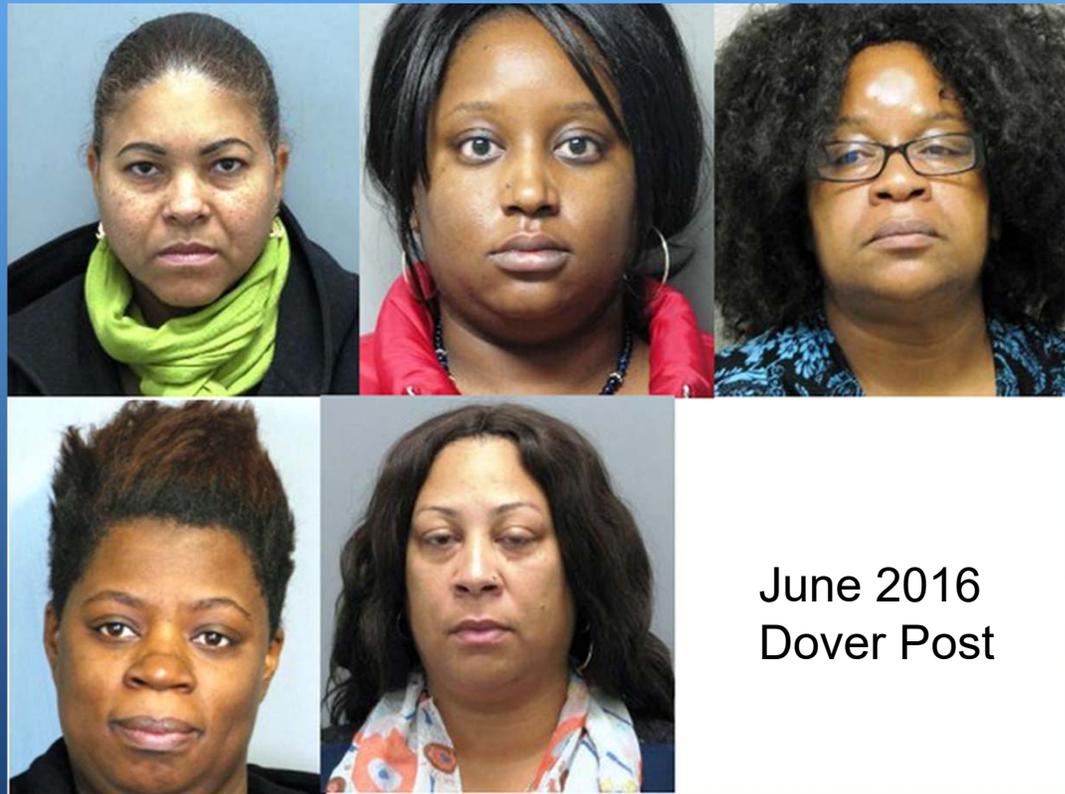
Grubb would not comment further, but Lyons stressed that Callery's plea will be for using state employees and supplies such as his government car to conduct a private consulting business as an expert in other states.

Lyons said Callery, 63, also will pay \$100,000 restitution, an amount the lawyer said far exceeds the value of supplies and employee time he used, and will surrender his medical license for two years.



Seven steal from SNAP, says state

Seven state employees indicted in \$950,000 theft



Background

- Ethics Law Passed -1974
- Ethics Commission Created - 1991
- Public Integrity Commission - 1994
- Full-time Staff Hired - 1995
- Commission Members' Background

Laws Regulating Conduct

Title 29, Chapter 58

- Code of Conduct: *Sets Standards of Conduct*
- Financial Disclosure: *Annual Disclosure by Public Officers*
- Compensation Policy: *Prevents “Double-Dipping”*
- Lobbyists’ Registration: *Disclosure of Expenditures on General Assembly Members and/or State Employees*



Public Integrity Commission

ADMINISTERING AND IMPLEMENTING DELAWARE'S CODE OF CONDUCT FOR THE EXECUTIVE BRANCH.

Welcome

Pursuant to 29 Del. C., Chapter 58, the State Public Integrity Commission administers and implements Delaware's ethics law (Code of Conduct) for the Executive Branch; its financial disclosure law for all three branches; and its lobbyists' registration and expense reporting laws.

[Read More →](#)

> Code of Conduct

Ethical standards for all State Executive Branch employees (rank and file) officers (Senior level & Elected officials) and honorary State officials (appointees to

Easy Reference

Code of Conduct Opinion Synopsis



- [1991-2016 Contracting With The State](#)
- [1991-2016 Jurisdiction & Procedure](#)
- [1991-2016 Local Codes of Conduct](#)
- [1991-2016 Outside Employment](#)
- [1991-2016 Things of Monetary Value](#)
- [1991-2016 Personal or Private Interest](#)
- [1991-2016 Post Employment](#)

Note: If looking for specific term in a category, hit CTRL F once you have opened the link

Statutory Purpose

- Insure public respect and confidence by setting standards of conduct for honorary state officials without unduly circumscribing their activities

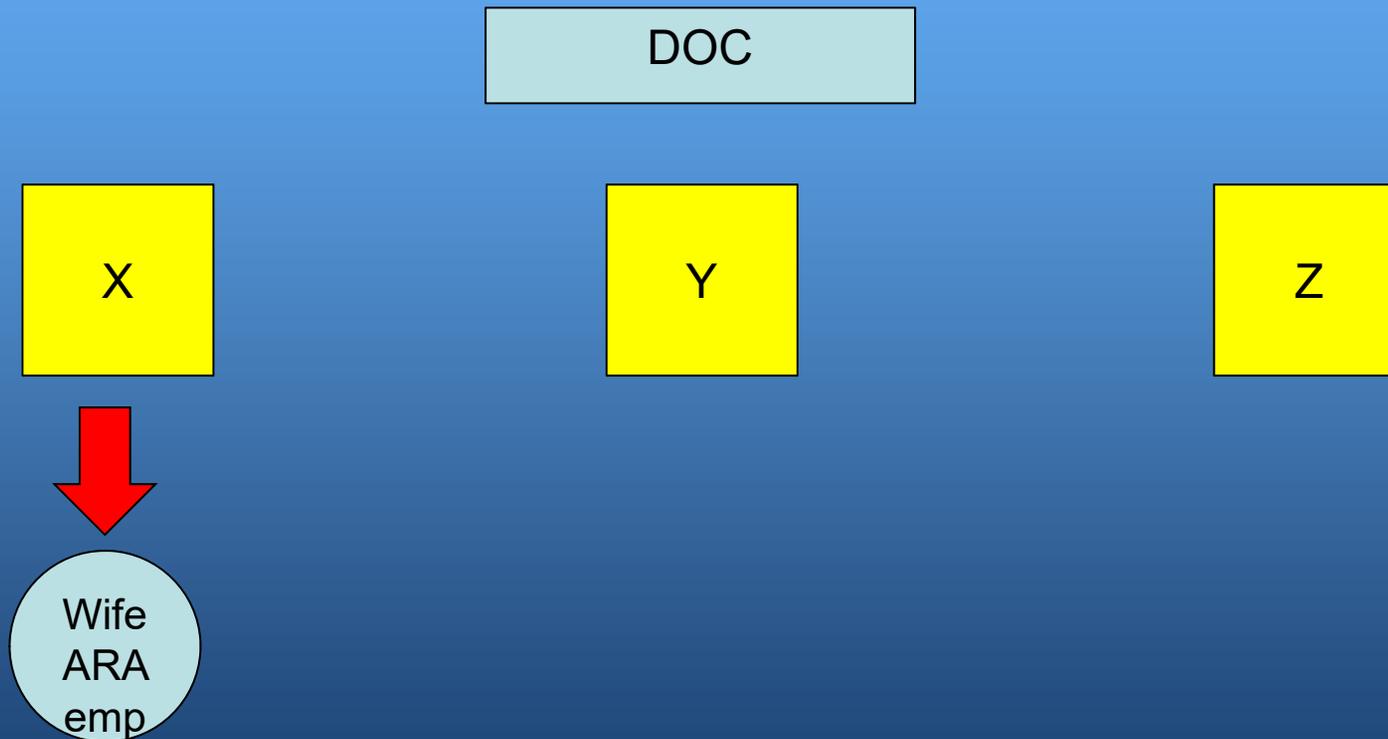
Conflict of Interest

Exercising Authority - 29 Del. C. § 5805 (a) and (b)

- No Personal or Private Interest That Tends to Impair Judgment in Performing Board Duties
- *Interests Which Will Impair Judgment*
 - **Financial benefit to self or a close relative**
 - **Benefit to a private enterprise if you or a close relative have a financial interest**

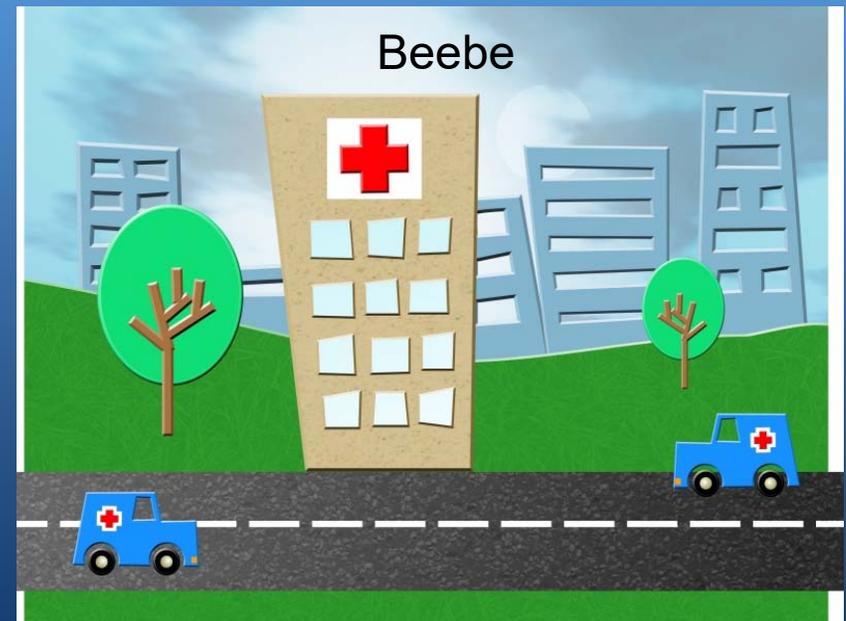
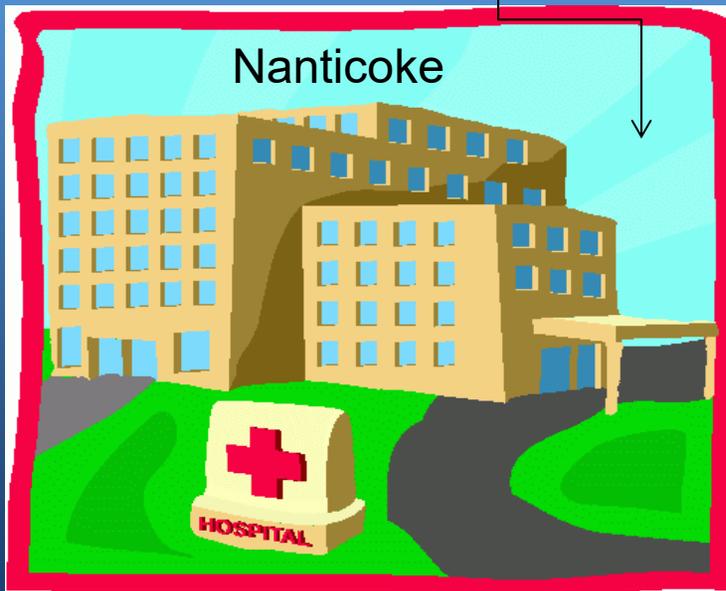
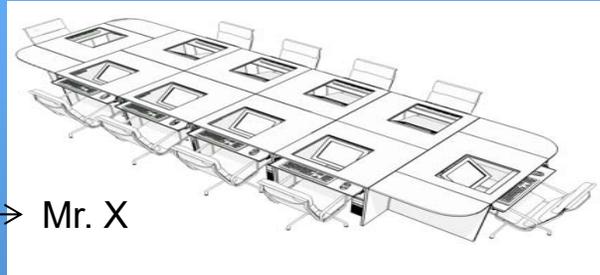
Personal Interest

Prison Health Systems v. ARA



Personal Interest cont.

Beebe v. Cert of Medical Needs Board



Personal Interest cont.

Brice v. DOC

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Ma son

David
Outten's Sec

Sestito
Nephew
3

Coleman
Highest
score
7



Brice
5

Conflict of Interest

Representation - 29 Del. C. § 5805(b)

- Do not represent or assist a private enterprise before your own Board
- Officers may not represent or assist a private enterprise before the State
 - *Exception: You may assist a private enterprise within the scope of official duties.*

Conflict of Interest

Post-Employment - 29 Del. C. § 5805(d)

- Two-year Restriction

- Cannot represent/assist private enterprise on matters involving your Board if you:

 - Gave an opinion

 - Conducted an investigation

 - Were otherwise directly and materially responsible

- Prohibition on use of confidential information

Code of Conduct

Prohibited Conduct - 29 Del. C. § 5806 (a) and (b)

- No Appearance of Impropriety
 - Reasonable person, knowing all the facts, would think the employee could perform their duties fairly and with impartiality.
- No interest in a private enterprise or any obligation in substantial conflict with performing your board duties

Code of Conduct

Prohibited Conduct - 29 Del. C. § 5806(b)

- No other employment, gift, payment of expenses, compensation, or anything of monetary value if it may result in:
 - *Impaired independence of judgment; or*
 - *Preferential treatment to any person; or*
 - *Official decisions outside official channels; or*
 - *Any adverse effect on public confidence in government*

Code of Conduct

Prohibited Conduct - 29 Del. C. § 5806 (c)

Do not acquire a financial interest in a private enterprise if you have reason to believe it may be directly involved in decisions to be made by you in your official capacity.

Code of Conduct

Prohibited Conduct - 29 Del. C. § 5806(e)

Public office shall not be used to secure unwarranted privileges, private advancement or gain.

Code of Conduct

Prohibited Conduct - 29 Del. C. § 5806 (f) and (g)

- You may not:
 - Engage in activities that might reasonably be expected to require or induce you to disclose confidential information;
 - Disclose confidential information beyond the scope of employment;
 - Use confidential information for personal gain or benefit.

Waivers and Advisory Opinions

Procedure - 29 Del. C. § 5807

- Written Request
- Confidential *unless*:
 - Applicant Requests in Writing
 - Required for Prosecution
 - Used to Report Substantial Evidence of a Criminal Violation
 - Waiver Granted

Complaints

Procedure - 29 Del. C. § 5810

- Sworn Complaint or Commission Acts
- Person Charged Has the Right to:
 - **Notice & Hearing**
 - **Legal Counsel**
 - **Call Witnesses, Offer Evidence, Cross- Examine**
 - **Examine Tangible Material Evidence**
 - **Exculpatory Evidence**
 - **Apply for Subpoenas**
 - **Confidential *unless*: Person Charged asks for Open Proceedings or a Violation is Found**
 - **Judicial Review by Superior Court**

Sanctions

- *Criminal Sanctions* - 29 Del. C. § 5805(f) Up to 1 Year or \$10,000 Fine
- *Administrative Sanctions* - 29 Del. C. § 5810(d)
 - **Written Reprimand**
 - **Other than Elected Officials: Remove, suspend, demote or other appropriate action**
 - **Honorary Officials: Recommend Removal**

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QUESTIONS?

The Rules of Conduct

(1) Do not review or dispose of City matters if you have a “personal or private interest” that tends to impair judgment in performing official duties. 29 Del. C. § 5805(a).

Ex. Board appointee’s “neutral” & “unbiased” remarks on an application were improper when the applicant before his Board had a business agreement with the official’s private employer.

--Beebe Medical Center v. Certificate of Need Appeals Board, Del. Super., C.A. No. 94-A-01-004, Terry, J. (June 30, 1995), *aff’d.*, Del. Supr., No. 304 (January 29, 1996).

Ex. Government employee’s “unsubstantial” & “indirect” participation in a contract that his wife’s employer was seeking, was “undoubtedly improper” although he was not on the contract committee & she was a “low-level employee” in the company.

--Prison Health Services, Inc. v. State, Del. Ch., C.A. No. 13,010, Hartnett III, V.C. (July 2, 1993).

Ex. Uncle wrote test for government job & sat on hiring panel. His nephew was selected. The Court said it was “the most blatant discrimination based on nepotism & favoritism.”

--Brice v. State, 704 A.2d 1176 (Del., 1998).

(2) Do not represent or assist a private enterprise before the City. 29 Del. C. § 5805(b).

Ex. State appointee wanted private contract with his agency. Court upheld agency’s decision to deny him the contract, as the award of State contracts “has been suspect,

often because of alleged favoritism, undue influence, conflict and the like.”

--W. Paynter Sharp & Son v. Heller, 280 A.2d 748 (Del. Ch., 1971).

(3) Do not contract with the City for more than \$2,000 unless there is public notice & bidding. If less than \$2,000, there must be “arms’ length negotiations.” 29 Del. C. § 5805(c).

(4) For 2 years after leaving City employment, you may not represent or assist a private enterprise on City matters where you: (a) gave an opinion; (b) conducted an investigation; or (c) were otherwise directly and materially responsible. 29 Del. C. § 5805(d).

Ex. Former State appointee represented client before his former Board. He was not “directly & materially responsible” for the matter before the Board, as it was not considered by him before he left the State.

--Beebe Medical Center, *supra*.

(5) Do not incur any obligation or interest that substantially conflicts with public duties. 29 Del. C. § 5806(b).

Ex. Where a State officer placed his personal interest first, “it necessarily follows that...he violated the duty that he owed to the public.”

--In re Ridgely, 106 A.2d 527 (Del. 1954).

(6) Do not accept other employment, compensation, gifts, or anything of monetary value if it may result in: (a) impaired judgment; (b) preferential treatment; (c) official decisions

outside official channels; or (d) any adverse effect on the public’s confidence in the City. 29 Del. C. § 5805(b).

Ex. This prohibition includes luncheons, gift certificates, flowers, holiday gift boxes, etc.

(7) To commence & continue City employment, or Board appointment, you must file a full disclosure with PIC if you have a financial interest in a private enterprise that does business with, or is regulated by the City. 29 Del. C. § 5806(d).

“Financial Interest” includes:

- ownership or investment interest;
- receiving \$5,000 or more as an employee, officer, director, trustee or independent contractor;
- creditor of private enterprise. 29 Del. C. § 5804(5).

“Private Enterprise” is any activity by any person, for profit or not for profit. 29 Del. C. § 5804(9).

(8) Do not acquire financial interests in a private enterprise that may be directly involved in your City decisions. 29 Del. C. § 5806(c).

(9) Do not use public office for unwarranted privileges, private advantage or gain. 29 Del. C. § 5806(e).

Ex. State official had a duty not to personally profit from the State’s services & property by using School materials & employees during State work hours at his home. His action was more than an ethics violation. It violated the

criminal law on “Misconduct in Office.”

--Howell v. State, 421 A.2d 892 (Del., 1980).

(10) Do not improperly disclose or use confidential information. 29 Del. C. § 5805(d); 5806(f) & (g).

Ex. “Indeed, common decency and the most modest norms of privacy command that the State not permit its files to be used in the manner here alleged”—that confidential information on State clients was made public.

--Pajewski v. Perry, 363 A.2d 429 (Del., 1976).

(11) Do not use sex as a condition for an individual’s favorable treatment by you or by the City. 29 Del. C. § 5806(h).

Ex. Requiring a bidder on a City contract to grant sexual favors in exchange for awarding the contract. This is not sexual harassment in the workplace. Please refer to your City personnel manual for the appropriate policy.

(12) Your conduct must not “raise suspicion” of violating the public trust. 29 Del. C. § 5806(a).

Ex. Close relatives had no financial interest in government decision, but it would “be prudent” for officials to recuse themselves.

--Harvey v. Zoning Board of Adjustment of Odessa, Del. Super., C.A. No. 00A-04-007 CG, Goldstein, J. (November 27, 2000), *aff’d.*, 781 A.2d 697 (Del., 2000).

--Actual misconduct is not required; only the appearance thereof. --Commission Op. No.92-11.

To Whom Does the Law Apply?

The Code of Conduct applies to all Executive Branch employees (rank & file), officers (Division Directors & above), and honorary officials (appointees to State and Boards and Commissions); & local government officers, employees, board and commission members, unless they adopt a Code at least as stringent as the State's. The Judicial & Legislative Branches have their own Code of Conduct or Conflict of Interests laws.

Why Ethics?

In our democratic form of government, the conduct of State officers & employees must hold the respect & confidence of the people. Thus, State officers & employees must avoid conduct that violates the public trust or creates a justifiable impression by the public that such trust is being violated.

How Can I Promote Ethics?

By following the Code of Conduct rules.

How Can I Comply with the Rules?

Know the Rules
Follow the Rules
Get Advice When Unsure

Where are the Rules?

Delaware Code, Title 29, Chapter 58. The law and opinions are on the Public Integrity Commission's (PIC's) web site at www.depik.delaware.gov under the heading, "Code of Conduct." Opinions are grouped by topic to narrow your search.

How Can I Understand the Rules?

Read the Statute ---- Read Commission Opinions --- Go to "Ethics in Government" classes offered by PIC through the City ---- Call the Public Integrity Commission with questions --- Seek an Advisory Opinion from the Commission

What is an Advisory Opinion?

An interpretation of the rules by the Public Integrity Commission based on the proposed conduct of a City employee, officer or board member. It gives guidance on whether the conduct will or will not violate the public trust.

Why Would I Seek an Opinion?

It will clarify if you should or should not engage in such conduct. It also can protect you against complaints. If you fully disclose your situation to the Commission and follow its advice, the law provides protection against disciplinary action.

How Can I Seek an Opinion?

Your request must be in writing; there is no formal format. Before you start to write, contact the Commission's office, at 302-739-2399, to obtain help in writing your request.

Should I E-Mail My Request?

By law, you are entitled to confidentiality concerning your requests. If you are confident in your system's security, the Commission accepts email submissions.

When Will I Know if the Conduct is Permitted?

If the situation has been clearly addressed by the Commission, the Commission's staff will provide you with that information. If there is no clear ruling, your written request will be sent to the Commissioners one week prior to the monthly meeting. On the meeting day, the Commission likes to have the requestor present so that if there are questions not answered by the written request, it can obtain the answers at the meeting and issue an oral opinion that same day with a written opinion to follow.

What If a Complaint is Filed Against Me?

You will be formally notified of the allegations against you, and of the rights you have, such as a right to legal counsel, right to a hearing, right to cross-examine, right to examine evidence, etc. If a violation is found, you have the right to appeal to the Superior Court.

What are the Penalties?

Criminal Violations: Up to a year in prison and/or a \$10,000 fine.

Administrative Discipline includes: Letter of Reprimand --- Suspension, demotion, removal or other appropriate disciplinary action.

How Can I Reach the Commission?

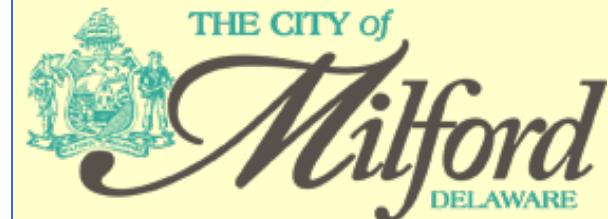
Public Integrity Commission
410 Federal St., Suite 3
Dover, DE 19901
Phone: 302- 739-2399
www.depik.delaware.gov

ETHICS BROCHURE BY:

State Public Integrity Commission



IN COOPERATION WITH



CITY OF MILFORD
NOTICE OF PUBLIC HEARINGS

PLANNING COMMISSION PUBLIC HEARING: SEPTEMBER 19, 2017
CITY COUNCIL PUBLIC HEARING: OCTOBER 23, 2017

NOTICE IS HEREBY GIVEN the Planning Commission for the City of Milford will hold a Public Hearing on Tuesday, September 19, 2017 at 7:00 p.m., or as soon thereafter as possible, in the Joseph Ronnie Rogers Council Chambers at Milford City Hall, 201 South Walnut Street, Milford, Delaware.

A FINAL PUBLIC HEARING is scheduled before Milford City Council on Monday, October 23, 2017 at 7:00 p.m., or as soon thereafter as possible, in the Joseph Ronnie Rogers Council Chambers at Milford City Hall, 201 South Walnut Street, Milford, Delaware.

F. Jerry & Jan W. Kovach

Final Minor Subdivision of 16.46+/- acres in an
R1 (Single Family Residential) and C3 (Highway Commercial) Zoning District.
Property is located at 560 S DuPont Blvd and 17776 Oak Hill Dr, Milford Delaware.
Present Use: Residential; Proposed Use: Same
Tax Map 1-30-3.11-002.00 and 1-30-3.11-009.00

All parties of interest are hereby notified to be present and to express their views before a final decision is rendered. If unable to attend, written comments will be accepted up to one week prior to the hearing. For additional information, please contact Rob Pierce in the Planning Department at Milford City Hall, via email at RPierce@milford-de.gov or by calling 302.424.8396 x1311.

By: Christine Crouch, CMC
Deputy City Clerk

Advertised: Beacon 08/30/17



DATA SHEET FOR LANDS OF JERRY & JAN KOVACH

Planning Commission Meeting: September 19, 2017

Application Number / Name	:	17-013 / Jerry & Jan Kovach
Applicant	:	Jerry & Jan Kovach 17776 Oak Hill Drive Milford, DE 19963
Owner	:	Same
Application Type	:	Final Minor Subdivision/Lot Line Adjustment
Present Comprehensive Plan Map Designation	:	Low Density Residential (parcel 002.00) Highway Commercial (parcel 009.00)
Present Zoning District	:	R-1 (Single-Family Residential District) C-3 (Highway Commercial District)
Present Use	:	Residential
Proposed Use	:	Residential
Size and Location	:	Parcel 002.00 – 5.06 +/- acres of land known as 560 S. Dupont Boulevard. Parcel 009.00 – 11.4 +/- acres of land known as 17776 Oak Hill Drive
Tax Map & Parcel	:	1-30-3.11-002.00 & 1-30-3.11-009.00

ENC: Staff Analysis Report
Exhibit A – Location & Zoning Map
Exhibit B – Survey

STAFF REPORT
August 6, 2017

Application Number / Name	:	17-013 / Jerry & Jan Kovach
Present Comprehensive Plan Designation	:	Low Density Residential (parcel 002.00) Highway Commercial (parcel 009.00)
Present Zoning District	:	R-1 (Single-Family Residential District) C-3 (Highway Commercial District)
Present Use	:	Residential
Proposed Use	:	Residential
Tax Map & Parcel	:	1-30-3.11-002.00 & 1-30-3.11-009.00
Size and Location	:	Parcel 002.00 – 5.06 +/- acres of land known as 560 S. Dupont Boulevard. Parcel 009.00 – 11.4 +/- acres of land known as 17776 Oak Hill Drive

I. STAFF ANALYSIS:

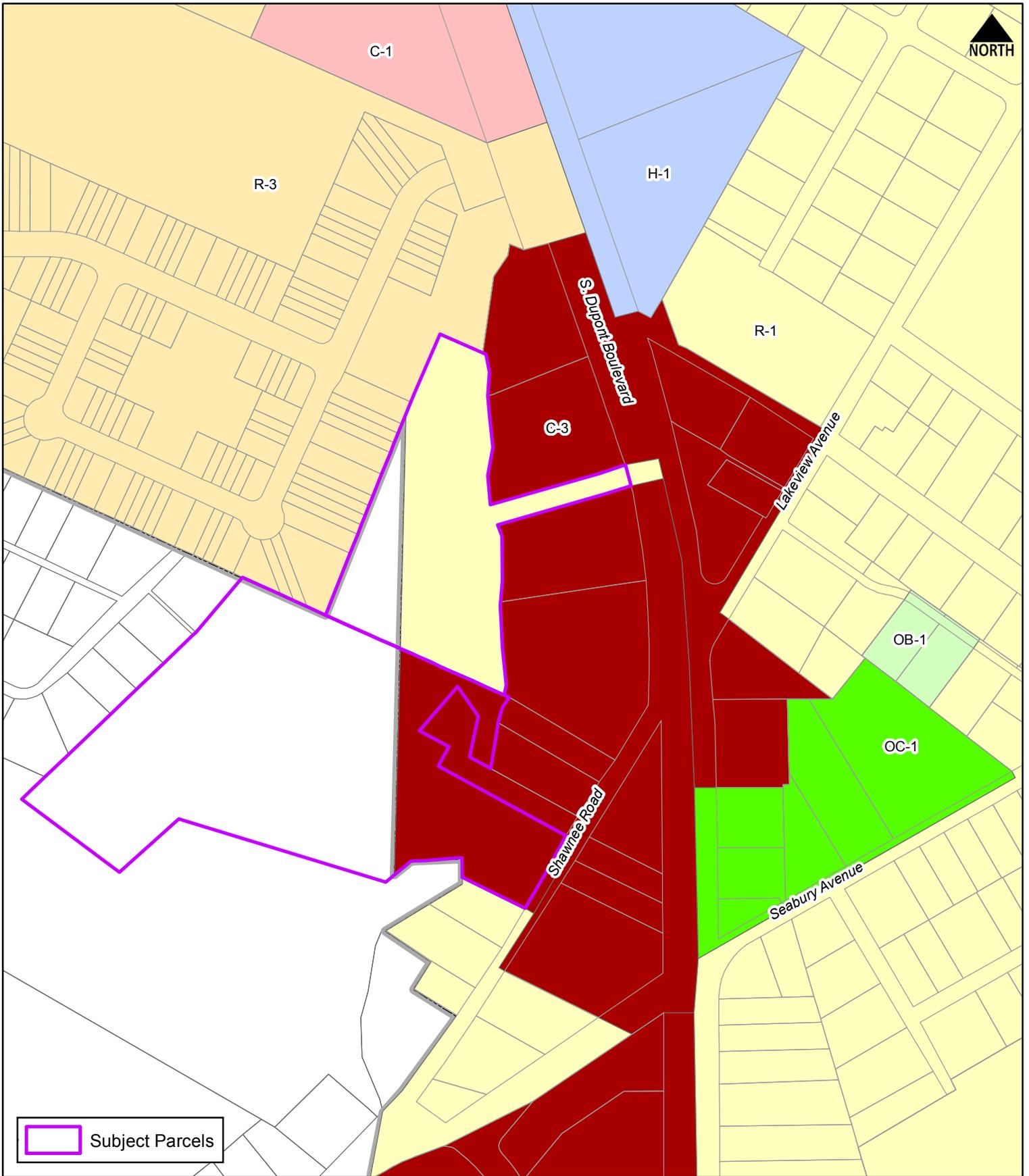
The applicant is the owner of both properties affected by the proposed lot line adjustment. Both parcel 002.00 & 009.00 are located partially in the City of Milford and within the unincorporated areas of Sussex County. The lot line adjustment will require administrative approval from Sussex County prior to recordation and legal adjustment of the property line.

As a result of the properties being split by the municipal boundary, the properties are split zoned. See attached zoning exhibit for City of Milford zoning.

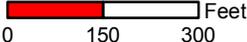
The applicant proposes to convey seventy-six (76) feet of property from parcel 002.00 to parcel 009.00.

II. AGENCY COMMENTS:

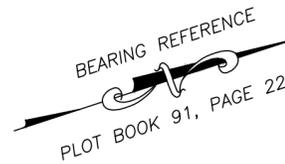
- DelDOT – No comments solicited
- Sussex Conservation District – No comments solicited
- State Fire Marshal – No comments solicited



 Subject Parcels

	Scale:  Feet 0 150 300	Title: Minor Subdivision/Lot Line Adjustment Jerry & Jan Kovach Location & Zoning Map
	Drawn by: WRP Date: 07/31/17	
Filepath: MinorSubdivision_Kovach.mxd		

LINE	BEARING	DISTANCE	CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD LENGTH	CHORD BEARING
L1	S 39°36'24" W	148.49'	C1	2184.79'	8°29'09"	323.58'	323.29'	N 03°42'03" W
L2	S 10°17'43" W	9.76'						
L3	S 10°17'43" W	72.81'						



LANDS N.O.F.
F. JERRY KOVACH & JAN W. KOVACH
DEED BOOK 2420, PAGE 1
TAX MAP NO. 1-30-3.11, PARCEL 9.00
CURRENT ZONING AR-1 (OUTSIDE OF CITY LIMIT)
11.9± ACRES (TOTAL) AFTER LOT LINE
ADJUSTMENT-PER TAX MAP

LANDS N.O.F.
MISPILLION REALTY, LLC
DEED BOOK 4135, PAGE 341
TAX MAP NO. 1-30-3.00, PARCEL 498.00
CURRENT ZONING R-3

PORTION OF
TAX MAP NO. 1-30-3.11, PARCEL 2.00
TO BE COMBINED WITH
TAX MAP NO. 1-30-3.11, PARCEL 9.00
34,266± SQ. FT. (TOTAL)
15,493± SQ. FT. (SUSSEX COUNTY)
18,773± SQ. FT. (WITHIN CITY LIMIT)

LANDS N.O.F.
F. JERRY KOVACH & JAN W. KOVACH
DEED BOOK 4239, PAGE 22
TAX MAP NO. 1-30-3.11, PARCEL 2.00
CURRENT ZONING R-1 (WITHIN CITY LIMIT)
CURRENT ZONING AR-1 (OUTSIDE OF CITY LIMIT)
4.27± ACRES (TOTAL) AFTER LOT LINE
ADJUSTMENT-PER TAX MAP

LANDS N.O.F.
F. JERRY KOVACH & JAN W. KOVACH
DEED BOOK 2420, PAGE 1
TAX MAP NO. 1-30-3.11, PARCEL 9.00
CURRENT ZONING C-3 (WITHIN CITY LIMIT)
11.9± ACRES (TOTAL) AFTER LOT LINE
ADJUSTMENT-PER TAX MAP

PARCEL: 1-30-3.11-002.00 (COUNTY)
CURRENT ZONING: AR-1
CURRENT USE: RESIDENTIAL
PROPOSED USE: RESIDENTIAL
MINIMUM LOT AREA: 0.75± ACRES
ACTUAL LOT AREA: 4.27± ACRES (TOTAL) AFTER LOT LINE ADJUSTMENT-PER TAX MAP
FRONT SETBACK: 40'
REAR SETBACK: 20'
SIDE SETBACK: 15'

PARCEL: 1-30-3.11-009.00 (COUNTY)
CURRENT ZONING: AR-1
CURRENT USE: RESIDENTIAL
PROPOSED USE: RESIDENTIAL
MINIMUM LOT AREA: 0.75± ACRES
ACTUAL LOT AREA: 11.9± ACRES (TOTAL) AFTER LOT LINE ADJUSTMENT-PER TAX MAP
FRONT SETBACK: 40'
REAR SETBACK: 20'
SIDE SETBACK: 15'

- BY GRAPHIC SCALING AND PLOTTING, THIS PROPERTY FALLS WITHIN THE LIMITS OF ZONE "X" AND ZONE "A" AS PER THE NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAP NUMBER 10005C39J, EFFECTIVE DATE: JANUARY 6, 2005
- PROPERTY DOES NOT INCLUDE SOURCE WATER PROTECTION AREAS AS PER THE DNREC ENVIRONMENTAL NAVIGATOR.
- PROPERTY INCLUDES WETLANDS AS PER THE DNREC ENVIRONMENTAL NAVIGATOR.

LANDS N.O.F.
F. JERRY KOVACH & JAN W. KOVACH
DEED BOOK 4289, PAGE 100
TAX MAP NO. 1-30-3.11, PARCEL 7.00
CURRENT ZONING C-3

LANDS N.O.F.
TWO FARMS, INC.
DEED BOOK 2345, PAGE 155
TAX MAP NO. 1-30-3.11, PARCEL 4.00
CURRENT ZONING C-3

STATE ROUTE 36
(A.K.A. SHAWNEE ROAD)
(60' WIDE)
(STATE MAINTAINED)

U.S. ROUTE 113
(A.K.A. SOUTH DUPONT BOULEVARD)
(STATE MAINTAINED)
(WIDTH VARIES)

PREPARED FOR

OWNER'S CERTIFICATION:

WE, F. JERRY KOVACH & JAN W. KOVACH, HEREBY CERTIFY THAT WE ARE THE LEGAL OWNERS OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT OUR DIRECTION, AND THAT WE ACKNOWLEDGE THE SAME TO BE OUR ACT AND THAT WE DESIRE THE PLAN TO BE RECORDED ACCORDING TO THE LAW.

F. JERRY KOVACH DATE

JAN W. KOVACH DATE

NOTES:

- CLASS "B", SUBURBAN SURVEY
- SOURCE OF TITLE: DEED BOOK 4239, PAGE 22
- A TITLE SEARCH WAS NEITHER REQUESTED, PROVIDED OR UTILIZED FOR THIS SURVEY

LEGEND:

- FOUND IRON BAR
- FOUND IRON PIPE
- FOUND CONCRETE MONUMENT
- SET IRON BAR
- ×-× FENCE
- - - BUILDING SETBACK LINE

Prepared By
ADAMS-KEMP ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS
AND PLANNERS
217 SOUTH RACE STREET
GEORGETOWN, DELAWARE 19947
PHONE: (302) 856-6699
WWW.ADAMSKEMP.COM

LOT LINE ADJUSTMENT SURVEY PLAN

PREPARED FOR
F. JERRY KOVACH & JAN W. KOVACH
FOR PROPERTY KNOWN AS
560 DUPONT BOULEVARD
SITUATED IN
CITY OF MILFORD, CEDAR CREEK HUNDRED, SUSSEX COUNTY, STATE OF DELAWARE
SCALE: 1" = 100'
DATE: JULY 17, 2017, REVISED: JULY 21, 2017, REVISED: JULY 25, 2017
REVISED: JULY 31, 2017

R.B. KEMP, III, P.L.S. 541



§ 230-9. - R-1 Single-Family Residential District.

In an R-1 District no building or premises shall be used and no building shall be erected or altered which is arranged, intended or designed to be used except for one or more of the following uses and complying with the requirements so indicated.

- A. Purpose. The intent of the R-1 Residential District is to preserve the spacious residential atmosphere and quality of living of existing low-density residential development, to provide for the orderly and appropriate development of new low-density housing and to allow related uses that would not be detrimental to the residential character of the district.
- B. Permitted uses. Permitted uses for the R-1 District shall be as follows:
 - (1) A single-family detached residential dwelling.
 - (2) Farming, agricultural activities and roadside stands for the sale of farm and nursery products produced on the property where offered for sale.
 - (3) Municipal and public services and facilities, including City Hall, water storage towers, water reservoirs, water pumping stations, water treatment plants, sewage pumping stations, sewers (storm and sanitary), street rights-of-way, utility transmission and distribution lines, public transportation bus or transit stops, police and fire stations and substations for electric, gas and telephone facilities.
 - (4) Parks, playgrounds, athletic fields, recreation buildings, swimming pools and community centers operated on a noncommercial basis for recreation purposes.
 - (5) Customary accessory uses, such as private garages, swimming pools and storage sheds, subject to the following special requirements:
 - (a) The primary residence must exist or be under construction.
 - (b) Private residential garages shall not exceed 750 square feet.
 - (c) Residential storage sheds or related outbuildings shall not exceed 150 square feet.
 - (6) Home occupational/office (subject to the following special requirements):
 - (a) All employees are to be of the immediate family.
 - (b) The appearance of the dwelling shall not be inconsistent with the primary use of the structure.
 - (c) The area used for the home occupation shall not exceed 30% of the total floor area of the dwelling, unless, as in the case of family day care, the state has final jurisdiction of the area requirements.
 - (d) No storage of products or associated materials is allowed in accessory structures/buildings, and no products are to be stored where they are outwardly visible to the public view.
 - (e) Family day care shall involve a maximum of six full-time and two after-school children, as specified by state regulations.
 - (f) The occupation will not cause excessive vehicular traffic or noise.
 - (g) The occupation will not involve animal boarding and/or care.
 - (h) A maximum of one nonilluminated sign (size and setback specified in Article VI of this chapter) may be affixed to the building or placed within the front property line.
- C. Conditional uses subject to special regulations. The following uses may be permitted with the approval of a conditional use permit by the Milford City Council in accordance with the provisions in Article IX of this chapter:
 - (1) Churches and other places of worship and cemeteries.
 - (2) Public and private elementary, junior or senior high schools.

