

# City of Milford



## **CITY COUNCIL AGENDA**

**Monday, March 12, 2018**

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

Strategic Plan Discussion

Public Comments

Adjourn

### **7:00 P.M. COUNCIL MEETING**

Call to Order - Mayor Bryan Shupe

Invocation

Pledge of Allegiance

Approval of Previous Minutes

Recognition

Proclamation 2018-03/Girl Scout Week March 11-18, 2018

Monthly Police Report

Monthly City Manager Report

Monthly City Finance Report

Committee & Ward Reports

Communication & Correspondence

Unfinished Business

New Business

Resolution 2018-05/CDBG Matching Funds/West Street Sidewalks  
Teamsters Local 326/Amendment to Agreement/Shift Differential  
Resolution 2018-04/Walnut Village/Phase I/Sidewalk and Utilities Acceptance  
Introduction/Ordinance 2018-07/Chapter 88/Building Code  
Introduction/Ordinance 2018-08/Chapter 55/Personnel Code

**EXECUTIVE SESSION**

Motion to Recess into Executive Session

{Pursuant to 29 Del. C. 29 §10004 (b)(4) Collective Bargaining Matters  
{Pursuant to 29 Del. C. 29 §10004 (b)(9) Personnel Matters

Return to Open Session

IBEW Local Union 126 Negotiations  
MPD Teamsters Negotiations  
Performance Evaluations (Council Appointees)

Adjourn

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

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

# “Press Play: Vision 2023”



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## City Manager Letter to Residents and Employees

### Milford City Council Profile



Member	Ward	Years of Service	Email
Arthur J. Campbell	One	2 Years	<a href="mailto:acampbell@milford-de.gov">acampbell@milford-de.gov</a>
Christopher H. Mergner	One	4 Years	<a href="mailto:cmergner@milford-de.gov">cmergner@milford-de.gov</a>
James F. Burk	Two	3 Years	<a href="mailto:JBurk@milford-de.gov">JBurk@milford-de.gov</a>
Lisa Ingram Peel	Two	3 Years	<a href="mailto:lpeel@milford-de.gov">lpeel@milford-de.gov</a>
Owen S. Brooks J.	Three	36 Years	<a href="mailto:obrooks@milford-de.gov">obrooks@milford-de.gov</a>
Douglas E. Morrow Sr., Vice Mayor	Three	29 Years	<a href="mailto:dmorrow@milford-de.gov">dmorrow@milford-de.gov</a>
James O. Starling Sr.	Four	19 Years	<a href="mailto:jstarling@milford-de.gov">jstarling@milford-de.gov</a>
Katrina E. Wilson	Four	24 Years	<a href="mailto:kwilson@milford-de.gov">kwilson@milford-de.gov</a>

To contact your elected official via telephone, please call City Hall at (302) 422-1111. For updated contact information for current elected officials, please access the City Website at <http://www.cityofmilford.com/175/Member-Information>.

## Executive Summary

In September 2016, the City of Milford embarked on a strategic planning effort. This planning process culminated in the of Spring 2018 with the findings published in this report. The following pages are the result of deliberate and collaborative efforts to understand the needs and concerns of all its citizens. The Strategic Plan strives to create an organizational framework that will be used to drive effective decision-making for City Council and City management through the next five years. This framework lays the foundation for allocating financial and staffing resources, as well as proactively managing natural and environment resources, in order for the City of Milford to thrive and grow.

This plan also includes new vision, mission and values statements, which serve as the decision-making foundation for the City's employees, management, and leadership. This plan also aligns with previous municipal planning documents and unites them into a solid structure for managing change, growth, and development.

Though a deliberate community-engagement process, the Milford's residents identified five priority areas, which are essential for the City's continual improvement, as well as to meet the needs of residents, businesses, and other stakeholders:

- Public Safety and Preparedness
- Economic Health and Development
- Mobility and Infrastructure
- Neighborhoods and Community Services
- Fiscal Responsibility and Public Engagement

This plan outlines the City's goals in each of the priority areas, how the City's departments will implement action plans to meet these community goals, as well as sets a timeframe for achievement.

## The Planning Process

Our Strategic Plan is a road map to guide the City of Milford's planning, staffing and fiscal decisions over the next five years. Over the course of the last two years, the Milford City Council and City staff have worked with the Institute for Public Administration (IPA) at the University of Delaware to develop a better, more comprehensive understanding of the City's current capacity (strengths, weakness, opportunities, and threats) to develop forward-thinking vision, mission, and values.

City Councilmembers participated in individual interviews with an IPA facilitator between August 8-19, 2016. These interviews garnered each Councilmember's views of the City's strengths, weaknesses, threats, and opportunities. Then, at a day-long retreat on September 17, 2016, the City Council had a group discussion about these opinions. This discussion led into a goal-setting exercise, in which Councilmembers were encouraged to set short, 1-2 year goals and long 5-10 year goals for the City. During this discussion, Councilmembers identified ten priority areas:

- Economic Growth & Development
- Encourage & Manage Growth
- Fiscal Policies
- Capital Improvements & Infrastructure Planning
- Public Safety
- Transportation
- Code Enforcement
- Public Works
- Connectivity for the Entire City
- Human Resources Management

These areas informed the questions and areas of focus during the community engagement portion of the strategic planning process. A variety of methods were used when garnering resident and stakeholder input. Community engagement outreach included conducting a National Citizen Survey of residents in the summer of 2017, 18 Community Conversations during November and December of 2017, and the opportunity for residents and stakeholders to submit comments online.

Based on the information gathered, City Council met again in February of 2018 to develop vision, mission, and values statements for the City.

- A *vision* is a general statement that presents a timeless, inspirational view for the ideal future of our City.
- A *mission* is a statement of the purpose of the City; it's reason for existing.
- *Values* statements outline the City's core principals, used to create a positive image among residents, employees, and stakeholders.

## Vision

## Mission

## Values

Open and Honest Communication: Effectively and clearly communicate ideas, information, and expectations between team members and to our community in a responsible, transparent manner.

Reliable: Ensure and provide consistent, quality services that residents and customers can depend on.

Respect for Diversity and Equity: Foster and support a culture that values the rich heritage of the City and experiences of our community members, while providing services impartially and fairly to all.

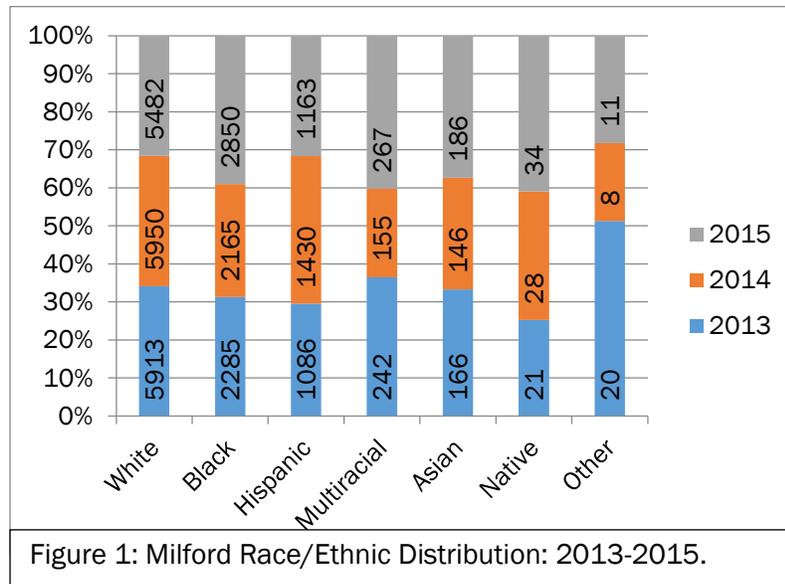
Stewards of our Resources: Make the best use of resources, in the short- and long- term.

Commitment to Excellence: Tackle objectives quickly and positively, going above and beyond basic requirements, to create a service-oriented culture through teamwork and collaboration.

## Our City

With 10,979 residents, the City of Milford is a diverse community, spanning 9.86 square miles between Kent and Sussex Counties. Over the past decade, Milford has experienced consistent growth in both its population and economy. Milford is proud of the fact that it has one of the fastest growing populations in the State of Delaware. Based upon some of the latest data available, Milford boasted a nearly 15% rate of growth between 2010 and 2016 and subsequently had a 3.5% growth in employment between 2014 and 2015.

## Demographic Profile

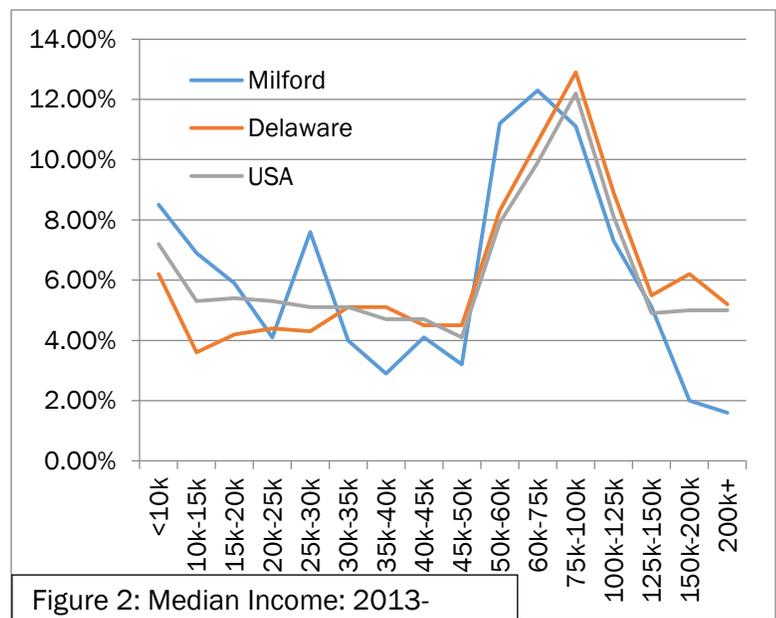


### Milford's Population

- Between 2013 and 2015, Black, Hispanic, Multiracial, Asian, and Native ethnic groups all showed growth (see Figure 1).
- The median age in Milford is 38; almost two years younger than that of the median age in the State of Delaware (39.7)

## Milford Economy

- The median household income in Milford is \$15,887 lower than the state average and \$10,407 lower than the national average (see Figure 2).
- Between 2014 and 2015, there was a 4.2% decline in Milford's homeownership rate. This is lower than the state and national average for homeownership.
- As of 2015, 47.7% of the households in the City of Milford pay below \$800 in taxes. This is lower than both the state and national averages.



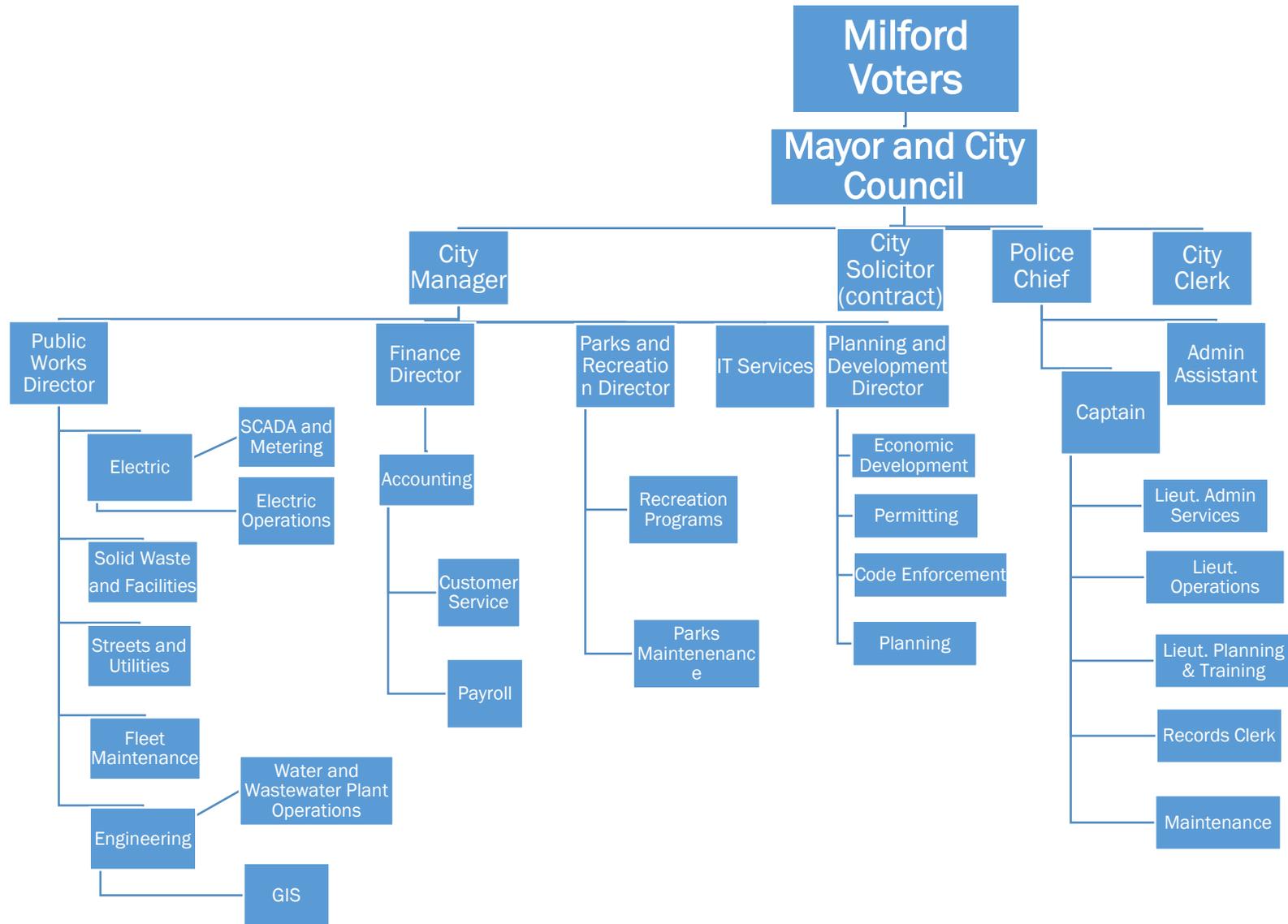
## City of Milford Government Structure

The City of Milford follows a council-manager form of government that combines the strong leadership of elected officials with the strong managerial experience of an appointed manager. In a council-manager government, Councilmembers are the leaders and policy makers elected by the residents of Milford to represent the four wards and to concentrate on policy issues that are responsive to citizens' needs and wishes. The City Council directly oversees the Chief of Police and the City Clerk. A City Manager is appointed by the Council to carry out policy and ensure that the entire community is being served. Below is an organizational chart depicting the council-manager form of government in the City of Milford, as well as an overview of each City Department, its responsibilities, and contact information.