- (3) Day-care centers.
- (4) Conversion of a one-family dwelling into multiple dwelling units, if such dwelling is structurally sound but too large to be in demand for one-family use and if that conversion would not impair the character of the neighborhood, subject to conformance with the following requirements:
 - (a) There shall be a lot area of at least 2,000 square feet for each unit to be accommodated.
 - (b) There shall be a gross leasable floor area, computed as the sum of those areas enclosed by the outside faces of all exterior walls surrounding each story used for the residence, exclusive of any area for any accessory private garage, of at least 500 square feet per family to be accommodated.
 - (c) No dwelling shall be converted unless it complies with Chapter 145, Housing Standards, and Chapter 88, Building Construction, of this code.
 - (d) No addition shall extend within the front yard, side yards or rear yard required for the district within which it is located.
 - (e) Fire escapes and outside stairways leading to a second or higher story shall, where practicable, be located on the rear of the building and shall not be located on any building wall facing a street.
 - (f) Two off-street parking spaces shall be provided for each additional dwelling unit created.
- (5) Professional occupation restricted to the owner/occupant, subject to conformance with the following requirements:
 - (a) There shall be three off-street parking spaces in addition to those otherwise required.
 - (b) No more than two persons shall be employed by the practitioner of the professional occupation to provide secretarial, clerical, technical or similar assistance.
 - (c) No storage of materials or products outside the dwelling shall be permitted unless completely housed.
 - (d) The area used for the practice of a professional occupation shall occupy no more than 50% of the total floor area, including garages or other accessory buildings.
 - (e) The professional use shall be clearly incidental to the residential use of the dwelling and shall not change the essential residential character of the dwelling.
 - (f) No external alterations inconsistent with the primary residential use of the dwelling shall be allowed.
 - (g) No display of products shall be visible from outside the building.
 - (h) A maximum of one nonilluminated display sign affixed to the building not exceeding two square feet shall be permitted.
- (6) Customary home occupation or a studio for artists, designers, photographers, musicians, sculptors and other similar persons, subject to conformance with the following requirements:
 - (a) The area used for the practice of the home occupation or studio shall occupy no more than 50% of the total floor area of the dwelling unit in which it is located.
 - (b) No storage of materials or products outside the dwelling shall be permitted unless completely housed.
 - (c) The home occupation or studio shall be clearly incidental to the residential use of the dwelling and shall not change the essential residential character of the dwelling.
 - (d) No external alterations inconsistent with the primary residential use of the dwelling shall be allowed.
 - (e) No display of products shall be visible from outside the building.

- (f) A maximum of one nonilluminated display sign affixed to the building not exceeding two square feet shall be permitted.
- (g) A maximum of two employees shall be permitted in the operation of the home occupation or studio.
- (7) Social club or fraternal, social service, union or civic organization.
- (8) Cultural facilities, including a library, museum or art gallery.
- (9) Country club, regulation golf course, including customary accessory uses, provided that all buildings have a minimum setback of 120 feet from all street and property lines.
- (10) Planned unit residential development.
- (11) Planned Residential Neighborhood Development.
- (12) Bed-and-breakfast, subject to the following requirements:
 - (a) The bed-and-breakfast establishment does not adversely affect the residential character of the neighborhood and such use is carried on in an existing residential structure.
 - (b) The building proposed for use as a bed-and-breakfast must have the owner of the bed-and-breakfast residing in the building as his/her principal residence.
 - (c) The serving of meals shall be limited to breakfast and afternoon tea for overnight guests and customers.
 - (d) Rooms used for sleeping shall be part of the primary residential structure and shall not have been specifically constructed for rental purposes.
 - (e) No exterior alterations other than a sign and those required by law to ensure the safety of the structure shall be made.
 - (f) The bed-and-breakfast operation shall not use more than 50% of the floor area of the principal residence. Common areas such as the kitchen, foyer, living room or dining room are not included in this calculation.
 - (g) No areas shall be floodlit. Drives and parking areas shall not be illuminated by lighting fixtures higher than 20 feet. Sidewalks shall not be illuminated by lighting fixtures higher than 15 feet. Exterior lighting shall be so shaded as to prevent illumination off-site. All external lighting, except for demonstrated security needs, shall be extinguished by 10:00 p.m.
 - (h) All bed-and-breakfasts must be in compliance with the requirements of the Uniform Building Code and Uniform Fire Code as adapted and enforced by the state fire marshal. Requirements include smoke detectors centrally located on each floor with sleeping rooms and the basement stairway. They must have battery backup and be connected or have a sounding device to provide an alarm which can be heard in all sleeping areas. Every sleeping room must provide at least 50 square feet of floor area per guest and have an operable window of 5.7 square feet or more of clear opening or exterior door for emergency escape or rescue. The maximum distance to a fire extinguisher rated 2A and having a BC rating is 75 feet.
 - (i) Safe food handling is the responsibility of the "host." He/She must properly train employees and other household members in safe food handling procedures and requirements and secure the proper state health permit if applicable.
 - (j) Parking requirements: one space per guestroom plus two spaces for residence. Spaces shall be located to the side and rear of the building and shall be screened from adjacent properties by a five-foot-high wood or masonry fence or by sight-obscuring vegetation of the same height. The area of the parking lot, including driveways, shall be graded, surfaced with asphalt or other suitable material and drained to the satisfaction of the City Engineer to the extent necessary to prevent dust, erosion or excessive water flow across streets or adjoining properties.

- (k) Signs. For each bed-and-breakfast, one small unlighted announcement sign not exceeding three square feet in area may be attached to and parallel with the front porch or wall of the building.

D. Area regulations.

- (1) Minimum lot area shall be 10,000 square feet. Minimum interior lot shall be 10,000 square feet. Minimum corner lot shall be 13,000 square feet.
- (2) Maximum lot coverage shall be 30%, exclusive of accessory buildings.
- (3) Minimum lot width shall be 80 feet.
- (4) Height of buildings shall not exceed three stories or 35 feet. Accessory buildings shall not exceed 15 feet in height.
- (5) Minimum front building setback line shall be 25 feet.
- (6) Minimum rear yard shall be 25 feet. For corner lots the rear yard may be reduced 20% in depth to allow for skewing of a residential dwelling on the lot.
- (7) Side yards shall be provided as follows: each lot shall have two side yards with a minimum of 12 feet each.
- (8) Parking shall comply with the requirements provided in Article IV of this chapter.
- (9) Signs shall comply with the requirements provided in Article VI of this chapter.
- (10) Decks, subject to the following requirements:
 - (a) The deck cannot be located in the front yard.
 - (b) A minimum distance of 10 feet must be maintained from the deck to the rear property line.

§ 230-14. - C-3 Highway Commercial District.

In a C-3 District no building or premises shall be used and no building shall be erected or altered which is arranged, intended or designed to be used except for one or more of the following uses and complying with the requirements so indicated.

- A. Purpose. The purpose of the C-3 District is 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.
- B. Permitted uses. Permitted uses for the C-3 District shall be as follows:
 - (1) Those uses permitted in the C-2 District.
 - (2) Warehouses.
 - (3) Large retail outlets.
 - (4) Indoor storage accessory building.
 - (5) Fast-food restaurants and drive-in restaurants.
 - (6) Supermarkets.
 - (7) Truck and trailer rentals.
 - (8) Roadside produce market.
 - (9) Memorial stone shop.
 - (10) Outdoor commercial recreational facilities, not motorized vehicles.
 - (11) Swimming club.
 - (12) Indoor facility for amusement or assembly.

- (13) Bus station.
- C. Conditional uses subject to special requirements. The following uses are permitted subject to receiving a conditional use permit by the City Council as provided in Article IX of this chapter:
 - (1) Motels or hotels with a minimum lot size of three acres.
 - (2) Commercial greenhouse.
 - (3) Wholesale establishment.
 - (4) Newspaper publishing or printing establishment.
 - (5) Contractors', craftsmen's or general service shops, including welding and similar shops.
 - (6) Laboratory, testing and research.
 - (7) Car repair shops.
 - (8) Used car lots.
 - (9) Telephone central office or television cable central office.
 - (10) Service station, automobile sales agency, public garage, parking garage or lot, but not including storage of wrecked cars, subject to the following special requirements:
 - (a) All facilities shall be located and all services shall be conducted on the lot.
 - (b) All repair work shall be conducted within an entirely enclosed building.
 - (c) No equipment for the service of gasoline or oil shall be placed closer to any street or property line than 20 feet.
 - (d) No portion of such structure or its equipment shall be located within 500 feet of the premises of any school, hospital, church or public recreation building.
 - (e) No service station shall be located within 800 feet of another service station on the same side of the street within the same block.
 - (f) Any such use shall be permitted only where it is determined that it will not materially interfere with the main pedestrian movement in conjunction with a compact retail area.
 - (11) Shopping center, subject to site plan review and the following site requirements:
 - (a) The total shall not be less than one acre.
 - (b) The site must be served by public water, sewer and electricity.
 - (c) Stormwater drainage. The facilities shall be provided by the developer to handle the increase in stormwater runoff, and he shall make contributions towards the cost of off-site facilities of the shopping center.
 - (d) Traffic and parking.
 - [1] The internal circulation of traffic shall be separated from the external street system, and pedestrian and vehicular traffic shall be separated through traffic control devices and appropriate site design.
 - [2] Access to state highways shall be controlled by the State Department of Transportation.
 - [3] The minimum distance between accessways and a residential district shall be 50 feet.
 - [4] Spacing of accessway.
 - [a] From adjoining property: 50 feet.
 - [b] From minor intersections: 50 feet.
 - [c] From major intersections: 100 to 150 feet.

- [5] Five and one-half parking spaces shall be provided per 1,000 feet of leasable area.
- [6] Parking lots shall be attractively landscaped as shown on the general site plan.
- (e) Setback.
 - [1] From street right-of-way: 15 feet.
 - [2] From nonresidential districts: 15 feet.
 - [3] From residential districts: 100 feet.
- (f) Buffering and landscaping.
 - [1] There shall be a minimum of a ten-foot landscaped buffer along all lot lines. The screening shall be six feet high near residential districts.
 - [2] Ten percent of the site shall be landscaped and may include features such as pedestrian walking or rest areas and courtyards.
- (12) Day-care centers, with site plan required.
- (13) Car wash, all types (staffed, automatic, self-service, etc.).
- (14) Convenience stores with gas pumps.
- (15) Community residential treatment program.
- (16) All dwellings other than single-family with a maximum density of 12 units per acre.
- (17) Business, commercial or industrial uses that do not adversely affect neighboring properties.
- (18) Billboard, subject to the following:
 - (a) Shall be constructed and maintained in accordance with the Delaware Code, Title 17-Highways, Chapter 11-Regulations of Outdoor Advertising, Subchapter 1-General Provisions.
- (19) Aquarium.

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.
- (5) Minimum building setback shall be 30 feet.
- (6) Side yards shall be provided as follows: each lot shall have two side yards a minimum of 20 feet with a minimum aggregate width of two side yards of 50 feet.
- (7) Minimum rear yard shall be 50 feet.
- (8) Parking shall comply with the requirements provided in Article IV of this chapter.
- (9) Landscape screening shall comply with the requirements provided in Article V of this chapter.
- (10) Signs shall comply with the requirements provided in Article VI of this chapter.

**PUBLIC NOTICE
ORDINANCE 2017-20**

The City Council will hold a Public Hearing regarding the below ordinance on MONDAY, NOVEMBER 13, 2017 to hear evidence from interested parties and make a final determination regarding the ordinance.

The meeting will begin at 7:00 p.m. and will take place in the Joseph Ronnie Rogers Council Chambers of Milford City Hall at 201 South Walnut Street, Milford, Delaware at which times, the following ordinance will be considered:

CODE OF THE CITY OF MILFORD
PART II-GENERAL LEGISLATION
CHAPTER 180
RESIDENTIAL RENTAL OPERATING LICENSE

WHEREAS, the City of Milford enacted a Residential Rental Operating License Ordinance, to protect the health, safety, and welfare of its residents and to prevent the deterioration of the housing stock in the City; and

WHEREAS, from time to time, City Council determines a need for amendments and additions to the Residential Rental Operating License Ordinance of the City of Milford; and

WHEREAS, it is recommended that the transfer of a license during the licensing period be permitted upon payment of administrative fees; and

WHEREAS, it is recommended that no rental unit be occupied by another renter until a rental inspection has been performed.

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

Section 1. Section 180-5. Application for rental operating license and agreement to comply is hereby amended by removing text indicated in strikethrough and incorporating new text in red and underlined as follows:

- C. It shall be unlawful for any person to operate any rental dwelling without obtaining a rental license from the ~~Licensing Division of the Department of Planning and Inspections~~ City in order to determine compliance. The license shall expire annually on December 31. The fee for the annual license shall be ~~\$50 for each unit.~~ set by City Council as part of the City Fee Schedule.

Section 2. Section 180-6. Contents of applications is hereby amended by removing text indicated in strikethrough and incorporating new text in bold and red as follows:

- D. Landlord's name, mailing address, ~~and~~ telephone number, email address, website and leasing agent contact information, if different from the landlord.

Section 3. 180-7. Regulations for issuance of licenses is hereby amended by removing text indicated in strikethrough and incorporating new text in red and underlined as follows:

- C. ~~Timing for reapplication.~~
(1) ~~Application to renew a rental operating license shall be made at least 60 days prior to the expiration date of the current license.~~
(2) ~~When reapplication is made fewer than 30 days before the expiration date, the pendency of the application will not prevent the expiration of the license.~~

Transfer of license. If a rental property is purchased or sold during the annual licensing period, the license may be transferred from owner to owner upon payment of \$50 for administrative expenses. Purchaser must make application as outlined in §180-6.

- D. Every rental unit owned shall have a "caretaker" designated by the owner.
- (1) The caretaker may be the property owner if residing within a ten-mile radius of Milford, Delaware.
 - (2) The caretaker shall be an adult person(s) 18 years or older, specifically identified in writing by the owner on the rental license application (stating name, address and telephone numbers) and reside in such proximity to the City as to allow him or her to meet with the Code Enforcement-Official at the rental unit within 48 hours of receipt of notice from the Code Enforcement-Official. The caretaker may also be a management company (corporation, LLC and/or partnership); however, the management company must assign a contact person.

Section 4. 180-8. Inspections is hereby amended by removing text indicated in strikethrough and incorporating new text in red and underlined as follows:

- A. The Code Enforcement-Official reserves the right to inspect property at any time to ensure compliance with all property maintenance (Chapter 174), Building Construction (Chapter 88), Zoning (Chapter 230) and other City codes.
- B. No rental unit shall be occupied after a vacancy by any person other than the owner or persons related directly to the owner unless a rental inspection has been requested by the Landlord. The City reserves the right to inspect the property to insure the dwelling unit is in substantial compliance with codes of the City.
- ~~BC.~~ When such inspections are deemed necessary, the Code Enforcement-Official will provide at least 48 hours' notice to the owner or caretaker. Exceptions to this rule will apply when health or safety conditions exist that require immediate inspection.
- ~~CD.~~ A rental unit shall be deemed to be not in substantial compliance if:
- (1) There are one or more violations that pose a serious and substantial threat to the health, safety or welfare of the occupants.
 - (2) There are an extensive number of minor violations that, cumulatively, pose a significant threat to the health, safety, and welfare of the occupants.
- ~~DE.~~ When the Code Enforcement-Official schedules an inspection, it is the responsibility of the property owner to make sure the structure/property is ready by the time the inspector arrives on site.
- (1) If an inspection needs to be cancelled or rescheduled, the Code Enforcement Official must be notified by ~~8:30 a.m. the day of the inspection~~ 4:00 p.m. the day before the inspection.
 - (2) If an inspector arrives on site and the structure/property is not ready and the inspection was not cancelled or rescheduled, a fee of ~~\$100~~ \$50 must be paid at City Hall before the inspection can be rescheduled. This fee may be waived if the property is not ready for inspection due to circumstances beyond the control of the landlord/caretaker.
- ~~EF.~~ When conditions of a property are such that cause more than one follow-up inspection, for the purpose of ensuring compliance, a fee of \$50 per inspection will be imposed.

Section 5. 180-9. Violations and penalties; enforcement is hereby amended by removing text indicated in strikethrough as follows:

- A. Penalty for violation.
- (1) Any property owner who shall violate any provisions of this chapter or who fails to comply with any notice or order issued by a Code Enforcement-Official pursuant to the provisions of this chapter shall be guilty of violating the provisions of this chapter and, upon conviction thereof, shall be fined not less than \$500 nor more than \$1,000. The minimum fine is not subject to suspension or reduction.
 - (2) Except where an appeal is taken, each day of a separate and continuing violation shall be deemed a separate offense.

- B. Should the aforesaid penalties not be paid within 30 days of being assessed, and after notice of said failure is served, then the property covered by this chapter will be assessed for the unpaid penalties, which shall be collected in the same manner and at the same time as City taxes.
- C. If any of the cited violations are not remedied, the Code Enforcement Official shall revoke the residential rental operating license.

Section 6. Dates.

City Council Introduction: September 25, 2017

City Council Public Hearing: November 13, 2017

Adoption: November 13, 2017

Effective: November 23, 2017

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

A complete copy of the Code of the City of Milford is available by request through the City Clerk's office or by accessing the city website at www.cityofmilford.com.

Advertised: Beacon, 10/25/17

TO: Mayor and City Council

FROM: Rob Pierce, Coordinator of Planning & Economic Activities

DATE: November 13, 2017

RE: **Chapter 180 – Residential Rental Operating License Amendments**

The proposed amendments to Chapter 180 Residential Rental Operating License focus on three main subjects;

1. Moving the annual license fee to the City Fee Schedule;
2. Adding the ability to Transfer a License; and,
3. Requiring landlords to request inspections between tenants.

City Fee Schedule

Staff recommends removing the monetary amount for the annual license from the ordinance and replacing this with a statement that the annual fee is set by City Council each year as part of the City Fee Schedule. This was previously done for Contractor Licensing, Building Permits, Vendor Licensing, and Planning & Zoning Fees.

Transfer of License

Staff recommends including language that would allow rental property owners the ability to transfer their license with the sale of the property. The current code states “every landlord shall apply for a rental operating license...”, which historically was interpreted by the Department to require new landlords to register a rental property after a real estate transaction.

For example, Owner ‘A’ registers their one-hundred (100) unit apartment complex in January and pays the five-thousand dollars (\$5,000) rental license fee. If Owner ‘A’ sells the property to Owner ‘B’ later in the year, the Department had historically collected the five-thousand dollars (\$5,000) rental license fee to register the rental property in the name of Owner ‘B’.

Staff feels this places an unnecessary financial burden on multi-family complex owners and recommends the addition of language to allow the transfer of rental licenses as a result of property transfers. However, the Department still needs to process an application and issue a new rental operating license for the new property owner and should collect funds to cover these expenses.

Staff recommends allowing the property owners to transfer the rental license for an administrative fee of fifty dollars (\$50) per license. This fee is per license, not per unit, and correlates to each individual tax parcel number. This would mean that during the real estate transaction example above, Owner ‘B’ would register during the mid-year transfer with the Department for a fee of fifty dollars (\$50) instead of the previously required five-thousand dollars (\$5,000).

Timing of Rental Inspection

Staff recognizes that the City has the right to inspect any residential rental property within forty-eight (48) hours of notice to the property owner; however, the Department feels the best time to inspect a rental unit is between tenants. It makes it easier to conduct the inspection, perform repairs, it is less intrusive on the tenant and it allows the City to deny occupancy or revoke the rental license without displacing tenants for substantial violations.

The Department is in the process of evaluating proposals from inspection firms to conduct residential rental inspections, which will result in scheduling dozens of inspections each week throughout the entire year. The City will contact owners well in advance to schedule inspection dates and times, but would like to coordinate with landlords and attempt to schedule these inspections between tenants. The City would request the landlords contact the City in advance of moving a new tenant into a location and inspect the unit while it is vacant. Please note that the code revision states that the landlord must only **request** a rental inspection. In most situations, landlords are provided notice from tenants when they have decided not to renew their rental lease. In those cases where tenants vacate premises abruptly, the landlord typically needs time to clean and/or make repairs to the property before the new tenant moves in. Staff believes there is enough time during these transition periods to allow the City to inspect the units.

Staff recommends approval of the amendments to Chapter 180 Residential Rental Operating License as presented in the Council packet.

**PUBLIC NOTICE
ORDINANCE 2017-22**

The City Council will hold a Public Hearing regarding the below ordinance on MONDAY, NOVEMBER 13, 2017 to hear evidence from interested parties and make a final determination regarding the ordinance.

The meeting will begin at 7:00 p.m. and will take place in the Joseph Ronnie Rogers Council Chambers of Milford City Hall at 201 South Walnut Street, Milford, Delaware at which times, the following ordinance will be considered:

CODE OF THE CITY OF MILFORD
PART II-GENERAL LEGISLATION
CHAPTER 178
REALTY TRANSFER TAX

WHEREAS, Chapter 178, Section 178-2D. of the Code of the City of Milford currently exempts from the City Realty Transfer Tax transactions where all grantees qualify as first-time home buyers under Section 178-1H.; and

WHEREAS, Section 178-2A. provides that the City transfer tax shall be split equally between the grantor and grantee unless otherwise agreed to by the parties; and

WHEREAS, the City of Milford desires to amend Chapter 178, Section 178-2D. to limit the first-time home buyer exception solely to the grantee's portion of the City realty transfer tax as defined in Section 178-2A, (typically one-half (1/2) of the total City transfer tax); and

WHEREAS, grantors shall still be subject to and required to pay grantor's portion of the City realty transfer tax as defined in Section 178-2A, (typically one-half (1/2) of the total City transfer tax); and

WHEREAS, for purposes of the first-time home buyer exception, grantor and grantee shall be prohibited from contractually modifying the apportionment of the transfer tax, as stated in Section 178-2A to decrease the grantor's portion of the transfer tax;

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

Section 1. The Code of City of Milford, Chapter 178, Section 178-2, entitled "Rate of tax; when payable; exception", is hereby amended by deleting the language indicated in ~~strikeout text~~ and inserting the underlined language in its place as follows:

~~"D. [There shall be no tax imposed on those]~~ On transfers where all grantees qualify as first-time home buyers, no transfer tax shall be imposed on the grantee's portion of any transfer tax as defined in §178-2A. hereof. For purposes of this article, "first-time home buyer" shall have that meaning given in §178-1H. The first-time home buyer exception shall apply only to the grantee's portion of the transfer tax as defined in §178-2A. hereof and shall not relieve the grantor from payment of grantor's portion of the transfer tax as defined in §178-2A. hereof. For purposes of the first-time home buyer exception, grantor and grantee shall be prohibited from contractually modifying the apportionment of the transfer tax as set forth in §178-2A. to decrease the grantor's portion of the transfer tax. This provision shall apply to all contracts entered into as of December 1, 2017.

Section 2. Dates.

City Council Introduction: September 25, 2017

City Council Public Hearing: November 13, 2017

Adoption: November 13, 2017

Effective: December 1, 2017

A complete copy of the Code of the City of Milford is available by request through the City Clerk's office or by accessing the city website at www.cityofmilford.com.

Advertised: Beacon, 10/25/17

Amended 11/09/17

October 6, 2017

TO: Mayor and City Council
FROM: Eric Norenberg
SUBJECT: Ordinance 2017-22 - Chapter 178: Real Estate Transfer Tax

Purpose

The purpose of this memo is to provide an overview on the Real Estate Transfer Tax and information regarding a proposed amendment to the City Code to restrict the exemption for the first-time homebuyer to the purchase only.

Background

In 1989, the City Council discussed and considered changes to the City Charter. One of the changes proposed at that time was to give the City the authority to enact a one percent real estate transfer tax, subject to voter approval. In 1998, the City adopted a 1.5 percent real estate transfer tax. At that time, the City of Milford was taking advantage of an amendment to the State Statutes by which the existing two percent real estate transfer tax collected by the State would be reduced to 1.5 percent.

At the time of adoption, a provision was included to exempt first-time homebuyers from the tax. At the time this was discussed, this exemption was to benefit both the first-time homebuyer and the seller of the home as this fee had historically been split between the buyer and the seller.

Earlier this year, as part of the budget process in Sussex County, they amended the real estate transfer tax section of the County Code. The Sussex County text was nearly identical to the City's and the first-time homebuyer transfer tax exemption applied to all of the County portion of the tax and the seller had the advantage of getting the benefit of selling to a first-time home buyer. Sussex County amended that to give the benefit only to the buyer which, according to David Rutt, was the original intent of the exemption. So, this summer there has been confusion for transactions taking place in the Sussex County portion of Milford due to the change by Sussex County to give the tax break solely to the buyer, while the Milford Code is written so that the tax break applies to both parties. (Kent County reportedly is considering changing their practice as well.)

Real estate transactions in Milford for the first six months of 2017 records were reviewed by staff. There were 29 transactions that involved first-time homebuyers (22 in Sussex County and 8 in Kent County). Sale prices ranged from \$45,000 to \$476,500, with an average of approximately \$164,890. As a result of the first-time homebuyer exemption, the City gave up \$71,727 in six months to both buyers and sellers.

If the City follows the lead of Sussex County, and sales continue at an annual rate consistent with the first six months of 2017, by applying the exemption only to the first-time homebuyer and not the seller, the City would receive approximately \$71,000 in additional revenue. This additional revenue, along with current realty transfer tax revenue, must be segregated from the City's general fund and expended solely for the capital and operating costs of public safety services, economic development programs, public works services, capital projects and improvements, infrastructure projects and improvements and debt reduction.

Recommendation

It is recommended that the City Council adopt Ord. 2017-22, amending Chapter 178 to modify the Real Estate Transfer Tax First-time Homebuyer Exemption to apply only to the buyer. This will help grow a fund that can support future facility needs for the Police Department, to make street or other infrastructure improvements or to promote economic development.

02.27.89

-5-
Public Hearing - Council (Charter amendments)

these services first, the residents who have been in City limits for many years, or those who are newly annexed.

Mr. Coverdale recommended that since, in most cases, it is the people who refuse to be annexed, it would be Council handling this twice a year, and that the time period remain at one year. Mr. Payne expressed his agreement.

SECTION FOURTEEN: Section changes schedule of initial elections which would be required due to change in terms from two years to four years.

SECTION FIFTEEN: Deletes unnecessary section.

SECTION SIXTEEN: Section redefines correct territory limits of Milford and correct Milford wards as determined by recent reapportionment.

This includes mostly minor annexations and one larger one but not the one currently under litigation, and it addresses the internal ward boundaries as opposed to the corporate boundaries.

Mr. Payne reported that he has reviewed the changes for this Section and in comparing it with the present description has found no changes. Mr. Fuqua and the City Manager will review this.

Mr. Ron Lawrence asked if Council had considered his recommendation to look at redistricting after the census, and Mr. Frederick said they had not inasmuch as the City does not get the census data until several years after it has been conducted.

SECTION SEVENTEEN: Requires any serving Councilperson to resign Council seat prior to filing to run for Mayor.

* SECTION EIGHTEEN: Grants Milford authority to enact realty transfer tax ordinance subject to referendum approval.

Mr. Fuqua explained that the maximum for such a tax would be 1%, similar to that of several other Kent & Sussex municipalities. If it is enacted, he said, a referendum would have to be held and it would have to be passed by a majority; also, Council would have to approve it by a two-thirds vote.

Mr. Randy Marvel voiced his opposition to the proposed transfer tax, calling it a "regressive tax" and stating that it would prevent a lot of young buyers from buying their first home and, also, senior citizens from selling their homes. "I don't think the City needs a tax of this type," he said.

MILFORD CITY COUNCIL

MINUTES OF MEETING
September 28, 1998

A special meeting of Milford City Council was held in Council Chambers on Monday evening, September 28, 1998.

PRESIDING: Honorable Mayor Joseph R. Rogers

IN ATTENDANCE: Councilpersons Martha W. Flick,
Lawrence E. Lewis, Abraham Ellison,
Bruce M. Topol, Owen S. Brooks, Jr.,
Douglas E. Morrow, Franklin A.
Fountain and Katrina E. Brown.

Also: Richard D. Carmena, City
Manager; James A. Fuqua, Jr., City
Solicitor; and June G. Barto,
Secretary.

The meeting was called to order at 7:05 P.M.

1. Adoption of Real Estate Transfer Tax/Ordinance #12-1998

The City Solicitor reported that the State Legislature has changed the State law to provide that the local transfer tax, whether county or municipal, could be increased to one and one-half percent. The State's transfer tax had always been two percent and this said that if any local government adopted a one and one-half percent transfer tax, the State, in effect, would reduce its transfer tax to one and one-half percent. If the local jurisdiction does not have a one and one-half percent transfer tax, then the State's will remain at two percent. He also reported that in light of this new legislation, a local one percent tax transfer tax can be the same as one and one-half because the State will kick be kicking in the extra one-half percent.

Over the last several years, the county and most of the municipalities have adopted a transfer tax, he said, and Milford and Seaford were probably the only ones in Sussex County that had not. Seaford did adopt one on August 24th and although, historically, realtors have been opposed to it, it does appear that Milford is about the only place left in Sussex County that doesn't have it and with the extra one-half percent the State is kicking in, it seems to be something that is necessary.

The ordinance being proposed is based on both the Sussex County Ordinance and the State of Delaware Ordinance and although it is rather technical, it covers what is tax exempt and also what is a taxable event. He also pointed out that there is a restriction on any money raised by the transfer tax as to how it is used, and that appears in Section 178-12. It requires it be

put into capital and operating costs for public safety services, economic development programs, public works services, capital projects and improvements, infrastructure projects and improvements and debt reduction.

Milford realtor, Randy Marvel, addressed Council and said that although he is opposed in principal to the proposed ordinance, he does understand the situation in which the State legislature has put the City and future revenue, but it is important to realize this will be a tax increase for Milford. It will mean an extra \$1000.00 on a \$100,000.00 house that will have to come from someone's pocket.

He referred to the proposed ordinance's first-time home buyer's exemption and Mr. Fuqua explained that it would be a 100% exemption for anyone who had never before purchased a residence; they sign an affidavit and there is no municipal transfer tax. The State does not exempt first-time buyers, he said, but both Kent and Sussex Counties do. Mr. Marvel said that, normally, the transfer tax is split fifty-fifty and he asked if the City will exempt both sides the way the counties do, and Mr. Fuqua said this is correct.

*Mr. Marvel asked if Council has considered any kind of transition period if this ordinance is adopted. His office has a number of contracts that have been written in the last sixty to ninety days that did not anticipate a transfer tax and they haven't been settled yet because of financing. If now, all of a sudden, they have to pay a transfer tax, that's again more money that they will have to come up with that they had not anticipated.

Mr. Fuqua said he believes it is the intention of the City that the transfer tax would be effective for contracts dated after the adoption of the ordinance, and if it is adopted tonight, then it would be in effect on contracts signed tomorrow. However, existing contracts negotiated before the transfer tax was in existence would be honored.

Mr. Marvel stated that although it is great that first-time home buyers will get an exemption, he believes there are other people that could also benefit from this, i. e., retirees, senior citizens, and moderate income people that may already have owned a home and because of a job transfer or a change in home situation have had to move and buy another house. He asked if Council would consider exempting the first \$100,000.00 of a sale price for any single-family residential house but commercial, industrial and multi-family still paying the full transfer tax.

He and the City Manager discussed the revenue projection and the City Manager said the projection for a full fiscal year is \$100,000.00, however, inasmuch as the fiscal year began July 1, the most they could expect would be half of that unless there are some large tracts of land that are sold.

*Note: An ordinance adopted on this date becomes effective within ten (10) days from the date of its adoption.

David Rutt spoke on behalf of the Greater Milford Economic Council and reported that although they were not taking a true position on this issue, the City does have some issues of revenue coming up and needs to consider its revenue base. He reported that Milford is also the only municipality in Kent County without a transfer tax, and that perhaps in Sussex County Slaughter Beach might also be included with Milford as not having one.

Milford needs to consider where it is going to get some additional revenue in light of some of the upcoming development plans it has, he said, and this is one that just about every municipality in the entire state does have. He noted that the proposed ordinance does exempt transfers between parent and child and there are a significant number of transfers without consideration to non-profit corporations.

The City Manager stated that Milford has had a two-year moratorium on its impact fees in an attempt to bring some building in and that has helped, and perhaps the passage of this will somewhat cancel out that. Saw Mill Village has expanded and one of the reasons was because of the moratorium for those impact fees. He also noted that the legislature has put the City in a position where it isn't going to look very good if it doesn't pass the ordinance. The City is certainly going to have issues in the future where it is going to be looking for other ways of raising revenue.

Mr. Ellison asked if a transfer tax is required where a property is given from one family member to another, not a case of parent to child. Mr. Fuqua said that there the transfer tax would be required for the actual value of the property, similar to both County and State ordinances. Sometimes, in situations like that, if the parent is alive they do a two-transaction deed to avoid the transfer tax.

Motion made by Dr. Topol and seconded by Mr. Ellison for adoption of AN ORDINANCE TO AMEND THE CODE OF THE CITY OF MILFORD by deleting and repealing Chapter 178 thereof, "TRANSFER OF REAL ESTATE", and replacing it with a new Chapter 178 to be entitled "REALTY TRANSFER TAX," #12-1998. The motion was carried by the following 6-2 vote:

YES
Mr. Ellison
Dr. Topol
Mr. Brooks
Mr. Morrow
Mr. Fountain
Mrs. Brown

NO
Mrs. Flick
Mr. Lewis

2. Adoption of Planning Department Fees

Mrs. Brittingham reported that she and the City Manager have gone over her previous recommendations and what Council has before them this evening reflects the revised fees as well as a comparison with Kent and Sussex County's fees. Recommended fees are printed in italics. (A copy is attached to these minutes.)

MILFORD CITY COUNCIL
MINUTES OF MEETING
October 9, 2017

The City Council of the City of Milford met in Workshop Session on Monday, October 9, 2017 in the Joseph Ronnie Rogers Council Chambers of Milford City Hall, 201 South Walnut Street, Milford, Delaware.

PRESIDING: Mayor Bryan Shupe

IN ATTENDANCE: Councilpersons Arthur Campbell, Lisa Ingram Peel, James Burk,
Owen Brooks Jr. and Douglas Morrow

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

COUNSEL: City Solicitor David Rutt, Esquire

Mayor Shupe called the Council Workshop to order at 6:03 p.m.

Classification and Compensation Study Results

City Manager Norenberg recalled there was money budgeted last fiscal year for a Classification and Compensation Study because the last one was completed more than ten years ago. A procurement process was done after which PayPoint HR was awarded the bid. Rick (Mr. Campbell) and Karin Campbell (Ms. Campbell), Project Managers, were in attendance to present their findings.

The report and presentation were also included in the packet.

Mr. Norenberg submitted the following memo included in the packet:

Over the past few weeks, we have looked at a variety of options and financial scenarios related to implementing the recommendations to adjust the compensation of the positions that the study identified were below the market.

Keeping in mind that many of our employees are at the market level and will need no adjustment, and that the collective bargaining agreements for Police Officers and Sergeants (approved last year) and for unionized electric employees (approved earlier this year) brought those employees to market rates, the Finance Director, Human Resources Administrator and I sought a way to responsibly bring these remaining employees up to the market. Our goal was to be able to make the adjustments for below market employees (identified in the Paypoint HR study) and associated benefit-related costs with no adverse impact on the budget or on revenue sources.

Several scenarios were modeled, including:

- *Making adjustments retroactive to July 1,*
- *Making mid-year adjustments at various implementation dates,*
- *Making 50% adjustments for supervisory and management employees this year and 50% next fiscal year, etc.*

Concurrently, we identified savings in both the general fund departments and enterprise fund operations that can offset the cost of additional compensation. As we are partially through the fiscal year, the impact will be less than the impact of making the change for the full year.

However, once implemented, these adjustments will carry on into the full fiscal year starting in July. Accordingly, any savings that were identified had to be ongoing, not one-time savings or one-time revenues.

The result is the scenario as shown in the below table that will not result in the need for a revenue increase:

SALARY EXPENSES/ FY 17-18 BUDGET ADJUSTMENT	
BY DEPARTMENT:	11/13/17 - 06/30/18
<i>FINANCE & ADMINISTRATION</i>	19,309
<i>PARKS & RECREATION</i>	7,277
<i>PLANNING & ZONING</i>	4,476
<i>POLICE</i>	25,603
<i>STREETS</i>	13,714
GENERAL FUND TOTAL SALARY INCREASE	\$72,379
+ BENEFITS @ 27%	\$19,542
TOTAL GENERAL FUND COST	\$91,921
<i>PUBLIC WORKS</i>	3,594
<i>GARAGE</i>	7,509
<i>SOLID WASTE</i>	8,974
<i>WATER</i>	9,400
<i>WASTEWATER</i>	9,400
<i>ELECTRIC</i>	19,803
TOTAL ENTERPRISE SALARY INCREASE	\$58,680
+ BENEFITS @ 27%	\$15,843
TOTAL PUBLIC WORKS COST	\$74,523
TOTAL SALARY INCREASE	\$131,058
TOTAL BENEFITS	\$35,386
TOTAL BUDGETARY IMPACT FY17-18	\$163,9014

Recommendation

It is recommended that the City Council authorize the City Manager to implement the recommendations of the Paypoint HR Job Classification and Compensation Study, including the compensation adjustments.

Councilman Morrow arrived at 6:09 p.m.

Ms. Campbell then introduced herself and Mr. Campbell. She explained the study was based on the following factors:

1. *Scope of Work*
2. *Employee Outreach*
3. *Comparators*
4. *Compensable Factor Score*
5. *Salary Scale*
6. *Open Discussion*

Scope of Work

Goal

Provide recommendations necessary to establish and maintain an equitable and easy to administer classification and compensation system for the City's full-time positions.

Full Scope

- *65 job titles*
- *Approximately 106 full-time employees*

Base-

All non-elected City employees including International Brotherhood of Electrical Workers (IBEW) employees as well as civilian police and command staff.

Base Plus Police-

Add the union police officers (General Teamsters Local LU 326) to the Scope of Work.

She explained that the goal of the study is to adopt a fair way of paying employees and a fair way of making that transferrable from the consultants into the City's program, as well as sustainable. In that manner, it can grow with the City and will maintain equity in the long run. It involves both internal equities, as far as the high hierarchy of employees, as well as pay in the external market.

Included in the survey were 65 job titles and 106 full-time employees. Included were the International Brotherhood of Electrical Workers (IBEW) Labor Union and the Police Officers General Teamsters Local LU 326. However, that information is excluded from this discussion because of the ongoing union negotiations.

Also reviewed was the Police Department, including its leadership and rank and file.

Phase I – Classification Study

The classification study tasks as set forth by the Request for Proposal included the following:

- *Review of background materials.*
- *Communicate with leadership and employees.*
- *On-site orientation sessions with employees.*
- *Development, distribution, collection, and review of job analysis questionnaires.*
- *Review of existing classifications for regulatory compliance.*
- *On-site focus groups with employees to verify/clarify information received.*
- *Analysis of findings.*
- *Job Description review and updates.*
- *Recommendations for classifications and job families if warranted.*
- *Development of administration manual for the City to objectively evaluate new or revised positions as well as an employee appeal process.*

A standard methodology was followed though each study is custom. Certain things happen to ensure the City is doing the study correctly so that Council is confident in the final results.

They looked at the existing plan and did a SWOT analysis whereby strengths, weaknesses, opportunities and threats were

identified to look for areas of improvement.

They communicate with the leadership and employees through a plan that is followed throughout a course of the study. An employee outreach is utilized, and a job analysis, in addition to focus groups, are done with the employees. That provides additional information and ideas that are included in the study. It also provides a better pulse on the City of Milford itself.

An analysis of the findings and an external market survey is done. They look at comparators and developed new updated job descriptions based on the job analysis survey.

A customer job analysis has been developed and the position is called the vantage point. It is named that because they go to the experts, who are the employees themselves because they have a better understanding of what they do. They are then compared to other related positions in the market.

Employees are asked what they do in their own words so the consultants have a better understanding of what they do so it can be better compared to the market.

That information is also used to update the job description.

Recommendations are then made on classifications and the areas where a reclassification is needed.

Phase II – Compensation Study

The classification study tasks as set forth by the Request for Proposal included the following:

- *Review of current compensation practices and conduct an internal salary relationship analysis.*
- *Identify external market comparators and benchmark job titles.*
- *An external market salary survey of public and private sector organizations.*
- *A pay compression analysis.*
- *Recommendations for an externally competitive and internally equitable salary/step plan for each job class.*
- *A written final report with specific recommendations.*
- *Preparation of a fiscal impact analysis of recommendations.*
- *Training as needed to ensure proper implementation and maintenance of the new classification and compensation structure.*

This phase includes the external survey. The classification is the internal hire and an administrative assistant is compared to another administrative assistant in another department. Another example is a HR generalist versus a bookkeeper. They try to make sure the playing field is level.

They also look at organizations that meet certain criteria in regard to population, high school graduation rates, unemployment rates and median household income to ensure the organizations that are used for comparisons are appropriate.

Compression ensures that people that have been here a long time are given the proper credit and prevents new employees from being paid equal to them. This ensures the employees with longevity are appropriately compensated. That can easily happen in an organization, and especially during the 2008 global financial crisis. What happens is an employee who has been in the organization for a number of years is paid at the standard step grade and a new employee is brought in at market rate. As a result, they are being paid about the same salary.

Recommendations are given and a draft report is created and forwarded to the project team for their review, along with a fiscal impact statement.

Project Approach

Each phase is conducted simultaneously, though it is a separate process, because they prefer two measuring sticks. This

ensures that internally and externally are looked at correctly.

Job Analysis

The purpose of conducting a job analysis is to gain an accurate understanding of the actual work performed to compare like positions in the external market.

- *Paypoint HR used our Position Vantage Point (PVP) job analysis tool to update job descriptions.*
- *The PVP results were used to accurately compare the positions within the City to those in the external market.*

The job analysis looks at the work performed and not the performance of the employee. There are compensable factors as to why one position would be paid differently than another. That is used to compare organizations within the City itself. They make sure it is looked at objectively from knowledge, skills and abilities and compensable factors.

Milestones

- *Briefing sessions held over a 2-day period to discuss the Scope of Work, their roles, and to review the job analysis questionnaire.*
- *A custom website was created for employees to complete the Position Vantage Point (PVP) questionnaire.*
- *A total of 100 PVP's were completed with 86 responses being reviewed by approximately 22 supervisors.*
- *A second website was created for managers to review a copy of the employee response and give their own response to the same questions.*

A custom website was created for the City of Milford employees to conduct a job analysis. Those employees that completed it by hand were given a hard copy. All that information was loaded to a central data base for a separate website for the City of Milford and included a manager's review of the employee responses. The employee responses were not changed but a response could be given to the same question.

Milford had 100 employees complete the PVP's which is a high number and indicative that City employees are very vested in their organization. Twenty-two supervisors reviewed 86 of the responses. Typically there is a 30-40% response and Milford was in the 90 percentile.

Focus Groups

The purpose of conducting focus groups is to:

- *Help the consultant to gain a clear picture of how the existing pay plan is being utilized.*
- *Allow employees to have further involvement in the study, which in turn, will help the implementation process.*
- *Look for areas of improvement.*

Focus groups were asked the same list of questions. The idea is to obtain by group and topic a pattern and if everyone answered the same question similarly, any great ideas or red flags that should be brought to the City's attention.

Milestones

- *Paypoint HR conducted a total of 25 focus group sessions*
- *The majority of the focus groups were held onsite over a two-day period with a couple of sessions held on a 3rd day via teleconference.*
- *Approximately 90 employees participated in the focus groups.*

Some sessions were held over SKYPE on a separate day.

Summary Highlights from Employee Focus Groups

Paypoint HR compared the notes from each of the 25 focus groups and looked for patterns by topic. The following list gives a general summary of the input received.

Organizational

- *Job descriptions need updating with convenient centralized access.*
- *Need a City-wide goal and strategic plan to prioritize day-to-day operations.*
- *Like consistent meetings with supervisors.*
- *Employees are encouraged by new leadership and their follow-through.*
- *They feel there is a need for succession planning and additional training opportunities.*

- *Would like to see clear career ladders.*
- *Difficulty hiring and retaining staff for certain positions.*

Employees felt like job descriptions needed updating because most were inaccurate and that many of their daily duties fell under the general clause of ‘additional duties as assigned’.

The employees want to see a Citywide goal. There was a fear among the focus groups there was not one established or at least it had never been communicated to them in the past. They did feel they had communication from the departmental level but not from the Citywide standpoint.

Employees like to see new changes in the leadership and felt the City had a ‘good ole boy network’ in the past that no longer exists.

The current existing salary is wide and allows for opportunity though it was not communicated well or understood by the employees at the time of their increases.

In addition, employees expressed there were certain positions the City had difficulty filling and retaining employees.

Environmental/Situational

- *Employees take pride in their work.*
- *They see the economy improving.*
- *Employees would like to see controlled growth for Milford.*
- *Impact of Great Recession on pay, tools, and staffing levels has affected morale.*
- *Better communication needed.*
- *Changing demographics and a need for the City to adapt.*
- *Employees would like to see more resources for grants.*

Employees feel like the community appreciates their work. However, employees continue to feel they are still facing impacts of the recent recession from a staffing point and morale. Overall, there seems to be better communications though each group sees a need for a strategic plan.

Employees are seeing a larger bilingual community. In addition, there is a 48% reduced/free lunches within the school district. Employees are feeling that impact as far as participation in P&R activities and at the Police Department at the SRO level.

There was also a feeling there were not enough resources in staffing and time lines to research and complete grant applications, including maintaining compliance requirements.

Comparators Factors

- *Population*
- *Cost of Living Adjustment*
- *High School Graduation Rate*
- *Labor Force Participation Rate*
- *Median Household Income*
- *Median Housing Price*
- *Unemployment Rate*

<i>List of Comparators to the City of Milford</i>			
<i>Berlin, MD</i>	<i>Bridgeville, DE</i>	<i>Cambridge, MD</i>	<i>Camden, DE</i>

<i>Chestertown, MD</i>	<i>Clayton, DE</i>	<i>Delmar, MD</i>	<i>Dover, DE</i>
<i>Easton, MD</i>	<i>Elkton, MD</i>	<i>Elsmere, DE</i>	<i>Federalsburg, MD</i>
<i>Fruitland, MD</i>	<i>Georgetown, DE</i>	<i>Harrington, DE</i>	<i>Laurel, DE</i>
<i>Lewes, DE</i>	<i>Middletown, DE</i>	<i>Millsboro, DE</i>	<i>Milton, DE</i>
<i>New Castle, DE</i>	<i>Newark, DE</i>	<i>Ocean City, MD</i>	<i>Ocean View, DE</i>
<i>Princess Anne, MD</i>	<i>Salisbury, MD</i>	<i>Seaford, DE</i>	<i>Selbyville, DE</i>
<i>Smyrna, DE</i>	<i>Snow Hill, MD</i>	<i>Townsend, DE</i>	

Mr. Campbell then continued the view beginning with the comparator factors. He provided the following information:

One of the charges is for the consultants to be an independent third party so that all activities are provided with an unbiased opinion. One of the first things they do is determine who the City comparables are within a one hundred mile radius. They look at the economics and the ones highlighted were removed due to factors ranging from population to unemployment rates. They did not cherry pick the towns based on higher or lower salaries when compared to Milford.

The economics did the talking so they were able to select the closest comparators to the City of Milford. They began with the list above and those highlighted are the ones these factors indicated were bad comparisons. For example, Milford cannot compare to Dover because of Dover’s population.

Their job was to be fair to all people which includes employees, managers and taxpayers in order to come up with a fair analysis so that everyone is on a level paying field.

From that, an external survey was sent asking these organizations to send the pay of each of the City comparable positions. From that they looked at the external equity on how people are being paid. They also looked at the internal equity and how they view or grade the City Manager, Police Chief, etc. and try to develop what is fair.

The only way they can do a fair comparison is to look at what every employee’s knowledge, skills and abilities for their position. Also considered were any strenuous conditions including those that apply to police officers or wastewater employees. That information is then filtered out in two steps. Employees were gauged by the information provided though the checks and balances were in place so they did not exclusively rely on their answers. The managers made sure the information was fair and accurate.

From that information, they produced a compensable factor system. Based on the ways employees answered, they produced a score based on their knowledge skills and abilities.

In addition to the manager review of their employee information, they also internally checked themselves against what the internal market says about the same positions. They use two independent measures to determine how they correlate. They had an 84% correlation between the CFS score and the average salary from the external market which from a statistical view is extremely high. That means 84% of the knowledge, skills and abilities that are afforded correlate with how employees are paid in the external market.

They then came up with how they rank, stack up and how the external market says it compares to the other positions, which are independent and verifiable.

They heard over and over again in the focus groups that City employees did not understand the current payscale and that it is not motivating. This is partially due to the lowest paid group who moves up faster based on the percentage that is calculated from the midpoint. The employees did not understand the calculation. Their number one recommendation is to change it and provide something that is motivating.

Another concern is they liked the City Manager added a performance evaluation that he submits himself to a 360-

performance review. One thing that should be taken into consideration is rolling that out to the other department heads, then to the employees, which would allow a merit pay increase, rather than just the expected pay increase.

Based on employees' preferences, they designed a step system. The spread system is consistent at 60% from grade 1 through grade 17. An employee who goes from a grade 1 step 5 to step 6 receives an additional 23 cents per hour. In that manner, the increase is transparent and easily understood.

Mr. Norenberg then asked if City Council had any questions on what has been presented up to this point.

Councilman Brooks recalled that Ms. Campbell had stated earlier that the employees wanted more job descriptions. He pointed out we have a new Public Works Director and each employee that moves up is trained by the worker who is currently doing that job. He asked how that can be improved; Mr. Norenberg stated that all of the job descriptions have been updated through this process so everyone has a better understanding of their job and what is required in each position. Once this process is complete, the HR Administrator meets with each supervisor and each employee to review the updated job description. Everyone will then sign off to make sure there is a better understanding of their roles and responsibilities.

Councilman Brooks asked if there is a plan for the six or so groups in each classification; Mr. Campbell said he is referring to the hierarchy as far as the City Manager, director level, coordinator level, technician, etc.

Mr. Norenberg informed Council the positions have been realigned in terms of titles, consistency and understanding. Councilman Brooks said his old employer only had six groups and it was clear which positions fell into each group. He pointed out that even the police officers have different positions and pay scales.

Mr. Norenberg explained there are seventeen different pay grades throughout the organization. Each position will fit into one of those paygrades.

In Mr. Brooks' opinion, seventeen pay grades is too many. His company had 4,000 employees whose pay fell under six categories and it worked without a lot of questions.

Mr. Norenberg said he understands, but this is the recommendation of the experts who suggest this structure.

Ms. Campbell stated that in essence, there are about six groups if you look at it from a hierarchy standpoint. The City Manager is first, then the director level employees, coordinator level employees down to clerical positions. For example a Public Works Coordinator would be in the same pay grade as a Coordinator in the Parks and Recreation Department.

Mr. Campbell pointed out that is something the City Manager worked on almost independently and more than anyone else. For example how a coordinator title compares to a director or a technician. This involves a grade type of structure so that everyone understands where they fit within the organization.

Councilman Burk asked the time frame of when this started and when the final study was delivered. He recalled that in the middle of this, an increase was approved for several employees and asked if that was considered.

Ms. Campbell reported that the study started in March and the draft was completed in September. However, Mr. Campbell can discuss about whether or not the increase was captured in the numbers at that time.

Ms. Campbell confirmed it was delivered September 23rd or 27th. Mr. Campbell added that throughout the process, there were a number of updates and changes. New positions have been added, including the City Engineer, which happens to be the most recent addition. They were asked in those cases to look at each position and integrate them. However, the integration process stopped a couple weeks ago. Everything they were aware of has been reflected and included in the study.

Mr. Norenberg stated that one of the things that popped into the work schedule in the May time frame was to pull together and analyze the data for the IBEW employees' negotiations. That was something that sped up that phase of the process

so those numbers were available for their negotiations.

Councilman Campbell asked if the bargaining units were part of this study; Mr. Norenberg stated that all employees' data was captured and in particular, the IBEW information was used for negotiations. All of the figures in the electric department have already been updated. In addition, the figures the City had a year ago for the teamsters' officers have been updated as the City moves into the next phase of the negotiations.

When asked, Mr. Norenberg said he does not believe the shop stewards are getting additional pay when compared to other employees though he cannot answer for the police department. However, if the IBEW shop steward would be paid overtime if they were held over for a grievance or similar situation, but not on a regular basis and because of their position.

Councilman Burk does not understand why the executive summary would not be reviewed in an executive session versus a workshop and asked who made that call; Mr. Norenberg explained that a lot of what Council is seeing tonight is publicly available and is being reviewed in light of the recent FOIA training. A lot of the details, where they start talking about individual employees and positions and dollars and cents were not added to the public document, because that is not public information at this point. That is because it remains a work product and something protected by FOIA because it is relevant to union negotiations. The intent was to give Council the scope of the work that had been prepared along with the results and recommendations. The City Clerk's Office provided him with what was presented to Council ten years ago in an executive session though what was presented, in terms of what was discussed related to FOIA, is all information that should have been discussed in open session.

Councilman Burk confirmed that what Mr. Norenberg is saying is ten years ago when a similar study was done, it was discussed in an executive session first and should have been made public. Mr. Norenberg said he does not remember the sequence. Councilman Burk prefers to have it that way because Council will be discussing compensation.

Mr. Norenberg stated that the City Solicitor can comment on this, but at this point, we are not talking about individual employees and instead discussing collective results.

City Solicitor Rutt verified this discussion would not fit within the exception requirements for FOIA because it is broad-based and not specific. It does not discuss individual employee qualifications and instead is an overview of the compensation structure of the City. This discussion would not be appropriate in executive session.

Councilman Morrow stated that with that being said, he hopes there will be an executive session to dive deeper into this. He feels that is needed to make an informed decision because he only saw this packet on Saturday which has not given him enough time to review the 48-page document. He prefers more time to review it. He pointed out that Mr. Norenberg has had this for a month and Council has only had it for two days emphasizing that it contains a lot of information.

Solicitor Rutt said when you start getting into the specifics of job classes or individuals or groups of individuals and how you would adjust salaries can be discussed in executive session. Council would then need to go back in open session to vote on it.

Councilman Morrow said it sounds like there was a lot of insight obtained from the employees and from the focus groups. However, it still will take sometime for Council to review it properly.

Councilman Brooks asked when Council starts talking about job descriptions and pay increases, who will be explaining it is understood properly. Mr. Norenberg feels that is getting into the realm of responsibility for the City Manager and the Police Chief. All of the job descriptions will be public though it is not really the Councils' responsibility to dive into the administrative details of the particular wording of job descriptions and titles.

Councilman Brooks pointed out that City Council is the one that makes the decision about the overall pay increases and budget. Because of that, there is a need that someone explain it more to Council before a decision is made and why a position needs to be increased.

Councilman Morrow added that in order for Council to vote on paygrades and the hierarchy, based on the opinion of the

consultants and whoever else was involved, Council needs time for additional information and details with regard to each position.

Mayor Shupe noted that the point of the study was to look at those job descriptions to determine where they match in other areas and other towns in comparison to Milford financially, and whether or not we are competitive. Councilman Brooks said that Council as a whole wants to treat each employee fairly across the board.

Councilman Campbell asked if that would be done by group anyway; Mr. Norenberg feels that Council is getting into details about individual positions instead of taking the recommendations of the study which, as the consultants pointed out, were based on a detailed analysis from the input provided about the jobs and responsibilities.

Councilman Burk pointed out that Council is asking to be involved in this process. He personally feels like they are left out a lot lately and instead wants to be involved in the process. Councilman Starling and Councilman Brooks both agreed.

Councilman Morrow also agrees adding that he understands that Mr. Norenberg is the City Manager who has a job to do, but it is also the job of City Council to be involved, especially because of the financial impact. Mayor Shupe asked where Council feels the line should be drawn when it comes to job descriptions.

Councilman Brooks said Council has the final say in the pay increases. If it is important to understand the job description and what each person does and whether they are getting paid enough or not, Council needs to understand that. He noted that Mr. Norenberg is the one that asked for the study.

Mr. Campbell explained that part of the study, is the classification part that the employees participated in. Then there is the external factor that was mailed to the organizations with comparators. The job titles and a short summary that exists were sent and questions asked about how much they paid for the position and how close of a match it is to our position. The other HR persons know more about their employees than anyone else, and is why they determined if it was a match to the positions at Milford. From that, the recommendations were made relative to salary.

Mr. Brooks said that each year, every employee is given a pay raise. That has been done since he has been on City Council. He pointed out the State of Delaware and Counties do not do that and does not understand how anyone can be behind.

Ms. Campbell pointed out that something brought out in the study by the employees themselves was that they appreciate the increase annually but they have become numb to it because it promotes mediocrity and does not recognize those employees who are doing stellar work. The employees are asking that their performance speak for them and that they prefer a merit pay versus an automatic increase.

Councilman Morrow said to add to that, he can safely say that everyone in the City gets the 3% regardless of the work an employee is being done. What is needed is for the low performers to receive a lower rating. Instead, they may only receive 1% or 1.5%. He feels that should be based on the reviews except for the past year where Mayor Shupe improved the process for positions that report to Council.

Mr. Norenberg pointed out that one thing recommended, which will be handled through the Personnel Manual update, is to restructure the authority for performance-based compensation. Right now, that has not been in existence since for many years before Mr. Norenberg came to Milford. He agrees that needs to be changed and will help the organization better understand how employees are performing and meeting their goals and how that ties in with each department's goals and strategic plan.

The pay structure being recommended will help with that according to Mr. Norenberg.

Councilman Brooks pointed out that in the past, a lot of times employees felt that a pay increase fell under the 'ole buddy-buddy system' and the person their supervisor liked the most. He feels that can cause more problems with the employees.

Ms. Campbell said that is a problem in the industry and one that many organizations have felt. One way to circumvent

that is to conduct a 360-performance review so that the employees self evaluate and their peers and supervisors evaluate them as well. In some cases, the customers evaluate the employees to allow information to come in from different angles and not necessarily the buddy system Councilman Brooks referred to. It prevents the increase from being based on favoritism or popularity.

Mr. Campbell pointed out that Mr. Norenberg is already doing that through the organization he is involved in and the parties subject themselves to that level of scrutiny from City employees.

Ms. Campbell said that the City employees want to be held accountable for their performance and told her they are ok with that system. That is because they feel strongly they are doing a good job and want that credit.

Mr. Campbell added that a lot of the information the employees came up with through the focus groups, whether it was good or bad. Those items were already provided to the City Manager and Mayor within weeks of those meetings. The City Manager and Mayor looked at the report and made a lot of changes as a result of the comments that 'employees would like to see this...' which can be very helpful and a positive move in the right direction. They were proactive by changing something that did not cost anything. Now the City Manager has breakfast and meets with the employees and the same applies to the Mayor. There is a tremendous change in morale due to those breakfasts and how our employees perform. He said kudos to that program.

Ms. Campbell said the report speaks more in depth to job descriptions and the employees would also like to have a central library for all job descriptions. They would like to have the ability to go on the website and be able to download them. They would also like to know what the next job is in their progression and what type of certifications are needed to move up. The job description are now printed out and Council can access the job description summary.

The finished job descriptions will be presented to the employees and their supervisors so that they may sign off that they agree with it, have read it or prefer to have further discussion. From that point, there is an implementation plan. Also there needs to be a way in the future when a job changes and other employees are taking on the duties of another employee, how to request a review and a discussion with HR in an informal setting.

Mr. Norenberg then pointed out the last thing in the packet after the report of how to implement the recommendations for the few employees that will need to be adjusted to bring them up to market.

He then referenced the fiscal impact to both the general fund and enterprise funds as earlier referenced.

Mr. Norenberg then clarified that Mr. Portmann, HR Manager Lisa Carmean and he have identified areas where there are savings in both the general fund and public works budgets to implement the adjustments for the remaining employees. It is recommended this be done in the next month or two and would not add a long term impact on the budget because those savings will be carried through. That is the reason he is recommending the adjustments be effective in November.

Councilman Morrow said he does not know how other Councilmembers feel, but he definitely needs more time to review as well as more information. Councilman Burk said if this is implemented in November, there is only one more meeting in October. He does not feel an hour is enough time and asked if the consultants had more to their presentation; Ms. Campbell said they are here at this point only for questions.

Mr. Norenberg said that if additional information is needed, he recommends this be carried over to the first meeting in November because he will be out of town at the next meeting. In addition, HR Manager Lisa Carmean will be back for that meeting.

Councilman Morrow feels it needs to be more thoroughly reviewed in executive session. Mayor Shupe said the question is not looking at specific employees and what they are getting paid and what they need to be making, but instead looking at the overall City and the job descriptions and the comparison with other cities and whether we are on the same page.

Mayor Shupe understands this is a lot of information, but feels that if we get into specific jobs, then we get into specific people. Councilman Morrow said he is not really worried about the people in their positions. But some of his concerns

are the paygrades and how they progress. He especially wants to look at the police department.

Councilman Burk feels we need to talk about this and referenced the \$163,904 price tag.

Mr. Norenberg then reminded Council that Ethics Training will be presented at the first meeting in November and the State Public Integrity Commission Director will be here at 6:00 p.m. Milford will again be hosting another couple City Councils from other towns. He asked Council to let him know what information they would like so he can have it prepared in advance.

Councilman Morrow asked to see the actual pay and classification study and the comparisons so that he understands how they arrived at the numbers.

The City Manager again pointed out there is certain information in the report but and some relates to the data needed for the union negotiations which is not a public document at this point. He asked Councilman Morrow what data he is looking for; he understands this is Councilman Morrow's area of expertise and is willing to set up a separate call with Councilman Morrow and the consultants.

Councilman Burk feels that information should be given to all of Council and not just one Councilperson. Councilman Brooks agreed adding that one Councilperson does not make a decision. Instead eight Councilmembers do.

It was agreed to postpone any review until the second meeting in November.

Mayor Shupe then asked what we will be talking about; Councilman Burk reiterated that Council just got this document. Councilman Brooks agreed adding it involves \$163,000 that needs to be considered.

Councilman Burk pointed out this is exactly why Council does not feel they are included in the process. He noted Milford is a Council-Mayor form of government in which Council makes financial decisions. Solicitor Rutt emphasized that this is a City Manager form of government where Council appoints the City Manager who is the administrator according to the Charter. Council then approves contracts and budgets under the new \$50,000 threshold. Personnel decisions under the charter are made by the City Manager. He suggests Councilman Burk read the Charter about the breakdown of powers between the City Manager and Council. Therefore, it is not accurate to say this is a City Council government.

Councilman Burk said he only wants to be included in the process and an hour is not enough to make a \$163,000 decision. Councilman Brooks added that he does not believe City employees are being underpaid by \$163,000. Councilman Burk wants more time to talk about it. He said Council has had one hour to digest this and referenced the memo dated October 9th telling Council how to move forward. He appreciates them finding the money in the budget to pay for it even though this will have an impact on future budgets. He then referenced the number of days it takes Council to review the budget. He does not agree with being restricted to a one hour discussion when it involves this amount of money.

Solicitor Rutt shared his opinion that once Council starts discussing individual salaries and breakdowns, that is something for an executive session. Councilman Morrow pointed out that is the concern of Council. This involves \$163,000 and no one understands where it is going. Mr. Norenberg said it is going to the positions that are unpaid according to the market average. Councilman Morrow asked to see that data that shows that so that Council has the ability to either agree or not agree with it.

Solicitor Rutt reiterated that would be appropriate for an executive session. Councilman Brooks said the consultants said they used eight cities to compare Milford. Mayor Shupe said that is the reason they brought in a third party because Council is not the experts who should make this decision.

Councilman Morrow again asked to see the data. Councilman Burk pointed out that no one is opposed to taking care of our employees. They were given a 3% increase even though Council was worried about having to raise property taxes. Instead, Mr. Portmann found a way to balance the budget and still give the increase. He feels Council is always looking out for our employees. Councilman Brooks again pointed out that our employees have received a pay raise every year and have great benefits and a lot of vacation time. Now we have a new City Manager who is saying our employees are

underpaid by \$163,000.

Mr. Norenberg emphasized that \$163,000 is out of a \$9.7 million total payroll expenses for the City and will go to more than twenty different employees. He is unsure if it is Council's authority or responsibility to be looking at the individual positions. Councilman Brooks said he didn't ask that, but Mr. Norenberg has asked Council to act on this.

The City Manager pointed out that Council is asking where the money is going. Councilman Brooks agrees that he wants to know where the \$163,000 is going.

Councilman Morrow said he needs to see the data that supports the \$163,000 increase in payroll expenses versus a sentence in a memo that says our employees are underpaid.

Councilwoman Peel also agreed that more time is needed to digest the information. Councilman Burk said he is only asking for a dialogue to discuss it and an hour is not long enough. He recommends adding it to the November meeting as was suggested.

Councilman Morrow says this is a serious matter; Councilman Burk agreed it is not like approving a street sweeper that was approved at budget time.

Councilman Brooks concluded by stating that the City was able to come up with \$165,000 in savings from the budget to pay for this, though he questions why that money wasn't available in July.

Councilman Burk agreed that a phone call with Councilman Morrow and HR is not going to answer everyone's questions.

Councilman Brooks confirmed this involves 86 employees; Ms. Campbell reiterated it involves 65 job titles or 100 employees. Councilman Brooks stated that will then be divided by \$163,000. Councilwoman Peel emphasized that the increase is only being divided among certain employees.

It was agreed to continue the discussion in November.

There being no further business, the Workshop Session concluded at 7:07 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Transcriber

Attachments:

PayPoint HR PowerPoint
Paypoint HR Report



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Job Classification and Compensation Study



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Submitted on
September 27, 2017

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A. Executive Summary

Paypoint HR is pleased to present this Job Classification and Compensation Study to the City of Milford, Delaware. The study began March 2, 2017 and was completed for presentation to the City Council on September 27, 2017. The intent of the study was to assist the City in:

- Implementing updates to the City of Milford's current Classification and Compensation Plan;
- Ensuring positions performing similar work with essentially the same level of complexity, responsibility, knowledge, skills, and abilities are classified together;
- Providing salaries commensurate with assigned duties;
- Clearly outlining promotional opportunities and provide recognizable compensation growth;
- Providing justifiable pay differentials between individual classes; and,
- Verifying that the recommendations are competitive within relevant labor markets.

The study included approximately 65 position titles occupied by approximately 110 full-time employees (not including elected officials). Positions included single or multiple incumbent positions in a job series (such as Electric Line Technician I, II, III). Paypoint HR, LLC considered the objectives of the City and recommended changes necessary to establish and maintain an equitable and easy to administer classification and compensation system for the City's full-time positions. Collectively Bargained Units considered in this study include the General Teamsters Local Union 326 (Teamsters LU 326). The International Brotherhood of Electrical Workers (IBEW) Union employees were initially included in the study. The resulting information was utilized in successful Union negotiations, and has already been applied. As such, there is no need to report the findings in this document.

The point of the Executive Summary is to give an overview of the most important issues and opportunities identified by the consulting team during the study. The reader is highly encouraged to read the document in its entirety in order to gain an understanding of the recommendations within the report. The study takes into consideration both short and long-term concerns. Paypoint HR has identified opportunities but it is up to the leadership team of the City to determine which are most appropriate and the timing of implementation.

In considering the options for implementation, it is critical to understand the costs and benefits related to each option. By utilizing market data it is possible to make informed decisions with regard to possible changes. However, in addition to the quantitative economic cost and benefit, it is important to consider the social/cultural impact of implementation and management. The City of Milford will need to consider all components in making final decisions.

City of Milford, Delaware

Job Classification and Compensation Study

Comprehensive surveys like this establish a credible pay structure that is fair for the work completed and strategically positions Milford competitively in the labor market. The desired result is the improved ability to attract and retain quality staff that perform at optimal levels to meet the growing demands of the community.

The study was divided into two parts: a classification phase and a compensation phase. The classification phase included identification, review, and analysis of specific work being performed in various positions. That data was then used to simplify positions and match them to the external market in an “apples to apples” comparison. The compensation phase consisted of an external market survey of local public and private sector organizations to determine what the local labor market pays for specific jobs.

The purpose of collecting and analyzing external market data was to understand the external value of jobs and to address the following issues.

- Ability to adopt standardized job titles and salary pay ranges while maintaining autonomy about decisions on pay
- Changing job functions within a job title
- Determination of best practices and opportunities
- Difficulty recruiting qualified staff
- Difficulty retaining qualified staff
- Internal and external inequities
- Pay compression
- Impartial recommendations and confidentiality
- Fiscal impact of recommendations
- Effective administration and ongoing maintenance of recommended pay scales

B. Recommendations

Lower turnover rates, the ability to attract a better pool of job candidates, and improved morale are examples of positive benefits of introducing an internally and externally equitable classification and compensation system.

Having excellent staff is key to successful organizations. It is important for Milford to retain a highly qualified work force by providing a transparent, fair, fiscally responsible and competitive compensation program. It is equally important, that the City not overpay positions. The proposed implementation plan carefully balances these two considerations.

As an independent contractor, Paypoint HR has taken an unbiased assessment of the organization and compiled its findings and recommendations in this report. These recommendations are presented as opportunities for the City to provide the highest levels of service to the community in a fiscally responsible way.

Our recommendations address both external (market) and internal (job responsibility) equity issues. The recommendations in the report accomplish the following:

- Brings about internal equity for employees in consideration of time in position;
- Standardize the salary plan for internal administration;
- Provides a simple, easy to understand plan for employees;
- Addresses any salary that is above or below the market range; and
- Allows for simplification of future pay structure adjustments to accommodate for market changes.

These recommendations achieve the maximum amount of internal equity without reducing the pay of any employee. The recommendations also ensure that Milford will remain a good steward of its service programs and the budget that support them.

Once the recommendations are put in place, the City should experience full equity as new hires are brought on and the City experiences normal attrition.

Below are recommendations for updates to the existing pay plans along with their associated costs for the City of Milford. The City should use the fiscal impact of these recommendations to assist in prioritizing and planning for future budgets. The salary recommendations are listed in order by what Paypoint HR considers to be of greatest need.

Salary Recommendations

1. Raise the salaries of positions that are *substantially* below market, first.
2. Raise the salaries of positions that are below market, second.
3. Continue to adjust the salaries of positions that are near market with cost of living adjustments as calculated based on the Southern Mid-Atlantic Region CPI.
4. Discontinue making cost of living adjustments to the salaries of positions that are above or *substantially* above market until compensation is near market.
5. Recommend reclassifying positions when necessary in the future in accordance with the Compensable Factor Score (CFS) produced from the employee and management Position Vantage Point (PVP) job description surveys.

Work Product

Non-Salary Recommendations

Below are recommendations listed by category for additional recommendations the City may want to consider.

Benefits

- The City's' supplemental benefit package offers a strong competitive plan for employees overall. One possible improvement would be with regard to educational assistance. The City should consider developing a more formal policy and setting aside funds annually for employees to take advantage of the benefit. An example of a more formal educational assistance program would be to establish the types of courses eligible, acceptable educational facilities, expectation of minimum performance requirements, annual or lifetime maximums for assistance, as well as a potential pay-back scale if the employee terminates before specified anniversary dates.
- Consider revising the existing monetary payout for unused leave to a deferred compensation program by creating a retirement health savings plan specifically for this purpose.
- Move forward with the City's plan to update the HR manual for telework. The updates should create a formal policy that addresses obstacles such as security of data, hours & scheduling, communication channels, approval, and performance expectations.
- If the City only offers telework as a special accommodation for employees it should communicate the policy to staff and remain sensitive to HIPAA laws.

Retaining and Recruiting Employees

- Consider a referral program for employees who refer successful hires.
- Implement predictive analysis testing as a condition of hiring or promotion.
- Develop succession planning & internship programs to grow employees from within the organization.
- Make community safety a priority not only for existing residents but to also make the City more attractive to potential job candidates.
- Promote diversity.
- Conduct a staffing level study of similar municipalities.

Leadership

- Continue strategic planning for the City. Clarify, goals, milestones and communication relationships.
- Implement 360° evaluations for performance of department heads and then expand it to employees as appropriate.

- Human Resources and Supervisors should review updated job descriptions with employees annually. Preferably, the employees should have online access to job descriptions.
- Adopt the recommended updates in the most recent personnel handbook and have it available to employees.
- Improve communication channels within the organization and across service units as well as to the community through a City-wide public relation campaign.
- Have members of the leadership team reach out to employees and continue to have an open-door approach. An example of this is the departmental meetings with the City Manager called “*Eat with Eric.*” These breakfast meetings with 6-8 employees who are randomly selected from various departments are effective in building rapport and improving communication across the organization.

Tools and Technology Recommendation

- Develop a strategic plan that incorporates internal communication across departments.
- Create a central library for employees to access internal information like job descriptions.
- Consider purchasing additional patrol cars and allowing police officers that live in Milford to take home marked vehicles.
- Consider the purchase of rifles for each Patrol Officer.
- Train additional staff in the Police department on troubleshooting the Tracker software.
- Incorporate the Compensable Factor System (CFS) to assist the City in appropriately and objectively placing jobs into the appropriate pay grade based on the knowledge, skills, and abilities required for the position.

Classification Recommendations

- Changing the wording of some titles would help add clarity to the responsibility of positions.

The tiers of titles would then be:

- City Manager
- Department Director
- Assistant Department Director (*when needed and approved)
- Superintendent / Administrator
- Supervisor
- Coordinator / Technician-Assistant
- Aide / Clerk

The Compensable Factor System (CFS) will assist the City in appropriately placing jobs into the appropriate pay grade based on the knowledge, skills, and abilities required for the position.

- Incorporate the implementation manual once the plan is accepted and utilize the job discussion request and job discussion guide forms when a substantial change to a position is incurred.
- In anticipation of the Electrical Superintendent's retirement, it is recommended that the City evaluate the opportunity for the current Electrical Operations Supervisor to be trained to take on additional administrative and technical responsibilities of the Electrical Superintendent's position as a succession planning initiative.
- It is recommended for the Police Captain to be included in the City Executive Management team as the position has similar responsibility levels as a Director and to promote positive communication channels across the organization.
- It is recommended for the City to change the job title for the Coordinator of Planning & Economic Development Activities to a Planning & Development Director.
- It is common for employers with 125 employees or more with collective bargaining units to have a Human Resources Director. Once the City reaches a labor force at or above this level, it could convert the Human Resources Administrator position to the Director level. At the same time, the City may need to establish a Human Resources Assistant or Human Resource Generalist position from one of the existing support positions in an effort to create a job family succession plan.
- It is recommended the City adopt the compensation recommendations for Officer positions in the Police department. When negotiating Union agreements going forward, the City should be cognizant of the impact of changes to Officers and Managers.

Pay Structure Recommendations

- Timing of implementation of the new pay scale should occur at either the adoption of the new budget or at the beginning of the calendar year. Prior to implementation there should be education on the updates done by Human Resources with each employee. The education should include a simple spreadsheet showing the employee their pay on the current system as compared directly to their pay on the new system.
- Managing compensation overall is a fluid task and it is recommended that the City adopt a pro-active approach by conducting regular market analysis on certain key positions annually and every 3-4 years conduct a formal comprehensive study.

- Adopt the Compensation Factor System (CFS) developed for the City by Paypoint HR to help determine the proper classifications for existing positions as the job evolves over time and to determine appropriate placement of new positions within the existing system.

Performance Reviews

- The challenges with annual performance reviews are in making them simple enough to complete in a timely manner, unbiased, and agile. Whether or not Milford chooses to adopt the performance evaluation structure offered by Paypoint HR, we recommend that the City incorporate a 360° review approach to performance reviews. A 360° review includes information solicited from the employee, the employee's subordinates, peers, and supervisors. To address the issues of making the review timely so that employees can make adjustments to positively impact their pay, we recommend quarterly conversations with managers where the focus is on development and short-term goals. Implementation would consider conducting an initial 360° and then using the results to determine short-term focus.
- If the City prefers it may choose to initially conduct 360° performance reviews for management positions only. This approach may allow for a "beta" test and should improve morale of employees by having management model the behaviors it is trying to encourage. Either the highest scoring performers in the review or those that met pre-set standards would then be eligible to receive performance pay.

C. Introduction

Paypoint HR was commissioned by the City of Milford, Delaware to conduct a Job Classification and Compensation Study. The City has undertaken the goal of preparing itself for anticipated economic, demographic, and industry related fluctuations. By preparing for changes in demand for labor, Milford will be better able to cost effectively provide its residents with an excellent quality of life.

To level the playing field for its staff and position itself for the future, the City has set out to conduct a compensation and benefits plan review and analysis. An advantage to conducting this project using an outside consultant was the ability to look objectively at pay across the organization. This data will help the City to make informed decisions about employee pay. In turn, the City will be able to attract and retain the best employees to care for the community it serves and to improve its ability to meet community goals.

Comprehensive wage comparability studies ensure that wages paid to all staff, from management to the front-line, are competitive to both those within the organization and those paid for similar work in the labor markets in which the City competes.

Scope of Work

The City intended the Study to include employees that are not part of the police union, including civilian police employees and command staff. Alternatively, the Scope of Work intended to add the union police officers. This Study covers both police and electric union and non-union employees.

The City of Milford and Paypoint HR worked together to clarify job roles to ensure the data compares “apples to apples” for the essential functions of the positions studied. It was decided to involve employees and get their input through job analysis questionnaires and focus groups to assist in the clarification of current job duties and help uncover areas of improvement. The results were helpful in accurately and effectively determining internal equity and conducting the external market analysis.

The purpose of collecting and analyzing external market data was to understand the external value of jobs, compare the findings to the City’s Pay Plan, and develop recommendations.

The market data serves as an indicator of market trends and the internal job analysis serves as a balancing element for determining pay grade assignment. Paypoint HR’s target salary recommendations consider the following:

- Milford’s short and long-term strategic plan,
- Current salary,

- Current job title or rank
- Education, Experience, Knowledge, Skills, Abilities, Certification levels, and,
- Length of service.

The integrated findings from both the classification phase and the compensation phase have resulted in the overall recommendations and has been critical in addressing the following issues:

- Difficulty in recruiting qualified individuals for certain positions;
- Difficulty in retaining qualified employees;
- Internal and external pay equity;
- Pay compression;
- Strengths and weaknesses of the existing Pay Plan; and,
- Fiscal impact of recommendations.

As part of the research developed by Paypoint HR, we have generated comparative ratio report including each position. The industry term for this report is called a compa-ratio report. These reports show each position considered in this study, with their respective compensation and compensation relative to the external market data. All calculations consider the standard number of hours an employee is expected to work based on the position. Using an hourly rate allows for a fair comparison of pay from one organization to another as each organization may have different expectations for the number of hours worked. This approach eliminates confusion caused when using annual salaries.

The final report includes current market pay data by job and compares Milford's Pay Plan to the overall findings.

Methodology

The study was divided into two parts: an internal equity classification phase and an external equity compensation phase. The classification phase was initiated first and included the identification, review, and analysis of work being performed in various positions. Paypoint HR then used this information to more accurately compare compensation for work done by employees within the City to employees doing similar work in the external market.

Phase I - Classification Study

The classification study tasks as set forth by the Request for Proposal included the following:

- Review of background materials to establish a baseline
- Communication with leadership and employees
- On-site orientation sessions with employees

- Development, distribution, collection and review of job analysis questionnaires
- Review of existing classifications for regulatory compliance
- On-site focus groups with employees to verify/clarify information received
- Analysis of findings
- Job Description review and updates
- Recommendations for classifications and job families if warranted
- Recommendations for an employee appeal process
- Development of administration manual for the City to objectively evaluate new or revised positions

Phase II - Compensation Study

The classification study tasks as set forth by the Request for Proposal included the following:

- Review of current compensation practices
- Internal salary relationship analysis
- Identification of appropriate external market comparators and benchmark job titles
- An external market salary survey of vetted public and private sector organizations
- A pay compression analysis
- Recommendations for an externally competitive and internally equitable salary/step plan for each job class
- Development and preparation of training materials and training sessions for key staff to implement and maintain recommendations
- A written final report with specific recommendations and the methodology used to develop the new Classification & Compensation Plan
- Preparation of a fiscal impact analysis of recommendations
- Training as needed to ensure proper implementation and maintenance of the new classification and compensation structure

Background Information

Paypoint HR recognizes that implementations of the new or revised compensation and classification programs must take into account the financial environment, current pay structures, and other variables unique to the City. Paypoint HR has worked to provide an implementation plan that will address current inequities and will provide a framework for external competitiveness.

The City of Milford is a full-service municipal government located in both Kent & Sussex Counties in the State of Delaware. According to the Delaware Census Data reported July 1, 2016, the current population is estimated to be approximately 10,239. The City is ranked 11th for total population and 8th for diversity index out of 77 incorporated municipalities in Delaware. The City provides utilities (water, wastewater, and electric), public services

(street maintenance, solid waste collection, and utility and tax billing), police protection, and operates and maintains parks and recreation programming and facilities.