### Milford's Departments

Department	Phone Number	Location	How can we help?
City Hall	302-422-1111	201 South Walnut St.	Mayor, City Manager, City Clerk offices, city voter registration
Customer Service	302-422-6616	119 South Walnut St.	Utility and tax billing, set up/disconnect service, schedule bulk pick up, property assessment
Electric Utility	302-422-1110	180 Vickers Dr.	Power outages, street lights
Parks & Recreation	302-422-1104	207 Franklin St.	Parks and recreation
Planning	302-424-8396	201 South Walnut St.	Building permits, inspections, code enforcement
Police	302-422-8081	400 NE Front St.	Police
Streets & Solid Waste	302-422-1110	180 Vickers Dr.	Street drains, refuse collection
Water & Wastewater	302-422-1110	180 Vickers Dr.	Water leaks, sewer back up

# Milford's Organizational Chart



## Where are We Now?

In order to establish a thoughtful, achievable, and forward-thinking Strategic Plan, it is important to understand where the City of Milford is coming from and what is happening currently.

### City of Milford's Existing Plans

The City has commissioned and produced several plans that take into account many of the community's concerns and priorities. Relevant components and recommendations suggested in these past plans, including the "Bicycle & Pedestrian Master Plan," "Rivertown Rebirth Plan," and the "2018 Comprehensive Plan," are outlined here:

In 2010, the City's *Bicycle and Pedestrian Master Plan* was published in order to incorporate bicycle and pedestrian infrastructure into the City's future planning. This plan demonstrates how to gradually and effectively link residential areas to activity centers. This linkage allows for residents and visitors to easily move about the City without the need for motorized transportation. Some of the key recommendations in this Plan are to:

- Make pedestrian safety and mobility the first priority in activity centers.
- Provide safe access across roads with attention to design of crosswalks.
- Provide pedestrian and bike linkages between neighborhoods, as well as between neighborhoods, schools, parks, and recreational facilities
- Provide bike parking, such as bike racks, at activity centers.

In 2015, the *Milford Rivertown Rebirth Plan 2025*, or "Downtown Master Plan," was published. This Plan is a visual and graphic representation of the goals for Milford's downtown. This Plan divides downtown into "Downtown West," "Downtown Core," and "Downtown East," and makes specific recommendations for each of these areas.

- In Downtown East the Rebirth Plan recommends:
  - Building an amphitheater and /or outdoor festival space.
  - Building a pedestrian bridge
  - Making the Historic Milford Shipyard a tourist destination.
- Downtown Core the Rebirth Plan recommends:
  - Reusing the old bank building for mixed use purposes.
  - Including an Art Town splash pad.
  - Include more parking on the south side away from the river.
- Downtown West the Rebirth Plan recommends:
  - Re use the fire house for mixed use or recreational purposes.
  - Revitalize the gateway into town, beautifying this entry way.
  - Enhancing and beautifying the street spaces with curb extensions, ornamental lighting, and better signage.

The 2018 *Comprehensive Plan* is a deep dive into the process for determining the community's goals and aspirations in terms of the community's growth and development. This Plan makes recommendations to

developing the City's transportation, utilities, land use, economy, and housing. Some of the *Comprehensive Plan's* specific recommendations are to:

- Enable the safe and efficient mobility of residents, using all methods of travel (i.e., biking, walking, driving), via a safe and interconnected transportation system.
- Plan for and provide adequate utilities and services to accommodate the planned growth in Milford.
- Encourage the preservation of areas along all streams, lakes, and ponds by enhancing buffer areas around bodies of water.
- Encourage the inclusion of connected, accessible parks and open spaces in new development.
- Broaden Milford's economic activity beyond Monday to Friday, nine to five, by encouraging businesses, activities, and festivals that will help develop Milford's identity as a great place to work, live, and have fun.
- Encourage a balanced range of housing types and home-ownership opportunities for existing and future residents.

## Community Engagement

Community input and involvement is always a priority. In preparation for drafting this plan, the City of Milford utilized a series of engagement techniques with community members and stakeholders.

### National Citizen Survey:

The National Citizen Survey is a collaborative effort between the National Research Center Inc. (NRC), the National League of Cities (NLC) and the International City/County Management Association (ICMA). The survey utilizes a standardized process that combines high quality research methods with a database of comparable data to help cities and towns understand their residents' opinions, satisfaction, and concerns through a questionnaire survey.

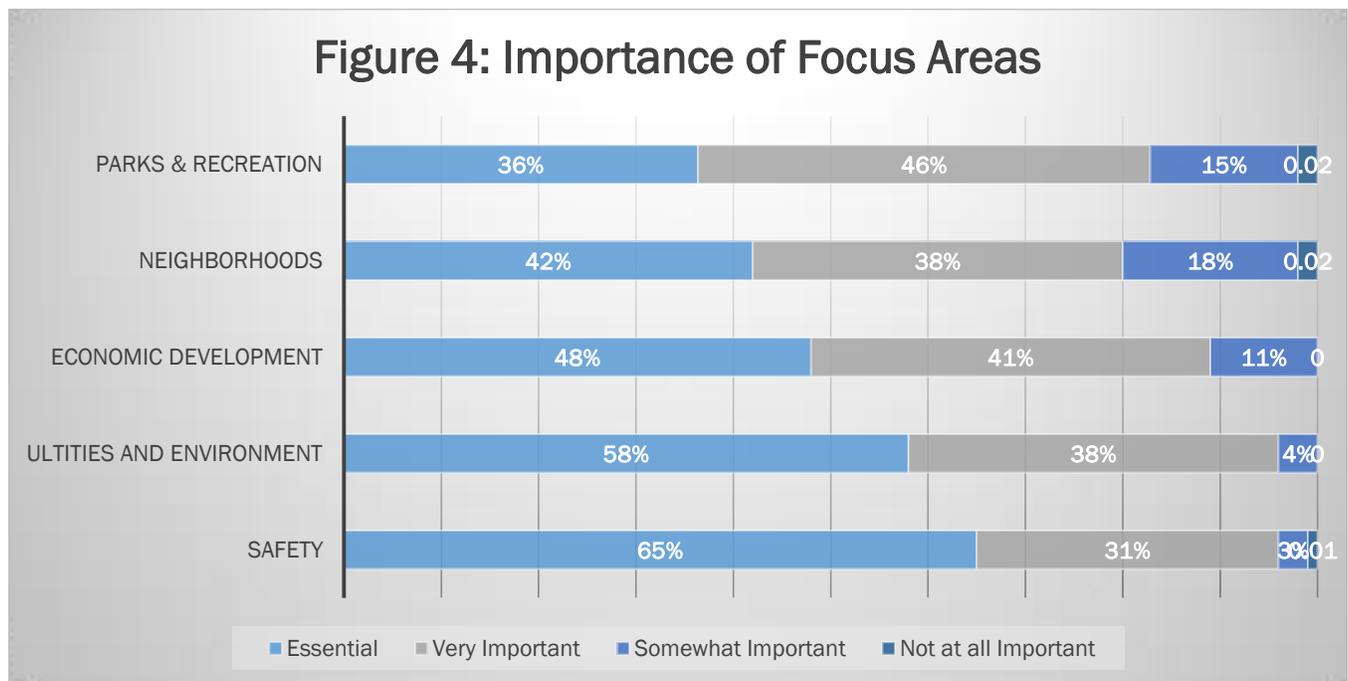
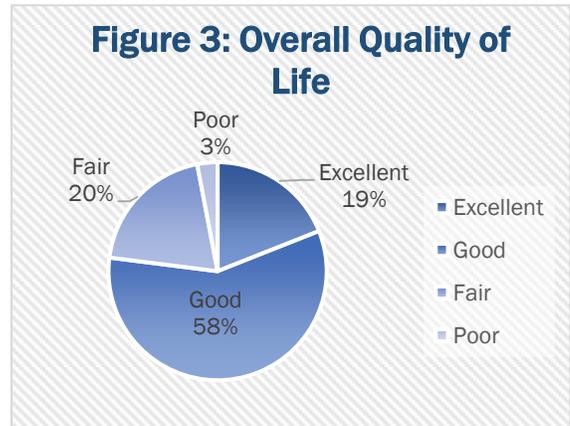
In the summer of 2017, the City of Milford contracted with NCS to conduct a resident survey to capture opinions within three community pillars: Community Characteristics, Governance, and Participation. These pillars were assessed across eight central community facets:

- Safety: Protection from danger or risk (e.g., public safety, personal security and welfare, emergency preparedness)
- Economy: Maintenance of a diverse economy (e.g., vibrant downtown, cost of living)
- Natural Environment- resources and features native to a community (e.g., open spaces, water, air)
- Building Environment: Design, construction, and management of the human-made space in which people live, work, and recreate on a day-to-day basis, including the buildings, streetscapes, parks, etc.
- Mobility: Accessibility of a community be motorized and non-motorized modes of transportation (e.g., ease of travel, traffic flow, walking)
- Recreation and Wellness: Recreation, healthy lifestyles, preventative and curative health care, supportive services (e.g., fitness opportunities, recreation centers)
- Education and Enrichment: Learning, enrichment, and workforce readiness for children, youth, and adults

- Community Engagement: Quality and frequency of social interactions (e.g., civic groups, volunteering)

The survey was sent to a representative sample of 1,435 Milford residents across all four wards. Of these surveys sent, 411 were returned resulting in a response rate of 29%. Based on this representative sample and in comparison to other cities of similar size:

- Residents in Milford enjoy a high quality of life. Three quarters of residents rated their quality of life as “excellent” or “good.”
- Safety is a priority for the community.
  - 96% of respondents indicated that it was “essential” or “very important” for the community to focus on ensuring the police force is well-trained and has the necessary equipment, staff, resources, and facilities.
- Residents emphasized the value and importance of a healthy economy.
  - Overall, Milford’s economic ratings are similar to those in other communities in the United States.
  - However, fewer Milford residents gave high marks to Milford as a place to visit.
  - Less than half of respondents reported positively about the economic health of the community. This included shopping and employment opportunities, cost of living, as well as the vibrancy of downtown.



- Milford residents rated recreational and enrichment opportunities, as well as K-12 education lower than residents of other jurisdictions.
  - Milford residents rated adult educational opportunities significantly lower than residents in other communities.
- While on par with nationwide rating, code enforcement received the lowest marks from Milford residents.
  - 39% rated code enforcement as “excellent” or “good”

The full survey results are included in three separate documents, the *Community Livability Report* (Appendix A) and the *Dashboard Summary of Findings* (Appendix B). These are also available online.

### Community Conversations

A “Community Conversation” is guided discussion conducted with a small, but diverse group of participants, to gather more information on resident and stakeholder views and opinions. A form of qualitative research, these “conversations” consisted of a closed-ended “voting” exercise and a facilitated discussion.

In collaboration with the Institute for Public Administration (IPA), the City of Milford worked to develop more in-depth questions, which targeted the major priorities areas and concerns revealed through the NCS results. The Community Conversations’ questions were segmented into five priority areas, which mirrored the NCS “community facets”:

- Safety: Public safety, personal security and welfare, emergency preparedness
- Economic Health & Vitality: Maintenance of a diverse economy (downtown, cost of living, employment)
- Neighborhoods & Built/Natural Environment: Maintenance and design of open spaces, construction and management of buildings/housing, streetscapes, and parks
- Mobility: Accessibility of the community, ease of travel, traffic flow, walking, and biking
- Recreation & Wellness: Availability of supportive services that promote healthy lifestyles

Upon arrival, participants were asked to use stickers to “vote” on 28 closed-ended questions in five priority areas. A full list of these closed-ended, “voting” questions can be found in Appendix C.

[insert dot question picture]

After “voting,” participants were guided through a facilitated discussion where participants were asked open-ended questions about their perceptions, opinions, beliefs, and attitudes in each of the priority areas outlined above. Questions were asked in an interactive, group setting where participants were free to either answer aloud or were given the opportunity to submit written responses. During this process, responses were captured by a note taker. A full list of these open-ended, discussion-based questions can be found in Appendix C.

IPA and City staff facilitated 19 Community Conversations in November and December of 2017:

- Music School of Delaware: 10/19/2017
- Milford Senior Center: 11/01/2017
- DMI Small Business/Entrepreneurs: 11/06/2017
- City of Milford Employees: 11/06/2017 (2)
- Ward II: 11/06/2017
- Milford School District (Administrators and Key Staff): 11/09/2017
- Ward III: 11/15/2017
- Reformation Lutheran Church: 11/16/2017
- Large Employer Executives: 11/27/2017
- St. John the Apostle Church: 11/28/2017
- Police Department: 11/28/2017 and 11/30/2017
- Chamber of Commerce: 11/29/2017
- Non-Profit Organizations: 11/30/2017
- Ward I: 11/30/2017
- Haitian Community: 12/03/2017
- City Public Works Employees: 12/04/17
- Ward IV: 12/05/2017

The full notes from each [Community Conversation](#) are available on the City's website.

Based on the 18 [Community Conversations](#), residents and stakeholders are most interested in seeing the City work towards:

- Better connectivity between residential areas/neighborhoods and downtown.
  - Residents and stakeholders suggested more sidewalk connectivity, bike paths, and an inner city transportation bus loop.
- Increasing the overall feeling and perception of safety *throughout* the City, not just downtown.
  - Residents and stakeholders suggested: better lighting, less "loitering" through increased Parks & Recreation activities for young adults and adults, and more visible police patrols (biking or walking).
- Making Milford a more attractive place to visit and live.
  - Residents and stakeholders suggested: increasing the variety in the housing market, better and more proactive code enforcement, as well as more recreational opportunities for people of all ages.
  - Residents and stakeholder would like to see a more vibrant downtown, which includes beautifying the gateways & building facades, bringing more businesses to Milford, and more accessible through pedestrian walkways and/or bike paths.
- More engagement and exchange of information about current plans and events, as well as a better way to request information from the City.
  - Residents and stakeholders suggested a notification system for events, the ability to request trainings or practice for floods, storms, etc., and more Q&A or open forums with City officials, outside of City Council meetings.