The City has collective bargaining agreements with the entry level police patrol officers through the rank of Sergeant and electrical department employees.

A comprehensive job classification and compensation study was completed in 2007/2008, which created the current Pay Grade structure and was implemented as of July 1, 2008, along with the creation and/or update of job descriptions.

The recommendations of the study adopted in 2008 had included pay increases for City positions that were to occur over the following three (3) years. The initial first year increase were put into place. However, due to the unfavorable economic climate of the Great Recession of the late 2000's and early 2010's, the City was unable to implement pay increases in the subsequent years. The City has followed the pay scale recommendation implemented in 2008 to adjust pay annually based on the South Consumer Price Index which is approximately 1.7% for the last ten years.

The current City Pay Plan has 16 grades (3 - 18) for a mixed hourly and salaried workforce that works 40 hours per week.

Recent Developments

The City is anticipating the impact of previous decisions to begin impacting the work environment and culture. Some of these decisions include:

The purchase of an automated refuse truck which will need only one staff member to operate instead of two and allow for the City to re-assign the additional employee.

Addition of the new 3.23-acre electric substation on Rt. 14 Milford-Harrington Hwy. that improves operational efficiency and ensures ability to meet capacity demands during the summer.

Recent hiring of a new City Manager, Eric Norenberg, ICMA-CM and new Public Works Director, Mark Whitfield, who both bring experience in the public sector with them. Eric has a Bachelor of Science in Political Science from Heidelberg University in Tiffin, Ohio, a Master of Public Policy from the Ford School of Public Policy at the University of Michigan and he is an ICMA Credentialed Manager. Mark is an active member of the American Public Works Association (APWA), and has served on several APWA committees, including the APWA Solid Waste Committee for six years (two years as Chair) and is a past president of the APWA Central Pennsylvania Chapter Executive Board. In 2009, Whitfield was named an APWA Jennings Randolph International Fellow. Their collective experience enables the City to adopt industry best practices, knowledge, and innovation to ensure smart growth.

Growth

Milford has a favorable environment that attracts new businesses and is projected to have continued growth. Growth rates for Milford are estimated to be:

	Growth Rates 2016-2020
Population	1.39%
Households	1.21%
Families	1.17%
Median Household Income	1.28%
Per Capita Income	1.56%

Ref: Delaware Census Data, July 1, 2016

This growth is transforming the once-secluded summertime beach destination into a year-round community. Indicators of sustained growth are the building of infrastructure, housing units and year-round amenities.

Examples:

- Delaware's Strong Neighborhoods Housing Fund, the Milford Housing Development Corporation will use \$500,000 to create 10 housing units in the City's Downtown Development District area.
- Anticipated opening of the new Bayhealth 168 bed hospital campus in 2019 which will bring additional jobs to the City.
- Opening of the DE Turf Sports Complex, a 5-acre, state-of-the-art multipurpose sports complex featuring 12 synthetic turf fields with sports lighting and scoreboards, centered by a major 700 seat championship stadium. The fields surround a world class indoor field house complex complete with restrooms, concession stands, office space, locker rooms and a multipurpose room.
- Governor Jack Markell's announcement of a statewide expansion of Delaware's Downtown Development District (DDD) program to include the City of Milford. Investors who make qualified improvements to residential, commercial, or industrial properties in Milford's District Area now may qualify for state and local development incentives.

Challenges and Opportunities

Changes in the City's operation, increased needs of the community, major economic shifts, and evolving job roles in the last several years has caused the type, scope, and level of work being performed by employees to change. To address these issues, the City has modified the job roles and related pay over the years.

The results of reactionary adjustments such as these are that over time they become confusing to explain and difficult to administer. A sense of unease can occur from a lack of understanding of the plan or more seriously, a perception of "special deals" being built in to the system. Another common issue with the reactionary adjustments is that they may penalize the employees who have the most experience with the organization through hiring new employees at market while not making accommodations for the existing staff. This can cause experienced employees to look to the external labor market to see what is being paid elsewhere for their position.

Challenges and opportunities the City faces include both internal and external factors such as:

Internal Factors

- Perception of employees that each department is a siloed organization without a clear central mission,
- From a historical perspective, the perception of employees is that there is a lack of communication from leadership,
- Low morale due to perception of pay inequities,
- Need for formal standards to move employees through the pay system as it pertains to new hires, promotions, reclassifications, longevity, education, certification, etc.,
- Difficulty recruiting needed staff in high demand specialties,
- Potential turnover due to baby boomers retiring and competition from other organizations for labor,
- Budget constraints & expectations for increased service levels within the community, and
- Balancing the cost of benefit management.

External Factors

- Changes in demographics with local employers hiring non-English speaking population and these employees moving to Milford.
- Employees being recruited by other local government and private organizations,
- Population growth on the rise,
- Political factors,
- Challenges meeting service demands,
- Changing standards,
- Increased regulations,

- People moving to Milford to retire with the expectations of no or low taxes,
- Crime rates are on the rise, and
- New businesses moving to the area.

Individually, any of these factors are cause for Milford to reconsider its position in the labor market. Together these hurdles require a long-term strategic plan. The consultant team initially requested in-depth data (see Appendix A) from the City and met with the City manager, Eric Norenberg, and Human Resources Manager, Lisa Carmean, to collect data and get clarification of the material provided. We would like to express appreciation to the City for providing the necessary in-depth information, coordination of schedules for the job analysis questionnaire briefing and focus group sessions, and for generating general information for this report.

Summary of Classification Survey Findings

An initial kick-off meeting was held with the City's project leadership team including the City Manager, HR Manager and other stakeholders to gain understanding of the current pay structure, establish reporting relationships, determine schedules for meeting project milestones, and to collect needed background data.

Paypoint HR used the background data collected from the leadership team to establish a baseline on the relationship between job roles and associated compensation. The initial review of the existing pay scales revealed that the Police Union Teamsters LU 326 are likely compensated at the current market rate since Collective Bargaining Agreement finalized July 1, 2014 built in pay scales through its termination date of June 30, 2018. The other employee groups have only received the annual increases and likely their pay is not in-line with the external market.

For the job analysis, Paypoint HR worked with the City's Human Resources department to schedule briefing sessions with employees. The briefings were scheduled for March 2, 2017. In preparation for this portion of the study Paypoint HR developed a custom website for the employees of Milford to complete a job analysis questionnaire. Position Vantage Point (PVP) is the proprietary tool designed by Paypoint HR to collect information about job duties from the employees. Employees are considered Subject Matter Experts on their position and their input was highly encouraged. Questions within the PVP were divided into four (4) categories. Each category covered compensable factors associated to the topic. Compensable factors are reasons for differentiation in pay for jobs. The four (4) categories in the PVP were background, skill, environment, and authority.

The internal relationship of positions and salary levels of job titles were determined by required knowledge, skills, and abilities as well as the environment and scope of decisions for which each job was responsible. Logically, titles with the most complex and most impacting decision levels were at the highest salary levels and titles with the lowest level of decision making were classified in the lower salary levels.

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The purpose of the briefing sessions was to discuss the project scope, expectations, the roles of employees and supervisors, as well as to review the job analysis questionnaire. During the briefings, employees were given instructions on how to complete their individual job analysis using the PVP questionnaire. Each employee had the option to complete the questionnaire online or on a paper copy. This gave employees that either do not have access to a computer or who prefer to complete a printed version an opportunity to participate. Employees who completed a hard copy version were asked to seal their responses in an envelope provided by Paypoint HR to hand in to either their supervisor or Human Resources. The due date for submission of PVP responses was set for Thursday, March 9, 2017, giving the employees ample time from the briefing session to complete the survey. An onsite follow-up meeting was held with Eric Norenberg and Lisa Carmean on March 10, 2017.

The completed paper version PVPs were then collected by Milford's Human Resources department and given to Paypoint HR. Paper copies were reviewed by Paypoint HR and manually entered into the electronic database creating a central location for all responses. The electronic database with employees' responses was locked at this time to maintain its integrity. Copies of employee results were reviewed by their respective supervisor on a separate custom website developed for the City. The supervisors were only able to review a copy of the employees' responses who are in their charge. The supervisor's review insured compliance and accuracy. Supervisors were not able to change the employees' response but were asked to give their own response to the same questions.

After using several techniques in analyzing the data collected from the Position Vantage Point (PVP) job analysis, it was determined that enough data was collected for there to be a clear understanding of the compensable factors associated with positions. Having the PVP responses reviewed from a quantitative perspective further confirms objectivity and validity. It was discovered through the PVP findings that positions within the City align with the expected responsibilities and background requirements.

One test used to look at PVP results was a regression analysis against the market study findings. The findings were determined to be a good predictor of compensation. We will expand on this in our recommendations for ongoing administration of the pay plan.

The current system was reviewed for salary compression. Compression typically develops over time and impacts long-tenured employees who have not received pay increases commensurate with the market while new hires with less experience are brought on-board at market rate. The result is that pay is not commensurate with knowledge, skills, and abilities. It is common to see compression in pay following an economic downturn. As the economy strengthens, new employees are brought on at market while existing employees who have been subject to pay freezes are overlooked. It was found that within Milford the way that the annual Consumer Price Index (CPI) adjustments to pay are made, there is a greater risk for compression.

Further review of the current salary schedules shows that there is a wide “spread” between the minimum and maximum within each pay grade. Spread measures the percentage difference between the maximum and minimum salary for a position. It is also an indication of the lateral progression available to an employee within their job title. A narrow spread often is a contributing factor to wage compression as the maximum salary is quickly achieved. Because Milford has a wide spread of 60% the risk of compression is mediated and even the most tenured employees may not have reached the maximum for their grade. In general, the pay scales do offer employees the ability to grow with the organization by providing a large “spread” between to minimum and maximums within each pay grade. After meeting with the employees in focus groups, it was found that the existing plan is not well understood and generally not motivating.

Focus Groups

Paypoint HR conducted onsite and phone focus groups with employees. Both Dr. Rick Campbell III and Karin Campbell attended all 25 sessions. The 23 onsite focus groups were held on Thursday, March 30th & Friday, March 31st. As not all the scheduled groups were able to meet during the onsite visits, two (2) additional focus groups were held on Tuesday, April 11th. The purpose of the focus groups was to have employees share valuable firsthand knowledge and opinions of the existing Milford pay plan. The focus groups generally lasted an hour and consisted of a Q & A session where Paypoint HR asked questions from a pre-set list of ten (10) questions. While the main point of the employee feedback is centered on classification and compensation these topics naturally open discussion to a number of other factors. This is a normal communication pattern and we address the topics as they presented themselves in the discussion. The City may want to consider exploring the issues raised during the study that are outside of the scope of work for a Classification and Compensation Study. A copy of the list of questions is shown below:

1. Is the current job description accurate for your unique position?
2. Do you have a clear understanding of Milford’s goals?
3. What general trends/forces impact your and Milford’s success?
 - a. Economic
 - b. Regulatory
 - c. Cultural
 - d. Technology
 - e. Organizational structure
 - f. Demographics
 - g. Political
 - h. Natural environment/Other

4. Who are Milford's competitors for labor? Who are industry leaders and what contributes to their success?
5. Has Milford had difficulty retaining, developing, motivating, and recruiting competent performers in any position?
6. Who are key sources of employees for Milford? Any recommendations?
7. Do you understand your compensation plan?
 - a. Is it motivating/fair?
 - b. Is it in-line with Milford's goals?
 - c. Does it use the right metrics?
 - d. Does it allow for advancement in your career ladder?
 - e. Is it competitive?
 - f. What does it recognize? Education, tenure, performance?
8. Does Milford's work environment encourage the following:
 - a. Personal growth,
 - b. Team Building,
 - c. Praise for effort, not just outcomes, or,
 - d. Kindness & caring?
9. Pick one:
 - a. Individual incentives
 - b. Group incentives
 - c. Individual & Group incentives
10. What recommendations for improvements do you have?

Approximately 87 employees were scheduled to attend the focus group sessions and actual attendance was very close to 100%. Employees were given an acknowledgement form to sign that explained the ground rules for focus groups. Participation was strongly encouraged but voluntary. The following departments were represented by attendees of the focus groups:

- Administration
- Customer Service
- Finance
- IT
- Parks & Recreation
- Police
- Solid Waste
- Water & Sewer
- Communications
- Electric
- Garage
- Leadership
- Planning / Zoning & Code
- Public Works
- Streets

A brief description of the comments made by focus group participants are summarized in the remainder of this section. It is important to note that the views shared in this

summary are not necessarily supported by Paypoint HR. Information that may identify the commenter has been removed. The feedback obtained provides a much stronger foundation for the study than simply reading the information from handbooks, job descriptions, and agreements. The comments and suggestions received during these meetings are one component to the study.

The format of the questions was set up so that employees see themselves as part of the bigger picture of Milford. This helps them to give feedback that is more strategic and focused on the long term.

In the following paragraphs, the responses from the Focus Groups have been grouped by topic.

1. Job Descriptions

- It was discussed that the employees would like to see their job descriptions periodically and have convenient access to them. It was thought that having them available on the City's website would make it convenient. Several employees mentioned seeing their job description within the last few days as an initiative started by the Human Resources department but that it has been several years since their job description have been reviewed to reflect changes in responsibilities that occur over time.
- Changes in the essential functions of positions can be due to technology upgrades, changes in regulations, additional education or certification requirements, organizational changes, and greater demands put on the City by the community.

2. Organizational Goals

- Employees expressed the desire to be kept informed on the City's goals. It was widely stated that employees felt that having an overall Goal for the City would help them know how to prioritize their work and make decisions on issues that directly impact the residents of Milford. A few employees recited the Chamber of Commerce's slogan of "River Town, Art Town, Home Town" as a goal for the City.
- Many groups mentioned having departmental goals or an overall idea of goals such as customer service, grant approvals, increased recycling rates, competitive electric rates, safety, cross-functional training, fast response times, and financial goals
- Parks and Recreation mentioned a goal initiated by a previous department manager of making the Mispillion River a focal point for the City. By setting that goal, the City was slowly able to create the mile-long path to host events like the Bug and Bud Festival, National Night Out, Community Parade, Eat in the Street, Holiday Stroll, and the Freedom Festival.
- In recent years due to the economic recession, it was said the goal was to find people to purchase homes in the area to bolster the local economy. It was

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thought that this was a short-term approach to growth and didn't take into account the risks associated with rapid growth.

- The employees generally wanted to see controlled growth that protects the small town feel of Milford and also allows for economic development.
- Employees are encouraged by the new City Manager's experience with public sector management and the fact that the City will be developing a strategic plan.
- Numerous employees mentioned their personal pride in their work as motivation to do an excellent job for the City. Employees requested having training standards and succession planning. Employees were very appreciative of training programs and wanted the City to help them continue getting information that they can bring back and use daily.
- The employees spoke highly of the existing leadership team and felt they are keeping the high standards they promised. The favorable opinion carried over into support for the changes introduced by the City Manager and Police Chief. Employees hold the new Police Chief and City Manager in high regard. There is a lot of respect for the City Manager's willingness to subject himself to a 360° performance review through the International City Management Association (ICMA) credentialing program. Equally respected is the Police Chiefs open door and transparency approach to leadership.
- The Mayor, was also seen as a positive leader for the City. The new Public Works Director's ideas for change have employee support but this department could benefit from change management training. The overall opinion was that the leadership team members promote morale and lead by example. When describing the leadership team adjectives like, honest, effective communicator, positive, open, pro-active, and dedicated were used. Employees would like to see and hear from leadership more frequently to get a better understanding of the organization outside of their department. The City Manager has held meetings with Public Works Supervisors monthly from January to July of 2017. The general employees of the Public Works department would like to meet with the City Manager to better understand the goals and vision of the City. There was the opinion that departmental goals should be shared across the organization.
- Employees would like the City committed to making facility updates to the Armory and the new Police Station.

3. General Trends

- There were a number of trends that employees felt effect their success and the success of the City.
 - a. Economic
 - Economic issues related to the Great Recession and how it affected their pay was one of the most frequent issues mentioned.

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- Employees recalled being told after the 2007/2008 compensation study, they would receive a 21% increase in pay over a three (3) year period in order to catch them up to the external market. They received a single 7% increase and have since only received the CPI increases annually as approved by the City Council.
 - Grants are another issue that puts stress on employees. Grant writing is not built into some job descriptions and is required to keep funding for numerous initiatives. They felt they are limited in the time they have to look for or apply to grants. They have an ongoing fear that grant money will go away or that there are grants they haven't accessed even though they are available.
 - There seems to be a trend of population growth with new businesses in the area and people from New York and New Jersey considering Delaware a good place to retire.
 - Parks and Recreation want to make as many programs accessible for youth by keeping costs low and would like to take language courses to communicate better.
 - The land in area is inexpensive and it is often less expensive to purchase and build a new home than to buy an existing home.
 - The City Hall is located in close proximity to an area frequently cited for criminal activity and there is a concern not only for the image of the City but also the safety of its employees and residents.
- b. Political/Regulatory
- The political trend was that leadership and decision quality were improving and the City has come a long way in improving the services offered to the community.
 - Employees mentioned having the impression that politicians were afraid to make tough decisions out of concern for re-election. Employees felt two-year term limits were too short for leadership to make meaningful decisions.
 - Staffing levels are not a topic for the bargaining agreements.
- c. Cultural
- Employees see children of non-English speaking parents acting as translators for the family. Staff use google translator which help communication and builds rapport.
 - Due to fear of being deported, residents do not report code or legal matters.

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- Nationally there have been a number of events that have reflected poorly on Police.
- Police stated they see drug use on the rise and an increase in serious crimes.
- It was stated that in the local schools there is a positive influence provided through the grant funded, Police School Resources Officers program. The program encourages relationships development with the schools, parents and students.
- Employees feel there is an improved community outreach program with the new Police Chief and events like the National Night Out at Bicentennial Park.

d. Technology & Tools

- It was discussed that there are departmental social media and public relations efforts but no centralized effort to communicate positive activities happening in the City. Employees felt community events would have better attendance if the City maximized communication outlets.
- Police Officers currently use own telephones for directions outside of city limits.
- Uniforms worn by employees in departments that have direct contact with residents help meet safety standards, maintain professionalism, and create positive image for the City.
- At the time of the Focus Groups, Milford was manually entering time cards for police officers. This method is prone to error and inefficiencies though there is some value to manual entry as it requires additional checks and balances. Since then, the City has bridged the gap between the ADP system used by the police department and the Sungard system used throughout the rest of the City by purchasing ExecuTime software which has a Sungard interface and resolves the issue.
- While Police felt staffing levels were their priority, they see a major benefit to having each officer have their own assigned rifle so that the officer in charge of them can track them better. They would also like to see the City consider offering Police that live in Milford have take-home patrol cars.
- The phone system, Milford uses does not allow the Dispatchers to distinguish between emergency and non-emergency calls. Milford may want use other phone line extensions for non-emergency calls.
- In addition to responding to emergency calls with a handheld phone Dispatchers are also responsible for monitoring cameras and opening

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door for officers when they are escorting prisoners. (Officers have to release hold on prisoner in order to punch in key code to open door if dispatch cannot). Recommend equipping dispatchers with wireless headsets to reduce issues.

- The Police Tracker software system goes out several times per shift and pings the Lieutenant every time. He is the sole person trained to work with the system for troubleshooting and had been contacted while on vacation to address issues.

e. Organizational

- A unique factor with regards to the organizational structure within in Milford is that the Police Chief reports directly to the Council instead of the City Manager
- Police department employees felt there was an internal inequity between the compensation of Sergeants and positions of higher rank (Lieutenants, Captain, Chief).
- Police: Police Officers mentioned having a high case load relative to other local jurisdictions.
- The Police have one or two female officers on staff and have to make calls to outside agencies if they are unavailable to process female suspects. It was felt having additional staff would be helpful for these situations.
- Employees would like to see diversity in the leadership team.
- There is no formal structure for adding positions to the existing classification and compensation plan. Feel it isn't fair or based on legitimate factors.
- Staffing levels of some departments may be too low, others seem too high which may be addressed with the updated classifications and organizational changes.
- Employees feel departments are very isolated/independent.
- When there are code infractions, the City uses available resources to assist the homeowner or business owner in meeting their obligations.
- Employees feel they have very good relationships with residents and understand the needs of the residents through individual rapport building efforts.

f. Demographics

- Employees expressed they see a growing number of non-English speaking people moving to the area to work for local businesses. A

City of Milford, Delaware Job Classification and Compensation Study

demographic trend employees have seen was a growing population of residents who speak Haitian Creole. They also have seen a greater number of minorities and families sharing housing units.

- The City uses court certified translators as necessary and have established relationships with vendors for formal interactions. For day-to-day operations, there is limited ability of staff to effectively communicate with non-English speaking residents. Employees mentioned having translation dictionaries that they keep as a reference tool. Employees see a value to having time and training to learn other languages.
- It was stated that Milford's school system has 48% of school age children on the free or reduced lunch program. It was felt this statistic was an indicator of the demographics the City serves. Employees from Parks and Recreation notice a drop in participation levels when there are issues affecting the economy like the Great Recession. Due to financial constraints, residents are unable to pay the fees for registration, transportation, or opportunity costs related to time off work.
- It was stated that retirees moving to the area do not see the same advantages to higher taxes for schools and youth services.
- There are communities that have a Milford address who are outside of the City limits. While this population does not contribute to the City's taxes, they expect City benefits and the City does try to accommodate them.
- City Police respond to calls when other jurisdictions can't get there timely through a mutual aid policy.
- Because Milford is in both Kent and Sussex Counties, staff must complete multiple forms to meet compliance standards associated with both.

g. Political

- It was felt that if the Police Chief reported to the City Manager that there would be more of a coordinated effort in reaching the City's goals.
- Employees suggested longer term limits for elected officials. The comment was made that elected officials could have a fear of making long-term decisions that are in the best interest of the City if they have perceived negative short-term implications.
- Employees would like to have management bring issues to employees directly. Morale in the Electric department was negatively impacted when the break room was consolidated into a smaller space in another building.

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- It was mentioned that one or two positions in the City can telework. As there wasn't a formal telework policy, it was perceived to be unfair. Human Resources is aware of the concern and is adding a formal policy to the new HR Policy Manual that is currently under review.
- Employees are encouraged by the City Council's willingness to conduct a compensation study to remain competitive and their ability to see pay as part of a strategic plan.

h. Natural Environment/ Other

- The City is impacted by tides and sea level which can put additional strain on emergency services during inclement weather. The City employees go above and beyond to keep each other and the community safe during storms and emergencies. An example that was cited was during a major snow storm, management personnel made sure that snow plow and emergency services employees were fed since everything was closed and they were working long shifts.
- Milford is larger than the city it is most often compared to Smyrna and Seaford. Milford is 5.6 square miles, Smyrna is 3.7 square miles, and Seaford is 3.6 square miles. This makes serving the community more of a challenge.
- It was stated that workload/caseload is greater than Smyrna and Seaford.

4. Milford's Competitors for Labor

- Employees listed the following organizations and possible competition to Milford for labor:
 - Private Contractors
 - Delmarva Power
 - Exelon
 - Choptank Electric Coop
 - Delaware Electric Coop
 - Other Municipalities such as Newark, Lewes, Georgetown, Smyrna, Seaford, Rehobeth, Dewey, Dover, Middleton, New Castle, University of Delaware, State and County
 - YMCA
 - Boys and Girls Club
- It was felt that competitors can easily attract younger candidates from the external labor force as well as those employees who have been trained in Milford because they don't have as great of a need for benefits.

- There is a strong word of mouth system locally and employees from different local governments talk about the work climate. Employees are attracted to Milford or leave due to proximity of family and family needs.

- Part-time employees have second jobs and cannot fill in for vacancies.

5. Difficult to fill Positions

- Employees from most departments did not feel turnover rates were above normal but did feel it was difficult to find qualified candidates for open positions.
- Employees expressed the need for Milford to prepare for baby boomers who are leaving the work force soon.
- Positions where there is difficulty finding and retaining staff:
 - Lieutenant
 - Electric Groundmen
- Employees would like to see additional openings for journeyman in the Electric Department.

6. Ideas for Sources of Labor

- Succession planning
- University of Delaware
- Other local municipalities
- Internships
- Referral Program

7. Understanding of Existing Plan

- They generally understand that their pay increases with the Consumer Price Index (CPI) Southern Mid-Atlantic Region and that the Council votes to approve it each year. The South region is comprised of Alabama, Arkansas, Delaware, District of Columbia, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia. Employees across the board do not feel it is motivating.
- Though HR has communicated the COLA increases, employees feel it is not easily understood because they never see the calculation behind the CPI increase. They felt it isn't straight forward and don't see the full amount reflected in their paycheck. They would like to see the calculation and have it explained. versus increased pay, this may alleviate some confusion. The electric department cited that the increase is a percent off the base pay which increases the disparity between steps. They understood the calculation to be based on the employee's

- base pay which would mean the lower on the pay scale a position was classified, the lower the increase.
- Some employees mentioned the feeling that the City is looking out for the employees and understand that experience is sometimes more important than a degree.
 - New positions seem to “jump” pay grades or do not recognize additional responsibilities. They feel it can be subjective or a popularity issue.
 - Employees stated the feeling of bias in the existing pay system due to a perceived old boy network with the former leadership. They feel current leadership seems committed to transparency, setting clear expectations, and consistent in application of policies which should mitigate these concerns.
 - Employees who oversee seasonal employees feel they are not recognized for training them.
 - Employees explained that the City gives Compensatory Time but the employees do not see it. Most departments are busy year-round so they cannot take the time earned.
 - Employees expressed that additional applicable certifications or risk exposure are not recognized in the pay system fairly.
 - It was widely accepted that the existing system is not motivating because employees have no way of impacting pay if it is an across the board increase for all staff. It was expressed that these types of pay increases are expected and employees have become “numb” to them. Employees would like the ability to recognize excellent performance. Those that perform above expectations feel discouraged when they see peers who get the same pay for less work. Milford HR is proposing recognition policy where excellent performance is rewarded.
 - Several groups expressed concern for pay compression.

8. Work Environment

- Most departments felt that there have been major strides made in making departments more connected but still felt some silo departments still exist. Previously there was the perception of manipulation and in-fighting. It was stated that with the new leadership, the culture has improved.
- Employees who have weekly departmental meetings felt more aware of organization direction and had more positive outlook. Employees appreciate when the managers implement fun activities and recognize achievements. They feel an element of respect when they are asked their thoughts on challenges which is encouraging.
- Employees appreciate the ability to take certification and continuing education courses and get reimbursed.

- Due to the nature of some positions, some employees have different workloads and higher expectations to work on weekends and holidays.
- There is no career ladder in some departments. It was stated that the only factor for consideration of a higher position in some areas is longevity.
- Employees stated part-time staff can work 8 to 12 hour shifts but do not get the same benefits as full-time employees.
- Some work units within Public Works do not feel properly appreciated or given opportunity for growth.
- Employees said they know on a day-to-day basis they give excellent customer service like; fast response times, improvements to work flow, troubleshooting, and good utilization of resources; but it is the infrequent complaint that gets the attention of their managers.

Summary of External Survey Findings

For this study, Paypoint HR gathered and compiled current pay information from the City's key competitors for labor. In order to yield results that are indicative of the labor market, both private and public-sector employers were considered. Much effort was put into determining appropriate organizations to consider for participation in the study. There were eight economic metrics considered for comparable organization selection. Paypoint HR's final report provides data representative of organizations near the City of Milford. The eight (8) metrics considered include:

- Proximity
- Population
- Median Housing Price
- Median Household Income
- Cost of Living
- Unemployment Rates
- Labor Force Participation
- High Graduation Rates

The custom external market survey was conducted to capture a clear picture of pay in the labor market. Both public and private organizations that met the selection criteria were given the salary survey. The salary information collected from the organizations that responded represented the majority of positions included in the survey. To validate the findings of the custom study, Paypoint HR used additional external market data from our resource library. Based on the results, the findings from the custom survey were found to be in line with the data from a larger pool of participants indicating that findings were relevant.

Benefit Survey Summary

The benefit survey was designed to get a snapshot of the participant's employee benefit offerings. It was not intended to be an in-depth benefit survey comparing the benefit summaries, premiums, co-pays, and deductibles. Further, benefit analysis looks at benefits as a portion of total compensation. In aggregate data, it is reported as a percentage of pay using the number of employees within each organization. Elements within each organization are not equal. For example, there may be more part-time or seasonal workers employed at an organization who are not eligible for benefits. Using part-time or seasonal wages in the calculation could skew the findings.

Questions included in the Benefit Survey addressed the following:

- 1) Does your organization have a pay for performance system in place? For example, a bonus or stipend plan? How does it work?
- 2) What pension plans do you offer and is there an employer match? What are the terms of the employer match?
- 3) Do you offer major medical, dental & vision benefits? What are the employer/employee contributions to premiums?
- 4) Do you offer employees any auto allowances?
- 5) When were your pay ranges/pay scales last adjusted?
- 6) How are salaries adjusted? (Longevity, performance, COLA, etc.)
- 7) What do benefits cost the organization in relation to the total compensation? For example, Salaries/Benefit ratio 70/30. What benefits are you including in your calculation?
- 8) What benefits do you offer to retirees?

Responses

Only one of the external market survey participants reported offering a pay-for-performance plan however five organizations stated they use performance to adjust pay. The organization with a formal performance pay plan was a utility firm and they offer a percent of total salary in an annual payout if corporate goals are met.

External Market respondents reported having defined contribution plans, defined benefit plans, State Pension Plan, 401A, deferred compensation plans, and 457 pension plans for employees. Employer matches ranged from 0% - 13.77%. The highest contribution for non-union employees was 13.5%.

Survey respondents reported paying 70% - 100% of employee only medical benefits. The majority of respondents paid 90% of the employee's premium amount. Employers

reported requiring their employees to pay more for dependent coverage up to 50% of premiums. Several respondents reported having cut-off dates for contribution amounts based on hire dates with more recent hires paying more of the premium.

40% of respondents reported offering some type of auto allowance or personal use of employer vehicles.

All respondent reported updating their pay scales in the last two (2) years.

50% of respondent reported adjusting pay based on performance evaluations. Other forms of pay increases included union agreements, longevity, COLA, annual increase as voted by Council, step increases, and based on external market studies.

Cost of benefits as a percent of total compensation ranged from 20% - 51% with an average of 33.625%. This is consistent with the national average of between 30-35% for non-union employees and 40% for union employees.

70% of respondents offered some type of benefit for retirees. Two respondents offer a life insurance policy for retirees. For medical coverage premiums, there were established parameters associated with hire date, length of service, and conversion to Medicare that determine amount of any contributions.

Work Proje

D. Public Comparators

Purpose

To determine economically comparable organizations for inclusion in the external market study by comparing economic metrics of the City of Milford to those of proximal communities.

Methodology

The goal was to understand how each of the thirty-one (31) proximal communities compared with the City of Milford. Seven (7) metrics that were chosen for evaluation were population, unemployment rate, labor force participation rate, median household income, cost of living adjustment, median housing price, and High School graduation rate. Each metric was assumed to be equally important and were examined individually and in combination.

A statistic was produced for each metric by first taking the absolute value of the difference between the metric for a proximal community and the same metric for the City of Milford, for example, the difference between the population of Seaford, Delaware and the City of Milford. The difference was then divided by the sum of the mean value of the differences and twice the standard deviation of the differences to understand how the difference varied for each proximal community in relation to the sample population of thirty-one (31) communities as a whole.

Two standard deviations from the mean was chosen, rather than the maximum deviation, to eliminate the influence of extreme outliers. For example, the population of Dover, Delaware is more than three times larger than the population of the City of Milford. Had the maximum value been used, the relative weight of the population metric, or rather its' importance, would have been substantially skewed. If any of the metrics had a value in excess of two standard deviations from the mean, then the proximal community was considered to not be a good comparator for the City of Milford - highlighted in **red** in Table 1 through Table 4.

From a statistical perspective, Chebyshev's Inequality Theorem indicates that 75% of all data values would be within two (2) standard deviations of the mean for a generic distribution. If a normal distribution exists, then values less than two (2) standard deviations account for 95.45% of the population. The choice of population comparison is therefore statistically sound and appropriate.

A summary table of these calculations is presented in the following tables. (Sample calculations are also presented.) The variances are summed to produce a total value for each proximal community and ordered from minimum variance to highest.

City of Milford, Delaware Job Classification and Compensation Study

Table 1 - Communities in Proximity to Milford

≤ 20 miles	≤ 40 miles	≤ 60 miles	> 60 miles
Harrington, DE	Dover, DE	Townsend, DE	New Castle, DE
Milton, DE	Lewes, DE	Easton, MD	Newark, DE
Georgetown, DE	Seaford, DE	Salisbury, MD	Elkton, MD
Bridgeville, DE	Millsboro, DE	Berlin, MD	Elsmere, DE
Camden, DE	Federalsburg, MD	Middletown, DE	
	Laurel, DE	Chestertown, MD	
	Smyrna, DE	Fruitland, MD	
	Clayton, DE	Cambridge, MD	
	Selbyville, DE	Ocean City, MD	
	Ocean View, DE	Princess Anne, MD	
	Delmar, MD	Snow Hill, MD	

Table 2 - Communities in Proximity to Milford (Sorted Alphabetically)

Berlin, MD	Bridgeville, DE	Cambridge, MD	Camden, DE
Chestertown, MD	Clayton, DE	Delmar, MD	Dover, DE
Easton, MD	Elkton, MD	Elsmere, DE	Federalsburg, MD
Fruitland, MD	Georgetown, DE	Harrington, DE	Laurel, DE
Lewes, DE	Middletown, DE	Millsboro, DE	Milton, DE
New Castle, DE	Newark, DE	Ocean City, MD	Ocean View, DE
Princess Anne, MD	Salisbury, MD	Seaford, DE	Selbyville, DE
Smyrna, DE	Snow Hill, MD	Townsend, DE	

City of Milford, Delaware Job Classification and Compensation Study

Table 3 - Economic Data of Milford and Comparators

Community	Population	MHP	MHI	COLA	U Rate	LFP Rate	HS Grad Rate
Milford, DE	9,993	\$180,600	\$45,368	101.2	5%	60%	86%
Berlin, MD	4,520	\$217,500	\$57,782	106.2	4%	69%	85%
Bridgeville, DE	2,364	\$227,200	\$52,396	105.1	6%	48%	84%
Cambridge, MD	12,534	\$162,000	\$35,354	99.1	8%	65%	84%
Camden, DE	3,501	\$193,100	\$59,721	108.3	4%	68%	92%
Chestertown, MD	5,186	\$231,600	\$43,977	104.2	3%	44%	85%
Clayton, DE	3,034	\$190,100	\$65,612	106.2	5%	71%	86%
Delmar, MD	3,026	\$133,100	\$51,117	100.5	5%	73%	90%
Dover, DE	37,144	\$176,300	\$45,363	102.4	5%	60%	87%
Easton, MD	16,599	\$272,200	\$50,496	111.9	4%	60%	87%
Elkton, MD	15,718	\$206,800	\$53,851	107.7	6%	62%	85%
Elsmere, DE	6,154	\$169,400	\$47,704	103.5	8%	68%	78%
Federalsburg, MD	2,676	\$145,700	\$34,707	96.1	8%	59%	76%
Fruitland, MD	5,110	\$162,200	\$65,707	102.0	4%	69%	91%
Georgetown, DE	6,775	\$210,300	\$45,983	105.7	7%	69%	64%
Harrington, DE	3,665	\$147,400	\$37,321	99.7	7%	69%	88%
Laurel, DE	3,916	\$134,300	\$33,525	93.3	7%	65%	78%
Lewes, DE	2,887	\$477,300	\$56,058	138.4	1%	42%	91%
Middletown, DE	19,744	\$259,800	\$84,451	114.3	3%	72%	93%
Millsboro, DE	4,050	\$184,800	\$46,350	100.5	3%	63%	81%
Milton, DE	2,717	\$220,100	\$46,643	107.3	3%	56%	89%
New Castle, DE	5,371	\$199,900	\$56,307	108.7	4%	62%	89%
Newark, DE	32,740	\$268,100	\$54,187	114.6	3%	50%	96%
Ocean City, MD	7,074	\$291,000	\$52,410	116.5	5%	56%	92%
Ocean View, DE	1,880	\$347,500	\$69,688	128.0	5%	49%	97%
Princess Anne, MD	3,325	\$165,500	\$23,319	97.6	3%	49%	78%

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Community	Population	MHP	MHI	COLA	U Rate	LFP Rate	HS Grad Rate
Milford, DE	9,993	\$180,600	\$45,368	101.2	5%	60%	86%
Salisbury, MD	31,883	\$149,000	\$37,704	102.3	7%	63%	86%
Seaford, DE	7,290	\$162,900	\$38,145	97.8	4%	56%	79%
Selbyville, DE	2,675	\$252,600	\$41,853	110.8	4%	68%	72%
Smyrna, DE	10,904	\$191,200	\$54,217	103.2	4%	69%	90%
Snow Hill, MD	2,343	\$134,100	\$38,194	96.1	8%	62%	82%
Townsend, DE	2,617	\$299,100	\$102,057	120.9	3%	70%	89%

MHP - Median Housing Price
MHI - Median Household Income
COLA - Cost of Living Adjustment

U Rate - Unemployment Rate
LFP Rate - Labor Force Participation Rate
HS Grad Rate - High School Graduation Rate

Table 4 - Variances of Comparators

Community	Total	Population	MHP	MHI	COLA	U Rate	LFP Rate	HS Grad Rate
Milford, DE	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Berlin, MD	1.96	0.29	0.22	0.36	0.21	0.28	0.54	0.07
Bridgeville, DE	2.18	0.40	0.28	0.20	0.17	0.28	0.72	0.14
Cambridge, MD	1.89	0.13	0.11	0.29	0.09	0.83	0.30	0.14
Camden, DE	2.30	0.34	0.07	0.41	0.30	0.28	0.48	0.41
Chestertown, MD	2.31	0.25	0.30	0.04	0.13	0.56	0.96	0.07
Clayton, DE	1.88	0.36	0.06	0.58	0.21	0.00	0.66	0.00
Delmar, MD	1.90	0.36	0.28	0.17	0.03	0.00	0.78	0.27
Dover, DE	1.57	1.42	0.03	0.00	0.05	0.00	0.00	0.07
Easton, MD	1.84	0.35	0.54	0.15	0.46	0.28	0.00	0.07
Elkton, MD	1.44	0.30	0.16	0.25	0.28	0.28	0.12	0.07
Elsmere, DE	2.30	0.20	0.07	0.07	0.10	0.83	0.48	0.55

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Community	Total	Population	MHP	MHI	COLA	U Rate	LFP Rate	HS Grad Rate
Federalsburg, MD	2.70	0.38	0.21	0.31	0.22	0.83	0.06	0.69
Fruitland, MD	2.15	0.26	0.11	0.59	0.03	0.28	0.54	0.34
Georgetown, DE	3.16	0.17	0.18	0.02	0.19	0.56	0.54	1.51
Harrington, DE	2.06	0.33	0.20	0.23	0.06	0.56	0.54	0.14
Laurel, DE	2.68	0.32	0.27	0.34	0.34	0.56	0.30	0.55
Lewes, DE	6.56	0.37	1.76	0.31	1.58	1.11	1.08	0.34
Middletown, DE	4.43	0.51	0.47	1.13	0.56	0.56	0.72	0.48
Millsboro, DE	1.47	0.31	0.02	0.03	0.03	0.56	0.18	0.34
Milton, DE	1.91	0.38	0.23	0.04	0.26	0.56	0.24	0.21
New Castle, DE	1.60	0.24	0.11	0.32	0.32	0.28	0.12	0.21
Newark, DE	4.38	1.19	0.52	0.25	0.57	0.56	0.60	0.69
Ocean City, MD	2.31	0.15	0.65	0.20	0.65	0.00	0.24	0.41
Ocean View, DE	4.67	0.42	0.99	0.70	1.14	0.00	0.66	0.76
Princess Anne, MD	3.00	0.35	0.09	0.64	0.15	0.56	0.66	0.55
Salisbury, MD	2.34	1.15	0.19	0.22	0.05	0.56	0.18	0.00
Seaford, DE	1.60	0.14	0.10	0.21	0.14	0.28	0.24	0.48
Selbyville, DE	3.04	0.38	0.43	0.10	0.41	0.28	0.48	0.96
Smyrna, DE	1.55	0.05	0.06	0.26	0.09	0.28	0.54	0.27
Snow Hill, MD	2.33	0.40	0.28	0.21	0.22	0.83	0.12	0.27
Townsend, DE	4.93	0.39	0.70	1.64	0.84	0.56	0.60	0.21

MHP - Median Housing Price
MHI - Median Household Income
COLA - Cost of Living Adjustment

U Rate - Unemployment Rate
LFP Rate - Labor Force Participation Rate
HS Grad Rate - High School Graduation Rate

Sample Calculation for Smyrna, DE

Cost of Living Adjustment (COLA) Variance

Maximum COLA = 138.4 (Lewes, DE)

Minimum COLA = 93.3 (Laurel, DE)

Smyrna COLA = 103.2

Milford COLA = 101.2

Statistic - Absolute value of the COLA difference
between each comparator and Milford

Statistic Average (μ) = 7.247

Statistic Standard Deviation (σ) = 8.115

$$\text{Variance} = \frac{|\text{Smyrna} - \text{Milford}|}{\mu + 2\sigma}$$

$$\text{Variance} = \frac{|103.2 - 101.2|}{7.247 + 2 \times 8.115}$$

$$\text{Variance} = 0.09$$

Notes

1. The mean and standard deviation is calculated from the population difference between each comparator and Milford and not just the population of each comparator.

E. Private/Semi-private Comparators

To supplement the Public Comparators, particularly for positions related to Milford's electric department, the following list of private/semi-private comparators were contacted to participate in the study.

Delaware Municipal Electric
Delmarva Power, An Exelon Company
Easton Utilities, Maryland
New Castle Municipal Services Commission, Delaware

Work Product

F. Benchmark Positions

In Table 5, the benchmark positions used in the external salary survey are presented. From this list of benchmark positions, all positions employed by the City of Milford where examined.

Table 5 - Benchmark Positions

Chief of Police	City Clerk
Customer Service Supervisor / Software Specialist	Deputy City Clerk / Executive Assistant
Electric Ground Technician	Electric Lead Line Technician
Electric Line Supervisor	Electric Line Technician, First Class
Electric Line Technician, Third Class	Electric Operations Supervisor
Electric Superintendent	Equipment Operator
Human Resources Manager	IT Technician
Meter / SCADA Technician	Meter Technician I
Park Superintendent	Park Technician I
Parks and Recreation Supervisor	Payroll Administrator
Planning and Economic Development Director	Police Captain
Police Dispatcher	Police Lieutenant
Public Works Director	Recreation Superintendent
Refuse Collector	Sanitation Driver
Utility Worker	Water and Wastewater Technician
Police Patrolman	Police Patrolman First Class
Police Corporal	Police Sergeant

G. Proposed Salary Schedules

Spread measures the percentage difference between the maximum and minimum salary for a position. It is also an indication of the lateral progression available to an employee within their job title. A narrow spread often leads to wage compression as the maximum salary is quickly achieved. A narrow spread can also lead to low morale and high turnover as economic advancement is limited. It is important that the spread is consistent amongst all employees so that all positions have a relatively equal advancement opportunity.

The Salary Schedule for General Employees has a robust spread of 60%, and no change to the spread is recommended. The spread between the minimum salary of a Patrolman and the maximum salary of a Sergeant, represented by Teamsters LU 326, is a robust 64%. It is recommended that the City of Milford use a common spread.

Ladders define the percentage salary difference between consecutive groups of job titles. Ladders can be used to differentiate employees with different knowledge, skills, and abilities and motivate career advancement. The ladder between grades for General Employees is currently 9%. It is recommended that the ladder be increased to 10%.

It was found that 17% of those employed are at entry level, while 17% are at the maximum compensation of the grade. Additionally, a similar percentage of employees are below the midpoint as they are above the midpoint. This suggests that retention of employees has not been problematic. (Compression can occur when employers, in order to attract new employees, have to compensate at rates above the minimum for the grade, thus “compressing” the relative compensation of longer tenured employees, especially those at the maximum of the grade.)

Compression Analysis

Analysis of the number of employees currently near the minimum and maximum of a pay grade shows that the distribution is fairly broad-banded and without dramatic peaks.

Analysis suggests the midpoint of the pay grade is likely not the determining factor in turnover but the placement of employees near the minimum of the pay scale could be a factor. Milford may want to consider giving new hires in these positions the opportunity to advance more quickly in the steps for their grade.

Under the current pay implementation technique, all salaries in a grade are increased based on the Southern Mid-Atlantic CPI. The CPI is applied to the midpoint for a standard increase across the pay grade. The result is that employees **above** the midpoint receive a smaller percentage increase as compared to those below the midpoint. For example: A 3% CPI increase is calculated on a midpoint of \$20 and yields an amount of \$0.60. The \$0.60 is applied to the minimum of the pay grade which is \$10

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and the maximum of \$30. The same \$0.60 is 6% of the \$10 minimum and 2% of the \$30 maximum. This approach reduces the risk of an employee reaching the maximum of their grade and the impact of any compression risk.

Table 6 – 2016-2017 Pay Schedule, General Employees

Current Grade	Min Salary	Mid Salary	Max Salary	Spread
18	\$89,792	\$116,729	\$143,666	60%
17	\$82,378	\$107,090	\$131,804	60%
16	\$75,577	\$98,250	\$120,921	60%
15	\$69,337	\$90,137	\$110,937	60%
14	\$63,611	\$82,695	\$101,777	60%
13	\$58,359	\$75,867	\$93,373	60%
12	\$53,541	\$69,602	\$85,664	60%
11	\$49,119	\$63,857	\$78,591	60%
10	\$45,065	\$58,584	\$72,103	60%
9	\$41,345	\$53,747	\$66,160	60%
8	\$37,931	\$49,309	\$60,686	60%
7	\$34,799	\$45,238	\$55,677	60%
6	\$31,926	\$41,503	\$51,080	60%
5	\$29,290	\$38,076	\$46,862	60%
4	\$26,872	\$34,933	\$42,993	60%
3	\$24,654	\$32,049	\$39,444	60%

H. Compensable Factor Score from Position Vantage Point Job Survey

To assist in determining the internal hierarchy of positions at the City of Milford, the employees and managers of the City participated in the Position Vantage Point Job Survey. Job descriptions were consulted to update both the minimum education level and minimum experience level required for each position. The responses were then evaluated, producing the Compensable Factor Score as shown in Table 7.

Table 7 – Compensable Factor Score (CFS)

Current Grade	Job Title	CFS Score
18	City Manager	118.2
17	Chief of Police	109.7
16	Director of Public Works	75.4
16	Finance Director	72.1
15	City Engineer	45.3
15	Superintendent, Electric	63.1
14	Coordinator of Planning & Economic Development Activities	71.1
14	Information Technology Manager	66.8
14	Police Captain	69.2
13	City Clerk	38.7
13	Director - Parks & Recreation	41.2
13	Police Lieutenant	44.8
13	Supervisor, Streets & Solid Waste	35.6
12	Accounting Manager	43.6
12	Customer Service Manager / Software Specialist	42.8
12	Electric Line Foreman	18.4
12	Human Resources Manager	53.6

City of Milford, Delaware Job Classification and Compensation Study

Current Grade	Job Title	CFS Score
12	W&W Supervisor	-
11	Code Enforcement Official	21.6
11	Electric, Lead Line Technician	26.2
10	Assistant Supervisor, Streets & SW	-
10	Electric Line Technician, First Class	23.4
10	Electric Operations Manager	26.2
10	Park Superintendent	28.0
10	Recreation Superintendent	23.1
9	Meter/SCADA Technician	14.6
9	Warehouse Manager	17.6
8	Electric Line Technician, Second Class	-
8	IT Technician (P/T)	18.1
8	Parks & Recreation Supervisor	18.1
8	Streets Crew Leader	-
8	Utility Crew Leader	14.4
8	Water Treatment Operator	17.0
7	Deputy City Clerk/Executive Assistant	15.3
7	Electric Line Technician, Third Class	14.4
7	GIS Technician	8.6
7	Head Mechanic	12.8
7	Meter Technician I	10.6
6	Account Payable Administrator / Admin. Assistant	9.6
6	Administrative Assistant	9.0
6	Administrative Assistant / Permit Technician	8.7
6	Billing Clerk	7.2

City of Milford, Delaware Job Classification and Compensation Study

Current Grade	Job Title	CFS Score
6	Electric, Ground Technician	10.6
6	Meter Technician II	13.6
6	Payroll Administrator	8.3
6	Police Dispatcher (FT)	8.6
6	Terminal Agency Coordinator / Evidence Custodian	9.2
6	Utility Worker	9.0
5	Customer Service Clerk	6.0
5	Equipment Operator	9.0
5	Police Dispatcher (P/T)	-
5	Police Records Clerk	8.2
5	Solid Waste Driver	11.9
5	Solid Waste Driver / Refuse Collector	11.1
5	W&W Technician	9.6
4	Construction Worker / Equipment Operator	-
4	Office Assistant	-
4	Office Associate I (P/T)	-
3	Maintenance Custodial Technician	-
3	Park Technician I	10.1
3	Refuse Collector	10.3

Current Grade	Job Title	CFS Score
SGT	Sergeant	30.4
CPL	Corporal	13.4
PFC	Patrolman First Class	13.4
PTL	Patrolman	13.4

I. Salary Schedules

Table 8 – Proposed General Salary Schedule

Grade	Min Step 01	Mid Step 16	Max Step 31	Step Increase	Spread
G01	\$11.54	\$15.00	\$18.46	\$0.23	60%
G02	\$12.69	\$16.50	\$20.31	\$0.25	60%
G03	\$13.96	\$18.15	\$22.34	\$0.28	60%
G04	\$15.36	\$19.97	\$24.58	\$0.31	60%
G05	\$16.90	\$21.97	\$27.04	\$0.34	60%
G06	\$18.59	\$24.17	\$29.74	\$0.37	60%
G07	\$20.45	\$26.58	\$32.72	\$0.41	60%
G08	\$22.50	\$29.25	\$35.99	\$0.45	60%
G09	\$24.75	\$32.17	\$39.59	\$0.49	60%
G10	\$27.23	\$35.39	\$43.56	\$0.54	60%
G11	\$29.95	\$38.93	\$47.91	\$0.60	60%
G12	\$32.95	\$42.83	\$52.70	\$0.66	60%
G13	\$36.25	\$47.12	\$57.98	\$0.72	60%
G14	\$39.88	\$51.83	\$63.78	\$0.80	60%
G15	\$43.87	\$57.02	\$70.16	\$0.88	60%
G16	\$48.26	\$62.72	\$77.18	\$0.96	60%
G17	\$53.09	\$69.00	\$84.91	\$1.06	60%

In Table 8, a new salary schedule for General Employees is presented. Grade 01, Step 01 was set at \$11.54, the living wage for Sussex County, Delaware using MIT’s living wage calculation at livingwage.mit.edu/counties/10005. The distance between each step was set at 2.00% as the Consumer Price Index for Mid-Atlantic South Urban areas according to the Bureau of Labor Statistics has averaged 1.72% for the past 10 years. The spread was set at a robust 60%. The ladders between grades was set at 10%.

It is recommended that the existing salary schedule for employees represented by Teamsters LU 326 be used.

J. Recommended Salary Adjustments

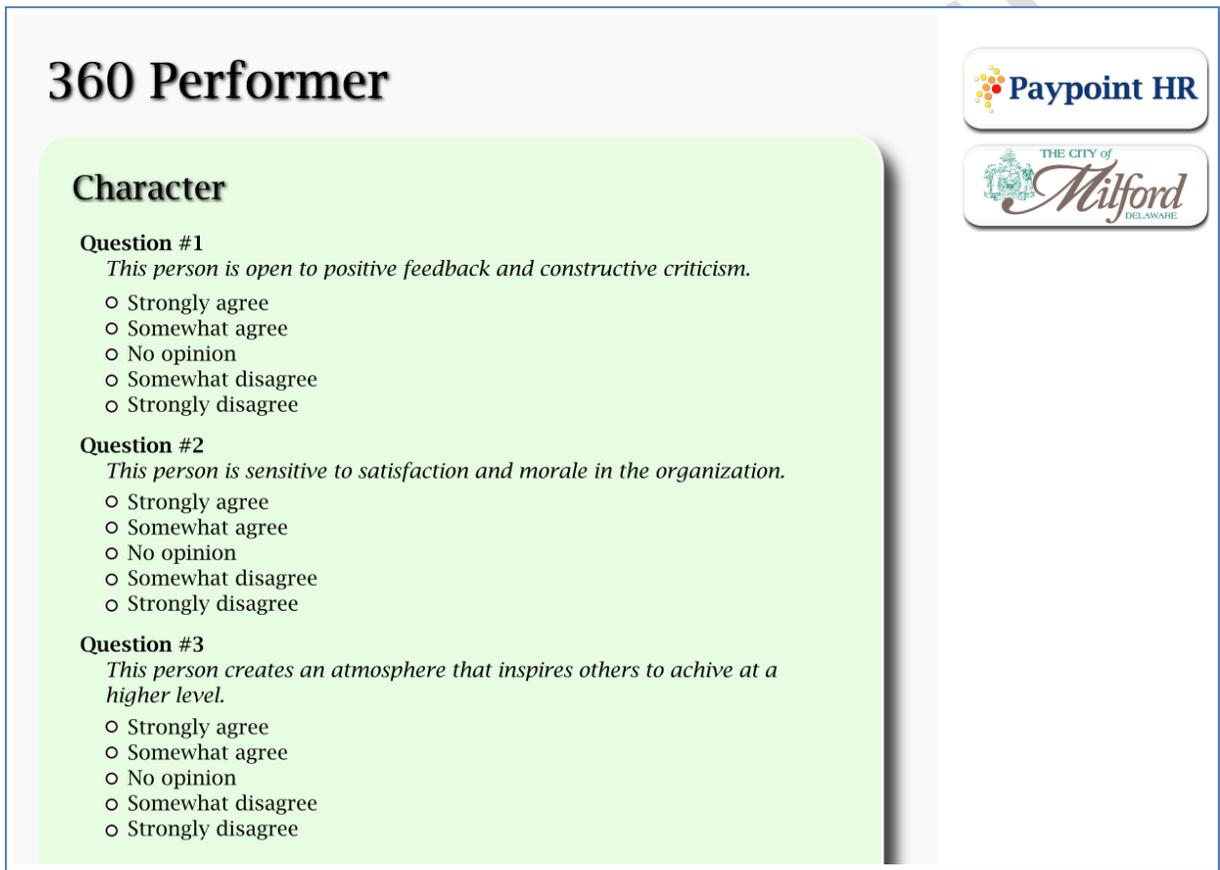
A regression analysis of the CFS Score and the salary survey results indicate that market mean salary for all positions is predicted by the CFS Score. In other words, the knowledge, skills, and abilities identified in the employee/manager Position Vantage Point job description survey correlate well with the external markets' valuation of the job positions at Milford.

1. Raise the salaries of positions that are substantially below market, first, at a cost of \$172,322.
2. Raise the salaries of positions that are below market, second, at a cost of \$34,491.

Work Product

K. Additional Items

In light of the high degree of correlation between the market mean salary for all positions and the corresponding CFS Score, it is recommended that Milford consider the PVP and CFS Scoring system as a valuable tool for future job classifications. Accordingly, Paypoint HR will be making the CFS Scoring system along with the PVP Questionnaire available to Milford, at no cost, for the next year to aid in the transition process.



The screenshot displays the '360 Performer' interface. At the top left, the title '360 Performer' is shown. On the right side, there are two logos: 'Paypoint HR' and 'THE CITY of Milford DELAWARE'. The main content area is a light green box titled 'Character' containing three questions with radio button options.

360 Performer

Paypoint HR

THE CITY of Milford DELAWARE

Character

Question #1
This person is open to positive feedback and constructive criticism.

- Strongly agree
- Somewhat agree
- No opinion
- Somewhat disagree
- Strongly disagree

Question #2
This person is sensitive to satisfaction and morale in the organization.

- Strongly agree
- Somewhat agree
- No opinion
- Somewhat disagree
- Strongly disagree

Question #3
This person creates an atmosphere that inspires others to achieve at a higher level.

- Strongly agree
- Somewhat agree
- No opinion
- Somewhat disagree
- Strongly disagree

Paypoint HR's 360° Performer Employee/Peer/Manager (EPM) System provides an analytical tool to measure the performance of employees by seeking the input of not only the individual employee and their respective manager, but also their peers within the organization. Paypoint's 360°-Performer System involves asking a series of performance related questions to each employee/manager while also allowing each employee/manager to answer the same questions about the performance of their peers/employees and their managers. The system categories the responses based on the respondent and delivers objective metrics to quantify performance. It is typically recommended that the employees who receive top scores receive an equal share of both

a monetary and non-monetary form of compensation for their performance. Non-monetary forms of compensation can be anything from a parking spot to official public recognition to a department pizza party in their honor. For the employees who score low both relative to the responses of their peers and managers, it is recommended that remedial action be considered. A sample of questions that are typically asked follows, but can be customized for the client. Narrative questions can also be included for employee feedback purposes.

Use of Paypoint HR's 360° Employee/Peer/Manager (EPM) System would be provided at no cost for the first review. Subsequent reviews would be priced to reflect the needs of the client. Typically, Paypoint charges a setup fee of \$1,000 (waived) and \$50 per participant with a minimum purchase of \$2,500 worth of services.

A spreadsheet that will calculate the salary schedule for Milford has been included. By adjusting the minimum and maximum value for the entire schedule, the rest of the values are automatically updated.

Paypoint HR appreciates the opportunity to serve the employees and taxpayers of Milford and would welcome the ability to continue to do so on an on-going basis.



Job Classification and Compensation Study

October 9, 2017



Presentation Outline

1. Scope of Work
2. Employee Outreach
3. Comparators
4. Compensable Factor Score
5. Salary Scale
6. Open Discussion

Work Product

1. Scope of Work

Work Product



Scope of Work

Goal

Provide recommendations necessary to establish and maintain an equitable and easy to administer classification and compensation system for the City's full-time positions.

Full Scope

- 65 job titles
- Approximately 106 full-time employees

Base

All non-elected City employees including International Brotherhood of Electrical Workers (IBEW) employees as well as civilian police and command staff.

Base Plus Police

Add the union police officers (General Teamsters Local LU 326) to the Scope of Work.

Phase I – Classification Study

The classification study tasks as set forth by the Request for Proposal included the following:

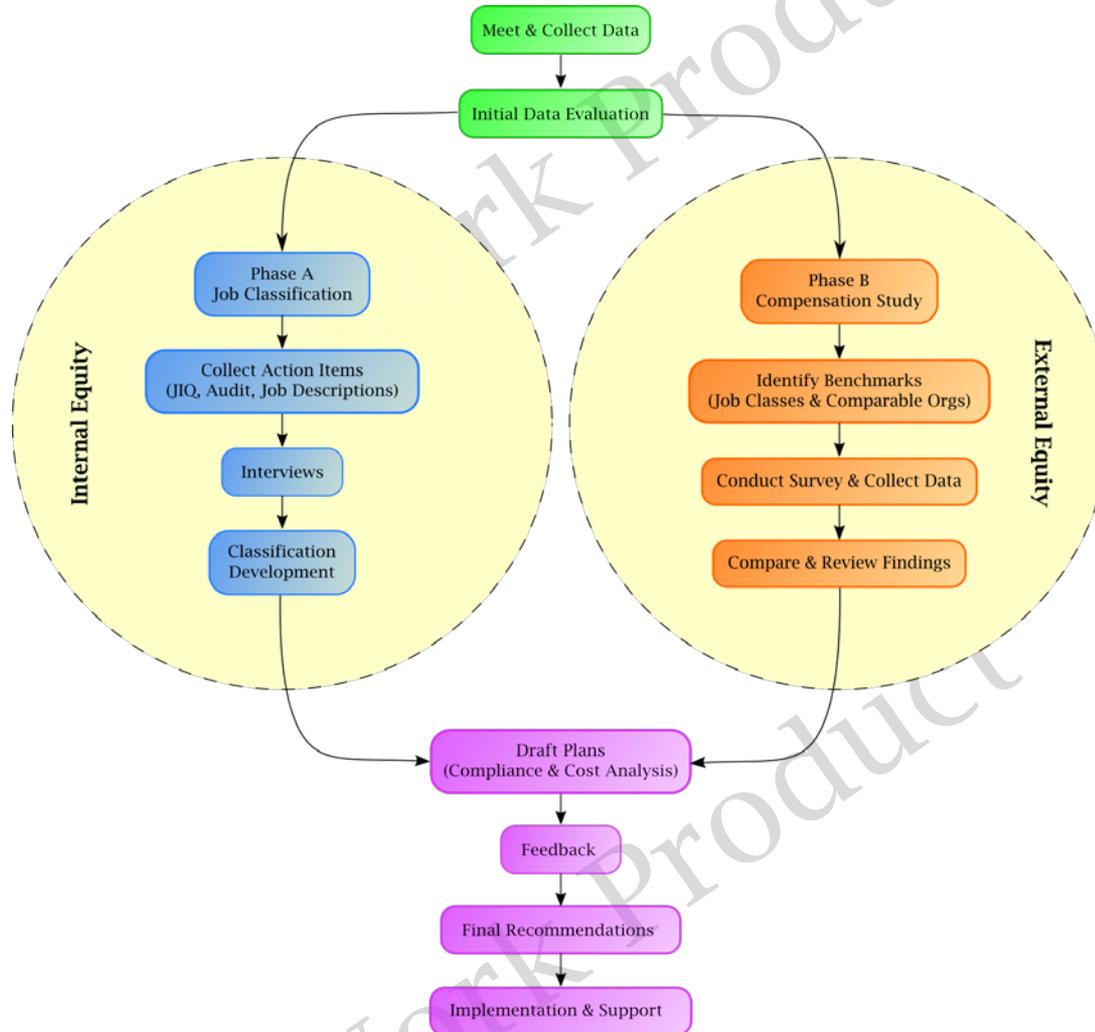
- Review of background materials.
- Communicate with leadership and employees.
- On-site orientation sessions with employees.
- Development, distribution, collection, and review of job analysis questionnaires.
- Review of existing classifications for regulatory compliance.
- On-site focus groups with employees to verify/clarify information received.
- Analysis of findings.
- Job Description review and updates.
- Recommendations for classifications and job families if warranted.
- Development of administration manual for the City to objectively evaluate new or revised positions as well as an employee appeal process.

Phase II – Compensation Study

The classification study tasks as set forth by the Request for Proposal included the following:

- Review of current compensation practices and conduct an internal salary relationship analysis.
- Identify external market comparators and benchmark job titles.
- An external market salary survey of public and private sector organizations.
- A pay compression analysis.
- Recommendations for an externally competitive and internally equitable salary/step plan for each job class.
- A written final report with specific recommendations.
- Preparation of a fiscal impact analysis of recommendations.
- Training as needed to ensure proper implementation and maintenance of the new classification and compensation structure.

Project Approach



Work Product

2. Employee Outreach

Work Product



Job Analysis

The purpose of conducting a job analysis is to gain an accurate understanding of the actual work performed to compare like positions in the external market.

- Paypoint HR used our Position Vantage Point (PVP) job analysis tool to update job descriptions.
- The PVP results were used to accurately compare the positions within the City to those in the external market.

Milestones

- Briefing sessions held over a 2-day period to discuss the Scope of Work, their roles, and to review the job analysis questionnaire.
- A custom website was created for employees to complete the Position Vantage Point (PVP) questionnaire.
- A total of 100 PVP's were completed with 86 responses being reviewed by approximately 22 supervisors.
- A second website was created for managers to review a copy of the employee response and give their own response to the same questions.

Focus Groups

The purpose of conducting focus groups is to:

- Help the consultant to gain a clear picture of how the existing pay plan is being utilized.
- Allow employees to have further involvement in the study which in turn will help the implementation process.
- Look for areas of improvement.

Milestones

- Paypoint HR conducted a total of 25 focus group sessions
- The majority of the focus groups were held onsite over a 2 day period with a couple of sessions held on a 3rd day via teleconference.
- Approximately 90 employees participated in the focus groups.

Summary Highlights from Employee Focus Groups

Paypoint HR compared the notes from each of the 25 focus groups and looked for patterns by topic. The following list gives a general summary of the input received.

Organizational

- Job descriptions need updated with convenient centralized access them.
- Need a City-wide goal and strategic plan to prioritize day-to-day operations.
- Like consistent meetings with supervisors.
- Employees are encouraged by new leadership and their follow-through.
- They feel there is a need for succession planning and additional training opportunities.
- Would like to see clear career ladders.
- Difficulty hiring and retaining staff for certain positions.

Environmental/Situational

- Employees take pride in their work.
- They see the economy improving.
- Employees would like to see controlled growth for Milford.
- Impact of Great Recession on pay, tools, and staffing levels has affected morale.
- Better communication needed.
- Changing demographics and a need for the City to adapt.
- Employees would like to see more resources for grants.

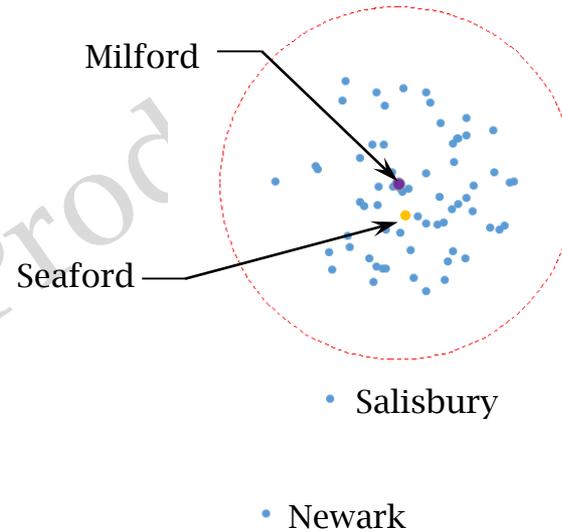
Work Product

3. Comparators

Work Product

Comparators Factors

- Population
- Cost of Living Adjustment
- High School Graduation Rate
- Labor Force Participation Rate
- Median Household Income
- Median Housing Price
- Unemployment Rate



List of Comparators to the City of Milford

Berlin, MD	Bridgeville, DE	Cambridge, MD	Camden, DE
Chestertown, MD	Clayton, DE	Delmar, MD	Dover, DE
Easton, MD	Elkton, MD	Elsmere, DE	Federalsburg, MD
Fruitland, MD	Georgetown, DE	Harrington, DE	Laurel, DE
Lewes, DE	Middletown, DE	Millsboro, DE	Milton, DE
New Castle, DE	Newark, DE	Ocean City, MD	Ocean View, DE
Princess Anne, MD	Salisbury, MD	Seaford, DE	Selbyville, DE
Smyrna, DE	Snow Hill, MD	Townsend, DE	

Work Product

4. Compensable Factor Score

Work Product

Compensable Factor System

Position Vantage Point

- Education
- Certifications
- Work Duties
- Work Experience




Position Vantage Point

Background

First Name

Middle Name

Last Name

Job Title

Job Category

- Administrative *(e.g., Accounts Payable, Admin. Assistant, Secretary)*
- Education *(e.g., Teacher, Librarian, Social Worker)*
- Executive *(e.g., Department Head, Assessor)*
- Fire & Rescue *(non-administrative)*
- Laborer *(e.g., Bus Driver, Custodian, Maintenance)*
- Law Enforcement *(non-administrative)*
- Professional *(e.g., Accountant, Marketing, Engineer, Lawyer)*
- Skilled Trade *(e.g., Mechanical/Electrical/Water Inspector)*
- Trade Supervisor *(e.g., Shift Supervisor, Foreman)*
- Other *(Other)*

Status

Full-Time Part-Time

Work Week (Hours)

Supervisor Name

Job Description




Compensable Factor System

Current Grade	Job Title	CFS Score
18	City Manager	118.2
17	Chief of Police	109.7
16	Director of Public Works	75.4
16	Finance Director	72.1
15	City Engineer	45.3
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13	Police Lieutenant	44.8
13	Supervisor, Streets & Solid Waste	35.6
12	Accounting Manager	43.6
12	Customer Service Manager / Software Specialist	42.8
12	Human Resources Manager	53.6

84% Correlation between CFS Score and Average Salary from the External Market

Work Product

5. Salary Scale

Work Product

Salary Scale

Living Wage for Sussex County - \$11.54
 10% between grades, 2% between steps

Grade	Min Step 01	Mid Step 16	Max Step 31	Step Increase	Spread
G01	\$11.54	\$15.00	\$18.46	\$0.23	60%
G02	\$12.69	\$16.50	\$20.31	\$0.25	60%
G03	\$13.96	\$18.15	\$22.34	\$0.28	60%
G04	\$15.36	\$19.97	\$24.58	\$0.31	60%
G05	\$16.90	\$21.97	\$27.04	\$0.34	60%
G06	\$18.59	\$24.17	\$29.74	\$0.37	60%
G07	\$20.45	\$26.58	\$32.72	\$0.41	60%
G08	\$22.50	\$29.25	\$35.99	\$0.45	60%
G09	\$24.75	\$32.17	\$39.59	\$0.49	60%
G10	\$27.23	\$35.39	\$43.56	\$0.54	60%
G11	\$29.95	\$38.93	\$47.91	\$0.60	60%
G12	\$32.95	\$42.83	\$52.70	\$0.66	60%
G13	\$36.25	\$47.12	\$57.98	\$0.72	60%
G14	\$39.88	\$51.83	\$63.78	\$0.80	60%
G15	\$43.87	\$57.02	\$70.16	\$0.88	60%
G16	\$48.26	\$62.72	\$77.18	\$0.96	60%
G17	\$53.09	\$69.00	\$84.91	\$1.06	60%

Work Product

Open Discussion

Work Product



MILFORD CITY COUNCIL
MINUTES OF MEETING
October 9, 2017

A regular Meeting of Milford City Council was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall on Monday, October 9, 2017.

PRESIDING: Mayor Bryan Shupe

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

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 7:15 p.m.

INVOCATION AND PLEDGE

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

APPROVAL OF PREVIOUS MINUTES

Motion to approve the September 11, 2017 and September 25, 2017 Committee and Council Meetings made by Councilmember Brooks, seconded by Councilmember Morrow. Motion carried.

RECOGNITION

Police Officer Recognition

Chief Brown recognized PFC Cory Swan as the Officer of the Year for the Third Quarter. Swan was recognized for his outstanding performance in the patrol division and his dedication to serving the Milford community. Swan came to Milford Police Department in the summer 2012 as a cadet while in college. In September 2015, Swan was hired as a full-time officer and participates in the Highway Safety Initiatives, drug investigations and other City overtime events.

He recently arrested a defendant after his vehicle was stopped and searched. PFC Swan discovered a handgun under the passenger seat, along with counterfeit substances for sale as narcotics during the incident.

Proclamation 2017-17/Dysautonomia Awareness Month

Mayor Shupe read the following proclamation into record:

DYSAUTONOMIA AWARENESS MONTH

WHEREAS, Dysautonomia is a group of medical conditions that result in a malfunction of the autonomic nervous system, which is responsible for "automatic" bodily functions such as respiration, heart rate, blood pressure, digestion, temperature control and more; and

WHEREAS, Some forms of dysautonomia are considered rare diseases, such as Multiple System Atrophy and Pure Autonomic Failure, while other forms of dysautonomia are common, impacting millions of people in the US and around the world, such as Diabetic Autonomic Neuropathy, Neurocardiogenic Syncope and Postural Orthostatic Tachycardia Syndrome; and

WHEREAS, Dysautonomia impacts people of any age, gender, race or background, including many individuals living in the City of Milford; and

WHEREAS, Some forms of dysautonomia can be very disabling and this disability can result in social isolation, stress on the families of those impacted, and financial hardship; and

WHEREAS, Some forms of dysautonomia can result in death, causing tremendous pain and suffering for those impacted and their loved ones; and

WHEREAS, Increased awareness about dysautonomia will help patients get diagnosed and treated earlier, save lives, and foster support for individuals and families coping with dysautonomia in our community; and

WHEREAS, Dysautonomia International, a 501(c)(3) non-profit organization that advocates on behalf of patients living with dysautonomia, encourages communities to celebrate Dysautonomia Awareness Month each October around the world; and

WHEREAS, We seek to recognize the contributions of the professional medical community, patients and family members who are working to educate our citizenry about dysautonomia in the City of Milford.

NOW, THEREFORE, I, Bryan W. Shupe, Mayor of the City of Milford, do hereby proclaim the month of October as DYSAUTONOMIA AWARENESS MONTH.

Proclamation 2017-20/Extra Mile Day

Mayor Shupe read the following proclamation into record:

EXTRA MILE DAY

WHEREAS, the City of Milford 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, Milford 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, Milford 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 acknowledges the mission of Extra Mile America to create 575 Extra Mile cities in America and is proud to support "Extra Mile Day" on November 1, 2017.

NOW, THEREFORE, I, Bryan W. Shupe, Mayor of the City of Milford, do hereby proclaim November 1, 2017, 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.

MONTHLY POLICE REPORT

Police Committee Chairman Burk presented the monthly Police Report on behalf of Chief Brown. Councilmember Peel moved to accept the September 2017 report, seconded by Councilmember Campbell. Motion carried.

MONTHLY CITY MANAGER REPORT

City Manager Norenberg referenced the complete report included in the Council packet. He also noted that a bag representing Public Power Week was provided to each Council member that included treats, coloring information for children and a LED bulb.

The Notice to Proceed has been issued for the Phase II Evaluation of the Growmark Property site proposed for the new Police Facility.

The Community Conversations for the City's Strategic Plan have been scheduled. Mr. Norenberg referred to the City website where residents and business people in the community can obtain additional information.

The Kayak Dock on the Mispillion River will be dedicated on the riverbank by Arena's Restaurant on October 19th at 4:00 p.m.

A grant announcement from the American Beverage Association to support the City's dual and recycling container project will also be made at that time, along with appreciation expressed to DNREC for their financial support of three projects including the Arena Kayak project.

Councilman Burk asked about the report from the Planning Department that indicated there are five new cases and zero closed; Mr. Norenberg confirmed that is correct for the month of September.

Councilman Burk said that based on the information received in the recent survey, he feels that is a high number and asked the reason; Mr. Norenberg said he will follow up with Planning Coordinator Rob Pierce. However, he is aware of the number of time-intensive issues last month.

Pavement Condition Presentation

Public Works Director Mark Whitfield recalled the opportunity over the summer to hire two engineering interns from the University of Delaware to help appraise the condition of the streets and provide a base line for progress as we move forward with a capital improvement program.

Interns Michael Markakis and Xander Arroyo were both in attendance and provided Council with a presentation.

After being presented with a list of streets, each was mapped out after which a total of 500 segments was reviewed for the following conditions:

- Alligator Cracking
- Bleeding
- Block Cracking
- Bumps & Sags
- Corrugation
- Depression
- Edge Cracking
- Joint Reflection
- Lane/Shoulder Drop-Off
- Longitudinal & Traverse Cracking
- Patching & Utility Cut Patching
- Polished Aggregate
- Potholes
- Railroad Crossing
- Rutting
- Shoving
- Slippage Cracking
- Swell
- Raveling
- Weathering

They also explained the system used to evaluate the roads.

Councilman Brooks commented on the good job the interns have done. He said that the past three City Managers have promised him that Mispillion Street would be taken care of. It has not been done yet though Mr. Norenberg has assured him it will be addressed. He noted that the interns graded the street in very poor condition and he agrees.

Mr. Markakis referenced the graph that ranked the streets' severity condition from failed, serious, very poor, poor, fair,

satisfactory to good and explained the grading program.

Mr. Whitfield informed Council the report provides information on what is needed as far as maintenance. They are now aware of those streets that can be repaired with crack sealing or where more extensive work is needed. The information will be used to develop a five-year capital plan. As the paving project is planned, failing underground utilities will be addressed at the same time.

In moving forward, the cost of the project will be shared as determined by the amount of utilities that need to be replaced within the roadway. That prevents the total cost from being paid out of the general fund.

He reported that the City should be addressing about 20% of the roadways each year. The lifetime of a pavement project is usually between 20 and 25 years. However, there are some residential streets that receive very little truck and traffic in general and could last for 35 to 40 years. On the other hand, many roads that experience heavy truck and vehicular traffic may only last 15 to 20 years. As a result, 20 to 25 years is the average. That is the reason the City needs to address 20% of their roadways at any given time. The goal is to have 80% of the roads in good and satisfactory condition, 15% in fair condition and those in poor, very poor and serious condition being addressed through a capital program.

Mr. Whitfield plans to put together a five-year capital plan. He can then provide Council with an idea of what is needed in terms of infrastructure improvement.

At the same time, sidewalks and curbing will be considered. A sidewalk program is being prepared though sidewalks will not be repaired when the curb is in bad shape. The intent is to repair the curb before the sidewalk is done.

Various funding sources will be considered in order to move forward.

Mayor Shupe thanked the Public Works Director as well as the work that was done by the interns this summer which will allow the City to move forward in a much quicker manner. Mr. Whitfield thanked Mr. Markakis and Mr. Arroyo for their valuable help this summer, noting that they became a big part of the Public Works' team.

City Manager Norenberg noted that the City does not receive a lot of money from Municipal Street Aid and the reason a five-year capital plan is needed.

MONTHLY FINANCE REPORT

Finance Committee Chairman Morrow reported that through the second month of Fiscal Year 2017-2018 with 17% of the year having passed, 26% of revenues have been received and 16% of the operating budget expended.

He noted that real estate tax revenues are at 98% which makes the overall revenue total appear higher than normal. Building permits are also ahead of schedule.

Councilmember Burk moved to accept the August 2017 Finance Report, seconded by Councilmember Starling. Motion carried.

COMMITTEE & WARD REPORTS

None to report.

COMMUNICATIONS & CORRESPONDENCE

Council Procedural Rules

Mayor Shupe reminded Council of an email asking for some times Council is available to discuss establishing City Council Procedural Rules. He pointed out that our residents find it helpful to have a written document available that outlines those processes.

Realtor Complaint

Councilman Burk said he received a complaint from a realtor about an item coming up on the agenda.

UNFINISHED BUSINESS

Adoption-Ordinance 2017-20/Chapter 180-Residential Rental Operating License

Moving onto unfinished business, Mayor Shupe reported that he had two people contact him about the residential rental license and the real estate transfer tax. He commented that the Public Notice published in the Milford Beacon had an error at the bottom that provided the date of a public hearing. He stated that although we can proceed legally, he prefers both ordinances be republished with the correct information. Even though the agenda is correct, the notice provided to the public included incorrect information.

Solicitor Rutt confirmed that the City of Milford Charter states that ordinances are not subject to public hearings. However, Council has the right to allow a public hearing. The legal process as stated in the Charter requires the introduction of the ordinance, consideration followed by a vote by Council though no public hearing is necessary.

In terms of the mistake, FOIA defers to the posted agenda.

Mr. Rutt explained that if Council wants to add a public hearing, Council would need to vote on it before it is placed on agenda. The public hearing must be on the agenda and the ordinance should be re-advertised. Council also has the ability to withdraw and reintroduce the ordinance.

He also confirmed that the motion would be exclusive to the ordinance (by number) as referenced.

Mayor Shupe feels that if Council is going to start having random public hearings, it should be one way or another. He believes the City should either hold a public hearing on every ordinance or not have a public hearing. He said that can be discussed in an email and a time set up. His personal opinion is to have public comment on all ordinances rather than selecting only certain ordinances.

Councilman Burk moved to discuss in a public hearing, at a future date to be posted, Ordinance 2017-20 Chapter 180 Residential Rental Operating License, seconded by Councilman Brooks. Motion carried.

Adoption/Ordinance 2017-21/Chapter 57-Planning Commission

Mr. Norenberg reminded Council this amendment relates to the required number of Planning Commissioners and removes the nine-member requirement. Instead it aligns with State law and the newly adopted City Charter which permits no less than five and no more than nine members.

He asked Planning and Economic Development Coordinator Rob Pierce to discuss seven members which is the current number that allows for a good balance geographically.

Mr. Pierce said he has no opposition to the range of five to nine members. However, he does not want to drop below seven members to prevent only three members from having the ability to approve an item. He agrees the language should align with the Charter and is comfortable as long as there are seven members.

Solicitor Rutt asked for further clarification from Mr. Pierce and asked if he is recommending it is kept at seven members but if two more show up, it becomes a nine-member board; Mr. Pierce pointed out that currently, there is the ability to fulfill the board with nine members because the charter allows that. But at this time, he recommends having at least seven.

Councilwoman Peel said in her opinion, this allows it to drop to five though that is not something Mr. Pierce is comfortable with, and recommends it be corrected. Solicitor Rutt recommends that by motion, Council include in the motion to adopt the proposed ordinance language and until further changes are made, it shall be a seven-member Commission. Currently, it provides the ability to increase or decrease depending on future circumstances.