### [Discussions with Council Members, Department Heads, and Staff](#)

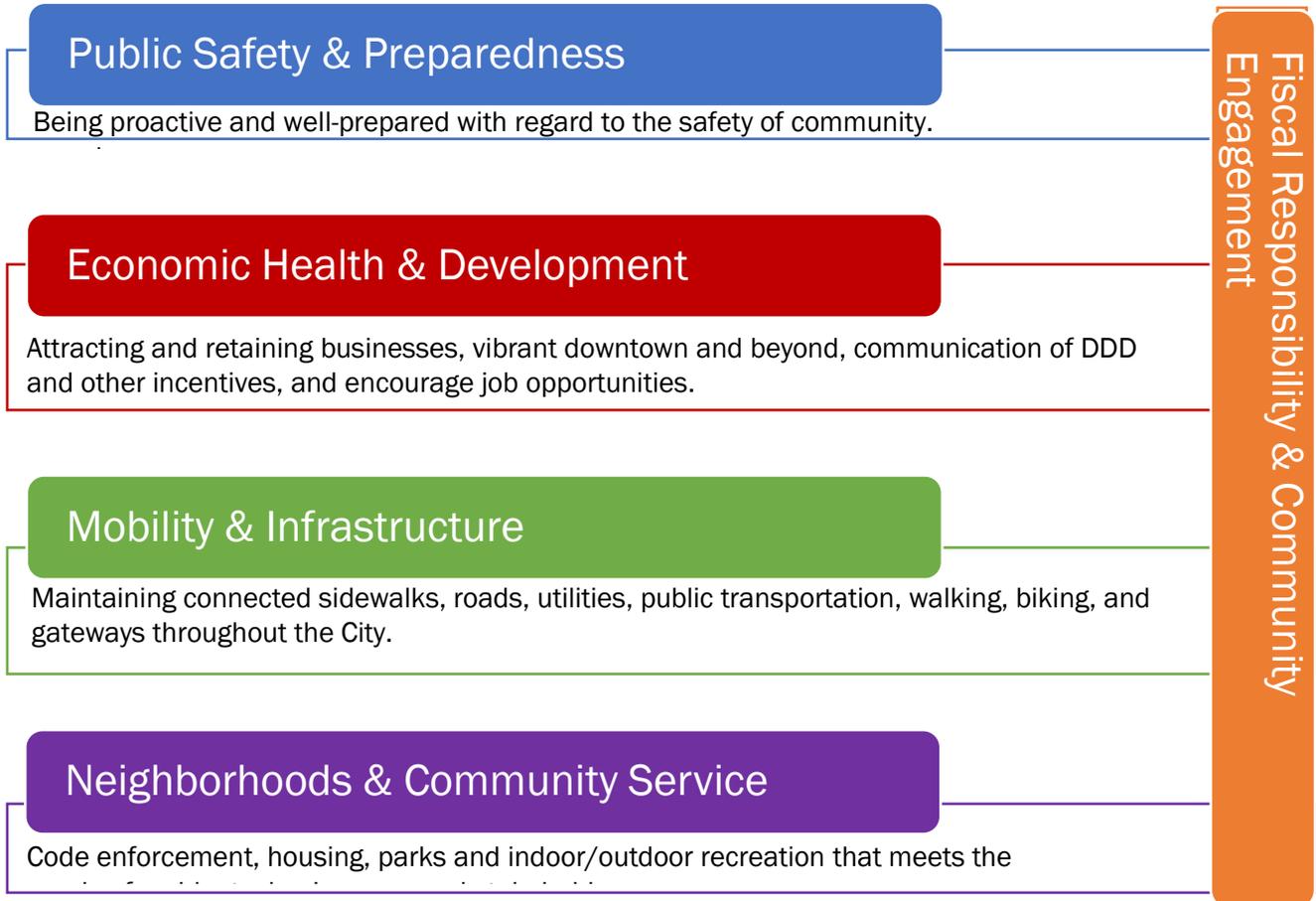
After the [Community Conversations](#), IPA staff met with City Council, City management staff, and Department Heads to present the themes. Based on these results, Department Heads were able to refer to past plans' recommendations, as well as discuss items that they are already working to address.

The feedback from the [National Citizens Survey](#) and [Community Conversations](#), in conjunction with the expertise of Department Heads, Council, and past plan recommendations, staff worked to outline specific

goals and objectives for each of the Strategic Plan priority areas. The culmination of this effort is outlined in the next section of this Plan, entitled “Looking Forward,” as well as in Appendix D.

## Looking Forward

In order to successfully move the City towards its vision and effectively address the needs and concerns of our residents and stakeholders, there needed to be specific and measurable goals. City officials have worked to establish five priority areas, all of which are defined below. One of these priority areas, “Fiscal Responsibility & Community Engagement,” is overarching. While it has its own associated goals, it also has become a part of the action items for each of the other four priority areas.



Each priority area is comprised of a framework. The framework for each priority includes goals, objectives, and strategies for their achievement. Additionally, specific action items, success metrics, a timeline, and community partners are developed by the appropriate Department Heads for each strategy. The following pages outline the framework for each priority area, which will be used during implementation. These details can also be found in Appendix D. The Appendix chart will be regularly updated (at least twice annually) and made available online.

# Priority Area



Figure 5: Priority Area Framework

# Public Safety & Preparedness

Public safety and emergency preparedness was the top priority of residents in the National Citizen Survey, as well as in the Community Conversations. Safety also plays a role in fostering economic growth and bringing new residents to Milford.

## GOAL

Efficiently utilize all police resources (i.e., staff time, personnel, training, and technology)

OBJECTIVE 1- Evaluate and regularly monitor the Milford Police Department's (MPD) workload, including patterns of calls for service, number of reports/crimes committed, and staff time.

- STRATEGY 1- Analyze existing data to understand what emergencies take place, where, and when.
- STRATEGY 2- Identify new tools, technology, and analytics to assist in establishing patterns and make predictions about crime in the City.
- STRATEGY 3- Utilize current and new technology to help collect and analyze data that could aid in establishing shift schedules and better understanding adequate staffing levels.

OBJECTIVE 2- Prepare MPD for future CALEA accreditation by researching standards/expectations.

- STRATEGY 1- Work with the Commission and other accredited Municipal Police Departments to understand the accreditation process.

## GOAL

Reduce crime

OBJECTIVE 1- Make a meaningful reduction in violent crime in the City of Milford.

- STRATEGY 1- Identify the most common types of violent crime in the City of Milford.
- STRATEGY 2- Create a plan of action for each of the most common types of crime.

OBJECTIVE 2- Continue to monitor national and state trends to target and reduce illicit drugs in the City of Milford.

- STRATEGY 1- Partner with statewide agencies that have state-specific data on illicit drug use to identify the types of drugs being used and how they are obtained.

# Public Safety & Preparedness

## GOAL

### Establish and maintain strong and beneficial police-community relations

OBJECTIVE 1- Create a reciprocal and trusting relationship between Milford residents and police officers through consistently proactive, responsive, and visible policing throughout the City.

- STRATEGY 1- Increase visibility of police through more walking patrols, biking patrols, and overall presence.
- STRATEGY 2- Conduct a regular community satisfaction survey to ascertain the community's current feelings about the Police Department.
- STRATEGY 3- Fund and hire more police officers.
- STRATEGY 4- Prioritize and fund specialized training for officers.
- STRATEGY 5- Reinstate the Citizens' Police Academy.

# Public Safety & Preparedness

## GOAL

### Utilize effective, proactive emergency preparedness and public safety strategies

OBJECTIVE 1- Work with the Carlisle Fire Company on evaluating the use of new technology for communication.

- STRATEGY 1- Identify new technologies that could help limit the use of the fire siren.

OBJECTIVE 2- Proactively plan for emergency events (i.e., storms, active shooter, etc.) through regular meetings between all City departments and State, regional and local agencies to ensure plans are up-to-date and compatible.

- STRATEGY 1- Update existing and adopt new City of Milford Emergency Plans, which are compatible with statewide initiatives and plans.
- STRATEGY 2- Ensure excellent internal emergency management coordination of executive leadership, personnel, resources, and communications.
- STRATEGY 3- Educate community about current plans and when plans are adopted or updated.

OBJECTIVE 3- On a regular basis offer and make available preventative training for emergency events (i.e., storms, active shooter, etc.).

- STRATEGY 1- Provide training opportunities for the community upon requests.
- STRATEGY 2- Offer community-wide emergency planning events.

OBJECTIVE 4- Replace the current Police Station with a safe and modern facility to serve community needs.

- STRATEGY 1- Establish a Planning Task Force.
- STRATEGY 2- Develop a public engagement strategy.
- STRATEGY 3- Create a Concept Plan and present to voters through a referendum.

# Economic Health & Development

The economic health and development of the City of Milford was another top priority for residents in the NCS. It was equally as important during the community conversations.

## GOAL

### Enable growth of existing businesses

OBJECTIVE 1- Foster economic activity that will grow the local employment by 4% over the next 5 years.

- STRATEGY 1- Partner to provide and advertise job training opportunities so the Milford workforce is ready for the future.

OBJECTIVE 2- Work with the existing business community in order to develop strategies which foster economic growth for the employers, residents, and visitors.

- STRATEGY 1- Conduct needs assessments of current businesses to identify growth opportunities.
- STRATEGY 2- Develop resources for marketing and promoting businesses.

# Economic Health & Development

## GOAL

### **Foster the establishment of new businesses**

OBJECTIVE 1- Identify opportunities for growth and development of new businesses in Milford by promoting advantages and opportunities in Milford, and leveraging state assistance.

- STRATEGY 1- Create a new industrial park in the City.
- STRATEGY 2- Annually review the process by which new business move to Milford, in order to develop more user-friendly services.
- STRATEGY 3- Continue to provide current incentives for businesses of all sizes.

OBJECTIVE 2- Ensure City ordinances and procedures support new and expanding businesses in order to promote business success in the City of Milford.

- STRATEGY 1- Conduct a business satisfaction survey following completion of interactions with the City.
- STRATEGY 2- Ensure that all business-related organizations and City departments are knowledgeable about development processes for new or expanding businesses through communication and training of City Staff and coordination with partner organizations.

## GOAL

### **Meet the commercial needs of residents, businesses and visitors**

OBJECTIVE 1- Develop a more vibrant downtown, in order to bring more visitors to Milford and promote community pride.

- STRATEGY 1- Implement the Rivertown Rebirth Plan.

# Mobility & Infrastructure

## GOAL

### Proactively maintain our streets

OBJECTIVE 1- Maintain City streets so that 80% are always in “Fair,” “Satisfactory” or “Good” condition.

- STRATEGY 1- Fund street rehabilitation so that all streets rated “Poor,” “Very Poor” or “Serious” condition are completed over the next 5 years.
- STRATEGY 2- Regularly update the Pavement Condition Report
- STRATEGY 3- Proactively repair and repave City streets after making necessary utility and sidewalk improvements/repairs.

## GOAL

### Proactively maintain our utility infrastructure (i.e. electric, water and wastewater systems)

OBJECTIVE 1- Continue to identify and utilize new technology to improve the efficiency and effectiveness of utility services.

- STRATEGY 1- Use SCADA, AMI, and other Smart technology to monitor our electric, water and wastewater systems.

OBJECTIVE 2- Evaluate current condition and put plans in place to maintain or replace City utility infrastructure.

- STRATEGY 1- Conduct regular preventative maintenance
- STRATEGY 2- Establish an inventory of existing utility infrastructure & grade that system on an “Excellent” to “Serious” condition scale.
- STRATEGY 2- Address inflow and infiltration into the wastewater system.
- STRATEGY 3- Address older portions of the City without cleanouts and/or house traps on service lines.
- STRATEGY 4- Address illegal connections to sanitary sewer system.
- STRATEGY 5- Eliminate lead “goose neck” water services.
- STRATEGY 6- Institute proactive replacement program based on the inventory system.

# Mobility & Infrastructure

## GOAL

Address future growth by proactively making improvements to infrastructure

OBJECTIVE 1- Meet annually with the City Manager, City Planner, and Council to project and evaluate wastewater demands required for future growth.

- STRATEGY 1- Sewer: Install force main from SE Pump Station to Kent County Pump Station (evaluate other potential areas that would be in addition to this system such as areas East and West of Route 1 from the Mispillion River, South.)

OBJECTIVE 2- Meet annually with the City Manager, City Planner, and Council to project and evaluate electricity demands required for future growth.

- STRATEGY 1- Consider the installation of an additional substation.
- STRATEGY 2- Consider other ways the City can generate electricity and reduce demand through efficient use.

OBJECTIVE 3- Meet annually with City Manager, City Planner, and Council to project and evaluate water demands required for future growth.

- STRATEGY 1- Evaluate storage demands for water in NW business park and other portions of the City.
- STRATEGY 2- Ensure SE wells are producing what is necessary for future growth.

# Mobility & Infrastructure

## GOAL

**Continue to develop a multi-modal, pedestrian-friendly framework throughout the City.**

OBJECTIVE 1- Include “Complete Streets” best practices as a part of all projected new street or repaving projects.

- STRATEGY 1- Address deficiencies and maintenance issues in the City’s bicycle network.

OBJECTIVE 2- Implement the sidewalk maintenance/replacement program

- STRATEGY 1- Regularly inspect the sidewalks on a 5-year cycle to notify and work with property owners on necessary repairs and/or replacement.

OBJECTIVE 3- Improve existing transportation options and accessibility by evaluating the number of routes, the frequency of routes, where stops are and where they should be.

- STRATEGY 1- Work with DART to improve transportation accessibility within the City and to provide access to key destinations such as the new Bayhealth Sussex Campus and Nationwide Campus.

## GOAL

**Improve traffic management throughout the City.**

OBJECTIVE 1- Work with agency partners to ensure that the safety of pedestrians and drivers are improved.

- STRATEGY 1-Pursue, in coordination with DeIDOT, the creation of a Transportation Improvement District for areas subject to the updated Southeast Master Plan.
- STRATEGY 2- Perform an Engineering Traffic Study within the City.
- STRATEGY 3- Evaluate truck traffic downtown and feasibility of maneuvers at downtown intersections.
- STRATEGY 4- Improve accessibility to and from the East and West portions of the City.

# Neighborhoods & Community Services

## GOAL

### Preserve and enhance the property values and quality of our neighborhoods

OBJECTIVE 1- Ensure properties are safe, attractive, and well-maintained through improved code compliance.

- STRATEGY 1- More proactive code enforcement throughout the City through additional enforcement and revised standards.
- STRATEGY 2- Proactive information sharing and outreach regarding code requirements to landlords, tenants and homeowners.

OBJECTIVE 2- Enhance the City's identity through well-maintained green spaces and parks.

- STRATEGY 1- Establish a beautification and maintenance program for streetscapes and gateways.
- STRATEGY 2- Maintain and appropriately redevelop the current, 200-acres of open space to provide for diverse outdoor recreational activities.

OBJECTIVE 3- During future neighborhood planning and zoning, ensure the inclusion of sufficient open space in and near neighborhoods.