Mr. Pierce expressed concern that the City Charter allows five to nine members and he prefers the ordinance be consistent to prevent having to change the Charter. To him, it does not make sense to have the ordinance read differently from the Charter.

Solicitor Rutt said the ordinance talks about five to nine members but Council has the right to fix it at seven for now. Later if things change, it can increase to nine or drop it to five. He does not recommend changing the charter after it was very recently signed by the Governor.

Councilman Campbell made a motion to adopt the ordinance and require at least seven members of the Planning Commission, seconded by Councilwoman Peel:

Chapter 57 - Planning Commission

WHEREAS, Chapter 57 of the City of Milford Code requires the City Planning Commission to consist of nine members; and

WHEREAS, it has been difficult to find nine qualified members to have a full complement; and

WHEREAS, Title 22, Section 701 of the Delaware Code states that Municipal Planning Commissions shall consist of not less than five, nor more than nine members; and

WHEREAS, reducing the required number to align with Title 22, Section 701 would allow the Planning Commission to convene by having a smaller majority present versus the five currently needed to conduct often time-sensitive or emergent circumstances; and

WHEREAS, An Act to Amend the City of Milford Charter was signed into law by Governor John Carney on August 30, 2017 and reflects the reduction of members as so stated.

NOW, THEREFORE, the City of Milford hereby ordains:

Section 1. Chapter 57, Section 57-2 is being amended as indicated below (new language in underlined italics and omitted language by strikeout text),

Chapter 57 - PLANNING COMMISSION

§ 57-1. - Establishment.

There is hereby established, pursuant to 22 Del. C. § 701 et seq., the Milford Planning Commission.

§ 57-2. - Membership; terms of office

*The Commission shall consist of ~~nine members to be appointed by the Council~~ **no less than 5 and no more than 9 members** as recommended by the Mayor and appointed by the Council. The term of each member so appointed and confirmed shall be for three years, except that of the members first appointed, three shall be appointed to a term of three years, three shall be appointed to a term of two years and three shall be appointed to a term of one year.*

Section 2. Dates.

Council Introduction: 09-25-2017

Council Adoption: 10-09-2017

Motion carried.

Adoption/Ordinance 2017-22/Chapter 178-Real Estate Transfer Tax

Councilmember Burk moved to discuss in a public hearing, at a future date to be posted, Ordinance 2017-22 Chapter 178 Real Estate Transfer Tax, seconded by Councilmember Peel. Motion carried.

NEW BUSINESS

None.

EXECUTIVE SESSION

Councilmember Peel moved to go into Executive Session reference the below statute, seconded by Councilmember Starling:

Pursuant to 29 Del. C. §10004 (b)(4) for the purpose of the discussion of strategy sessions, including those involving legal advice or opinion from an attorney-at-law, with respect to collective bargaining or pending or potential litigation.

Motion carried.

Mayor Shupe recessed the Council Meeting at 7:52 p.m. for the purpose as is permitted by the Delaware Freedom of Information Act.

Return to Open Session

Councilmember Peel moved to return to the Regular Session, seconded by Councilmember Burk. Motion carried. City Council returned to the Regular Session at 8:00 p.m.

MPD Teamsters Negotiations

Mayor Shupe announced that no action is required on the union matter at this time.

ADJOURN

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

The Council Meeting adjourned at 8:02 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder



OFFICE OF THE CHIEF OF POLICE
KENNETH L. BROWN
kenneth.brown@cj.state.de.us



THE CITY of
Milford
DELAWARE



400 NE Front Street
Milford Delaware 19963
302.422.8081 Fax 302.424.2330

TO: Mayor and Members of City Council
FROM: Kenneth L. Brown, Chief of Police 
DATE: November 7, 2017
RE: Activity Report/October 2017

Monthly Stats:

A total of 689 arrests were made by the Milford Police Department during October 2017. Of these arrests, 197 were for criminal offenses and 492 for traffic violations. Criminal offenses consisted of 51 felonies and 146 misdemeanors. Traffic violations consisted of 172 Special Duty Radar, 8 Drunk-Driving charges, 312 other.

Police officers investigated 56 accidents during the month and issued 98 written reprimands. In addition, they responded to 1288 various complaints including city requests and other agency assistance.

Monthly Activities:

Chief Brown and Secretary Knorr hosted Trick or Treat at the Milford Police Department from 6pm. to 8pm. on October 31, 2017. Event was a complete success giving out more than 100 bags to the children.

All Milford Police Officers, Senior Volunteers and Fire Police along with numerous Police Officers from other agencies, worked the Milford Community Parade held on October 18, 2017. There was one altercation which was handled without interruption to the parade.

Training –

Chief Brown and five other officers attended the 2017 IACP Conference held in Philadelphia, PA.

CI Detectives and Police TAC Officer attended the 2017 Delaware State Police Homicide Conference held Dover Downs.

Three Staff members attended Equitable Sharing for Financial Support Staff training held by the Department of Justice in Philadelphia, PA.

One officer attended a De-Escalation Instructor Course held at the Ocean View Police Department.

One officer attended a Certified Instructor Course held at the DSP Academy.

One officer attended a Social Media Investigations Course held at Dover Downs.

One officer attended a Legal Updates Course held at the DSP Academy.

SRO –

Cpl. Bloodsworth organized an AAA Safety Patrol swearing in ceremony for safety patrol members at Mispillion, Banneker and Lulu Ross. The swearing in was performed by Judge Adams from the Delaware Justice of the Peace Court system. This continues to be the largest swearing in ceremony according to AAA representatives.

Cpl. Bloodsworth participated in the annual Houston Volunteer Fire Company open house again this year.

Cpl. Bloodsworth participated in a "trunk or treat" event hosted by the Dover Police Department at Legislative Hall and a "trunk or treat" event hosted by the Department of Motor Vehicle.

Sgt. Masten conducted a prescription drug take back event at the Milford Police Department with the assistance of the Drug Enforcement Agency.

K9 Unit –

For the month of October 2017 the Milford Police Department K9 unit had the following stats:

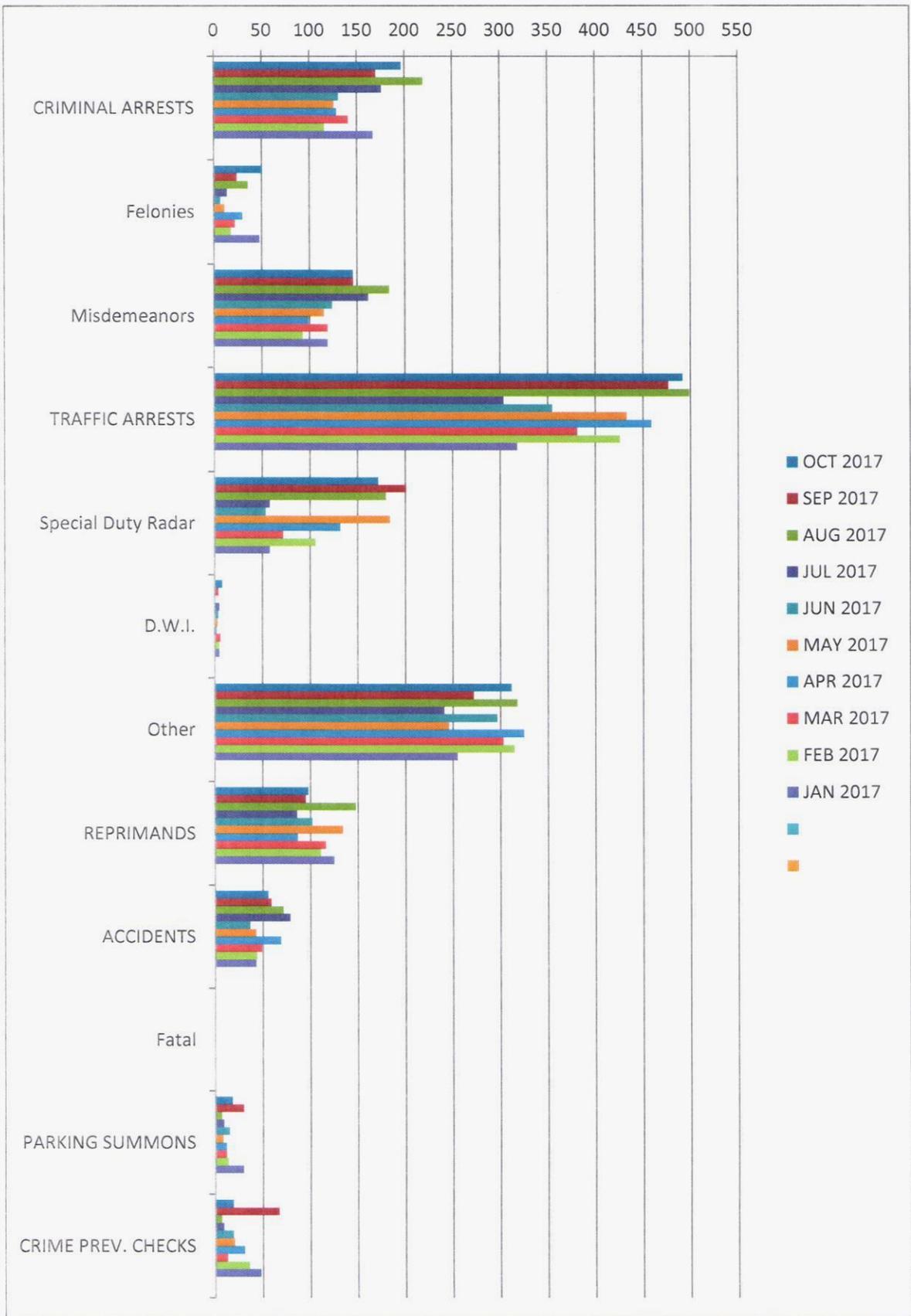
- Utilized 14
- Drugs 0
- Crowds 0
- Assist Other Agencies 1
- Building Searches 3
- Deployed as Precaution 1
- Area Search 0
- Article Search 0
- Bite Apprehensions 0
- No Bite Apprehensions 2
- Tracks 0
- Demo 4
- Foot Patrols 0
- Drug Sniff 2
- Open Door 0
- Search Warrants 0

<u>Seized Items</u>	<u>Amount</u>	<u>Value</u>
• Marijuana	1 grams	
• Heroin	2.45 grams	
• Cocaine	0	
• Crack	0	
• Methamphetamine	0	
• Hashish	0	

- Pills 0
- Currency 0
- Gun 1 Handgun \$650.00
- Vehicles 0
- Other Drug Paraphernalia

OCT 2017 ACTIVITY REPORT

	OCT 2017	TOTAL 2017	OCT 2016	TOTAL 2016
COMPLAINTS	1288	12256	1199	12445
CRIMINAL ARRESTS	197	1573	214	1756
Felonies	51	261	36	431
Misdemeanors	146	1307	178	1325
TRAFFIC ARRESTS	492	4144	339	4141
Special Duty Radar	172	1217	29	1158
D.W.I.	8	43	4	45
Other	312	2884	306	2969
REPRIMANDS	98	1102	98	1139
ACCIDENTS	56	551	66	572
Fatal	0	0	0	2
PARKING SUMMONS	18	155	8	69
CRIME PREV. CHECKS	19	269	26	312
FINES RECEIVED	\$ 12,628.26	\$ 90,655.21	\$ 8,835.26	\$ 79,373.98





City Manager's Report November 13, 2017

ADMINISTRATION

Parks & Recreation

No report provided.

FINANCE DEPARTMENT

Customer Service Division

Accounts Billed for the Month	
Residential	5944
Small General	737
Medium General Service	345
Contract Services	3
Large General Service	6
General Service Primary	13
City Accounts	49
Lights: Street/Security	179
Total	7276

Payments Processed	
Cash	\$144,329.84
Check	\$2,049,818.56
Money Orders	\$10,222.93
Direct Deposit Payments	\$543,875.10
Credit Card (Utilities)	\$99,689.45
Online Credit Card (Utilities)	\$255,152.01
Online Credit Card (Taxes)	\$5,100.25
Online E-Check (Utilities)	\$86,159.86
Online E-Check (Taxes)	\$1,606.85
City Accounts	\$35,925.15
Total	\$3,231,880.00

Payment Plan/Delinquent/New Accounts/Terminated Accounts	
Payment Plans Arranged	283
Sent to Collections	25
Delinquent Notices Mailed	1,823
Disconnect for Non-Payment	213

Accounts Not Re-Connected	15
Door Tags (requesting customer contact us)	92
Final Bills Mailed	69
New Services Set Up	134
Services Terminated	81
Total	2735

Information Technology Division

Issues Addressed	
Administration/Council	5
Customer Service	8
Finance	4
Parks & Recreation	2
Planning	2
Police	0
Public Works	5
Information Technology	11
Vendor/3 rd Party	16
Total	53

- Does not include routine maintenance items such as changing back up tapes, performing morning system checks, etc.

PLANNING DEPARTMENT

Code Enforcement & Licensing Division

Case Activity	
New Cases	21
Closed Cases	104
Open at Start of Month	277
Open at End of Month	147

Case Violations	
Abandoned Vehicle	2
Dangerous Tree	1
Furniture	3
Generic	3
Property Maintenance	11
Rubbish/Garbage	1
Weeds & Grass	0
Zoning Use	0
Total	21

Inspections & Licensing	
Rental Inspections Performed	0
Rental Licenses Issued	4
Vendor Licenses Issued	1
Contractors Licenses Issued	14

Building Inspections & Permitting Division

Building Permits Issued	
Commercial Foundation	0
Commercial New Construction	9
Sign	1
Demolition	0
Residential New Construction	9
Residential Renovation/Accessory Structure	10
Roof/Siding	4
Solar Panels	2
Utility (Electric/Water)	3
Total	38

- The City received one proposal for the Residential Rental Inspection Request for Qualifications (RFQ) and is in the process of interviewing the candidate before approaching City Council with a recommendation.
- Staff completed an ISO Building Code Effectiveness Grading Schedule (BCEGS) audit to assess the City’s adopted building codes, plan review and inspection procedures. The purpose of the BCEGS is to mitigate losses from natural hazards and the BCEGS rating is used to develop the community’s insurance rating for underwriting purposes.
- The McDonalds rebuild is complete and the fast-food establishment is back in operation

Planning & Zoning Division

- The City resubmitted the draft Comprehensive Plan to the Office of State Planning Coordination (OSPC) in the beginning of October and received approval to proceed with adoption public hearings. Staff will be scheduling both the Planning Commission and City Council public hearings in the upcoming months.

Economic Development Division

- The City of Milford has seen a committed investment of over \$4.0 million (in increase of \$200k from last month) within the Downtown Development District (DDD) area since September 2016 (based on permit valuations from submitted applications). The State of Delaware has committed or awarded over \$559k in grant funds for both large and small commercial and residential projects in Milford. The City has waived over \$75k (an increase of 40k from last month) in permit and or utility impact fees associated with these projects in accordance with Chapter 19 Economic Development and Redevelopment and DDD program guidelines.

PUBLIC WORKS DEPARTMENT

Electric Division

Power Outages	6
Poles Replaces (due to age, rot or damage)	0
Closed Work Orders	6
Trouble Service Calls	23



After Hours Calls	21
New Electric Service Installed	5
Preventative Maintenance/Trees Trimmed	0
Miss Utility Locates	206

- Electric Division celebrated Public Power Week culminating with a Customer Appreciation Day held on October 6 at the Customer Service Building. Jenn, Rick, and Rhiannon handed out 43 bags filled with various items including: energy savings tips, electric safety for kids, an energy efficient led lightbulb, etc. We also raffled off a storm preparedness basket containing a storm radio, power bank, and other storm preparedness items. Dolce pastries and coffee were provided for refreshments.
- IT provided COGNOS Report Training. Jenn and Rhiannon attended a portion of the training.
- Crew worked on splicing 750 and setting the switch for West Shores. Crew started trenching infrastructure. Jenn received call from Jeff Harman of Becker Morgan detailing a surveying error in regards to the 7 houses that were already built. Several of the homes were built in the setback and/or straddled property lines. After review it was determined that this would not affect the crew from installing the loop, with the exception of the area in which the houses were built. Jenn let Jeff know that we would continue with the loop, however we would stop when we got to the houses. Jeff agreed to provide an updated print once the redesign/re-engineering was completed.



Engineering Division

- Completed Video Inspection of the Sewer Mains on N Front and SE Second Streets
- Finished painting of the Washington Street Water Tower
- Installed Altitude Valve Vault and External Overflow Piping at Washington Street Tower
- Analyzed Raw Water Quality and Disinfection Treatment Processes to address chlorine residuals at SE Tower
- Continued working with DBF on design for Shawnee Acres PS Improvements.
- Repaired and upgraded treatment equipment for ease of maintenance at Kenton & SE Water Treatment Facilities.
- Issued Final Site Plan Approval for Bayhealth Professional Center and Jaw Crackers BBQ & Deli
- Coordinated security repair at Fisher Avenue PS and safety upgrades at Washington Street PS.
- Initiated design of treatment equipment upgrades at Seabury.
- Initiated design of SE Second Street Sewer, Water and Road Improvements ahead of DelDOT repaving in late spring of 2018.
- Met with DNREC regarding status of Asset Management project.

Public Service Division

Bulk Pick Ups	39
Brush Collections	2
New Service Deliveries	
Trash	11
Recycle	8
Yard Waste	8

Change Container Size	6
Damaged/Replaced Container	33

- Staff met with vendor regarding purchasing another automated trash truck. Staff recommends moving forward despite concerns with the first truck purchased.
- Met with a Cintas sales representative to discuss savings to the City with U.S. Communities pricing since the City is a member. Beginning in November we will see about 30-50% decrease in each City facility that has a Cintas account for their First Aid & Safety boxes.
- Had first walkthrough with a contractor for the break-room re-design project. Awaiting rough draft pricing based on the plans given.
- Identified several areas of the Public Works yard that need re-organization. As the yard waste season slows down and we move to the 4-10 hour shifts we will begin to work on getting this task moving along and completed.
- Staff attended Confine Space Entry training session in Rehoboth Beach.

**CITY OF MILFORD
FUND BALANCES REPORT**

Date: September 2017

Cash Balance - General Fund Bank Balance	\$5,065,384
Cash Balance - Electric Fund Bank Balance	\$4,199,888
Cash Balance - Water Fund Bank Balance	\$1,492,454
Cash Balance - Sewer Fund Bank Balance	\$158,378
Cash Balance - Trash Fund Bank Balance	\$307,881

	<u>General Improvement</u>	<u>Municipal Street Aid</u>	<u>Real Estate Transfer Tax</u>	<u>Economic Development Fund</u>
Beginning Cash Balance	241,350	1,363,801	2,024,177	\$452,193
Deposits			139,958	
Interest Earned this Month	52	601	1,230	
Disbursements this Month	(151,379)	(325,347)	(41,666)	(\$32,404)
Investments				
Ending Cash Balance	\$90,023	\$1,039,055	\$2,123,699	\$419,789

	<u>GF Capital Reserves</u>	<u>Water Capital Reserves</u>	<u>Sewer Capital Reserves</u>	<u>Electric Reserves</u>
Beginning Cash Balance	2,016,660	7,418,334	3,484,996	8,071,958
Deposits				
Interest Earned this Month	936	3,378	1,830	3,680
Disbursements this Month	(78,123)	(1,582)	(7,638)	(9,707)
Investments				
Ending Cash Balance	\$1,939,473	\$7,420,130	\$3,479,188	\$8,065,931

	<u>Water Impact Fee</u>	<u>Sewer Impact Fee</u>	<u>Electric Impact Fee</u>
Beginning Cash Balance	1,746,425	\$1,098,928	\$511,265
Deposits	22,667	\$13,420	\$6,000
Interest Earned this Month			
Disbursements this Month			
Investments			
Ending Cash Balance	\$1,769,092	\$1,112,348	\$517,265

INTEREST THROUGH THE THIRD MONTH OF THE FISCAL YEAR:

General Fund	6,410	Water Fund	2,507
GF Capital Reserves	1,563	Water Capital Reserves	5,635
Municipal Street Aid	2,220	Sewer Fund	252
Real Estate Transfer Tax	3,714	Sewer Capital Reserves	3,060
Electric Fund	6,776	Trash Fund	585
Electric Reserves	6,139		

TOTAL INTEREST EARNED TO DATE \$38,861

REVENUE REPORT

Page Two

Date: September 2017	AMOUNT BUDGETED	MTD	YTD	25% of Year Expended YTD%
ACCOUNT				
Economic Development Fund	95,000	0	0	0.00%
General Fund Reserves	585,000	0	0	0.00%
Realty Transfer Tax-Police	500,000	41,667	125,000	25.00%
Real Estate Tax	3,850,560	15,697	3,814,307	99.06%
Business License	45,000	650	3,175	7.06%
Rental License	80,000	825	2,425	3.03%
Building Permits	80,000	27,420	71,728	89.66%
Planning & Zoning	15,000	2,796	5,596	37.31%
Grasscutting Revenue	16,000	2,000	6,000	37.50%
Police Revenues	446,750	162,316	211,329	47.30%
Misc. Revenues	286,065	27,849	48,127	16.82%
Transfers From	3,324,000	277,000	831,000	25.00%
Total General Fund Revenues	\$9,323,375	\$558,220	\$5,118,687	54.90%
Water Revenues	2,734,500	224,795	757,545	27.70%
Sewer Revenues	2,508,000	200,703	664,872	26.51%
Kent County Sewer	1,850,000	140,874	475,832	25.72%
Solid Waste Revenues	1,384,815	116,115	348,049	25.13%
Electric Revenues	25,016,000	2,133,122	7,035,466	28.12%
TOTAL REVENUES	\$42,816,690	\$3,373,829	\$14,400,451	33.63%
YTD Enterprise Expense		(23,203)		
YTD Enterprise Revenue		33,191		
LTD Carlisle Fire Company Building Permit Fund		123,145		

EXPENDITURE REPORT

Page Three

Date: September 2017

25% of Year Expended

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	YTD%	UNEXPENDED BALANCE
City Manager					
Personnel	505,220	\$39,113	109,870	21.75%	395,350
O&M	129,250	\$811	16,209	12.54%	113,041
Capital	0	\$0	0		0
Total City Manager	\$634,470	\$39,924	\$126,079	19.87%	508,391
Planning & Zoning					
Personnel	137,180	\$13,058	36,451	26.57%	100,729
O&M	50,875	\$1,734	6,856	13.48%	44,019
Capital	0	\$0	0		0
Total P, C & I	\$188,055	\$14,792	\$43,307	23.03%	144,748
Code Enforcement & Inspections					
Personnel	130,630	\$7,749	21,625	16.55%	109,005
O&M	116,950	\$10,709	31,074	28.57%	85,876
Capital	0	\$0	0		0
Total P, C & I	\$247,580	\$18,458	\$52,699	21.29%	194,881
Council					
Personnel	31,225	\$2,372	4,902	15.70%	26,323
O&M	41,200	\$3,290	8,032	19.50%	33,168
Council Expense	20,000	\$1,266	8,453	42.27%	11,547
Contributions	206,000	\$0	66,000	32.04%	140,000
Codification	10,000	\$3,466	7,077	70.77%	2,923
Employee Recognition	11,000	\$0	0	0.00%	11,000
Insurance	23,000	\$4,118	8,236	35.81%	14,764
Christmas Decorations	10,000	\$0	0	0.00%	10,000
Economic Development	5,000	\$0	898	17.96%	4,102
Strategic Plan	20,000	\$0	5,000	25.00%	15,000
Armory Expenses	12,000	\$1,428	2,884	24.03%	9,116
Total Council	\$389,425	\$15,940	\$111,482	28.63%	277,943
Finance					
Personnel	405,510	\$29,934	73,932	18.23%	331,578
O&M	84,650	\$4,548	21,549	25.46%	63,101
Capital	0	\$0	0		0
Total Finance	\$490,160	\$34,482	\$95,481	19.48%	394,679
Information Technology					
Personnel	157,195	\$24,219	33,602	21.38%	123,593
O&M	187,950	\$26,547	34,940	18.59%	153,010
Capital	63,000	\$34,975	52,127	82.74%	10,873
Total Information Technology	\$408,145	\$85,741	\$120,669	29.57%	287,476

EXPENDITURE REPORT**Page Four**

Date: September 2017

25% of Year Expended

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	YTD%	UNEXPENDED BALANCE
Police Department					
Personnel	4,025,455	\$297,295	813,157	20.20%	3,212,298
O&M	497,700	\$52,529	123,566	24.83%	374,134
Capital	83,340	\$12,959	79,247	95.09%	4,093
Total Police	\$4,606,495	\$362,783	\$1,015,970	22.06%	3,590,525
Streets & Grounds Division					
Personnel	381,565	\$24,852	70,744	18.54%	310,821
O&M	397,345	\$25,671	75,643	19.04%	321,702
Capital	538,000	\$0	0	0.00%	538,000
Total Streets & Grounds	\$1,316,910	\$50,523	\$146,387	11.12%	1,170,523
Parks & Recreation					
Personnel	642,235	\$55,230	168,814	26.29%	473,421
O&M	284,900	\$17,477	67,446	23.67%	217,454
Capital	115,000	\$0	0	0.00%	115,000
Total Parks & Recreation	\$1,042,135	\$72,707	\$236,260	22.67%	805,875
Total General Fund					
Operating Budget	\$9,323,375	\$695,350	\$1,948,334	20.90%	7,375,041

EXPENDITURE REPORT

Page Five

Date: September 2017

25% of Year Expended

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	YTD%	UNEXPENDED BALANCE
Water Division					
Personnel	287,840	\$19,886	57,040	19.82%	230,800
O&M	1,186,575	\$96,606	271,655	22.89%	914,920
Capital	535,320	\$0	0	0.00%	535,320
Debt Service	724,765	\$61,500	79,039	10.91%	645,726
Total Water	\$2,734,500	\$177,992	\$407,734	14.91%	2,326,766
Sewer Division					
Personnel	287,840	\$20,128	57,377	19.93%	230,463
O&M	1,177,425	\$83,247	260,845	22.15%	916,580
Capital	384,015	\$0	0	0.00%	384,015
Debt Service	658,720	\$0	326,485	49.56%	332,235
Sewer Sub Total	\$2,508,000	\$103,375	\$644,707	25.71%	1,863,293
Kent County Sewer	1,850,000	\$140,874	475,832	25.72%	1,374,168
Total Sewer	\$4,358,000	\$244,249	\$1,120,539	25.71%	3,237,461
Solid Waste Division					
Personnel	344,810	\$22,752	80,477	23.34%	264,333
O&M	803,655	\$60,136	213,972	26.62%	589,683
Capital	236,350	\$0	0	0.00%	236,350
Total Solid Waste	\$1,384,815	\$82,888	\$294,449	21.26%	1,090,366
Total Water, Sewer Solid Waste	\$8,477,315	\$505,129	\$1,822,722	21.50%	6,654,593
Electric Division					
Personnel	1,240,350	\$96,815	270,131	21.78%	970,219
O&M	2,061,020	\$143,356	370,488	17.98%	1,690,532
Transfer to General Fund	2,500,000	\$208,333	625,000	25.00%	1,875,000
Capital	721,665	\$7,715	23,851	3.30%	697,814
Debt Service	192,965	\$0	0	0.00%	192,965
Electric Sub Total	\$6,716,000	\$456,219	\$1,289,470	19.20%	5,426,530
Power Purchased	18,300,000	\$1,394,049	4,723,966	25.81%	13,576,034
Total Electric	\$25,016,000	\$1,850,268	\$6,013,436	24.04%	19,002,564
TOTAL OPERATING BUDGET	\$42,816,690	\$3,050,747	\$9,784,492	22.85%	33,032,198

INTERSERVICE DEPARTMENTS REPORT

Page Six

Date: September 2017

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	25% of Year Expended YTD%	UNEXPENDED BALANCE
Garage					
Personnel	92,590	7,026	19,721	21.30%	72,869
O&M	77,855	5,991	16,092	20.67%	61,763
Capital	0		0		0
Total Garage Expense	\$170,445	13,017	\$35,813	21.01%	134,632
Public Works					
Personnel	428,039	29,971	76,720	17.92%	351,319
O&M	168,161	1,485	51,973	30.91%	116,188
Capital	11,100	0	10,122	91.19%	978
Total Public Works Expense	\$607,300	31,456	\$138,815	22.86%	468,485
Billing & Collections					
Personnel	554,850	38,408	118,442	21.35%	436,408
O&M	221,975	14,940	48,396	21.80%	173,579
Capital	0		0		0
Total Billing & Collections	\$776,825	53,348	\$166,838	21.48%	609,987
City Hall Cost Allocation					
Personnel	0		0		0
O&M	42,600	2,738	10,363	24.33%	32,237
Capital	0		0		0
Total City Hall Cost Allocation	\$42,600	2,738	\$10,363	24.33%	32,237

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.

November 9, 2017

TO: Mayor and City Council
FROM: Eric Norenberg
SUBJECT: Job Classification and Compensation Study

Overview and Background

It has been approximately 10 years since the City of Milford has done a job classification and compensation study for general employee positions. A compensation study was done in 2016 for the sworn police officers and sergeants in conjunction with union negotiations. During the FY 2016-17 budget process a classification and compensation study for our general employees was budgeted to be sure that we were staying competitive in the market place. Through an RFP process, Paypoint HR was selected and work began in early-2017.

Dr. Rick Campbell and Ms. Karen Campbell from Paypoint HR have worked with every department to update job descriptions in order to ensure that each position is accurately described in order to make appropriate compensation comparisons. On October 9, Paypoint HR presented their research and general findings for the City's Job Classification and Compensation Study. The report includes recommendations for an updated pay grade chart so that City of Milford positions are competitive in the market place, to retain our workforce and to be attractive for future recruitments. In addition, Paypoint HR has made other recommendations for improving human resources practices and employee compensation.

Discussion

Paypoint HR's report, details recommendations in several key areas and the team has provided the City with several deliverables. Following is a list of each of those key recommendations and next steps for implementation, as well as the deliverables and how they will be used:

- **Updated Job Descriptions:** Job descriptions have been updated by Paypoint HR, in consultation with City department heads, supervisors and human resources staff. Once the study is accepted by the City, job descriptions will be posted on the City website, so that current and prospective employees can review their job descriptions and assigned pay grades (see next item). As many of the job descriptions have changed (and a few titles), HR staff and supervisors will meet with everyone to review the updated versions. Paypoint HR will provide the City with the tools to use in reviewing new or changed positions in the future, so that the continued administration of our job descriptions and classification plan is consistent.
- **Updated Pay Grades:** The report provided to City Council shows the new pay grades (salary schedule) on page 45 of their report. This chart, and an example shown on Exhibit A, will also be added to the City's website so potential candidates know the range of pay for a position that they might be interested in applying for. In the future, Paypoint HR recommends that the pay grades be adjusted based on the CPI annually. The study found that most positions are at or possibly slightly above the market average, in particular those in the Teamsters and IBEW

bargaining units (as the City Council will recall, early results from this study were presented in late-spring that resulted in the successful negotiation of the IBEW collective bargaining agreement that was approved by City Council in June). The recommendation is to adjust salaries of positions not yet at the market average (see fiscal impact below).

- Merit Pay and Special Recognition: Paypoint HR recommends moving away from standard, across the board pay adjustments to a system that is based on a combination of cost of living adjustments and merit pay. As a result, staff will be recommending changes to the personnel ordinance in the coming weeks. Staff feel these changes will motivate our current high performers, while giving extra motivation to those employees who may not feel inspired by a pay structure that rewards every employee with the same pay increase each year.
- Restructured Performance Appraisal System: Paypoint HR recommends employees have a more active role in performance evaluations than in the past. This could initially involve a self-assessment and in the future the use of a 360-degree performance appraisal for all positions. In addition, with the completion of the Strategic Plan, individual goals and objectives will be linked to division and department goals that are then linked to strategic goals set by City Council.

Next Steps

Once the study is accepted by City Council and authorization is given to the City Manager and Police Chief to proceed with implementation, the following activities will take place in the coming weeks:

- Rollout and Implementation: The results of the study will need to be presented to each employee. This will include a review of their updated job description, along with any position title changes or pay grade modification that has been as a result of the study.
- Public Posting: The new pay grades and job descriptions will be posted to the City's website, so that it is easily accessible to all staff and prospective employees.

Fiscal Impact

Over the past few weeks, we have looked at a variety of options and financial scenarios related to implementing the recommendations to adjust the compensation of the positions that the study identified were below the market. Keeping in mind that many of our employees are at the market level and will need no adjustment, and that the collective bargaining agreements for Police Officers and Sergeants (approved last year) and for unionized electric employees (approved earlier this fiscal year) brought those employees to market rates, the Finance Director, Human Resources Administrator and I sought to find a way to responsibly bring these remaining employees up to the market. Our goal was to be able to make the adjustments for below market employees (identified in the Paypoint HR study) and associated benefit-related costs with no adverse impact on the budget or on revenue sources.

Several scenarios were modeled, including:

- Making adjustments retroactive to July 1, 2017
- Making mid-year adjustments at various implementation dates,
- Making 50% adjustments for supervisory and management employees this year and 50% next fiscal year, etc.

Concurrently, we identified savings in both the general fund departments and enterprise fund operations that can offset the cost of additional compensation. As we are partially through the fiscal year, the impact will be less than the impact of making the change for the full year. However, once

implemented, these adjustments will carry on into the full fiscal year starting in July 2018. Accordingly, any savings that were identified had to be ongoing, not one-time savings or one-time revenues.

The result is the scenario shown on Exhibit B that will not result in the need for a revenue increase.

Alternatives

1. Set competitive compensation target to less than Market Average: Paypoint HR and staff agree that in order to attract and retain a quality workforce, we should aim to compensate our employees at the market average. Choosing to be at less than the market average would reduce the fiscal impact of the recommendations now and in the future. During the course of the study, scenarios were modeled that would result in financial savings and reduce the number of positions to be adjusted. However, choosing those options would likely result in reduced morale, increased turn over and difficulty in attracting or promoting into key positions. This alternative is not recommended.
2. Delay implementation of compensation adjustments: The scenario that is modeled and recommended in Exhibit B would implement changes in mid-November. City Council could choose to delay implementation. Each month of delayed implementation would reduce the fiscal impact by approximately \$19,000.

Recommendation

It is recommended that the City Council authorize implementation of the recommendations of the Paypoint HR Job Classification and Compensation Study, including the compensation adjustments.

Exhibit A

Pay Grades Proposed by Paypoint HR 2017 JC&CS - Final Draft Rev E

Grade	Title	Grade	Title
G01	Maintenance Custodial Technician	G08	Code Enforcement Official II
G01	Refuse Collector	G08	IT Technician (P/T)
		G08	Park Superintendent
		G08	Recreation Superintendent
G02	Office Associate I (P/T)	G08	Water Treatment Operator
		G09	Building Code Official
G03	Customer Service Clerk	G09	Code Enforcement Official I
G03	Police Dispatcher (P/T)	G09	Head Mechanic
		G09	Warehouse Coordinator
G04	Billing Clerk	G10	Assistant Supervisor, Solid Waste & Facilities
G04	Parks & Recreation Coordinator	G10	Assistant Supervisor, Streets & Utilities
G04	Police Dispatcher (FT)	G10	Assistant Supervisor, Water & Wastewater Plants
G04	Sanitation Driver	G10	Customer Service Supervisor
		G10	Electric Lead Line Technician
		G10	Electric Operations Supervisor
G05	Water & Wastewater Technician		
G05	Administrative Assistant (Parks & Rec)	G12	Accountant
G05	Administrative Assistant (Police)	G12	City Engineer
G05	Administrative Assistant (Public Works)	G12	Electric Line Supervisor
G05	Permit Technician	G12	Police Lieutenant
G05	Equipment Operator	G12	Public Service Superintendent
G05	GIS Technician		
G05	Police Records Clerk	G13	Human Resources Administrator
		G13	Information Technology Administrator
		G13	Parks & Recreation Director
G06	Account Payable Coordinator	G14	Electric Superintendent
G06	Wastewater Technician	G14	Planning & Economic Development Director
G06	Terminal Agency Coord/Evidence Custodian	G14	Police Captain
G07	Parks & Recreation Supervisor		
G07	Payroll Coordinator	G15	Finance Director
G07	Utility Crew Leader	G15	Public Works Director

Exhibit B

Department/Division	Option #3 Budget Expense for Sal Adj. Nov. 13, 2017-June 30, 2018 (16.5 Bi-Wkly Pay Periods)
FINANCE / ADMIN	\$19,309
PARKS & REC	\$7,277
PLANNING & ZONING	\$4,476
POLICE	\$25,603
STREETS	\$13,714
General Fund Total	\$72,379
Benefits @ 27%	\$19,542
General Fund Grand Total Expense:	\$91,921
PUBLIC WORKS-OPERATIONS	\$3,594
GARAGE	\$7,509
SOLID WASTE	\$8,974
WATER	\$9,400
WASTEWATER	\$9,400
ELECTRIC	\$19,803
Enterprise Fund Total	\$58,680
Benefits @ 27%	\$15,843
Enterprise Grand Total Expense:	\$74,523
Total Budget Expense for Salary Adj.	\$131,058
Total Benefits	\$35,386
All Funds Grand Total Expense:	\$163,904

A person's hands are shown holding a pen and pointing at a tablet. The image is overlaid with various digital graphics, including a network of white dots connected by thin lines, several circular patterns resembling ripples or sound waves, and abstract geometric shapes. The background is a blurred office setting with a laptop and papers.

SIZING UP

THE GOVERNMENT WORKFORCE

A look at key local government findings from SLGE's 2017 survey

By Joshua Franzel and Gerald Young

In mid-2017, local government employment totaled 14,455,000 people, up 127,000 from the same time in 2016.¹ To gauge the variety of changes this workforce has experi-

enced, the Center for State and Local Government Excellence (SLGE) surveyed members of the International Public Management Association for Human Resources and the National Association

of State Personnel Executives, as part of SLGE's ongoing, annual survey series.²

The survey covers a range of topics, from core workforce changes to recruitment and retention efforts to compensa-

tion and benefit changes, among other related subjects. This article discusses key findings of the 2017 survey from 230 respondents who are local government human resource professionals.

Workforce Changes

When surveyed in early 2017, 72 percent of local government respondents indicated that over the past year their government had hired employees and 46 percent hired contract or temporary employees (see Figure 1).

Regarding existing employees, 33 percent of respondents' governments had implemented broad-based pay increases over the past year, and 24 percent offered increases more narrowly for specific positions. Of responding HR officials, 24 percent noted that their government's retirement-eligible employees were delaying retirement, and 16 percent noted that employees were accelerating their anticipated retirement dates.

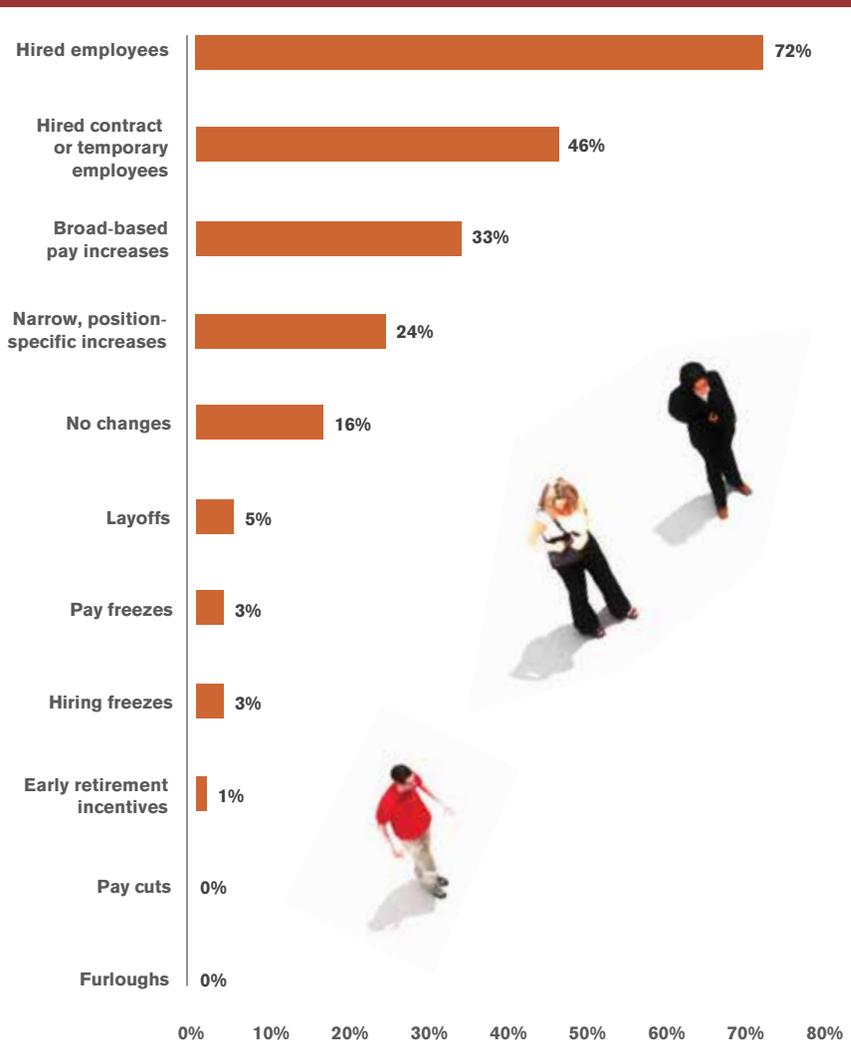
While the percentage of jurisdictions hiring was down slightly compared to a similar survey of local government human resource professionals over the past couple of years—in 2016, 77 percent hired employees and in 2015, 74 percent did so—it is above the rate that reported hiring employees in 2014 (67 percent).

Also, such negative workforce changes as hiring freezes, furloughs, and early retirement incentive programs have all been declining, consistently, year over year, from 2014 to 2017, with other such related changes as pay freezes, layoffs, and pay cuts also being in a general decline over this same period.

Recruitment and Retention

Overall, 68 percent of local government respondents believed the wage compensation offered by their governments was competitive with the labor market, and 93 percent indicated the same for benefit compensation. It is important to note that 52 percent of local government workers have a college degree or higher,³ in a labor market with an unemployment rate for those with this level of education at 2.4 percent.⁴

FIGURE 1: Local Government Workforce Changes Over the Past Year, 2017.



Source: 2017 Workforce Survey, Center for State and Local Government Excellence – Local Government Respondents.

With this noted, the top positions that local governments continue to have a hard time filling are police officers, information technology professionals, engineers, utility workers, medical professionals, and skilled tradespeople. The top general skill sets needed for new hires were interpersonal, written communications, and technology.

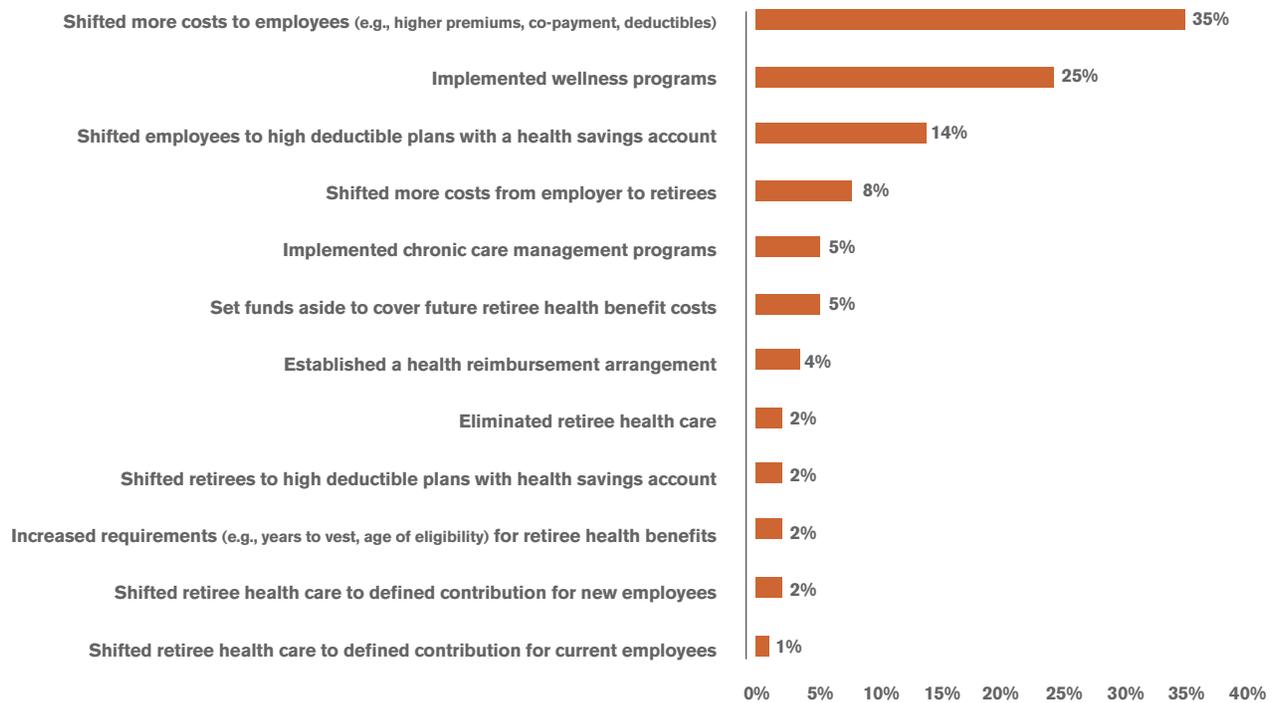
Local government respondents indicated that the most effective recruitment approaches they used were online job advertising, posting on government websites, employee referrals, and social media. From previous SLGE research, the adoption and implementation of flexible work practices was found to

assist local governments in recruiting.⁵ In 2017, 54 percent of local government respondents indicated that their government offered flexible scheduling (e.g., 4 days, 10 hours), and 41 percent offered flexible work hours, while a third (33 percent) did not have flexible work practices.

Compensation and Benefits

Over the past year, 17 percent of local governments made changes to employee retirement benefits. The most common changes were increasing employee and employer contributions for both current and new employees, making new hires' pension eligibility requirements more

FIGURE 2: Local Government Health Benefit Changes, Among Those Making Changes Over the Past Year, 2017.



Source: 2017 Workforce Survey, Center for State and Local Government Excellence – Local Government Respondents. Note: Percentages shown are of respondents who indicated their government made changes (50 percent of the total respondents).

OVERALL, 68 PERCENT OF LOCAL GOVERNMENT RESPONDENTS BELIEVED THE WAGE COMPENSATION OFFERED BY THEIR GOVERNMENTS WAS COMPETITIVE WITH THE LABOR MARKET AND 93 PERCENT INDICATED THE SAME FOR BENEFIT COMPENSATION.

stringent, and decreasing new hires' pension benefits.

Half of all local governments (50 percent) made changes to health benefits over the past year. Shifting costs from the employer to employee in the form of higher premiums, copayments, and deductibles was the most common change, followed by the implementation of wellness programs, and shifting employees to high-deductible plans with a health savings account (see Figure 2).

Looking Forward

When local government human resource directors were asked about what

workforce issues face their organizations, they responded that these were the most important:

- Recruitment and retention of qualified personnel with needed skills for public service (91 percent).
- Leadership development (75 percent).
- Staff development (75 percent).
- Retaining staff needed for core services (74 percent).
- Workforce succession planning (71 percent).

Not among the top responses by respondents but still noteworthy as

potential indicators of emerging concerns: automation, millennial engagement, paid family leave, and pensions and other post-employment benefits. **PM**

ENDNOTES AND RESOURCES:

- 1 Bureau of Labor Statistics, Current Employment Statistics survey (National), June 2017 (preliminary) – June 2016.
- 2 SLGE online survey conducted March 31–April 29, 2017.
- 3 U.S. Census Bureau, Current Population Survey, 2016. By contrast, only 32 percent of private sector workers have a bachelor's degree of higher.
- 4 Bureau of Labor Statistics, Table A–4. Employment status of the civilian population 25 years and over by educational attainment, June 2017.
- 5 Center for State and Local Government Excellence and Local Government Research Collaborative, *Local Government Workforce of Tomorrow*, 2015.



JOSHUA FRANZEL is president and chief executive officer, and **GERALD YOUNG** is senior research associate, Center for State and Local Government Excellence, Washington, D.C. (jfranzel@slge.org; gyoung@slge.org).

City of Milford



PROCLAMATION 2017-28 *Small Business Saturday*

WHEREAS,

The Mayor and Council of the City of Milford celebrate our local small businesses and the contributions they make to our local economy and community; and

According to the United States Small Business Administration, there are currently 28.8 million small businesses in the United States; and

Small businesses represent 99.7 percent of all businesses with employees in the United States and are responsible for 63 percent of net new jobs created over the past 20 years, and

Small businesses employ 48 percent of the employees in the private sector in the United States; and

On average, 33 percent of consumers' holiday shopping will be done at small, independently-owned retailers and restaurants; and

Of all consumers, 91 percent believe that supporting small, independently-owned restaurants and pubs is important and 76 percent plan to go to one or more small businesses as part of their holiday shopping; and

The City of Milford supports local businesses that create jobs, boost our local economy and preserve our neighborhoods; and

Advocacy groups, as well as public and private organizations across the country, have endorsed the Saturday after Thanksgiving as Small Business Saturday.

NOW, THEREFORE, I, Bryan W. Shupe, Mayor of the City of Milford, do hereby proclaim, November 25, 2017, as

SMALL BUSINESS SATURDAY

and urge the residents of this community to support small businesses and merchants on Small Business Saturday and throughout the year.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City to be affixed hereto this 11th day of November 2017.

Mayor Bryan W. Shupe

Attest:

City Clerk Teresa K. Hudson

City of Milford



PROCLAMATION 2017-30 *Veterans Appreciation Day*

WHEREAS,

Our Great Nation was founded on the belief that all Americans are created equal, and are guaranteed the inalienable rights of life, liberty, and the pursuit of happiness; and

Our Nation's Veterans have sacrificed to preserve and protect our Country and Constitution from all enemies foreign and domestic; and

November 11, 1919, was initially proclaimed as "Armistice Day" to honor our Country's World War I Veterans, and in order for a grateful Nation to pay homage to Veterans of all wars; and

On June 1, 1954, Dwight Eisenhower the 34th President of the United States, signed into law the renaming of Armistice Day to Veterans Day; and

The quality of life we enjoy today was purchased at great cost by the unselfish devotion of these Veterans, as many of our soldiers lost their lives during wars to defend our freedom, and some are still missing in action; and

The City of Milford recognizes the contributions of all men and women in the military who have served our Country, and who continue to serve their Communities today.

NOW, THEREFORE, I, Bryan W. Shupe, Mayor of the City of Milford, hereby proclaim Saturday, November 11, 2017 as

VETERANS APPRECIATION DAY

in the City of Milford, and urge all citizens to honor the sacrifices of the loyal and courageous Veterans who have given so much for the cause of peace by taking a moment to kindly acknowledge them.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City to be affixed hereto this 11th day of November 2017.

Mayor Bryan W. Shupe

Attest:

City Clerk Teresa K. Hudson



PUBLIC WORKS DEPARTMENT
180 Vickers Drive
Milford, DE 19963

PHONE 302.422.1110
FAX 302.422.1117
www.cityofmilford.com

To: Eric Norenberg, City Manager
From: Mark A. Whitfield, Public Works Director
Subject: Pothole Patcher Purchase
Date: November 7, 2017

The Public Works Department requests City Council consider a recommendation to purchase a trailer mounted pothole patcher to be used by the Street and Utility Division. The pothole patcher will be used for the permanent patching of street, alley, and parking lot potholes.

The filling of potholes is critical in reducing water intrusion into the subbase of the pavement structure. Water intrusion into the subbase during freeze-thaw cycles contributes to the premature failure of the pavement structure. Additionally, potholes can be a hazard to vehicles traversing the roadway, and expedient patching reduces the hazard potential. The proposed unit uses an emulsion that creates a permanent patch, without the need to return and re-patch with a "hot mix" of asphalt.

The Street and Utility Division staff has evaluated the proposed unit, and viewing demonstrations as well as checking various references, staff recommends Durapatcher Trailer Mounted Patcher, Model 125DJT be purchased from Cimline Pavement Maintenance Group-Duraco/Cimline for \$60,000, which is the same amount authorized by Council in the 2018 Budget. The purchase can be made through the HGACBuy Purchasing Agreement (Contract #SW10-16) through the Delaware State Contract.

Specifications for the pothole patcher trailer unit are attached.

Staff requests City Council consider the purchase of the Durapatcher, and recommends authorizing the purchase of the unit through HGACBuy to City Council.



DURAPATCHER



- Easy 4 step process
- Low Maintenance
- Ergonomic No-stress Boom
- Vent-Flo Nozzle

The Spray Patching Process- The spray patcher removes the pothole in one quick and cost effective 4 step process.

1. Clean the area with compressed air.
2. Apply an emulsion tack coat.
3. Fill the hole with coated aggregate.
4. Cover with dry aggregate so traffic can resume immediately.



Low Maintenance/Hi-Performance-

The DuraPatcher air-driven system utilizes virtually no moving parts in the delivery system. No augers, conveyors or other wear parts are required making it the most reliable in the industry. Aggregate is gravity fed from the tow vehicle completing the worry-free package. The system will deliver aggregate up to 2.5 inches in diameter without plugging or adjustment.

Ergonomic No-stress Boom- The 3 piece boom design provides the ultimate in support for the operator moving the delivery hose. The boom/slide system easily moves throughout the entire 18 foot working radius allowing for smooth patching anywhere in the work zone.

Vent-Flo Nozzle- The specially designed Vent-Flo nozzle properly coats the aggregate with the right amount of emulsion regardless of aggregate size. The mix is applied at an angle to the repair allowing maximum placement and best operator safety. The vent holes diffuse/slow down the air stream to minimize rock overspray and maximize placement into the repair.

Heated Emulsion Tank- The emulsion tank provides enough product to apply over 10 tons of patch before refilling. The heating blankets allow the patcher to be plugged in to keep emulsion at a "ready-to-go" temperature.



Vent-Flo Nozzle with optional heater



Gravity feed delivery



Ergonomic No-Stress Boom



Over night heating system.

Other Patching Products from CPMG



DuraTruck



DuraMaxx



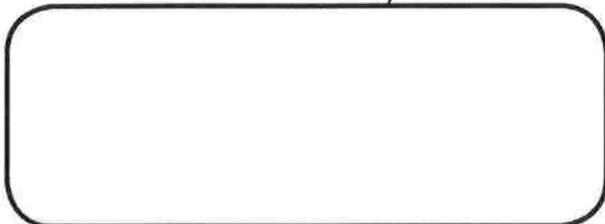
DuraTank

SPECIFICATIONS

Emulsion Capacity (US gallons):	250
Aggregate Capacity:	N/A
Engine:	74HP IT4 Diesel
Heating Method (overnight):	Electric Blanket
Heat Rating (watts):	2 x 1500 W
Tank Insulation:	R 15
Blower:	450 CFM at 1500 RPM, 10 PSI
GVWR (lbs):	10,400
GAWR (lbs):	2 x 6000
Axle/Suspension:	2 (leaf spring)
Brake Type:	Electric
Clean Out:	15 gallons
Fuel Capacity:	18 gallons
Trailer Construction:	2" x 6" x 1/4" rectangular tube
Drain Valve:	3 in.
Temperature Gauge:	5 in.
Dimensions (l x w x h):	194" x 96" x 91"
Shipping Weight (lbs):	5,560
Warranty:	Two Year Limited

Due to continuous improvement, specifications are subject to change without notice.

Distributed By:



FULL PRODUCT LINE





PUBLIC WORKS DEPARTMENT
180 Vickers Drive
Milford, DE 19963

PHONE 302.422.1110
FAX 302.422.1117
www.cityofmilford.com

To: Eric Norenberg, City Manager
From: Mark A. Whitfield, Public Works Director
Subject: Electric Division Service Bucket Truck Replacement
Date: October 18, 2017

Staff requests City Council consider a recommendation to replace the existing 2008 Ford X56 Service Bucket truck (Unit E-112) used by the Electric Division with a 2017 Terex Hi-Ranger LT40 Articulating/Telescoping Aerial Service Bucket Truck. The existing bucket truck has 78,839 miles, and is 10 years old. Ten years is the recommended standard replacement term for bucket trucks, based on annual dielectric testing performed on all bucket trucks within the Electric Division's fleet.

The purchase of this truck will be made through the NJPA Purchasing Agreement through the Delaware State Contract. Specifications for the 2017 Terex Hi-Ranger LT40 Aerial are attached. The Electric Division budgeted \$175,000.00 for the purchase of this unit, and the NJPA final cost is \$131,844.00.

Staff requests City Council consider the replacement of the service bucket truck, and recommends authorizing the purchase of the new unit through the NJPA National Contract.



TEREX[®]

CUSTOMER ORDER ACKNOWLEDGEMENT

Terex Utilities, Inc. - 200 Eden Way - White House, TN 37188 - Phone: 605-882-4000 - Fax: 605-882-1842

Date: **8/10/2017**

Quote Number: QU08903

City Of Milford
180 Vicker Drive
Milford, DE 19963

Attention: Richard Carmean

NJPA Baseline Price: \$95,437

NJPA Open Market Items: \$36,407

Grand Total Each: \$131,844

*Plus all applicable taxes and license fees. Chassis payment is due upon chassis receipt at our facility.

Quote is valid for 30 days. Please ensure the accuracy of the specifications and drawings you provide. Changes made after receipt of order may incur additional charges. If you are trading equipment in, you warrant that: You have good title to the trade-in; it is free of all liens and encumbrances; all information you have provided related to the trade-in is true and correct.

Notes:

- 1) Delivery Terms are: FCA, Shipping Point Delivery Prepaid and Included.
- 2) Terms: Net 30 days
- 3) Delivery days from receipt of order shall be

Buyer hereby submits its offer to purchase the Products in this Quotation, subject to acceptance by Seller. Buyer has read and agrees to all of Seller's attached Terms and Conditions of Sale. Please fax completed form to 605-882-5595 or transmit it to your Account Manager.

Terex Utilities Inc.

Accepted By: _____

Sales Coordinator

PO Number: _____

Account Manager

Quantity: _____

Grand Total: _____

Date: _____

TERMS & CONDITIONS OF SALE
TEREX SOUTH DAKOTA, INC./TEREX UTILITIES, INC.
U.S. and CANADA (except Quebec)

1. Terms and Conditions. These Terms and Conditions of Sale cancel and supersede any and all terms of sale pertaining to Parts and Equipment (and any supplements thereto) previously issued by Seller to Buyer and are subject to change without advance notice. "Seller" herein shall be the seller identified in the Sales Order Acknowledgement or other applicable sales documents. The prices, charges, discounts, terms of sale and other provisions referred to or contained herein shall apply to Seller's Parts and Equipment (hereinafter collectively referred to as "Products") sold and shipped to Buyer on and after August 1, 2016, and shall remain in effect unless and until superseded in writing by Seller. Acceptance of an order for Products by Seller shall be deemed to constitute a binding agreement between the parties pursuant to the terms and conditions contained herein and Buyer agrees that the order may not thereafter be cancelled, countermanded or otherwise changed without the prior consent of Seller. This agreement supersedes any prior agreements, representations, or other communications between the parties relating to the subject matter set forth herein. No other terms and conditions shall apply including the terms of any purchase order submitted to Seller by Buyer, whether or not such terms are inconsistent or conflict with or are in addition to the terms and conditions set forth herein. Seller's acceptance of Buyer's purchase order is conditional upon Buyer's acceptance of all the terms and conditions contained herein. Any communication construed as an offer by Seller and acceptance thereof is expressly limited to the terms and conditions set forth herein. The Products are intended for industrial/commercial use by professional contractors and their trained employees and are not intended for use by consumers.

2. Terms of Payments. Payment for Products purchased by Buyer shall be made in accordance with any of the following terms, provided they have been previously arranged with and expressly approved by Seller in writing: (1) cash in advance; (2) confirmed, irrevocable letter of credit established in such amount and form and at such time and at such bank as shall be approved by Seller in respect of each order; (3) credit account purchases for which payment will be due and payable on net thirty (30) day terms, plus service and other charges applicable to past due amounts in accordance with Seller's written notices; or (4) other payment arrangements expressly approved by Seller in writing prior to or at the time the order is placed. If any Buyer credit account purchase is not paid in accordance with Seller's credit payment terms, in addition to any other remedies allowed in equity or by law, Seller may refuse to make further shipments without advance payment by Buyer. Nothing contained herein shall be construed as requiring Seller to sell any Products to Buyer on credit terms at any time, or prohibiting Seller from making any and all credit decisions which it, in its sole discretion, deems appropriate for Seller. Seller shall have the right, at its option, to charge interest on all amounts not paid when due and Buyer agrees to pay such interest calculated on a daily basis, from the date that payment was due until the Seller receives payment in full, at the rate of 1.5% per month or the maximum rate permitted by applicable law. Unless otherwise agreed in writing between Seller and Buyer, Seller may, in its sole discretion, increase or decrease the price of any Product, as Seller deems reasonably necessary, at any time prior to shipment and invoice Buyer for the same. If Buyer orders the chassis through Seller, the chassis payment is due upon receipt of chassis by Seller and the balance owed for the completed unit is due in accordance with agreed upon payment terms. When supplied by Buyer, Seller will inspect the chassis upon receipt and will notify Buyer of any chassis mounted components (including but not limited to fuel tanks, air tanks, battery boxes and exhaust systems) that require relocation. Buyer will be invoiced for such work upon completion of the finished Equipment.

3. Taxes and Duties. Unless otherwise noted, prices quoted do not include taxes or duties of any kind or nature. Buyer agrees that it will be responsible for filing all tax returns and paying applicable tax, duty, export preparation charge and export documentation charge resulting from the purchase of the Products. In addition, in the event any other similar tax is determined to apply to Buyer's purchase of the Products from Seller, Buyer agrees to indemnify and hold Seller harmless from and against any and all such other similar taxes, duties and fees. All prices quoted are U.S. dollars unless otherwise specified. The amount of any present or future taxes applicable to the sale, transfer, lease or use of the Products shall be paid by Buyer; or in lieu thereof, Buyer shall provide Seller with a tax exemption certificate satisfactory to the applicable taxing authority proving that no such tax is due and payable upon such sale, transfer, lease or use.

4. Title, Property, Risk and Delivery. Unless otherwise stated in writing, for all intra-continental United States shipments, all prices and delivery are FCA, point of manufacture (Incoterms 2010); for all other shipments, all prices and delivery are FAS, named port of shipment (Incoterms 2010). Title and all risk of loss or damage to Products shall pass to Buyer upon delivery, as per Incoterms 2010. Any claims for loss, damage or delay in transit must be entered and prosecuted by the Buyer directly with the carrier, who is hereby declared to be the agent of the Buyer. Seller shall not be liable for any delay in performance of this agreement or delivery of the Products, or for any damages suffered by Buyer by reason of delay, when the delay is caused, directly or indirectly, by a force majeure event described in Section 20 herein or any other cause beyond Seller's control. Claims for shortages in shipments shall be deemed waived and released by Buyer unless made in writing within five (5) days after Buyer's receipt of shipment. Seller's responsibility for shipment shall cease upon delivery of the Products to the place of shipment, and all claims occurring thereafter shall be made to or against the carrier by Buyer. Delivery shall generally be 240 to 270 days after receipt by Seller of a signed Order, provided that, where applicable: (1) Seller receives the chassis a minimum of 90 days prior to scheduled delivery, (2) drawings are timely sent by Buyer and the approved drawings are returned to Seller by Buyer by the requested date, (3) all vendor-supplied components and Buyer-supplied accessories are received by Seller by the date necessary to comply with scheduled delivery. Seller shall not be liable for any delay in performance of this agreement or delivery of the Products, or for any damages suffered by Buyer by reason of delay, when the

delay is caused, directly or indirectly, by a force majeure event described in Section 20 herein or any other cause beyond Seller's control. Claims for shortages in shipments shall be deemed waived and released by Buyer unless made in writing within fifteen (15) days after Buyer's receipt of shipment. Seller's responsibility for shipment shall cease upon delivery of the Parts and or Equipment to the place of shipment, and all claims occurring thereafter shall be made to or against the carrier by Buyer.

5. Delays Caused By Buyer. In the event of a delay in shipment or delivery due to delay by Buyer in furnishing delivery instructions, arranging a method of payment satisfactory to Seller, submitting valid import permits or licenses, or any other delay caused by Buyer or at Buyer's request, if the Products are not shipped or delivered within five (5) days from the first date they are ready to be shipped or delivered, then Seller shall be entitled to charge, as compensation, any additional costs incurred related to such delay. If the Products are not shipped or delivered by the date which is ten (10) days from the first date they are ready to be shipped or delivered, then Buyer's order shall be deemed cancelled and Seller may, in its sole discretion, sell such Products to another buyer without any liability or responsibility to Buyer whatsoever. Seller shall have the right to keep payments on account already received from Buyer, and the difference between the sales price (increased by any other and all further costs, including but not limited to attorney's fees and expenses, storage and other costs, and interest accrued thereon) and the price received from another buyer shall constitute a debt of Buyer and bear interest at the same rate set forth in Section 2 herein. Seller shall be entitled to claim for any further damages suffered as a consequence of Buyer's breach of its obligations hereunder.

6. Cancellation. Prior to delivery to place of shipment, a Product order may be cancelled only with Seller's prior consent and upon terms indemnifying Seller from all resulting losses and damages. Seller shall have the right to cancel and refuse to complete a Product order if any term and/or condition governing this agreement is not complied with by Buyer. In the event of cancellation by Seller, or in the event Seller consents to a request by Buyer to stop work or to cancel the whole or any part of any order, Buyer shall, in the event that Seller asks Buyer to do so, make reimbursement to Seller, as follows: (i) any and all work that can be completed within thirty (30) days from date of notification to stop work on account of cancellation shall be completed, shipped and paid in full; and (ii) for work in progress and any materials and supplies procured or for which definite commitments have been made by Seller in connection with the order, Buyer shall pay such sums as may be required to fully compensate Seller for actual costs incurred, plus fifteen percent (15%). Buyer may not cancel any order after Seller's delivery to place of shipment. Orders for "Special" Equipment may not be cancelled after acceptance, except by Seller. Items of "Special" Equipment are those that differ from standard Seller specifications, have a limited market, or incorporate specifications that have been determined for a specific application. Determination of whether an item of Equipment is "Special" shall be made by Seller in its sole discretion.

7. Inspection and Acceptance. Buyer agrees that it shall inspect the Products immediately after receipt and promptly (in no event later than fifteen (15) days after receipt) notify Seller in writing of any non-conformity or defect. Buyer further agrees that failure to give such prompt notice or the commercial use of the Products shall constitute acceptance. Acceptance shall be final and Buyer waives the right to revoke acceptance for any reason, whether or not known by Buyer at the time of such acceptance. The giving of any such notice by Buyer shall automatically cause the provisions of Seller's warranty to apply and govern the rights, obligations and liabilities of the parties with respect to such nonconformity or defect, provided under no circumstances shall rejection give rise to any liability of Seller for incidental or consequential damages or losses of any kind. Seller shall not be bound by any agent's, employee's or any other representation, promise or inducement not set forth herein. Seller's catalogues, technical circulars, price lists, illustrations, drawings and any other similar literature are for Buyer's general guidance only and the particulars contained in them shall not constitute representations by Seller and Seller shall not be bound by them.

8. Warranty for New Products. Seller warrants its new Equipment and Parts manufactured and sold worldwide, to be free, under normal use and service, of any defects in material or workmanship for a period of twelve (12) months from the date of delivery (as limited by Seller's Limited Product Warranty); provided that Buyer sends Seller written notice of the defect within thirty (30) days of its discovery and establishes that: (i) the Equipment has been operated and maintained in strict compliance with Seller's operating and maintenance manuals ; and (ii) the defect did not result in any manner from the intentional or negligent action or inaction of Buyer, its agents or employees and (2) a new machine registration certificate has been completed, signed and delivered to the Seller within thirty (30) days of the Equipment's "in-service" date. If requested by Seller, Buyer must return any defective Product to Seller's manufacturing facility, or other location designated by Seller, for inspection, and if Buyer cannot establish that conditions (i) and (ii) above have been met, then this warranty shall not cover the alleged defect. Failure to give written notice of defect within such period shall be a waiver of this warranty and any assistance rendered thereafter shall not extend or revive it. Accessories, assemblies and components included in the Products of Seller, which are not manufactured by Seller, are subject to the warranty of their respective manufacturers. This warranty shall not cover any item on which serial numbers have been altered, defaced or removed. Maintenance and wear parts are not covered by this warranty and are the sole maintenance responsibility of Buyer. This warranty is limited to the original purchaser or end-user if sold to a distributor, and is not assignable or otherwise transferable without written agreement of Seller. **THIS WARRANTY IS EXPRESSLY IN LIEU OF AND EXCLUDES ALL OTHER WARRANTIES, EXPRESS OR IMPLIED (INCLUDING THE WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE) AND ALL OTHER OBLIGATIONS OR LIABILITY ON SELLER'S PART. THERE ARE NO WARRANTIES THAT EXTEND BEYOND THE LIMITED WARRANTY CONTAINED HEREIN.** Seller neither assumes nor authorizes any other person to assume for Seller any other liability in connection with the sale of Seller's Products. This warranty shall not apply to any of Seller's Products or any part thereof which has been subject to misuse, alteration, abuse,

negligence, accident, acts of God or sabotage. No action by either party shall operate to extend or revive this limited warranty without prior written consent of Seller.

9. Warranty for Used Equipment. Used Equipment sold hereunder is sold on an “AS IS, WHERE IS, WITH ALL FAULTS” BASIS WITH NO WARRANTIES WHATSOEVER, EXCEPT AS TO TITLE, UNLESS OTHERWISE SPECIFICALLY AGREED IN WRITING BY BUYER AND SELLER. SELLER ASSUMES NO RESPONSIBILITY FOR THE CONDITION, SAFETY, LEGAL COMPLIANCE, OR USABILITY OF THE USED EQUIPMENT AND MAKES NO REPRESENTATION OR WARRANTY, EXPRESS OR IMPLIED, WITH RESPECT TO THE USED EQUIPMENT INCLUDING, WITHOUT LIMITATION, ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. SELLER MAKES NO REPRESENTATION OR WARRANTY REGARDING THE CONDITION OF THE USED EQUIPMENT, NOR THE SUFFICIENCY OF ANY WARNINGS, INSTRUCTIONS OR MANUALS PROVIDED WITH THE USED EQUIPMENT. Seller recommends and Buyer acknowledges that Buyer should contact the original manufacturer to obtain all available information for the used Equipment, including but not limited to product manuals, warnings, safety bulletins, recall notices, and instructional placards before using the used Equipment. Seller shall not be responsible for providing such information. Buyer agrees not to assert any claims against Seller with respect to the used Equipment or its use. Buyer agrees that it shall inspect the used Equipment prior to issuance of a purchase order for such Equipment and acknowledges that it is not relying upon any photographs, images, videos, representations, statements or other assertions made by Seller with respect to the used Equipment’s condition, but is relying upon its own knowledge and/or inspection of the used Equipment.

10. Remedies for Breach. IN THE EVENT OF ANY BREACH OF THE WARRANTY BY SELLER, THE PARTIES AGREE THAT SELLER’S LIABILITY SHALL BE LIMITED EXCLUSIVELY TO THE REMEDIES OF REPAIR OR REPLACEMENT (AT SELLER’S SOLE DISCRETION) OF ANY DEFECTIVE EQUIPMENT COVERED BY THE WARRANTY. In no event shall any repair or replacement of any defective equipment covered by the Seller’s warranty extend the length of the warranty beyond the period specified in Section 8 herein.

11. Limitation of Liability. NOTWITHSTANDING ANYTHING CONTAINED IN THIS AGREEMENT TO THE CONTRARY, SELLER AND ITS AFFILIATES SHALL NOT BE LIABLE FOR, AND SPECIFICALLY DISCLAIM, ANY LIABILITY FOR ANY: (A) LOST PROFITS AND/OR BUSINESS INTERRUPTION (WHETHER DIRECT OR INDIRECT); AND (B) INDIRECT, INCIDENTAL, CONSEQUENTIAL (WHETHER DIRECT OR INDIRECT) OR OTHER DAMAGES OR LOSSES OF ANY KIND WHATSOEVER, including, without limitation, labor costs, lost profits, loss of use of other equipment, third party repairs, personal injury, emotional or mental distress, improper performance or work, penalties of any kind, loss of service of personnel, or failure of Products to comply with any federal, state, provincial or local laws, regardless of whether arising from a breach of contract, or warranty, legal claims or otherwise. **Nothing in this Section shall operate to exclude Seller’s liability for death or personal injury when directly related to Seller’s negligent act or omission.**

12. Limitation of Actions. Any action for breach of this agreement must be commenced within one (1) year after the cause of action has accrued.

13. Specification Changes. In the event Seller incurs additional expense because of changes in specifications or drawings previously approved by Buyer, or in the event Seller is required to modify the ordered Equipment, perform any additional work or supply any additional Products, the additional expense shall be added to the purchase price. Buyer must submit to Seller a revised purchase order specifying any and all requested changes. Upon receipt of Buyer’s revised purchase order, Seller shall have the right, in its sole discretion, to accept or reject any changes in specifications requested by Buyer.

14. Trade-in Offers. Trade-in offers are subject to Seller’s inspection and acceptance of the equipment, which must have been maintained to U.S. Department of Transportation operating and safety standards. All accessories on the equipment, including without limitation jibs, winches, pintle hooks and trailer connectors, must remain with the equipment unless otherwise agreed by Seller and Buyer in writing. Seller reserves the right to cancel any trade-in offers or agreements if these conditions are not met, or if Buyer has misrepresented any information about the trade-in unit.

15. Insurance. Until the purchase price of any Products is paid in full, the Buyer shall provide and maintain insurance equal to the total value of the Equipment delivered hereunder against customary casualties and risks; including, but not limited to fire and explosion, and shall also insure against liability for accidents and injuries to the public or to employees, in the names of Seller and Buyer as their interest may appear, and in an amount satisfactory to Seller. If the Buyer fails to provide such insurance, it then becomes the Buyer’s responsibility to notify the Seller so that the Seller may provide same; and the cost thereof shall be added to the contract price. All loss resulting from the failure to affect such insurance shall be assumed by the Buyer.

16. Patents, Copyrights, Trademarks, Confidentiality. No license or other rights under any patents, copyrights or trademarks owned or controlled by Seller or under which Seller is licensed are granted to Buyer or implied by the sale of Products hereunder. Buyer shall not identify as genuine products of Seller products purchased hereunder which Buyer has treated, modified or altered in any way, nor shall Buyer use Seller’s trademarks to identify such products; provided, however, that Buyer may identify such products as utilizing, containing or having been manufactured from genuine products of Seller as treated, modified or altered by Buyer or Buyer’s representative, upon prior written approval of Seller. All plans,

photographs, designs, drawings, blueprints, manuals, specifications and other documents relating to the business of Seller ("Information") shall be and remain the exclusive property of Seller and shall be treated by Buyer as confidential information and not disclosed, given, loaned, exhibited, sold or transferred to any third party without Seller's prior written approval; provided, however, that these restrictions shall not apply to Information that Buyer can demonstrate: (a) at the time of disclosure, is generally known to the public other than as a result of a breach of this Agreement by Buyer; or (b) is already in Buyer's possession at the time of disclosure by from a third party having a right to impart such Information.

17. Default and Seller's Remedies. In the event of default by Buyer, all unpaid sums and installments owed to Seller, shall, at Seller's sole option, become immediately due and payable without notice of any kind to Buyer. In addition to its right of acceleration, Seller may pursue any and all remedies allowed by law or in equity, including but not limited to any and all remedies available to it under the Delaware Uniform Commercial Code. In addition to the foregoing, and not in limitation thereof, Seller shall have the right to set off any credits or amounts owed to Buyer against any amounts owed by Buyer to Seller.

18. Indemnification by Buyer. Buyer hereby agrees to indemnify, release, defend and hold harmless Seller, its directors, officers, employees, agents, representatives, successors, and assigns against any and all suits, actions or proceedings at law or in equity (including the costs, expenses and reasonable attorney's fees incurred in connection with the defense of any such matter) and from any and all claims demands, losses, judgments, damages, costs, expenses or liabilities, to any person whatsoever (including Buyer's and Seller's employees or any third party), or damage to any property (including Buyer's property) arising out of or in any way connected with the performance or the furnishing of Products under this agreement, regardless of whether any act, omission, negligence (including any act, omission or negligence, relating to the manufacture, design, repair, erection, service or installation of or warnings made or lack thereof with respect to any Products furnished hereunder) of Seller, its directors, officers, employees, agents, representatives, successors or assigns caused or contributed thereto. If Buyer fails to fulfill any of its obligations under this paragraph or this agreement, Buyer agrees to pay Seller all costs, expenses and attorney's fees incurred by Seller to establish or enforce Seller's rights. The provisions of this paragraph are in addition to any other rights or obligations set forth in this agreement.

19. Installation. Unless otherwise expressly agreed in writing, Buyer shall be solely responsible for the installation and erection of the Products purchased. Although Seller may in some cases provide a serviceman, data and drawings to aid Buyer with installation or start-up, Seller assumes no responsibility for proper installation or support of any Products when installed and disclaims any express or implied warranties with respect to such installation and support. Notwithstanding whether data and drawings are provided or a serviceman aids in the installation, Buyer shall indemnify and hold Seller harmless and at Seller's request, defend Seller from all claims, demands or legal proceedings (including the costs, expenses and reasonable attorney's fees incurred in connection with the defense of any such matter) which may be made or brought against Seller in connection with damage or personal injury arising out of said installation or start-up.

20. Force Majeure. Seller shall not be liable to Buyer or be deemed to be in breach of this agreement by reason of any delay in performing, or any failure to perform, any of Seller's obligations in relation to the Products if the delay or failure was due to any cause beyond the reasonable control of Seller including (without limitation) strike, lockout, riot, civil commotion, fire, accident, explosion, tempest, act of God, war, epidemic, stoppage of transport, terrorist activity, supply shortage or changes in government, governmental agency, laws, regulations or administrative practices.

21. Anti-Corruption; Export Controls; No Boycotts. Buyer agrees that it shall, and that any party retained by the Buyer ("Retained Party") shall, comply with all applicable laws including, but not limited to, laws prohibiting public corruption and commercial bribery. Buyer further agrees that it shall, and that any Retained Party shall, comply with all applicable export controls, economic sanctions, embargoes and regulations regarding the export, re-export, shipment, distribution and/or sale of the Products, technology, information or warranty related services. Buyer further agrees that it shall comply with applicable laws pursuant to the Joint Comprehensive Plan of Action (JCPOA) of July 14, 2015 and any other applicable laws, resolutions, regulations or licenses for the export or re-export of Products, technology, information or warranty related services directly, or with its knowledge indirectly into Iran. Buyer further agrees that it shall not, and any Retained Party shall not, export or re-export the Products, technology, information or warranty related services directly, or with its knowledge, indirectly, into Sudan. Buyer further agrees that it shall not, and any Retained Party shall not, export or re-export the Products, technology, information or warranty related services directly or with its knowledge indirectly into Cuba without Buyer first obtaining written approval from Seller. Failure to comply strictly with this section and all applicable laws, regulations and licensing/approval requirements shall be grounds for immediate termination of this agreement by Seller. Notwithstanding anything to the contrary contained in any agreement between the Buyer and Seller or in any other document or agreement relating to the Products sold hereunder, Seller will not comply with requests related to the boycott of any country or other jurisdiction, except to the extent such boycott is required by or otherwise not inconsistent with United States law.

22. Telematics. If a telematics system is included with the Equipment, the telematics system is administered by a third party ("Teleservice Provider") and collects a range of operational data about the Equipment including, but not limited to, usage, performance and reliability. Buyer consents to Seller's obtaining such data from the Teleservice Provider for warranty, product improvement and customer support purposes

23. Construction and Severability. These Terms and Conditions of Sale constitute the entire agreement between the parties regarding the subject matter hereof and shall be construed and enforced in accordance with the laws of England. The United Nations Convention on Contracts for the International Sale of Goods (1980) (CISG) shall not apply. The invalidity or unenforceability of any provisions of this agreement shall not affect any other provision and this agreement shall be construed in all respects as if such invalid or unenforceable provision were omitted. In the event of any conflict between the English version of this agreement and its translated version, the English version shall control.

24. Jurisdiction. The parties agree that the proper and exclusive forum and venue in all legal actions brought to enforce or construe any provisions herein shall be in United States District Court, District of Delaware or, if federal jurisdiction is lacking in such action, in New Castle County Superior Court in Delaware.

25. No Assignment. No rights arising under this agreement may be assigned by the Buyer unless expressly agreed to in writing by the Seller.