- STRATEGY 1- Connect neighborhoods through biking/walking paths that do not use state highways.
- STRATEGY 2- Establish a planning priority that all new neighborhoods have a minimum requirement for open space and sidewalks/trails to connect with other parts of Milford.

## GOAL

### Encourage a balanced range of housing types and home-ownership opportunities for existing and future residents

OBJECTIVE 1- Ensure a variety of housing options, in varying affordability ranges are available throughout the City, in order to encourage residents of all socioeconomic backgrounds to reside in the City.

- STRATEGY 1- Ensure zoning ordinance provides for a variety/flexibility in housing options.
- STRATEGY 2- Identify ways to bring in more affordable housing options.

# Neighborhoods & Community Services

## GOAL

**Promote a healthy community with recreational activities provided by the City and community partners**

OBJECTIVE 1- Provide residents with more recreation options by partnering with local private and nonprofit agencies in the area.

- STRATEGY 1- Partner with external organizations to gain access to more outdoor and indoor facilities for adult and child sports leagues.
- STRATEGY 2- Create a Recreational Advisory Board which consists of City officials and community partners.

OBJECTIVE 2- Actively promote current recreational opportunities offered by the City and partners.

- STRATEGY 1- Collaborate & partner with recreational and wellness service providers to identify needs/wants for seniors and persons with disabilities and connect them to existing partners.
- STRATEGY 2- Advertise current children's programming.

OBJECTIVE 3- Create more City-sponsored recreational opportunities for adults.

- STRATEGY 1- Establish an adult sports league.

## GOAL

**Bring more tourism to Milford.**

OBJECTIVE 1- Actively promote the variety of ecotourism opportunities in Milford, in order to bring in more visitors and provide residents with more recreational options.

- STRATEGY 1- Continue to hold festivals and establish new events that highlight Milford.
- STRATEGY 2- Advertise on print, radio, social media, other DE park webpages, etc.

OBJECTIVE 2- Develop more river-based activities, in order to bring in more visitors and provide residents with more recreational options.

- STRATEGY 1- Bring water rentals (kayaks, paddle boards, etc.) to Milford during the summer season.

# Fiscal Responsibility & Public Engagement

The goals under this section are also part of overarching goals in each of the priority areas. In other words, it is important that when implementing the strategies in each of the other areas, that City officials keep in mind the following:

## GOAL

### Operate in an efficient and responsible manner

OBJECTIVE 1- Keep community members informed and engaged in the City's activities, programs, and services.

- STRATEGY 1- Translate City communications for the public into Spanish and Haitian Creole.
- STRATEGY 2- In collaboration with the Milford School District, consider jointly hiring a multilingual PIO/Communication Specialist.
- STRATEGY 3- Establish an internal Communications Team to coordinate internal and external communications about the City of Milford.

OBJECTIVE 2- Manage resources wisely and sustainably by maintaining appropriate fund balances and reserves.

- STRATEGY 1- Achieve a structurally balanced budget through diverse revenue sources, smart financial management, comprehensive forecasting, and results-oriented and efficient services.
- STRATEGY 2- Implement and maintain a Five-Year Capital Improvement Plan.
- STRATEGY 3- Achieve and maintain fiscally-sound balances and reserves for all of the City's various funds.
- STRATEGY 4- Ensure Solid Waste, Water and Wastewater utilities are properly funded and that rates are fairly and appropriately set by conducting cost of service studies.
- STRATEGY 5- Identify ways to deal with the high demand for electricity when the cost is at its highest peak, both in the short-term and long-term.

# Fiscal Responsibility & Public Engagement

## GOAL

### Review and update the Strategic Plan

OBJECTIVE 1- Ensure the Strategic Plan is reviewed and updated every 3-5 years to identify accomplishments and establish new priorities, goals, and objectives.

- STRATEGY 1- Complete another resident survey in 2019 and 2021.
- STRATEGY 2- Meet with Department Heads quarterly to review status on goals and objectives previously established. Report semiannually to the City Council and the public.
- STRATEGY 3- Host Community Conversations and aim for even more community participation than previously.

## Community Partners list

Assemblée Chrétienne de la Famille de Delaware, Inc

Baltimore Aircoil Company

Bayhealth

Carlisle Fire Company

Chamber of Commerce for Greater Milford

Davis, Bowen & Friedel, Inc. (DBF)

Delaware Area Regional Transit (DART)

Delaware Department of Transportation (DelDOT)

Delaware Emergency Management Agency (DEMA)

Delaware Hospice Inc.

Delaware Technical Community College

Downtown Milford Inc. (DMI)

Greater Milford Boys & Girls Club

Kent-Sussex Industries

Milford Housing Development Corporation

Milford School District

Milford Senior Center

Music School of Delaware: Milford Branch

Perdue

Reformation Lutheran Church

St. John the Apostle Church

## Community Conversations Participants

This is a list of Community Conversations participants who agreed to be listed in this Plan.

<u>Name</u>	<u>Ward</u>	<u>Name</u>	<u>Ward</u>	<u>Name</u>	<u>Ward</u>
Pat Abel	2	Mary Galligan		Leona Raffio	4
Jennifer Anderson		Sharon Hepford	1	Val Randolph	1
Jennifer Antonik		Walt Hepford	1	Alice Rausch	
Matt Babbitt		David Herron	4	Lang Redden	2
Brian Baer	3	Alicia Hollis		Marcia Reed	2
Barbara Studer Baer	3	Trevor Horsey		Peggy Reilly	1
Ken Behrans	3	Keith Johnson		Bryan Rice	
Ruth Behrans		Teresa Johnson	4	Pastor Andrew Scott	
Paul Bowman		Anne Kling	1	Ed Simon	1
Jan Broulik	2	Judy Lynch	1	Robin Smith	
Jen Byerly	2	Ray Lynch	1	Eugenia Sparks	
Rich Byerly		Keith Markowitz		Glen Stevenson	
Rick Carmean		Joan Marks		Judy Struck	2
Rita Cartright	4	Scott Marks		Dean Tatman	2
Cheryl Clendaniel	1 & 4	Stephanie McDonough	2	Stephanie Tatman	
Sara Croce		Dot McKain		Don Vaughn	
Dan Dond	4	Lucy Mehl		Dean Walston	
Loretta Edmondson	2	Valerie Miller		Paul W. Western	
Mitch Edmondson	2	Joanne M. Milton		Trish D. Western	
Steve Ellingsworth		Ben Muldrow	2	Mark Whitfield	
Ron Evans		Christie Murphy		Renate Wiley	2
Paige Evers		Charles Nordberg		Joe Wiley	2
Eric Evers		Leonard Ott		Eric Williams	2
Tod Van Eyken		Milly Pedersen	1	R. Darrell P. Wilson	4
Bruce Fenerstein		Patti Persia	2	Frank Wisniewski	1
Lisa Fitzgerald	2	Joey Phillips	2	Craig Zychal	2
Franklin Fountain	4	David Pickneil	2	Nadia Zychal	2
Suzannah Frederick	2	Rob Pierce			
Patrica G		Sara Pletcher	2		

## Glossary

**Action Item-** an event, task, or activity, which outlines a specific step in the process of achieving a goal.

**Activity Center-** any place where people gather, such as shopping centers, downtown, schools, recreations centers, the Riverwalk, Library, etc.

**Art Town-** refers to the variety of galleries, shops, and performance spaces in the downtown area.

**Buffer Areas-** a zone that lies between two or more areas. In the case of land use, these are typically used to prevent erosion or overpopulation.

**Community Conversation-** discussion-based gatherings of residents and stakeholders, which were held in order to gather more information about community needs, opinions, and concerns.

**Downtown (Milford's)-** divided into "Downtown West," Downtown Core," and "Downtown East," Milford's downtown consists of the area between Silver Lake and Goat Island. This area consists of all streets and businesses between Causey Avenue/ Southeast Front Street and Northeast Front Street, with an opportunity for development on N. Walnut Street<sup>1</sup>.

**Downtown Core-** encompasses from Warren's Furniture Property to the Historic Milford Shipyard.

**Downtown East-** encompasses from Bicentennial Park to Goat Island

**Downtown West-** encompasses from Silver Lake to the Gateway Arch.

**Gateway-** refers to the main thorough-fairs into and out of the City. Specially on either end of Northeast Front Street and Route 113.

**Goal-** an overall object, aim or desire to be achieved or reached.

**Link(age)-** an infrastructure facility, such as a paved shoulder, sidewalk, or recreational path, that provides a clearly defined way for a bicyclist or pedestrian to get from one destination not the next, without undue conflict with motorists<sup>2</sup>.

**Mixed Use-** refers to utilizing a single space for multiple purposes, such as second floor apartments with first floor retail or restaurant space.

**National Citizens' Survey-** a community's data-based examination of residents' needs and perspectives.

**Objective-** outlines the "what" for each goal; specifying more information about the process for achieving the goal.

**Priority Areas-** topics that are of utmost importance to City officials, residents, and other stakeholders.

**Strategy-** outlines the "how" of each objective; a plan of action or policy designed to achieve the overall aim.

**Success metric-** the mechanism by which the City will measure whether or not a goal is being achieved.

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<sup>1</sup> As illustrated in the *Milford Rivertown Rebirth 2025 Plan*

<sup>2</sup> *Bike and Pedestrian Master Plan* definition

## **Appendix A**

### NCS Community Livability Report

## **Appendix B**

### NCS Dashboard Summary of Findings

## Appendix C

### Community Conversations Questions

**Safety:** Public safety, personal security and welfare, emergency preparedness

#### *Flip Chart Questions:*

- How important a priority should emergency preparedness planning be over the next 5 years? (emergency preparedness planning includes preparing for major storm events, sea-level rise, flooding, electric outages, as well as educating the public about the City's plans for these events)
  - 1- Essential
  - 2- Very Important
  - 3- Somewhat Important
  - 4- Not Important at all
- Do you believe the City of Milford is prepared for emergencies related to future weather events? [y/n/ not sure]
- Would you support a tax or fee increase for additional police officers? [y/n]
- Would you support a tax or fee increase for additional police officer training, equipment or other law enforcement resources? [y/n]
- Would you support a tax increase to replace the old police station so it meets current needs and safety standards? [y/n]

#### *Open ended Questions:*

- How should the City of Milford focus on the overall feeling of your neighborhood and Milford's downtown in the coming two years?
- How can greater "emergency preparedness" be achieved?
- Do you have any other thoughts related to safety?

**Economic Health & Vitality:** maintenance of a diverse economy (downtown, cost of living, employment)

#### *Flip Chart Questions:*

- Are you concerned about the future of employment opportunities for yourself within the City of Milford? [y/n]
- Are you concerned about the future of employment opportunities for others within the City of Milford? [y/n]
- What types of employment opportunities do you feel are missing from Milford?
  - Administrative
  - Retail

- Technology
- Trade/industrial
- Professional
- Nothing is missing
- Other
- Would you support a tax or fee increase to better promote business opportunities that will create jobs in Milford? [y/n]
- Currently, the City offers economic development incentives in the form of fee waivers and short-term tax exemptions under certain circumstances to promote job growth and capital investment in the community. Would you support a tax increase to generate more resources be used for Economic Development? [y/n]

### *Open ended Questions:*

- Keeping in mind that the City of Milford has limited control over certain aspects of the local and Delaware economy, we want to know your thoughts on the following questions. If your ideas or concerns are out of our control, we may share concerns with state and/or local representatives. What aspects of economic health are most important to you?
  - (potential prompting options: more businesses downtown, more jobs in the downtown development district, better housing market, more business startups)
- What, if any, job training opportunities are you interested in or that someone you know would be interested in?
- What, if any, goods/services can you not find in Milford, that you would like to be able to buy here?
- In your opinion, what would make Milford a more attractive place to visit?
- In your opinion, what would make Milford a more attractive place to live?
- Do you have any other thoughts related to economic health/vitality?

**Neighborhoods & Built/Natural Environment:** maintenance and design of open spaces, construction and management of buildings/housing, streetscapes, and parks

### *Flip Chart Questions:*

- Do you see code enforcement concerns in your neighborhood? [y/n]
- Do you feel comfortable reporting Code Enforcement concerns? [y/n]
- What range for cost of housing do you believe is the most affordable for Milford residents?
  - (RENTAL: less than \$500, \$500-\$800, \$800-\$1000, \$1000-\$1300, \$1300+)

- (BUYING: less than \$100,000, \$100,000-\$150,000, \$150,000-\$200,000, \$200,000-\$250,000, \$250,000-300,000, \$300,000-350,000, \$350,000-\$400,000, \$400,000+)
- Is there enough variety in the types of housing available (i.e.- rental & owned; single family, townhome, apartment, etc.)? [y/n]
- Would you support a tax increase to create or enhance neighborhood parks? [y/n]
- Would you support a tax increase for maintenance or expansion of open spaces? [y/n]

*Open ended Questions:*

- What do you think are the most pressing “code enforcement” issues to be addressed by the City of Milford?
- Do you feel there are barriers or challenges to reporting code violations?
- The City of Milford has a variety of housing options available. Do you have suggestions for additions or changes in what is available to rent or own?
- Do you have concerns regarding the quality of any utilities or other services provided by the City of Milford? If so, please describe?
- Do you have any other thoughts related to neighborhoods?

**Mobility:** Accessibility of the community, ease of travel, traffic flow, walking, and biking

*Flip Chart Questions:*

- The City of Milford has met with DART to discuss improving local bus services. This could include connecting employment and retail centers with neighborhoods and other key destinations. Would you use public transportation (i.e.- bus routes) if it was available? [y/n]
- If improvements to the bikeability and walkability within the City were made, would you be more likely to bike and/or walk? [y/n]
- Would you support a tax increase for upkeep of existing City streets and sidewalks? [y/n]
- Would you support a tax increase to add City sidewalks or pathways to connect neighborhoods? [y/n]
- Would you support a tax increase to introduce a trolley on weekends? [y/n]

*Open ended Questions:*

- In your opinion, how could the City of Milford make it easier to move around the City?
  - FOLLOW-UP: Is there anything in particular that the City of Milford would need to address in order to accomplish this?
- Do you have any other thoughts do you have regarding the mobility?

- Are there any areas of the City that could benefit from more public transportation options?

## **Recreation & Wellness:** availability of supportive services that promote healthy lifestyles

### *Flip Chart Questions:*

- Do you feel that the City of Milford's Parks & Recreation Department offers enough recreational opportunities for children? [y/n]
- Do you feel that the City of Milford's Parks & Recreation Department offers enough recreational opportunities for adults? [y/n]
- In addition to recreational opportunities provided by the City, do you feel other there are sufficient other private or non-profit recreational opportunities available in the community? [y/n]
- Are recreational opportunities easily available / convenient to you? [y/n]
- Would you support a tax increase for adult recreation? [y/n]
- Would you support a tax increase for a community recreation center space? [y/n]

### *Open ended Questions:*

- What, if any, types of recreational opportunities for children would you like to see more of?
- The City of Milford offered a variety of adult sports league programs in the past; but they were discontinued due to a variety of concerns. What, if any, types of recreational opportunities for adults would you like to see offered in the future?
- Do you have any other thoughts regarding the recreation/wellness opportunities in Milford?