26. No Set-off. Buyer shall have no right to set-off any amounts it may owe Seller against amounts Seller may owe Buyer under this or any other agreement between Buyer and Seller.

27. Miscellaneous. Buyer represents that: (i) it is solvent and has the financial ability to pay for the Equipment and Parts purchased hereunder and (ii) it has all requisite right, power and authority to perform its obligations under this agreement.

Buyer's Initials: _____



Terex Utilities, Inc.
500 Oakwood Rd, Watertown, SD 57201
Phone: 605-882-4000 Fax: 605-882-1842

08/10/2017

CITY OF MILFORD

180 VICKERS DRIVE
MILFORD, DE 19963
Attention: RICHARD CARMEAN

Phone: (302)242-8518

Qty. Description

UNIT

- 1 One (1) new Terex Hi-Ranger LT40 Articulating / Telescoping Aerial Device providing a working height of 45.6 ft (13.8 m) with a end mount platform.
Unit will be mounted behind the cab.

Design Criteria:

* Design criteria is in accordance with current industry and engineering standards applicable and accepted for structural and hydraulic design.

Lower Controls:

* Individual control levers are located in an accessible location on the turntable.

Lower Boom:

* Filament wound high strength fiberglass insert providing an insulation gap.

Upper Boom:

* Filament wound high strength fiberglass boom providing an insulation gap.

Rotation:

* Self-locking worm gear rotation drive is provided and equipped with bi-directional motor.

Continuous Unrestricted Rotation:

* A hydraulic rotary manifold provides a rotating oil distribution system for continuous and unrestricted rotation.

* A 4 channel electric collector ring is provided as standard.

Aerial device is designed as a Category C machine in accordance and is dielectrically tested and rated for operation on systems up to 46 Kv phase to phase per ANSI/SIA A92.2-2015

Hydraulic System:

* Full pressure open center hydraulic system.

* Hydraulic hoses are equipped with permanent type fittings.

Miscellaneous:

* All metallic components of the complete aerial device are powder coat white.

* The fiberglass upper boom, boom inserts, platforms and covers are white.

Qty. Description

- * Two complete manuals providing operation and maintenance procedures and a replacement parts listing.
- * Warning decals provided with unit.

- 1 Pedestal.
- 1 8-Gallon Hydraulic Oil Reservoir.
 - * A 8 gallon hydraulic oil reservoir mounted on the side of tower with sight and temperature gauge.
 - * Return filter and oil eyes.
 - * A ball type shut off valve.
- 1 A boom rest with a ratchet type tie down strap is provided.
- 1 Platform 24" x 30" x 42", End Mounted.
 - * Includes one (1) outside access step with slip-resistant surface.
 - * A safety harness with lanyard is provided.
 - * A Padded saddle rest provides platform support during road travel.
- 1 Insulated Platform Liner with Step for 24" x 30" x 42" Platform:
 - * Tested at 50 KV AC.
- 1 Scuff Pad with Step to fit inside of a platform liner for a 24" x 30" Platform:
 - * Non-skid standing surface.
- 1 Vinyl Foam Filled Platform Cover For 24" x 30" Platform:
 - * Water resistance with internal elastic cord around edge.
- 1 Auxiliary Pump:
 - * Allow the operation of any function for a time period limited by the battery life.
 - *Includes 12 volt electric motor for use on a 12 volt chassis.
 - Note: This includes a switch for activation at pedestal for electric or air function.
- 1 Boom Tip with 4 Function Controls and Platform Rotator:
 - Upper Controls: "Control-Plus" single stick controller.
 - * Enable lever must be actuated before operation.
 - * Rated capacity of 350 lbs.

Hydraulic Platform Rotator For End Mount Platform.

Hydraulic Platform Tilt is provided at platform and lower controls.

Engine Stop/Start controlled at platform and lower controls.

Hydraulic Tool Outlets At Platform.
- 1 Mounting Kit:
 - * Behind cab mount for use with torsion bars.
- 1 Pump for systems requiring 3 to 5 gallons per minute:
 - *Provides 3 gpm at 725 engine rpm and 5 gpm at 1150 engine rpm with a 88% pto.

Qty. Description

- 1 Terex Chassis Controller (DTS50) 12 volt:
 *Provides Inputs and Outputs indication for trouble shooting.
 *LED indicators to show when active.
 *Recommended for all Class 5 Chassis types.
 *Controller programmable for communication with different Chassis manufacturers.

- 1 Lower Boom Material Handling Lift Eye:
 * Maximum capacity of 1000 lbs.

BODY, INSTALLATION
**** BODY INFORMATION ****

- 1 Steel line body per the supplied specifications.
- 1 Install Aerial Device Behind Cab And Install All Associated Components:
 * Final test and inspect completed unit including stability and dielectric testing per manufacturers requirements and ANSI/SIA A92.2-2015.
- 1 Hose and fittings to connect the hydraulic system from the oil reservoir to the pump and unit.
- 1 Platform rest, bottom base
- 1 Chassis Spring Additions:
 * Build up left rear chassis springs to level vehicle.
- 1 Power take off with indicator light for automatic transmission.
- 1 DOT Inspection.
- 1 Set chassis parameters.
- 1 Back-up alarm to sound when the vehicle is shifted into reverse.
- 2 Rubber wheel chocks with eye bolt.
- 1 Wilton #676 - 6" vise.
- 1 Vise bracket that fits vertical in a pocket, removable.
 Installed at rear tailshelf area - 2in receiver.
- 1 Cone holder bracket, hoop shape type to be welded on a front bumper.
- 1 Grab handles as necessary for 3-point contact.
- 2 Cable type gripstrut stirrup step.
 One (1) each side at rear.

Qty. Description

- 9 Drop-in composite board retainer at rear body, 6" tall.
Tailboards at rear.
- 2 Mud flap with no logo 18" tall.
Note: Trim As-Required.
- 1 Under body mounting kit for a pair of mud flaps.
- 1 Bracket for storing grounding cable.
- 1 2/0 Black Electrical Cable used for grounding per ASTM F855-04:
* 50' of multi-strand flexible copper cable, three grounding lugs, two ferrules and grounding clamp.
* Three point grounding system for grounding vehicle during work operations.
* Cable must be fully removed from bracket before use.
NOTE! Purchaser to verify this meets their company's requirements for fault current.
- 1 Floor mounted boom rest for LT series.
* consists of 105227 and 102658
- 1 Peterson LED 9-lamp DOT Lighting Package:
* Complies with FMVSS 108.
* Includes required lights, junction box and wiring harness.
* Note: Back-up lights are incandescent.
- 1 Lighted license plate bracket kit with incandescent light.
- 1 Dimensions 3000N inverter, 3000W continuous, 120VAC, Up to 25A.
- 1 Inverter Spacer Tube
- 1 Power strip with eight (8) outlets.
PN 65366232
- 2 Amber strobe light (LED) with 4" tall & 6" dia. lens, and branch guard.
- 1 Whelen 4 corner LED, Amber Strobe Light Kit with 4" grommets.
*Wired into On/Off switch in cab.
- 1 Whelen 2 corner LED, Amber Strobe Light Kit with 4" grommets.
*Wired into On/Off switch in cab.

One (1) each side.
- 2 Strobe mounting bracket located on turntable on the LT series.

Qty. Description

- 4 Truck-Lite 8150 - Round Work Light, LED.
Two (2) each side.

- 3 Three (3) LED Betts Spotlights.

- 1 LED light installed in cab roof
*To be Interior cab light
*To be mounted in the ceiling between the drivers and passenger seats

- 1 Tekonsha Voyager electric brake control.

- 1 Remote engine stop/start control from rear of vehicle.

- 1 BH82000 Combination Pintle Hook And 2" Ball:
* Safety chain eyes.
"Pintle hook brackets and attachment methods are designed to meet the associated pintle hook ratings. They are not designed for recovery purposes. If recovery attachments are required, please order the appropriate tow eyes."

- 1 ICC rear bumper.

- 2 Recovery tow eye, 29,000#.

- 1 6-prong trailer socket.

- 1 Timbren rubber stabilizers installed on axle.

- 1 Torsion bar stabilizer for rear axle.

- 1 Exhaust extension for light duty chassis.

- 15 Fill with Hydraulic oil for general purpose use.
* Refer to the product maintenance manual for specific type to be used.

- 1 Safety Kit consists of the following:
*10-lb ABC fire extinguisher with the use of 0092099 bracket.
*James King triangle reflector kit.

- 1 Paint line body one color up to 156".
*Note - Paint under carriage black.

White to match chassis.

- 1 Paint body floor with non-skid paint.

- 3 Paint box/basket one color.

Qty. Description

1 Paint inside body compartments with speckled paint.

1 Undercoat body.

CHASSIS

** CHASSIS INFORMATION **

1 2018 Ford F550 4x4 chassis per the supplied specifications.

SPECIAL CHARGES

1 Delivery to Customer.

OPTIONS:

ADD

1. Federal Excise Tax will be added if certificate is not supplied with order.
2. The following items must be considered by the purchaser if not already included:
Back-up Alarm \$150.00; Strobe Light \$525.00; Wheel Chocks \$110.00;
Outrigger Pads \$200.00 to \$650.00 (based on pad size & type); Truck Grounding Cable \$550.00;
Barricade Kit \$895.00; Hydraulic Over Load Protection (derrick only, price will vary
based on final option selection); Boom / Boom Stow Interlock \$700.00; Engine Stop / Start
\$200.00 to \$795.00 (based on unit model); Auxiliary Let Down \$1500.00; and Platform
Liner \$380.00 to \$625.00 (based on platform size).
3. Terex Utilities, Inc. strongly recommends all installation accessories be located up front in
front in the quote or secondarily on the approved engineering drawing. Any accessories located
or relocated during manufacturing may be subject to additional charges.
4. Terex Utilities, Inc. - Assembly in Watertown, South Dakota is ISO 9001:2000 Certified.

B&G Bodies Inc. 132" line body 40 inches high X 94 inches wide.

18 Inch compartment depth.

58 Inch bed area.

24 Inch top of floor to top of body.

18 Inch horizontal compartment height.

12 Ga. Treadplate wheel wells.

16 Ga. body materials.

12 Ga. treadplate floor.

12 Ga. treadplate compartment tops.

Stainless Steel Automotive rotary type door latches.

Stainless steel rod and socket type door hinges.

Chain stops on all doors.

Double Panel Body Doors.

Rubber rolled crown type fenders. **(Ship Loose - With Cutouts)**

Master door lock system.

VISTA LED Rope light compartment lights in all body compartments with Weather Pack Connectors.

*Does not include Boxes or Tailshelf Compartments

Rope Lights Ship Loose.

Automotive Bulb Type Weatherstripping. **(Ship Loose)**

Front bulk head Installed

One (1) Square fuel filler cutout in rear Streetside fender panel

Two (2) Jiffy clips installed on both sides of cutouts

Mud Flap brackets -Terex PN65325255 installed

Two (2) - 3/4" Light holes cut out at front of body - One each side

Streetside Compartmentation:

1st Vertical:

30 Inches wide with Three (3) adjustable shelves each with 5 adjustable dividers.

2nd Vertical:

24 Inches wide with Three (3) adjustable shelves each with 5 adjustable dividers.

Horizontal:

54 Inch open compartment.

Rear Vertical:

24 Inches wide with Two (2) adjustable shelves each with 4 adjustable dividers.

Hotstick Shelf:

132 Inches long streetside with rear dropdown access door.

Curbside Compartmentation:

1st Vertical:

30 Inches wide with One (1) Adjustable shelf with 5 adjustable dividers.

One (1) Fixed shelf.

Compartment to be Vented.

2nd Vertical:

24 Inches wide with Three (3) adjustable shelves each with 5 adjustable dividers.

Horizontal:

54 Inch open compartment.

Eight (8) Adjustable dividers installed in compartment bottom.

Rear Vertical:

24 Inches wide with Five (5) fixed/adjustable material hooks 1-3-1.

Frame Installation:

Install Customer Supplied LT Insert in Frame and Floor.

- * Grounding Plate installed at rear of body.
- * Five (5) - 1/4" - 20 Jiffy Clips installed on front flat evenly spaced for tying wires.
- * Hydraulic tube 22" Long x 3/8" Dia.

Tailshelf:

Treadplate tailshelf 30 inches long X 94 inches wide x 6 inches high with thru compartment with dropdown access doors on streetside and curbside.

* Bottom of compartment to be Expanded metal.

Full side and rear skirts to bottom of body.

7-Lamp light bar installed at rear.

Bumper:

Recessed Angled 2-section bumper 10" long with gripstrut top.

Wheel Chock Storage:

Two built into body wheelwells curbside.

Grab Handles:

One (1) - 96388 grab handle and One (1) - 86012 Low Profile grab handle

Ladder Storage: (Ship Loose)

Enclosed ladder box 132" long X 22" high X 8.5" wide with rear roller and chain retainer.

* Must supply sizes

Top Mounted Box: (Ship Loose)

One (1) - 108" long X 18" high X 18" wide with top opening treadplate access lid.

- * Lift-up handle installed on front edge of box lid.
- * Equipped with Slam-action paddle type door latch and chain stops
- * Automotive Bulb Type weatherstrip installed around top opening - Ship Loose
- * Box to be Vented
- * Box to be Plywood Lined.

Top Mounted Box: (Ship Loose)

One (1) - 132" long X 18" high X 18" wide with Three (3) side Lift-up access doors.

Gas Cylinder type door holders on lift up doors.

- * Box to be Vented
- * Box to be Plywood Lined.

Chainsaw Box: (Ship Loose)

One (1) - 18" long X 12" high X 24" wide with top opening treadplate access lid.

- * Lift-up handle installed on front edge of box lid.
- * Equipped with Slam-action paddle type door latch and chain stops
- * Automotive Bulb Type weatherstrip installed around top opening - Ship Loose
- * Box to be Vented

Punched Metal Basket: (Ship Loose)

One (1) - 132" long X 11.5" high X 8.5" wide.

Paint:

Prime Paint Complete.



Prostrollo Auto Plaza Co.
921 S. Washington Avenue, Madison, South Dakota,
57042
Office: 800-777-4146

Customer Proposal

Prepared for:

RYAN KLOOS
TEREX UTILITIES
500 OAKWOOD ROAD/ PO BOX 1150
WATERTOWN, SD 57201
Office: 605-882-4000
Fax: 605-882-1842
Email: Ryan.Kloos@terex.com

Prepared by:

KELLY RUTER
Office: 605-256-9111
Email: kelly@prostrollo.com

Date: 08/08/2017

Vehicle: 2017 F-550 Chassis XL
4x4 SD Super Cab 192" WB DRW

Quote ID: 18MILFORD4

VIN #: CITY OF MILFORD

STOCK #: ORDER-OUT





Selected Options

Code	Description
Base Vehicle	
X5H	Base Vehicle Price (X5H)
Packages	
660A	<p>Order Code 660A</p> <p><i>Includes:</i></p> <ul style="list-style-type: none"> - Engine: 6.8L 3-Valve SOHC EFI NA V10 - Transmission: TorqShift 6-Speed Automatic (6R140) Includes SelectShift. - 4.88 Axle Ratio - GVWR: 18,000 lbs Payload Package - Tires: 225/70Rx19.5G BSW AS - Wheels: 19.5" Argent Painted Steel Includes manual locking hubs. - HD Vinyl 40/20/40 Split Bench Seat Includes center armrest, cupholder, storage and driver's side manual lumbar. - Radio: AM/FM Stereo Includes 6 speakers.
Powertrain	
99T	<p>Engine: 6.7L 4V OHV Power Stroke V8 Turbo Diesel B20</p> <p><i>Includes split-shaft calibration compatibility.</i></p> <p><i>Includes:</i></p> <ul style="list-style-type: none"> - Dual 78-AH 750 CCA Batteries - 220 Amp Extra Heavy Duty Alternator
44W	<p>Transmission: TorqShift 6-Speed Automatic (6R140). Includes SelectShift, tow/haul mode and B20 capability.</p>
X8L	Limited Slip w/4.88 Axle Ratio
68M	<p>GVWR: 19,500 lb Payload Plus Upgrade Package</p> <p><i>Includes upgraded frame, rear-axle and low deflection/high capacity springs. Increases max RGAWR to 14, 706. NOTE: See Order Guide Supplemental Reference for further details on GVWR.</i></p>
Wheels & Tires	
TGB	<p>Tires: 225/70Rx19.5G BSW Max Traction</p> <p><i>Includes 4 traction tires on the rear and 2 traction tires on the front. Not recommended for over the road applications; could incur irregular front tire wear and/or NVH. Optional spare is 225/70Rx19.5G BSW traction.</i></p>
64Z	<p>Wheels: 19.5" Argent Painted Steel</p> <p><i>Includes manual locking hubs.</i></p>
Seats & Seat Trim	
4	<p>Cloth 40/Mini-Console/40 Front Seat</p> <p><i>Includes driver's side manual lumbar.</i></p>
Other Options	
PAINT	Monotone Paint Application
192WB	192" Wheelbase

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Selected Options (cont'd)

Code	Description
96V	<p>XL Value Package</p> <p><i>Includes:</i></p> <ul style="list-style-type: none"> - 4.2" Center-Stack Screen - Radio: AM/FM Stereo/Single-CD/MP3 Player <i>Includes auxiliary audio input jack and 6 speakers.</i> - Chrome Front Bumper - Steering Wheel-Mounted Cruise Control
90L	<p>Power Equipment Group</p> <p><i>Deletes passenger side lock cylinder. Includes upgraded door-trim panel.</i></p> <p><i>Includes:</i></p> <ul style="list-style-type: none"> - Accessory Delay - Trailer Tow Mirrors w/Power Heated Glass <i>Includes manual telescoping, heated convex spotter mirror and integrated clearance lamps/turn signals.</i> - MyKey <i>Includes owner controls feature.</i> - Perimeter Anti-Theft Alarm - Power Front & Rear Side Windows <i>Includes 1-touch up/down driver/passenger window.</i> - Power Locks - Remote Keyless Entry - SecurILock Passive Anti-Theft System (PATS)
67P	<p>Extra Heavy-Duty Front End Suspension - 7,500 GAWR</p> <p><i>Includes upgraded front axle and max 7,500 lbs. Front Springs/GAWR rating for configuration selected. Incomplete vehicle package - requires further manufacture and certification by a final stage manufacturer.</i></p>
41H	<p>Engine Block Heater (Regional)</p> <p>Standard in Alaska, Colorado, Iowa, Idaho, Maine, Michigan, Minnesota, Montana, North Dakota, New Hampshire, New York, South Dakota, Vermont, Wisconsin and Wyoming.</p>
62R	<p>Transmission Power Take-Off Provision</p> <p><i>Includes transmission mounted live drive and stationary mode PTO.</i></p>
18A	<p>Upfitter Interface Module</p>
67B_	<p>Dual Extra Heavy-Duty Alternators (Regional)</p> <p>Standard in Alaska, Colorado, Iowa, Idaho, Maine, Michigan, Minnesota, Montana, North Dakota, New Hampshire, New York, South Dakota, Vermont, Wisconsin and Wyoming.</p> <p><i>Total 377-Amps.</i></p>
18B	<p>Platform Running Boards</p>
41A	<p>Rapid-Heat Supplemental Cab Heater (Regional)</p> <p>Standard in Alaska, Colorado, Iowa, Idaho, Maine, Michigan, Minnesota, Montana, North Dakota, New Hampshire, New York, South Dakota, Vermont, Wisconsin and Wyoming with 6.7L Power Stroke Diesel engine (99T).</p>
585	<p>Radio: AM/FM Stereo/Single-CD/MP3 Player</p> <p><i>Includes auxiliary audio input jack and 6 speakers.</i></p>
91M	<p>SYNC Communications & Entertainment System</p> <p><i>Includes enhanced voice recognition with 911 Assist, 4.2" LCD center stack screen, AppLink and 1 smart-charging USB port and steering wheel audio controls.</i></p>

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Prostrollo Auto Plaza Co.
921 S. Washington Avenue, Madison, South Dakota,
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2017 F-550 Chassis, Super Cab
4x4 SD Super Cab 192" WB DRW XL(X5H)
Price Level: 730 Quote ID: 18MILFORD4
VIN: CITY OF MILFORD STOCK: ORDER-OUT

Selected Options (cont'd)

Code	Description
Fleet Options	
525_	Steering Wheel-Mounted Cruise Control
Emissions	
425	50-State Emissions System
Interior Colors	
4S_02	Medium Earth Gray
Primary Colors	
Z1_01	Oxford White

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Prepared for: RYAN KLOOS, TEREX UTILITIES
By: KELLY RUTER Date: 08/08/2017



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 921 S. Washington Avenue, Madison, South Dakota,
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2017 F-550 Chassis, Super Cab
 4x4 SD Super Cab 192" WB DRW XL(X5H)
 Price Level: 730 Quote ID: 18MILFORD4
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Warranty - Selected Equipment & Specs

Warranty

Basic

Distance 36000 miles Months 36 months

Powertrain

Distance 60000 miles Months 60 months

Corrosion Perforation

Distance Unlimited miles Months 60 months

Roadside Assistance

Distance 60000 miles Months 60 months

Diesel Engine

Distance 100000 miles Months 60 months

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Prepared for: RYAN KLOOS, TEREX UTILITIES
 By: KELLY RUTER Date: 08/08/2017



Selected Equipment & Specs

Dimensions

Cab to axle: 84.0" * Wheelbase: 192.0" * Front legroom: 43.9" * Rear legroom: 33.5" * Front headroom: 40.8" * Rear headroom: 40.3" * Front hiproom: 62.5" * Rear hiproom: 64.7" * Front shoulder room: 66.7" * Rear shoulder room: 65.8" * Passenger volume: 116.0cu.ft. * Cargo volume: 31.6cu.ft. * Maximum cargo volume: 31.6cu.ft.

Powertrain

Powerstroke 330hp 6.7L OHV 32 valve intercooled turbo V-8 engine with diesel direct injection * Recommended fuel : diesel * federal * TorqShift 6 speed automatic transmission with overdrive * Part-time * Limited slip differential * Fuel Economy Cty: N/A * Fuel Economy Highway: N/A * Transmission PTO provision

Suspension/Handling

Front Mono-beam non-independent suspension with anti-roll bar, HD shocks * Rear DANA 130 rigid axle leaf spring suspension with anti-roll bar, HD shocks * Firm ride Suspension * Hydraulic power-assist re-circulating ball Steering * Front and rear 19.5 x 6 argent steel wheels * LT225/70SR19.5 GBSW AT front and rear tires * Dual rear wheels

Body Exterior

4 doors * Reverse opening left rear passenger * Reverse opening right rear passenger * Driver and passenger power remote heated folding door mirrors with turn signal indicator * Turn signal indicator in mirrors * Black door mirrors * Chrome bumpers * Side steps * Trailer harness * Clearcoat paint * Front and rear 19.5 x 6 wheels

Convenience

Manual air conditioning with air filter * Supplemental heater * Cruise control with steering wheel controls * Power windows * Driver and passenger 1-touch up * Driver and passenger 1-touch down * Remote power door locks with 2 stage unlock and illuminated entry * Manual tilt steering wheel * Manual telescopic steering wheel * Day-night rearview mirror * 911 Assist emergency S.O.S * Wireless phone connectivity * AppLink smart device integration * 2 1st row LCD monitors * Front cupholders * Passenger visor mirror * Full overhead console * Driver and passenger door bins * Rear door bins

Seats and Trim

Seating capacity of 5 * Front bucket seats * 4-way driver seat adjustment * Manual driver lumbar support * 4-way passenger seat adjustment * 60-40 folding rear split-bench seat * Cloth seat upholstery

Entertainment Features

AM/FM stereo radio * SYNC external memory control * Steering wheel mounted radio controls * 6 speakers * Wireless streaming * Fixed antenna

Lighting, Visibility and Instrumentation

Halogen aero-composite headlights * Delay-off headlights * Fully automatic headlights * Variable intermittent front windshield wipers * Light tinted windows * Front reading lights * Tachometer * Compass * Outside temperature display * Trip computer * Trip odometer

Safety and Security

4-wheel ABS brakes * 4-wheel disc brakes * Driveline traction control * Dual front impact airbag supplemental restraint system with passenger cancel * Dual seat mounted side impact airbag supplemental restraint system * Safety Canopy System curtain 1st and 2nd row overhead airbag supplemental restraint system * Remote activated perimeter/approach lighting * Power remote door locks with 2 stage unlock and panic alarm * Security system with SecuriLock immobilizer * MyKey restricted driving mode * Manually adjustable front head restraints * 3 manually adjustable rear head restraints

Dimensions

General Weights

Curb	8332 lbs.	GVWR	19500 lbs.
Front GAWR	7500 lbs.	Rear GAWR	14706 lbs.
Payload	11230 lbs.	Front curb weight	4970 lbs.
Rear curb weight	3362 lbs.	Front axle capacity	7000 lbs.

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Selected Equipment & Specs (cont'd)

Rear axle capacity	14706 lbs.	Front spring rating	7500 lbs.
Rear spring rating	15000 lbs.	Front tire/wheel capacity	7500 lbs.
Rear tire/wheel capacity	15000 lbs.		

Trailer Type

Harness	Yes	Trailer sway control	Yes
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General Trailering

5th-wheel towing capacity	16600 lbs.	Towing capacity	16000 lbs.
GCWR	26000 lbs.		

Fuel Tank type

Capacity	40 gal.
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Interior cargo

Cargo volume	31.6 cu.ft.	Maximum cargo volume	31.6 cu.ft.
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Powertrain

Engine Type

Brand	Powerstroke	Block material	Iron
Cylinders	V-8	Head material	Aluminum
Ignition	Compression	Injection	Diesel direct injection
Liters	6.7L	Orientation	Longitudinal
Recommended fuel	Diesel	Valves per cylinder	4
Valvetrain	OHV	Forced induction	Intercooled turbo

Engine Spec

Bore	3.90"	Compression ratio	16.2:1
Displacement	406 cu.in.	Stroke	4.25"

Engine Power

Output	330 HP @ 2,600 RPM	Torque	750 ft.-lb @ 2,000 RPM
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Alternator

Type	Dual	Amps	220
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Battery

Amp hours	78	Cold cranking amps	750
Run down protection	Yes	Type	Dual

Engine Extras

Block heater	Yes
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Transmission

Electronic control	Yes	Lock-up	Yes
Overdrive	Yes	Speed	6
Type	Automatic		

Transmission Gear Ratios

1st	3.974	2nd	2.318
3rd	1.516	4th	1.149
5th	0.858	6th	0.674
Reverse Gear ratios	3.128		

Transmission Torque Converter

Stall ratio	1.90
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Selected Equipment & Specs (cont'd)

Transmission Extras

Driver selectable mode	Yes	Sequential shift control	SelectShift
PTO provision	Yes		

Drive Type

4wd type	Part-time	Type	Four-wheel
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Drive Feature

Limited slip differential	Mechanical	Traction control	Driveline
Power take-off provision	Yes	Locking hub control	Manual
Transfer case shift	Manual		

Drive Axle

Ratio	4.88
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Exhaust

Material	Stainless steel	System type	Single
----------------	-----------------	-------------------	--------

Emissions

CARB	Federal	EPA	Tier 2 Bin 8
------------	---------	-----------	--------------

fuel Economy

Fuel type	Diesel
-----------------	--------

Engine Retarder

Type	Yes
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Driveability

Brakes

ABS	4-wheel	ABS channels	3
Type	4-wheel disc	Vented discs	Front and rear

Suspension Control

Ride	Firm
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Front Suspension

Independence	Mono-beam non-independent	Anti-roll bar	Regular
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Front Spring

Type	Coil	Grade	HD
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Front Shocks

Type	HD
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Rear Suspension

Independence	DANA 130 rigid axle	Type	Leaf
Anti-roll bar	Regular		

Rear Spring

Type	Leaf	Grade	HD
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Rear Shocks

Type	HD
------------	----

Steering

Activation	Hydraulic power-assist	Type	Re-circulating ball
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Selected Equipment & Specs (cont'd)

Steering Specs

of wheels 2

Exterior

Front Wheels

Diameter 19.5" Width 6.00"

Rear Wheels

Diameter 19.5" Width 6.00"
 Dual Yes

Front and Rear Wheels

Appearance Argent Material Steel

Front Tires

Aspect 70	Diameter 19.5"
Sidewalls BSW	Speed S
Tread AT	Type LT
Width 225mm	LT load rating G
RPM 643	

Rear Tires

Aspect 70	Diameter 19.5"
Sidewalls BSW	Speed S
Tread AT	Type LT
Width 225mm	LT load rating G
RPM 643	

Wheels

Wheelbase 192.0"

Body Features

Front license plate bracket Yes	Front splash guards Yes
Body material Aluminum	Side impact beams Yes
Side steps Yes	

Body Doors

Door count 4	Left rear passenger Reverse opening
Right rear passenger Reverse opening	

Exterior Dimensions

Cab to axle 84.0"	Frame section modulus 17.2cu.in.
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Safety

Airbags

Driver front-impact Yes	Driver side-impact Seat mounted
Overhead Safety Canopy System curtain 1st and 2nd row	Passenger front-impact Cancellable
Passenger side-impact Seat mounted	

Seatbelt

Height adjustable Front

Security

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Selected Equipment & Specs (cont'd)

Immobilizer	SecuriLock	Panic alarm	Yes
Restricted driving mode	MyKey		

Seating

Passenger Capacity

Capacity	5
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Front Seats

Split	Buckets	Type	Bucket
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Driver Seat

Fore/aft	Manual	Reclining	Manual
Way direction control	4	Lumbar support	Manual

Passenger seat

Fore/aft	Manual	Reclining	Manual
Way direction control	4		

Front Head Restraint

Control	Manual	Type	Adjustable
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Rear Seats

Descriptor	Split-bench	Facing	Front
Folding	60-40	Folding position	Fold-up cushion
Type	Fixed		

Rear Head Restraints

Control	Manual	Type	Adjustable
Number	3		

Front Seat Trim

Material	Cloth	Back material	Cloth
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Rear Seat Trim Group

Material	Cloth	Back material	Carpet
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Convenience

AC And Heat Type

Air conditioning	Manual	Air filter	Yes
Underseat ducts	Yes	Supplemental heater	Yes

Audio System

Radio	AM/FM stereo	Radio grade	Regular
Seek-scan	Yes	External memory control	SYNC

Audio Speakers

Speaker type	Regular	Speakers	6
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Audio Controls

Steering wheel controls	Yes	Voice activation	Yes
Wireless streaming	Bluetooth yes		

Audio Antenna

Type	Fixed
------------	-------

LCD Monitors

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Selected Equipment & Specs (cont'd)

1st row	2	Primary monitor size (inches)	4.2
Cruise Control			
Cruise control	With steering wheel controls		
Convenience Features			
Retained accessory power	Yes	12V DC power outlet	2
Emergency S.O.S	911 Assist	Wireless phone connectivity	Bluetooth
Smart device integration	App link		
Door Lock Activation			
Type	Power with 2 stage unlock	Remote	Keyfob (front doors)
Integrated key/remote	Yes		
Instrumentation Type			
Display	Analog		
Instrumentation Gauges			
Tachometer	Yes	Engine temperature	Yes
Turbo/supercharger boost	Yes	Transmission fluid temp	Yes
Engine hour meter	Yes		
Instrumentation Warnings			
Oil pressure	Yes	Engine temperature	Yes
Battery	Yes	Lights on	Yes
Key	Yes	Low fuel	Yes
Door ajar	Yes	Service interval	Yes
Brake fluid	Yes		
Instrumentation Displays			
Clock	In-radio display	Compass	Yes
Exterior temp	Yes	Systems monitor	Yes
Instrumentation Feature			
Trip computer	Yes	Trip odometer	Yes
Steering Wheel Type			
Material	Urethane	Tilting	Manual
Telescoping	Manual		
Front Side Windows			
Window 1st row activation	Power		
Windows Rear Side			
2nd row activation	Power		
Window Features			
1-touch down	Driver and passenger	1-touch up	Driver and passenger
Tinted	Light		
Front Windshield			
Wiper	Variable intermittent		
Rear Windshield			
Window	Fixed		

Interior

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Selected Equipment & Specs (cont'd)

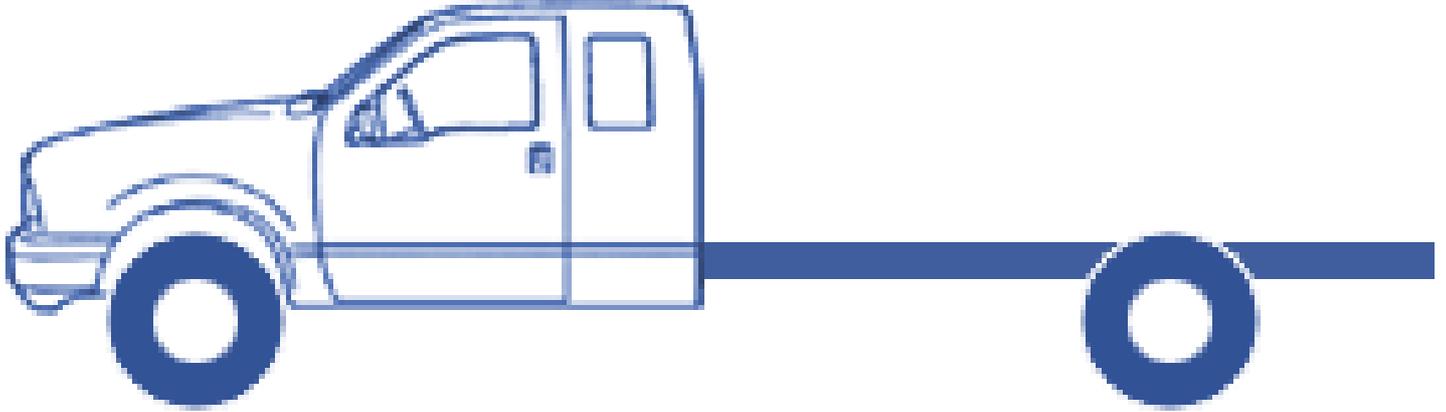
<i>Passenger Visor</i>			
Mirror	Yes		
<i>Rear View Mirror</i>			
Day-night	Yes		
<i>Headliner</i>			
Coverage	Full	Material	Cloth
<i>Floor Trim</i>			
Coverage	Full	Covering	Vinyl/rubber
<i>Trim Feature</i>			
Gear shift knob	Urethane	Interior accents	Chrome
<i>Lighting</i>			
Dome light type	Fade	Front reading	Yes
Illuminated entry	Yes	Variable IP lighting	Yes
<i>Floor Console Storage</i>			
Storage	Yes	Type	Partial
<i>Overhead Console Storage</i>			
Storage	Yes	Type	Full
<i>Storage</i>			
Driver door bin	Yes	Front Beverage holder(s)	Yes
Glove box	Locking	Passenger door bin	Yes
Illuminated	Yes	Instrument panel	Bin
Dashboard	Covered	Rear door bins	Yes
<i>Legroom</i>			
Front	43.9"	Rear	33.5"
<i>Headroom</i>			
Front	40.8"	Rear	40.3"
<i>Hip Room</i>			
Front	62.5"	Rear	64.7"
<i>Shoulder Room</i>			
Front	66.7"	Rear	65.8"
<i>Interior Volume</i>			
Passenger volume	116.0 cu.ft.		

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Performance

Performance predictions in this report represent an estimate of vehicle performance based on standard operating conditions. Variations in customer equipment, load configuration, ambient conditions, and/or operator driving techniques can cause significant variations in vehicle performance. These values are not representative of results that may be shown in actual dynamometer tests. This report should therefore be used as a guide for comparative vehicle performance.



Light Duty

GVW	Totals
1 Max Payload - (Max Payload)	9,737 lbs
Occupants Weight	900 lbs
Curb Weight (as configured)	8,337 lbs
TOTAL	18,974 lbs
GVWR	19,500 lbs

GCW	Totals
Adjusted Truck GVW	18,974 lbs
Weight of trailer	0 lbs
Weight of trailer cargo	0 lbs
Total Weight of trailer	0 lbs
TOTAL	18,974 lbs
GCWR	26,000 lbs

Highway use only. Ford Motor Company recommends that a separate, functional brake system be used on any towed vehicle or trailer.

Prices and content availability as shown are subject to change and should be treated as estimates only. Actual base vehicle, package and option pricing may vary from this estimate because of special local pricing, availability or pricing adjustments not reflected in the dealer's computer system. See salesperson for the most current information.



November 3, 2017

TO: Mayor and City Council
FROM: Eric Norenberg
SUBJECT: Options to Consider for City Council Rules of Procedure

Purpose

The purpose of this memo is to review options for City Council Rules of Procedures for meetings to be established by Resolution in the future. Direction from City Council is requested.

Background

One of the provisions in our updated Charter is: "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."

The Charter was amended to include the reference to City Council Rules due to the lack of written rules or procedures for this topic or, generally, for how the meeting functions. The Charter Review Committee agreed with the advice from the City Solicitor, that it would be better to have rules established separately by Resolution rather than embedded in the Charter. In addition, having written procedures for Councilmembers has been requested by newer City Councilmembers to help with orienting new members and to provide a guide for current members and the public.

As we consider options for City Council Rules of Procedure, requirements of FOIA, the Charter and other Delaware Code provisions must be considered. In addition, the City Council approved Public Hearing procedures in September that should be incorporated in the final Rules of Procedure. Feedback from City Council was requested in September so that draft written procedures can be developed that will make the process clear to both the public and City Council about how our meetings operates.

Discussion

One of the key changes to consider in drafting City Council Rules of Procedure will be whether to add opportunities for public comment. Cities historically accepted public comment, following reasonable procedures and guidelines, to ensure that all the people within their jurisdictions have the ability to actively engage with their local government.

To ensure that elected officials and staff are transparent in making public policy and serving the needs of our community, we should strive to eliminate the barriers to public involvement in decisions, programs, and services, particularly for people who have been historically disadvantaged.

Accordingly, I am seeking guidance from City Council regarding certain features of City Council Rules of Procedure before the document is finalized. During discussion of this item on the November 13 agenda, it would be helpful to gain consensus regarding the following please:

Should there be an opportunity for Public Comment during the following topics / sections of City Council meetings (in addition to that already required during Public Hearings)?

Regular Meetings:

- Ordinances – Current practice does not allow comment by the public at the meeting when ordinances are introduced. However, at subsequent meetings, when ordinances are on the agenda for action, City Council could decide to allow public comment.
- Resolutions – Resolutions are different from ordinances and do not require introduction prior to adoption. Current practice does not allow comment by the public at the meeting when resolutions are being considered. Similar to the previous item, City Council could decide to allow public comment.
- Purchases – Purchases do not require an ordinance or resolution. Current practice does not allow comment by the public at the meeting when purchases are being considered on the City Council agenda. City Council could decide to allow public comment on purchases.
- Contracts/Agreements – Most contracts and agreements do not require an ordinance or resolution. Current practice does not allow comment by the public at the meeting when contracts or agreements requiring Council action are being considered, though on occasion a representative of the organization involved in the contract is given the opportunity to comment on the proposed contract/agreement. City Council could decide to allow public comment as well.

Committee / Workshop Meetings: City Council Committee and Workshop meetings are a time for the City Council, Mayor and staff to deliberate issues prior to future action during a regular City Council meeting. Accordingly, some communities do not allow comment at all during Committee and Workshop meetings, others allow it on a case-by-case basis as published on the agenda, while others treat the items on the Committee and Workshop agendas as they do the items on the regular agenda.

Time limits: Most communities establish a time limit for public comment of up to three minutes per person, in accordance with established rules. In some cases, procedures allow for the Mayor to give a single presenter more time, if s/he is representing a block of attendees who have agreed to let one speaker present their case more completely.

Consent Agendas: As adding public comment and feedback to the deliberation process for items on an agenda may lengthen City Council meetings, one strategy to consider is use of a Consent Agenda to speed approval of routine matters. The Consent Agenda is a means of grouping agenda items that have no controversy or need for discussion by the City Council or the public. When the agenda is prepared, routine items can be marked with an asterisk or other symbol to designate them as part of the Consent Agenda. At the beginning of the meeting, the Mayor will ask that the Consent Agenda be read aloud and then anyone on City Council can ask that a particular item be removed from the Consent Agenda and discussed separately. Examples of routine items include, approval of minutes, annual agreements like the mosquito control agreement, etc.

Conclusion

We will have an item on the November 13 agenda for City Council to discuss the concepts presented in this memo and to provide input to staff to be used in drafting Rules of Procedure that can be then considered during the December 11 meeting. Please let me know if you have any questions.