## **Participation & Community Engagement:**

### *Wrap-up Discussion Question:*

- The City wants this Strategic Plan and its outcomes to support the needs and priorities of entire community; what suggestions do you have for the City to connect with all segments of community now and in the future?

## Appendix D

### Priority Areas Charts

# City of Milford Strategic Plan

## Draft Mission, Vision, Values

### Vision:

- Milford, a collaborative community with a small town feel, cares about providing opportunities by supporting its residents, attracting business, and welcoming visitors.
- Milford, with its small town feel, is a collaborative, caring community which supports residents, attracts businesses, and welcomes visitors.
- Milford is the caring, collaborative community with a small town feel that provides opportunity through supporting residents, attracting businesses, and welcoming visitors.
- A diverse, collaborative community with a small town feel.
- Small town feel, big time opportunities.
- A caring, collaborative river town where you belong.

### Mission:

- The mission of the City of Milford is to provide proactive and responsive municipal government services that continue to improve the overall quality of life for all, in an efficient and cost effective manner.
- The mission of the City of Milford is to meet the needs of a growing diverse community by designing plans, managing resources, and creating innovative practices, which are sustainable and economically feasible for the long term.
- The mission of the City of Milford is to provide proactive, responsive services and fulfill the needs of its diverse community by using innovative and sustainable methods

### Values:

Open and Honest Communication: Effectively and clearly communicate ideas, information, and expectations between team members and to our community in a responsible, transparent manner.

Reliable: Ensure and provide consistent, quality services that residents and customers can depend on.

Respect for Diversity and Equity: Foster and support a culture that values the rich heritage of the City and experiences of our community members, while providing services impartially and fairly to all.

Stewards of our Resources: Make the best use of resources, in the short- and long- term.

Commitment to Excellence: Tackle objectives quickly and positively, going above and beyond basic requirements, to create a service-oriented culture through teamwork and collaboration.



# City of Milford

Vision, Mission, Values

- Milford, a collaborative community with a small town feel, cares about providing opportunities by supporting its residents, attracting business, and welcoming visitors.
- 
- Milford, with its small town feel, is a collaborative, caring community which supports residents, attracts businesses, and welcomes visitors.
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# Vision



# Values

- ▶ Open and Honest Communication: Effectively and clearly communicate ideas, information, and expectations between team members and to our community in a responsible, transparent manner.
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- ▶ Stewards of our Resources: Make the best use of resources, in the short- and long- term.
- ▶ Commitment to Excellence: Tackle objectives quickly and positively, going above and beyond basic requirements, to create a service-oriented culture through teamwork and collaboration.



# Mission

- ▶ The mission of the City of Milford is to provide proactive and responsive municipal government services that continue to improve the overall quality of life for all, in an efficient and cost effective manner.
- ▶ The mission of the City of Milford is to meet the needs of a growing diverse community by designing plans, managing resources, and creating innovative practices, which are sustainable and economically feasible for the long term.
- ▶ The mission of the City of Milford is to provide proactive, responsive services and fulfill the needs of its diverse community by using innovative and sustainable methods

MILFORD CITY COUNCIL  
MINUTES OF MEETING  
February 6, 2018

A Meeting of the City of Milford Economic Development Committee was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall, 201 South Walnut Street, Milford, Delaware on Tuesday, February 6, 2018

PRESIDING: Chairman Christopher Mergner

IN ATTENDANCE: Committee Member: Councilmember Lisa Ingram Peel  
Mayor Bryan Shupe (Participated by telephone)

STAFF: City Manager Eric Norenberg and City Clerk Terri Hudson

ABSENT: Committee Member: Councilmember James Starling Sr.

#### CALL TO ORDER

Chairman Mergner called the Committee Meeting to order at 6:02 p.m.

City Planning Director Rob Pierce and Milford's IACP Fellow Evan Miller were also present.

#### NEW BUSINESS

##### *Milford Armory Tenant*

City Manager Norenberg recalled previous conversations regarding potential partners interested in leasing the armory. The last time it was discussed, there were a couple nonprofit agencies interested in using some or all of the armory. Neither have worked out at this point. In the meantime, the Community Garden Project is underway on the northern side of the building. An agreement has been executed and trees have been planted and currently they are preparing the raised beds and talking with the Planning Department about a shed to store some of their equipment.

In addition, Parks and Recreation has taken occupancy of the three buildings behind the fence for their maintenance operations as was previously discussed.

More recently, a non profit group has expressed an interest and Lillian Harrison is in attendance to discuss that potential plan. Another group is also interested though the City Manager is unsure if that will work out.

Lillian Harrison, Delaware Community Reinvestment Action Council (DCRAC) Housing Director reported that the organization last year celebrated their 30th Anniversary at the same time the Community Reinvestment Act (CRA) was celebrating the 40<sup>th</sup> year of its enactment by Congress.

In addition to her position with DCRAC, Ms. Harrison is the Executive Director of WGM Outreach Ministries, President and CEO of Innovative Success Enterprises, Incorporated, Publisher/Editor in Chief of Innovative Success Magazine, Founder of Delaware Advocate, Owner of LHO Business Services, business development coach and consultant, motivational speaker, author and entrepreneur.

When Congress enacted the CRA, the intent was to encourage banks to meet the credit needs of local communities in which the banks operate. It includes addressing the needs of low-to moderate-income neighborhoods. The CRA responded to the often underdeveloped and inadequate flow of capital funds into low-income neighborhoods to aid in the fostering of neighborhood development, economic growth and wealth building.

Their mission is to ensure equitable treatment and equal access to credit and capital through Education, Outreach, Advocacy, and Legislation. Their vision is to be a trusted and caring advocate for Delawareans by providing consumer protections, financial services, educational programs and counseling.

DCRAC is a tax exempt, charitable nonprofit whose mission is to ensure equitable treatment and equal access to credit and capital throughout Delaware. She reported that they currently have two offices in Wilmington and one at the Georgetown Professional Park in Sussex County.

They serve Delawareans by helping clients resolve their issues with the IRS, mortgage lenders and credit bureaus. The organization tries to be the watchdog because they feel everyone deserves a chance to succeed and be able to provide for their families. They want to end predatory lending practices by some financial institutions that are charging unjustified and unpayable interest rates and fees of specific segments of our community.

They also provide the only low income tax clinic in Delaware to educate taxpayers of their rights while providing representation before the IRS and/or the tax court. Another credit clinic was designed to help Delawareans build their credit scores.

Ms. Harrison also noted they work with a host of volunteers that helps make their programs successful. They were looking for another space and after her visit in February, she believes they would fit nicely in the armory. A number of other nonprofits with whom they work may be willing to share the space as well. It would provide a central location in the middle of Sussex and Kent Counties which will allow them to reach more clients, particularly in the Kent County area.

City Manager Norenberg explained this is a similar model to what was proposed a year ago by the Chamber of Commerce who was proposing the building be used as a hub for several nonprofits. Unfortunately, based on their need to move suddenly, there was not enough time for them to spearhead this project.

He noted that the City would have to go through the Conditional Use application process to allow these type uses at the site. Also, any reuse of the building must comply with the deed restriction that requires a purpose that will benefit the public. That in itself prevented a number of requests from being eligible, including churches and private schools. A charter school would be eligible though after they viewed the facility, felt it was too small for their purposes. Since then, the City has been promoting the building and talking with various partners.

He recalled when the Civil Air Patrol came before City Council, adding that they could be a potential collaborator with this agency. However, they are only interested in using classroom space that a church or school can provide versus having to do the renovations that are needed at the armory.

Chairman Mergner expressed concern about the armory's location in the middle of a residential area. He feels that a site more visible and with higher traffic volume would be more appropriate. Ms. Harrison said that was taken into consideration and they are in an even more secluded area in the Georgetown Professional Park though people are able to access it easily. She feels the armory would be easy to find as they typically direct people to Google maps for their various locations and they would do the same in this situation.

She also noted that in a number of cases, their clients are homebound so the staff goes out and visits them versus having the clients come to the office.

Ms. Harrison also emphasized they are very well aware of what type of improvements will be needed to the building so that is not a concern.

City Manager Norenberg advised that when this item was added to the agenda, there was another possible tenant interested though that has changed in the last few days and they have decided to go in another direction. The big concern at this point is the building is not ADA accessible so there are some mandatory upgrades that are needed.

Chairman Mergner agreed adding that its current condition does not make the building marketable for most organizations.

Mr. Norenberg added there were some roofing conditions that had to be addressed on an emergency basis due to recent winter storms. Unfortunately, the City does not have the finances to put into the building to make it more appealing. More

importantly, we do not want to put money into a design that accommodates one tenant though a different configuration would be needed for other uses. He has approached it from the standpoint of offsetting the first few years of rent in exchange for tenant improvements.

The City Manager stressed that whoever the partner is will need to make a significant investment to ensure its accessibility, add air conditioning and address other issues. The City has been setting aside \$10,000 to \$12,000 a year for utilities and repairs, though the roof is going to cost an additional \$3,800 that was unanticipated.

When asked about its zoning designation, Planning Director Rob Pierce explained it is zoned R2. Both zones allow a conditional use to permit a community center or community service office. The new City Comprehensive Plan also allows the site to be rezoned to OB1 (Office Building) which would allow the same uses that are being considered.

Mr. Pierce compared the site to the offices of Mow Podiatry and Masten Dermatology on Lakeview Avenue that were in the middle of a residential area zoned OB1. He noted there are a number of other offices in this area that meet the low profile, low volume office building zone that he feels is appropriate in a residential area. In this case, a public hearing will be required for the conditional use and property owners within 200 feet will receive notices. Conditions can be placed on the property that would include hours of operations, parking requirements, etc.

Mr. Norenberg explained that we are still in preliminary discussions and there are a number of items that need to be flushed out. Tonight, they are asking for feedback from the Committee. However, he is not asking for a recommendation at this point and wants to be able to address any concerns or issues. Ms. Harrison will then plan to come back to the Committee with a more final plan within a few weeks, depending on the Committee's direction this evening.

Councilwoman Peel feels that more information is needed though she is a little more cautious about referring to this as a community center, particularly in a residential area. She feels the traffic flow and hours of operation need to be considered in addition to the type of services being offered.

She agrees there are other buildings in that area, including the church and stores that are non residential, but the residential area is still a serious consideration.

Ms. Harrison agrees that it needs to be understood it will not be used as a community center that would be open all hours. However, there would be agencies providing community services during the more traditional hours, though one operates directly after school. She does not feel this use would align with her perception of a community center.

Chairman Mergner continued to express his concern regarding the residential area versus a more visible commercial type location. He would like to have more information on what is proposed before he is able to make some final comments. He did state that if this does not work out, perhaps there is another area that could be provided that makes more sense for Ms. Harrison's organization, in addition to a budget-standpoint.

City Manager Norenberg said he will continue the dialogue with Ms. Harrison and her organization to come up with a more complete plan before they bring it back to the Committee.

#### *Realtor RFP*

Since City Council's decision, City Manager Norenberg stated that he and Planning Director Rob Pierce have worked together to create an RFP to secure a realtor who will list and market the available lots in the Greater Milford Business Park and Independence Commons. The City has one lot remaining for sale in the Business Park and eight in Independence Commons as is shown on the provided exhibits. Lot prices range from \$100,000 for a one-acre parcel to \$460,000 for an eleven-acre parcel. Only one lot in Independence Commons has been sold in the past thirty months.

He reminded the Committee members that funds from the sales of lots in the Business Park and Independence Commons go into the City's Economic Development reserve fund which is primarily used for capital improvement projects and one-time projects. Previously, a policy was set that the City would not pay a commission to a realtor representing the buyer of a

City-owned parcel in the Business Park and Independence Commons. However, during that time, sales were brisk and the City did not need a realtor's involvement.

It has since been discussed that paying a commission on lot sales in the Business Park and Independence Commons would create more of an incentive for realtors to bring potential buyers into the City. They hope this would speed up the sales and development of the remaining lots. Typically, a real estate commission is set at six percent, with three percent going to the seller's agent and three percent going to the buyer's agent.

The following options had previously been presented to City Council noting that option two had been chosen:

1. Offer a Commission of 1% to 3% to a Buyer's Agent:

This would cost the City approximately \$1,000 to \$3,000 per lot. Advantage: There could possibly be additional realtors marketing the lots. Disadvantage: There would be the expense of paying a commission.

2. Hire a Realtor and Pay Commissions:

Prepare an RFP to solicit proposals from realtors to represent the City and select one or multiple realtors based on their proposed marketing plan and commission rates. Advantage: A realtor would actively be marketing the lots, featuring on the MLS, etc. Competition through an RFP process could ensure we get the lowest commission. Disadvantage: There would be the expense of paying a commission to both the seller and the buyer.

3. No Change: Continue current practice.

Mr. Norenberg then reviewed the RFP which was included in the Council packet.

Councilman Mergner referenced the previous conversation and asked if we should consider adding the armory to the list of available properties. He feels there may be some other uses for the building and understands we have been struggling with this for several years and the building is still vacant.

Mr. Norenberg explained that part of the problem is when the property was deeded to the City of Milford, only public purpose uses could be considered though the City would retain ownership. If someone wanted to purchase it, the matter would need to go back before the General Assembly for consideration.

Councilman Mergner recalled that Ms. Harrison indicated they hired a realtor to help them find a location so there may be other nonprofits or community services that may be suitable.

Mr. Norenberg agrees that once we hire a realtor, we could ask them for some professional advice on how to market the building.

He brought this before the Committee in case there were any concerns, though after discussing it, he feels it is ready to be finalized and publicized. If the Committee prefers, they can bring back the recommendations or take it directly to City Council.

Chairman Mergner believes the Committee should review it first. He also noted that one of our challenges is that Parks and Recreation is already using a large portion of the property. He agrees that some feedback from a realtor would be helpful with any potential leasing issues for the remaining portions of the property.

Mayor Shupe (by telephone) stated that he feels it is a good idea to bring it before the public so that their concerns can be expressed.

When questioned, it was confirmed the City does own the current Parks and Recreation building, and before they moved into the buildings in the rear of the armory, the Department has equipment scattered in various locations, including the Growmark Building, their maintenance office/shop on Mill Street, as well as at their primary office on Franklin Street. They are now using the three buildings behind the armory.

Councilwoman Peel asked if there are grants available to make the armory ADA compliant so that the entire Parks and Recreation operations could be moved there; Councilman Mergner noted that we have their main office by Milford Little League and asked if the City has thought about selling that site and using that money to upgrade the armory into a Parks and Recreation Center.

It was also recalled the concerns expressed with the current location of the basketball courts by Salvation Army and the possibility to move them over by the Parks and Recreation Office site.

Councilman Mergner feels we need to take advantage of the armory and their current main office by the ballfield seems to be wasted space when we are using these other locations for storage. He feels that relocating the office staff to the armory, where there is sufficient storage capability, should be considered. He feels the City may find more of a value selling the main Parks and Recreation facility.

Planner Pierce asked what an appropriate use of that facility would be; the Chairman is unsure though several things could be considered including a house or some type of small office.

City Manager Norenberg also reminded the Committee that the public regularly uses the current Parks and Recreation's classroom, as does the City for training purposes. Chairman Mergner understands though he is just trying to come up with a solution and prevent from being spread throughout the City as is currently done.

Planner Pierce also pointed out that in addition to the basketball courts being moved there, there is also a playground behind the building that is used on a regular basis.

City Manager Norenberg stated that the limitation on usages at the Milford Armory has been a major obstacle since the City first acquired it. In addition, multiple activities occurring within the building could present a problem to the surrounding residents.

Councilwoman Peel pointed out there is some open space for additional parking though it has not been designed; Chairman Mergner feels a new design should be considered and believes that quite a bit parking though it will need to be rearranged. City Manager Norenberg also pointed out the Community Garden space will have an impact on parking as well.

Planner Pierce pointed to an area on the map where more parking space could be added and are presently angular spaces. However, if an office-type use is selected, he does not feel it will be as much a problem. However, the public hearing process would allow neighbors to voice their opinions and Council would have the ultimate decision to approve or not approve, based on the impact to the area.

Chairman Mergner then stated that he does not have an issue with the RFP.

City Manager Norenberg stated that the dates will be updated and they will move forward with the process. However, he agrees that we may want to consider adding the lease of the armory. Chairman Mergner said he is unsure of the value of the current Parks and Recreation building by Milford Little League. Planner Pierce said there is a lot of land in the front though he is unsure of what type of restrictions are involved because he believes some of the land may have been donated for dedicated park areas.

Councilwoman Peel asked that it be checked out for at least for the two parcels in the front of the property.

Several options were discussed though it was agreed to continue with the conversation at a later date.

Chairman Mergner recommends the armory be added to the list of City properties in the RFP to attract some possible tenants. He feels that we can at least get the information out and be able to make a better decision down the road.

The City Planner will research the properties to find any others that may be available for sale. Mr. Norenberg noted that the Public Works Director recently created a list of properties the City is responsible for their maintenance and will determine

if there are any remnants that have a value to sell.

It was clarified that Milford Little League's property is made up of several parcels owned by the City of Milford, Burriss Foods and Milford Little League.

City Manager Norenberg will amend the RFP to enable additional properties to be added along with the armory for leasing purposes

*Business Park Land Sale*

City Manager Norenberg explained that Mayor Shupe asked for some type of concurrence on moving forward.

Planner Pierce recalled that a few years ago, the City was approached by C&C Drywall to expand their lot. At the time, they worked with DBF to determine the minimum area needed to give trucks full access around their building. This was a result of problems that existed due to loading and unloading out on the street.

As a result, thirty feet was removed from the parcel of land behind their property and sold by the City to C&C Drywall. That allowed their trucks to maneuver around the building and not have to use the areas in the public right of way as had been done for a number of years.

The owner of Moore's Bus Service, who is next door to C&C Drywall, has now approached the City with a similar request to extend their back property line. His recommendation is to mirror what was purchased by C&C Drywall and provide them with another thirty feet to help with the circulation on their site.

After the last conversation, the owner was asked to determine exactly how much room was needed. Since, the property has been surveyed and there are some options, including parking, that may need to be reconfigured.

Mr. Pierce confirmed they are interested in purchasing thirty additional feet of land. The previous sale was based on the appraised value of similar properties in business parks and then prorated per acreage.

He recommends taking the same approach be used in this sale to Moore's Bus Service. If the Committee has no problem with handling in this manner, Mr. Pierce will have the documents drafted and have our City Solicitor work with them.

Mr. Pierce noted that we must also take into consideration some future stormwater management needs as we continue to develop.

It was agreed to wait until the survey is completed and at that point, Mr. Pierce will calculate the price and move forward.

*Building Code Update*

Chapter 88 - Building Construction

Planner Pierce reminded the Committee that the construction and alteration of all residential or commercial structures within the City of Milford are governed by Chapter 88 Building Construction. It includes the adoption of the 2006 International Residential Code (IRC) and 2006 International Building Code (IBC) which regulate residential and commercial building construction within City limits. These standardized codes are developed by the International Code Council (ICC) and are updated approximately every three years.

The adopted codes being used by each county and larger municipalities are provided below for comparison:

Kent County	2012 IRC, 2012 IBC
Sussex County	2012 IRC, 2012 IBC
Wilmington	2012 IRC, 2012 IBC

Dover	2009 IRC, 2009 IBC
Newark	2012 IRC, 2012 IBC
Middletown	2012 IRC, 2012 IBC
Smyrna	2012 IRC, 2012 IBC
Seaford	2009 IRC, 2009 IBC
Georgetown	(codes currently adopted by Sussex County)
Elsmere	2000 IRC, 2000 IBC
New Castle	2000 IRC, 2000 IBC
Millsboro	2003 IRC, 2003 IBC
Laurel	2009 IRC, 2009 IBC
Harrington	2012 IRC, 2012 IBC
Camden	2006 IRC, 2006 IBC

Also, each community may have different additions, insertions or deletions of specific portions of the adopted IRC or IBC code.

In 2017, the City was graded by Insurance Services Office, Incorporated (ISO) under the Building Code Effectiveness Grading Schedule (BCEGS) that assesses the building codes in a community and how the community enforces those building codes. Municipalities with well-enforced, up-to-date codes should demonstrate better loss experience and the corresponding insurance rates reflect that. The BCEGS program assigns each community a grade from one (best) to ten (worst).

That audit returned a grade of ten for the City, primarily due to the fact that the City is still operating under an older version of the ICC. For comparison, the City had undergone a similar audit in 2011 where it scored a six on both the residential and commercial building codes. By adopting the 2012 IRC and IBC, the City would improve their BCEGS grade to five.

In January 2017, the Department notified homebuilders and individual contractors of the proposed code update and offered to meet with them to discuss concerns. These same contractors were invited to attend the Economic Development Committee meeting this evening.

The Department compared the current City additions, insertions and deletions with those adopted by both Kent and Sussex Counties to formulate the draft additions, insertions and changes in the proposed code amendment. The main modifications include the following:

- \*R311.7.5.1 Risers (similar to Kent and Sussex County) increases the maximum riser height from 7 inches to 8 inches.
- \*R311.7.5.2 Treads (similar to Kent and Sussex County) decreases the minimum tread depth from 10 inches to 9 inches.
- \*R313 Automatic Fire Sprinkler Systems will be deleted in its entirety (similar to Kent and Sussex Counties)

Staff recommends adopting the 2012 International Residential Code and 2012 International Building Code along with the proposed additions, insertions and deletions. The City recommends moving to the 2018 IRC and IBC once both Kent and Sussex County adopt the newer version.

Mr. Pierce explained that this will impact homeowners' insurance rates because that is what is used by underwriters to determine costs. City Manager Norenberg agreed this is something the municipality can control and influences the scores; the lower the number, the better for our homeowners.

The financial impact would be the cost of purchasing new code books.

Councilwoman Peel pointed out that both Kent and Sussex County are using the 2018 and asked if those municipalities that have not upgraded will eventually move into it. Mr. Pierce explained they are using the 2012 volume at this time though the goal of both counties this upcoming year will be to consider the 2018 code. That is the reason Mr. Pierce is recommending upgrading to the 2012 code. Once everyone moves into the 2018 version, the matter can be re-evaluated at that time.

Some clarification was needed in regard to the various codes and Chairman Mergner confirmed that Mr. Pierce is

recommending upgrading from 2006 to 2012 in order to align with Kent and Sussex Counties. Planner Pierce stated that is correct and once the Counties upgrade to the newest version, he will ask that be readdressed by this Committee.

Mr. Norenberg stated that one of the things that needs to be considered is when adopting new building codes, the local jurisdiction often makes some local amendments and deviations. That is the reason we may need some input from the Counties in the review process. He emphasized that can some times take as long as a year to complete the process.

He noted that presently, there is sometimes some confusion because the contractors are also working with Kent or Sussex County who are using a more updated code. Because of that, the City is not going to tell them to do something less restrictive or out of date. However, it will be beneficial to use the same codes along with the same amendments.

The matter will be placed on an upcoming agenda as a recommendation from this Committee.

#### ADJOURNMENT

Councilwoman Peel moved to adjourn the Committee Meeting, seconded by Chairman Mergner. Motion carried.

Chairman Mergner adjourned the Public Works Committee meeting at 7:15 p.m.

Respectfully submitted,

Terri K. Hudson, MMC  
City Clerk/Recorder

MILFORD CITY COUNCIL  
MINUTES OF MEETING  
February 12, 2018

The City Council of the City of Milford met in Workshop Session on Monday, February 12, 2018 in the Joseph Ronnie Rogers Council Chambers at 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  
City Clerk/Recorder Terri Hudson

COUNSEL: City Solicitor David Rutt, Esquire

ABSENT: Councilmembers Christopher Mergner and James Starling Sr.

Mayor Shupe called the Council Workshop to order at 6:04 p.m.

Milford's ICMA Local Government Management Fellow Evan Miller was also present.

*City of Milford Strategic Plan Update*

Associate Policy Scientist Fran Fletcher and Assistant Policy Scientist Leeann Moore from the University of Delaware's Institute of Public Administration were present to facilitate the workshop and obtain some additional feedback from City Council.

Ms. Fletcher reminded Council the Strategic Planning process is about achieving a vision and a mission, as well as creating goals. Where are we now, where do we want to be in the future, how we will get there and how we measure our progress needs are all being considered as this plan comes together. She recalled the numerous Community Conversations that were held late last year with City of Milford leaders, residents, local businesses and community members to encourage stakeholder participation. That provided an opportunity for the City to hear more about the concerns, wants and desires. Those ideas and thoughts were needed to help create the vision, mission, values and guiding principles that make up the plan.

In order to drill down the vision, mission and values, additional input from City's leaders is needed. Ms. Fletcher recalled that when this process began in September 2016, they stressed the importance of obtaining individual Councilmember's perspectives. At that time, Council was asked to consider priority issues, themes, focus areas and how to move forward with strategic initiatives and action steps.

The draft plan included the following two visions for consideration:

- 1. The City of Milford will have the highest quality of life in the State of Delaware.*
- 2. Milford will be the First Community of choice in the First State to Live, Work and Play*

Directed by Ms. Moore, the group of six elected officials was then divided into two groups. Mayor Shupe and Councilmen Campbell and Burk comprised one group and Councilwoman Peel and Councilmen Brooks and Morrow the other.

In preparation of the five-year plan and in consideration of the dialogue that has taken place, eight mission statements were drafted. She asked the groups to focus on and select the top TWO missions, they feel should encompass the mission of the City.

1. *By embracing the diversity in our community, the City of Milford will provide proactive and responsive services to enhance the overall safety and quality of life of residents, businesses, and visitors.*
2. *The City of Milford government will provide services to attract and support a diverse community of residents, businesses, and visitors.*
3. *The City of Milford strives to provide proactive and responsive municipal government services that continues to improve the overall quality of life for all in an efficient and cost-effective manner.*
4. *The City of Milford respects and serves the community by providing responsive, proactive services, while embracing citizens of all backgrounds.*
5. *The City of Milford assists residents in achieving their personal goals by offering high quality of life, responsive services, and proactive community engagement.*
6. *Through open government policies, responsible economic management, and proactive service delivery, the City of Milford supports the social and environmental health of a diverse community of residents, businesses, and visitors.*
7. *The City of Milford designs plans, manages resources, and creates innovative practices, which are sustainable and economically feasible for the long term, in order to ensure the City meets the needs of a growing, diverse community.*
8. *To provide proactive and responsive municipal government services that continues to improve the overall quality of life for all in an efficient and cost-effective manner.*

The two selections with the highest number of votes were number three and number seven, followed by two votes for numbers one, two, five and eight.

An overall discussion regarding the various missions then followed.

The groups were then asked to choose the top five *values* that should encompass the standards for City of Milford personnel, which would be used as standards when decisions are made by Human Resources in performance appraisals, recruitment for hiring, firing/reprimands, etc.:

1. *Open and Honest Communication: Effectively communicate ideas and factual information between team members and to our community.*
2. *Transparent and Accountable: Support the community by setting and upholding clear expectations and being responsible for our actions.*
3. *Reliable: Provide consistently, quality services that residents and customers can depend on.*
4. *Continuous Improvement: Review, evaluate and measure operations and services to identify and capitalize on opportunities.*
5. *Respect for Diversity and Equity: Foster and support a culture that values the rich heritage of the City and experiences of our community members, while providing services impartially and fairly to all.*
6. *Stewardship of our Resources: Make the best use of resources, in the short and long term.*
7. *Commitment to Excellence: Tackle objectives quickly and positively, going above and beyond basic 1:LJ requirements, to create a service-oriented culture through teamwork and collaboration.*

The Council and Mayor seemed more comparable in this area. Numbers one, three, five and seven were selected by

everyone participating and number six came in second by one less vote.

Mr. Miller's presentation began with a description of the existing framework for the Strategic Plan. This framework was born out of the National Citizen Survey distributed in the summer. In all, there were roughly twenty community conversations with residents, businesses, faith-based organizations, non profits and employees. In addition there were a number of meetings with Department Heads. The framework starts with a priority of the five priority areas:

Public Safety & Preparedness  
Economic Health and Development  
Mobility and Infrastructure  
Neighborhoods and Community Services  
Fiscal Responsibility and Public Engagement

Each priority area contains goals defined as the overall achievement(s) to be reached. Objectives are also included that address the "what" of each goal. That is followed by strategies, which relates to the "how" of each objective. Finally, action items encompass the specific measures and steps that need to be taken and include success metrics, time lines and partners.

At this point, the focus is on the goals, objectives and strategies of each priority area.

As previously noted, this is being presented to Council tonight to get additional feedback Council may have on the goals, objectives and strategies identified for each priority area. Only a few of the goals, objectives and strategies will be discussed this evening.

Public Safety and Preparedness are defined as being proactive and well-prepared with regard to the safety of community members. One of the goals is to efficiently utilize all police resources (i.e., staff time, personnel, training, equipment and technology). One of the objectives under this goal is for the Milford Police Department to evaluate and regularly monitor the departments' workload. This can include the patterns of calls for service, number of reports/crimes committed as well as staff time. The second objective under this goal is to prepare for future Commission on Accreditation for Law Enforcement Agencies (CALEA) by researching standards and expectations. By getting CALEA accreditation, the Milford Police Department can add another layer of professionalism to that department.

Another goal under public safety and preparedness is to utilize effective, proactive emergency preparedness and public safety strategies. Some of the objectives include items such as pro actively planning for emergency events, offer preventive training for emergency events and replacing the current Police Department with a safer and more modern facility to serve the Community's needs.

Economic Health and Development, the second priority, is defined as attracting and retaining businesses, fostering a vibrant downtown and beyond, communicating the Downtown Development District and other incentives and encouraging job opportunities. Two of the major goals in this priority area include enabling the growth of existing businesses and fostering the establishment of new businesses.

It is important that the City work with existing businesses to develop strategies which foster economic growth as well as identify opportunities for growth and the development of new businesses. One of the strategies identified to help foster the establishment of new businesses is to ensure that all business-related organizations and City departments are knowledgeable about development processes for new or expanding businesses to aid in the process of starting a business in Milford more efficient.

The third priority is Mobility and Infrastructure, defined as sidewalks, roads, utilities, public transportation, walking, biking and gateways. The City has been working on creating an inventory of the existing conditions of streets, sidewalks and underground utilities. Additionally, the City has been working to identify improvements necessary for future growth. With this being said, the goals in this priority suggest pro actively maintaining the City's streets and utility infrastructure, continuing to develop multi modal and pedestrian-friendly infrastructure and address future growth through improvements in infrastructure.

The fourth priority Neighborhoods and Community Services is defined as code enforcement, housing, parks and indoor/outdoor recreation. One of the most discussed topics during the City's Community Conversations was improved code enforcement. One of the goals is for the City to respond to those discussions to preserve and enhance the property values and quality of its neighborhoods. One of the specific strategies to address code enforcement concerns is having more proactive code enforcement throughout the City via additional enforcement and revised standards.

Additionally, the City will focus on pro actively providing information and outreach regarding code requirements to landlords, tenants and homeowners.

Another common topic expressed during the Community Conversations was to bring more tourism to Milford and promote a healthy community with recreational activities. The City believes that by actively promoting the variety of eco tourism opportunities available in Milford and developing new river-based activities will attract more people within Milford as opposed to going through Milford.

Additionally, the City plans to work with partners to establish an adult sports league.

Fiscal Responsibility and Public Engagement is the final priority. Although fiscal responsibility was not a topic commonly mentioned in the City's outreach efforts, staff believes that it should be an overarching priority and interwoven into each priority area. Some of the goals and objectives in this priority included updating the Strategic Plan every three to five years, creating a Capital Improvement Plan in an attempt to appropriately plan for capital equipment and projects over a five-year period and keep community members informed and engaged through activities, programs and improved services.

The next discussion will be held in a Workshop forum on Monday, March 12, 2018 beginning at 6:00 p.m.

There being no further business, Mayor Shupe thanked Ms. Fletcher, Ms. Moore and Mr. Miller for all their work.

The Workshop was adjourned at 6:52 p.m.

Respectfully submitted,

Terri K. Hudson, MMC  
City Clerk/Recorder

NOTE: Audio unavailable due to recorder malfunctioning.

MILFORD CITY COUNCIL  
MINUTES OF MEETING  
February 12, 2018

A Meeting of Milford City Council was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall on Monday, February 12, 2018.

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  
City Clerk/Recorder Terri Hudson

COUNSEL: City Solicitor David Rutt, Esquire

ABSENT: Councilmembers Christopher Mergner and James Starling Sr.

CALL TO ORDER

Mayor Shupe called the Council Meeting to order at 7:01 p.m.

INVOCATION AND PLEDGE

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

APPROVAL OF PREVIOUS MINUTES

Councilmember Burk made a motion to approve the January 8, January 22 and January 31, 2018 Council and Committee Meetings, seconded by Councilmember Brooks. Motion carried.

RECOGNITION

*Proclamation 2018-02/Black History Month*

Mayor Shupe read the following proclamation into record:

PROCLAMATION 2018-02  
BLACK HISTORY MONTH IN THE CITY OF MILFORD

WHEREAS, The story of Black History Month begins in 1915, half a century after the Thirteenth Amendment abolished slavery in the United States; and

WHEREAS, That September, the Harvard-trained Historian Carter G. Woodson and prominent Minister Jesse E. Moorland founded the Association for the Study of Negro Life and History, an organization dedicated to researching and promoting achievements by black Americans and other peoples of African descent; and

WHEREAS, Known today as the Association for the Study of African American Life and History, the group sponsored a national Negro History week in 1926, choosing the second week of February to coincide with the birthdays of Abraham Lincoln and Frederick Douglass; and

WHEREAS, The event inspired schools and communities nationwide to organize local celebrations, establish history clubs and host performances and lectures; and

WHEREAS, In the decades that followed, mayors of cities across the country began issuing yearly proclamations recognizing Negro History Week; and

WHEREAS, By the late 1960s, thanks in part to the Civil Rights Movement and a growing awareness of black identity, Negro History Week had evolved into Black History Month; and

WHEREAS, President Gerald Ford officially recognized Black History Month in 1976, calling upon the public to "seize the opportunity to honor the too-often neglected accomplishments of black Americans in every area of endeavor throughout our history"; and

WHEREAS, Since 1976, every American president has designated February as Black History Month and endorsed a specific theme and this year's 2018 theme, "African Americans in Times of War," marks the 100th anniversary of the end of World War I and honors the roles that black Americans have played in warfare beginning with the American Revolution to the present day.

NOW, THEREFORE, in recognition of African Americans past and present in the City of Milford, I, Mayor Bryan W. Shupe, do hereby proclaim February 2018 to be BLACK HISTORY MONTH and I further encourage all Milfordians to celebrate this important observance and to continue to work toward the goal of liberty and justice for all.

#### *Recognition/City Staff*

#### Ralph 'RJ' Skinner

Parks and Recreation Director Brad Dennehy commended Ralph 'RJ' Skinner for recently completing the Park & Recreation Maintenance Management School presented by North Carolina State University in cooperation with the National Recreation and Park Association. Mr. Dennehy echoed the Administration's viewpoint that education and training is an important part of the roles we have as employees of the City. Mr. Skinner graduated with honors.

The school is a comprehensive two-year professional development program designed to teach park and recreation professionals how to develop and manage a wide variety of maintenance programs.

#### Rob Pierce

City Manager Norenberg congratulated Mr. Skinner and then asked to recognize another employee who consistently goes above and beyond their normal duties. He recalled an email he had received in January from a developer who wrote to thank Mr. Pierce for working so closely with him. He stated that he has worked with more than twenty-five different municipal staffs and has never worked with someone who works as late at night as Mr. Pierce did as he responded to an email at 9:42 p.m.

The developer also noted that Mr. Pierce and City Staff are all very willing to do what it takes to go above and beyond.

The City Manager noted that Mr. Pierce has handled a lot of activities this past year while assuring those projects moved through the pipeline as quickly as possible.

Mr. Norenberg then officially recognized Mr. Pierce with a certificate as well in addition to his favorite food snack.

Councilwoman Peel also thanked Mr. Pierce for providing additional statistics and more in-depth monthly report than in the past. She emphasized that assists Council greatly with information and appreciates the effort.

#### MONTHLY POLICE REPORT

Police Committee Chairman Burk presented the monthly Police Report adding that the Department remains very busy and continuing training is a priority for the officers there as well. He also commended the Police Officers involved in the recent heroin bust in downtown Milford where 73 grams of heroin were seized.

There being no questions from Council, a motion was made by Chairman Burk, seconded by Councilmember Campbell to accept the Monthly Police Report as submitted. Motion carried.

#### MONTHLY CITY MANAGER REPORT

City Manager Norenberg provided a quick synopsis of his written report.

Councilman Brooks commented that China was going to stop recycling and asked if that will become a problem in this country; Mr. Norenberg responded that Delaware Solid Waste Authority is currently working with the state's Department of Natural Resources and Environmental Control on the matter. He will keep Council informed of updates.

Councilmember Brooks moved to accept the Monthly City Manager report, seconded by Councilman Morrow. Motion carried.

#### MONTHLY FINANCE REPORT

Finance Committee Chairman Morrow reported that through December, we are halfway through Fiscal Year 2017-2018 and with 50% of the fiscal year having passed, 54% of revenues having been received and 44% of the operating budget expended. He again noted that building permits are up on revenue side and real estate taxes are all in. Though expenses are 6% lower than anticipated, he predicts they will level out over the spring and summer months.

Councilman Burk moved to accept the December 2017 Finance Report, seconded by Councilwoman Peel. Motion carried.

#### COMMITTEE & WARD REPORTS

##### Police Committee

Police Committee Chairman Burk reported that his Committee met with the Finance Committee to discuss the funding for the new Police Department and how to pay for it. They also discussed other public safety needs and while they are attempting to be fiscally responsible, he said there is a possibility that property taxes will most likely need to be increased.

The minutes of the meeting are included in the packet.

##### Economic Development Committee

Economic Development Committee Member Peel reported that several items were discussed at the February 6, 2018 Committee Meeting. At that time, the Committee heard from a representative of a non profit who is interested in leasing the Armory.

In addition, plans were finalized for the RFP to hire a real estate firm to represent the City with some land sales, including those parcels still available at Independence Commons and the Greater Milford Business Park. The draft RFP can be seen in the packet as well.

They were also presented with a Building Code update by Planning Director Rob Pierce.

#### COMMUNICATIONS & CORRESPONDENCE

None to report.

#### UNFINISHED BUSINESS

##### *Adoption/Resolution 2018-01/City Council Rules and Procedures*

City Manager Norenberg recalled that at the last Council meeting, this item was ready for adoption. However, City Solicitor Rutt suggested that a procedure be added for Executive Sessions. Nothing has changed except the addition of that item.

Exhibit A now includes the order of business of City Council Regular Meetings, Workshop Sessions, Committee Meetings and Executive Sessions. In addition it includes the Public Hearing/Comment procedures Council adopted on September 1, 2017. Council agreed to add public comments when ordinance and resolutions are under consideration.

Those items will be flagged on agendas in advance so the public is aware they can comment.

Councilmember Morrow expressed concern about the wording relating to minute approval and monthly reports, which currently states the 'second Monday'. He feels that is confusing and suggests it be changed to the first meeting of the month.

There being no further comments, Councilmember Peel moved to adopt Resolution 2018-01, seconded by Councilmember Brooks:

RESOLUTION 2018-01  
ADOPTING MILFORD CITY COUNCIL RULES OF PROCEDURE

WHEREAS, the government of the City and exercise of all powers conferred by the Charter of the City of Milford is vested in an elective body consisting of the Mayor and eight Councilpersons ("City Council"); and

WHEREAS, the Mayor and City Council has traditionally followed Robert's Rules of Order, with modifications, to provide structure for the conduct of business during its meetings; and

WHEREAS, Article IV, Section 4.08(b) of the Charter states that the City Council "shall determine its own rules and order of business"; and

WHEREAS, the City Council of the City of Milford recognizes that rules are necessary for the orderly conduct of business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Milford, Delaware that the Procedural Rules hereto attached, as 'Exhibit A' (attached to minutes), are hereby adopted.

Motion carried.

*Adoption/Ordinance 2018-01/City of Milford Code/Chapter 165/Parks and Recreation*

City Manager Norenberg reported that the main change to Chapter 165 adds a Parks and Recreation Advisory Board and subsequently, a new Article 6. Other changes are small cleanup items that deal with events in parks throughout the city though some minor language was added for clarification purposes.

Following its introduction, Councilmember Burk and Mayor Shupe expressed a concern with the change to the proposed definition of "Special Event". Based on that feedback, staff held internal discussions and, with the help of Deputy City Clerk Christine Crouch, an alternative definition was prepared.

Councilman Burk thanked Mr. Norenberg for working on the language and that he is much more comfortable with the amendment.

Councilmember Peel moved to adopt Ordinance 2018-01, seconded by Councilmember Campbell:

CODE OF THE CITY OF MILFORD  
PART II-GENERAL LEGISLATION  
CHAPTER 165  
PARKS AND RECREATION

WHEREAS, it is acknowledged that the significance of the Parks and Recreation function is such that it must be effectively and currently responsive to the citizenry; and

WHEREAS, the Parks and Recreation Director recommends a Parks and Recreation Advisory Board of non-City Council members be established to act in a purely advisory capacity to the Director; and

WHEREAS, the primary function of the Advisory Board is to expand and enhance the recreational opportunities for the residents of Milford, Delaware; and

WHEREAS, the current Parks and Recreation Committee, consisting of three City of Milford Councilmembers is hereby dissolved; and

WHEREAS, the membership, qualifications and regulations of the recommended Parks and Recreation Advisory Board is outlined in Chapter 165 of the City of Milford Code.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MILFORD HEREBY ORDAINS:

*Section 1.* Chapter 165 is hereby amended by striking language indicated by strikethrough and adding language shown as underlined and in red:

Chapter 165 – Parks and Recreation

Article I – General

§165-1. - Definitions.

PARKS AND RECREATION DIRECTOR — City of Milford Parks and Recreation Director ~~and any employee~~ or his/her designee thereof.

PARK USE PERMIT — Document issued by or under the authority of the Parks and Recreation Director granting use of reserved park/facility area and which sets forth terms and conditions applicable thereto.

PERMITTEE — Individuals, firms, associations, corporations, nonprofits and/or a combination thereof granted and receiving approved Park Use P permit.

SPECIAL EVENT — Any outdoor meeting, activity, parade, gathering or group of persons, vehicles, or a combination thereof having a common purpose, design or goal, upon any public street, sidewalk, alley, park, beach or other public property, place or building, ~~in a park or~~ on private property facility which special event substantially inhibits the usual flow of pedestrian or vehicular travel or which occupies any outdoor park area which results in use preempting normal use otherwise to be made of the area by the general public or which deviates from the established or customary use.

~~SPECIAL EVENT — Any outdoor meeting, activity, parade, gathering or group of persons, vehicles, or a combination thereof having a common purpose, design or goal, upon any public street, sidewalk, alley, park, beach river or other public property, place or building, in a park or on private property or facility or venue, whose planned event may have direct and indirect impact on the transportation system within the City of Milford, or the type of event that may attract large crowds which could affect the usual flow of pedestrian or vehicular travel on City streets/roadways, or which occupies any outdoor park area which results in use preempting normal use, otherwise to be made of the area by the general public, or which deviates from the established or customary use.~~

SPECIAL EVENT — Any activity or gathering, other than regularly conducted church and school related activities, which occurs upon nonresidential property, may have direct or indirect impacts on the transportation system within the City of Milford, requires a level of municipal services for its execution or conduct that is above the level provided under ordinary circumstances, invites and/or advertises general public participation and patronage (with or without charge), is not specifically permitted by the zoning ordinance, has potential to violate the noise ordinance, and/or requires City Council approval for alcohol consumption.

B. Any ~~c~~City employee authorized to enforce this chapter, as provided herein, has the authority to eject from a park any person in violation of this chapter or any other law.

§ 165-5. - Hours.

A. All public parks, owned and operated by the City of Milford, shall be closed from sunset to sunrise daily, except where otherwise posted or permitted.

Exceptions:

(3) Any other exception to the hours of operations shall require the approval of City Council or specific authorization granted in an approved Special Event Permit.

B. Any park or portion thereof may be closed to the public by the Parks and Recreation Director at any time and for any interval of time or for certain uses as he/she finds reasonably necessary.

§ 165-6. - Rules and regulations.

B. Dogs and other pets are not permitted in the parks during rentals or special events, except as specified and in an approved Special Event Permit.

(1) Exception and Regulations.

(a) Alcoholic beverages may be sold and consumed at special events in parks upon written request, and only upon City Council approval ~~of the written request to the City of Milford~~ and receipt of the applicable permit from the State of Delaware Alcoholic Beverage Control Commission.

~~(i) The event organizer must provide temporary or portable toilets. Such number will be determined by the Parks and Recreation Director whose decision will be based on the proposed number of attendees. Such temporary or portable toilets must be removed from the event site within twenty-four hours after the conclusion of the event for which the permit was granted.~~

(i j) If required, a security deposit shall be paid at the time the organizer enters into an agreement for the use of the park. Security deposit will be refunded only if the area is left in good and undamaged condition and free of litter after a determination by the Parks and Recreation Director. Security deposit shall be forfeited for repair or maintenance time to clean up the area. The security deposit is a separate payment than the rental fee. Refer to ~~2.03(e)~~ §165-2.

F. It is the responsibility of the permittee to rent portable restrooms, if required. Such number will be determined by the Parks and Recreation Director whose decision will be based on the proposed number of attendees. Such temporary or portable toilets must be removed from the event site within a reasonable period of time after the conclusion of the event for which the permit was granted.

H. Special event hours are restricted to the following times unless otherwise specified in an approved Special Event Permit:

J. The Parks and Recreation Director reserves the right to refuse any Park Use Permit application, revoke any approval of accepted application and/or cancel the proposed event which has been previously approved. The City Manager and/or the Police Chief has the authority to revoke and/or cancel any approved Special Event Permit if it is in the best interest of the public health, safety or welfare and/or if the provisions of the submitted Special Event Permit Application have materially changed or were misrepresented to the City.

§ 165-7. - Application and permit.

The Park, Pavilion or Equipment Reservation Application must be completed and signed by the applicant. Upon approval by the Milford Parks and Recreation Director, a Park Use P permit shall be issued.

Park Use Permits shall be required for the exclusive or special use of park grounds, areas, trails or facilities when they are otherwise closed to the public.

The approved Park Use Permit must be in the permittee's possession in order to enforce its privileges, including asking individuals to move from the designated reserved space.

§ 165-8. - Hold harmless agreement and certificate of liability.

A Hold Harmless Agreement, releasing the City of Milford and its agents from all injury and liability of any kind arising from permittee's use and occupancy of C eity property must be signed by permittee and received by ilford Parks and Recreation Department before any Park Use Permit will be issued.

*Section 2.* A new Article VI, entitled Parks and Recreation Advisory Board, consisting of Sections 165-14 and 165-15, is hereby added to read as follows:

ARTICLE VI – Parks and Recreation Advisory Board

§ 165-14. - Parks and Recreation Advisory Board.

- A. There is hereby created and established a Parks and Recreation Advisory Board. The Parks and Recreation Advisory Board shall be composed of five (5) persons. The members shall be appointed by the Mayor, with the approval of City Council, for staggered terms of three (3) years each. At the time of the initial appointment, pursuant to this Chapter, the Mayor shall designate the length of term for each member to provide for staggered terms.
- B. At least four members of the Advisory Board shall be residents of the City of Milford. If it is deemed beneficial to the work of the Advisory Board, one member may be a non-resident, but shall be a resident of the Milford School District.
- C. Any member who is absent from three (3) consecutive meetings without being excused shall be considered as having vacated his/her appointment.
- D. The members of the Advisory Board shall serve without compensation.
- E. The Advisory Board shall meet at least quarterly.

§ 165-15. - Responsibilities.

- A. Advisory Board members shall deal with Parks and Recreation employees or contractors solely through the Parks and Recreation Director or, if unavailable, the City Manager. The Advisory Board shall make decisions with respect to its recommendations and/or advice to the Director or the City Council collectively in public meetings in accordance with requirements and provisions of the Delaware Code. Any such recommendations to the City Council shall be communicated in writing in the form of minutes or memos.
- B. The Parks and Recreation Advisory Board is responsible for advising the City Council on policy matters relating to:
  - (1) The development of City parks and recreational facilities,
  - (2) The recreation programs of the City,
  - (3) The fees and charges for the use of parks and recreation facilities and for recreation programs,
  - (4) Other subjects that may be referred to the Advisory Board by City Council or the Parks and Recreation Director.
- C. The Parks and Recreation Advisory Board shall assist the Parks and Recreation Director with educating the public about the benefits of recreational activities, parks and open space, trees and their proper care.

*Section 3. Dates.*

Introduction: January 22, 2018

Adoption: February 12, 2018

Effective: February 22, 2018

Motion carried.

*Adoption/Resolution 2018-02/Planning Department Fees*

Planning Director Pierce reported that the update fees were authorized at the last Council meeting. However, there was no action taken on the corresponding resolution.

Councilmember Burk moved to adopt the following resolution, seconded by Councilmember Peel:

RESOLUTION 2018-02  
PLANNING DEPARTMENT FEES  
PLANNING AND ZONING FEES  
BUILDING INSPECTION AND PERMITTING FEES  
CODE ENFORCEMENT AND LICENSING FEES

This Resolution replaces in its entirety Resolution 2017-06.

The Resolution is attached.

Motion carried.

NEW BUSINESS

*Approval/Greater Kent Committee Semi-Annual Dues*

City Manager Norenberg explained that the Greater Kent Committee is a non-profit membership organization created in the late 1980's by CEO and top business executives in Central Delaware. The organization is dues supported and individuals must also be members. At the present time, The Greater Kent Committee has more than eight active civic-minded business executives. Their mission is to identify emerging community issues and to take on projects that will improve the quality of life for the residents of Central Delaware.

Mayor Shupe advised that each member pays the same amount. They offer annual and semi annual dues at a rate of \$1,750 per year. One of their recent projects has been DE Turf which has hosted twenty events in its first year, drawing more than 40,000 visitors to Central Delaware, including the Milford area.

Councilmember Burk asked exactly what is done in Milford; Mayor Shupe said that Milford's businesses, restaurants and hotels have benefitted from the sports complex.

Mayor Shupe suggested inviting the group for a future presentation if Council has questions.

Councilman Burk moved to postpone paying the dues until further information is received, seconded by Councilman Morrow. Motion carried.

*Introduction/Ordinance 2018-03/Mispiration Realty LLC/Conditional Use Amendment*

Mayor Shupe introduced the following ordinance:

ORDINANCE 2018-03  
Mispiration Realty LLC for a Conditional Use Amendment  
Planned Unit Development and Preliminary Major Subdivision on 23.348+/- acres in an R-3 Zoning District.  
Property is located between Old Shawnee Road and South Dupont Boulevard, Milford, Delaware.  
Present Use: Vacant Land Proposed Use: Planned Unit Development (Brookstone Trace)  
Tax Map 1-30-3.00-80.02; 1-30-3.00-443.00 thru -561.00; 1-30-3.00-77.01; 1-30-3.00-78.00

WHEREAS, the City of Milford Planning Commission considered the ordinance, as described, at a duly noticed Public Hearing on February 20, 2018 and recommended its adoption to City Council; and

WHEREAS, Milford City Council conducted a duly noticed Public Hearing on March 26, 2018 to consider all information presented by City Staff, the Applicant, and written and verbal public testimony; and

WHEREAS, it is deemed reasonable, beneficial, and in the best interest of the City of Milford to allow a Conditional Use to allow a Planned Unit Development as herein described.

NOW, THEREFORE, the City of Milford hereby ordains as follows:

Section 1. Upon the adoption of this ordinance by City Council, Mispillion Realty LLC is hereby granted a Conditional Use Permit to allow a Planned Unit Development, in accordance with the application, effective on the date so noted.

Section 2. Construction or operation shall commence within one year of the date of issuance of the permit otherwise the conditional use becomes void.

Section 3. Dates.

Planning Commission Review & Public Hearing: February 20, 2018

City Council Introduction: March 12, 2018

City Council Public Hearing: March 26, 2018

Adoption: March 26, 2018

Effective: April 5, 2018

*Introduction/Ordinance 2018-04/Greater Milford Development Company LLC/Conditional Use*

Mayor Shupe introduced the following ordinance:

ORDINANCE 2018-04

Greater Milford Development Company LLC for a Conditional Use

Hotel on 1.86+/- acres in a C-3 Zoning District

Silicato Parkway, approximately 900 feet south of NE Tenth Street intersection, Milford, Delaware.

Present Use: Vacant Land Proposed Use: Hotel (Microtel)

Tax Map MD-16-174.15-01-01.04

WHEREAS, the City of Milford Planning Commission considered the ordinance, as described, at a duly noticed Public Hearing on February 20, 2018 and recommended its adoption to City Council; and

WHEREAS, Milford City Council conducted a duly noticed Public Hearing on March 26, 2018 to consider all information presented by City Staff, the Applicant, and written and verbal public testimony; and

WHEREAS, it is deemed reasonable, beneficial, and in the best interest of the City of Milford to allow a Conditional Use to allow a hotel as herein described.

NOW, THEREFORE, the City of Milford hereby ordains as follows:

Section 1. Upon the adoption of this ordinance by City Council, Greater Milford Development Company LLC is hereby granted a Conditional Use Permit to allow a hotel, in accordance with the application, effective on the date so noted.

Section 2. Construction or operation shall commence within one year of the date of issuance of the permit otherwise the conditional use becomes void.

Section 3. Dates.

Planning Commission Review & Public Hearing: February 20, 2018

City Council Introduction: March 12, 2018

City Council Public Hearing: March 26, 2018

Adoption: March 26, 2018

Effective: April 5, 2018

*Adoption Resolution 2018-03/Sidewalk Waiver/State of Delaware/DNREC/Mosquito Control*

Planning Director Pierce informed Council that the State of Delaware Department of Natural Resources and Environmental Control (DNREC), Mosquito Control Division received Preliminary Site Plan approval from the Planning Commission on January 16, 2018 for an expansion on their existing site on the Airport Road.

Chapter 197-3 Streets and Sidewalks states “all new construction sites and subdivisions, the City shall require the builder and/or developer to install curb, gutter and sidewalk. In cases where no such improvements previously existing or where, if in existence, they are in need of repair. In proposed developments, the City Council may, at its discretion, waive the requirement to install curb, gutter and sidewalk.”

Mosquito Control is requesting permission to delay the installation of sidewalk improvements along their entire road frontage until such time that one or both neighboring properties install similar sidewalk improvements. Staff and DNREC have reviewed the below note that would be placed on the Final Site Plan documents for future enforcement:

“The State of Delaware agrees to install a sidewalk along the front of their property if and when a sidewalk is installed on one or both adjacent properties upon written notice from the City of Milford. The location will be coordinated with the City of Milford and the sidewalk will be installed in accordance with City of Milford standards within one year.”

He recommends approval of the sidewalk waiver with the condition that the above comment is included on the final site plan which is to be recorded at the Kent County Recorder of Deeds Office.

Councilman Morrow moved to adopt Resolution 2018-04, seconded by Councilman Burk:

RESOLUTION 2018-03  
Sidewalk Waiver

WHEREAS, the above stated owner has requested a waiver of the provisions of Chapter 197 of the Code of the City of Milford requiring the installation of curbing and sidewalks; and

WHEREAS, there exists justifiable reasons to waive the installation of said improvements at the present time;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The required improvement for curbing and sidewalk as set forth in Chapter 197 of the Code of the City of Milford for the above property are hereby waived for installation at the present time.
2. When in the future it is determined by the City of Milford in its sole judgment that it is appropriate to install said improvements, the property owner, its successors or assigns shall be required to complete said improvements at the owner's expense within the time required by the City of Milford.
3. Waiver, as approved by the Milford City Council, on February 12, 2018 shall be reflected on the Site Plan.

Motion carried.

*Status Update/Transportation Alternative Program/Northeast Front Street Design Concept*

Planning Director Pierce reminded Council of the application that was submitted several months ago for the Northeast Front Street TAP project. The TAP program will fund 80% of the project and City will be responsible for the remaining 20% of the project.

The project area is between North Washington and Rehoboth Boulevard and is capped at \$1 million for the first portion. The City will attempt to stretch the money as far as it could go along that alignment. The Public Works Director, City Manager and City Planner received a draft typical cross-section from the DelDOT Design Team involving a ten-foot wide shared path along the south side of Northeast Front Street from Bicentennial Park to North Rehoboth Boulevard with traditional sidewalk on the north side. Staff is seeking feedback from Council before giving the design team permission to proceed with the development of the formal renderings.

Mr. Pierce referenced the exhibit in the packet and described the typical sidewalk width, travel lane width, grass buffer strip and

shared use path width. Staff considered making the recommendation on the north side to flip the location of the sidewalk with the swale to create more room between vehicular traffic and pedestrians.

Councilwoman Peel asked if the shared use on the south side is just the sidewalk or if what is shown on the map as a shared use path is wider to accommodate pedestrian and cyclist traffic; Mr. Pierce stated that the shared use path is designed wide enough to allow cyclists to ride with a separation from the travel lanes. In some instances, DelDOT will design a road with four to five-foot wide bike paths that is not separated from the traffic. This alignment creates a lower stress cycling environment and will be more friendly for inexperienced riders along this portion of Northeast Front Street.

It was noted that the map is showing a sidewalk going across the entrance by Abbotts Grill. Mr. Pierce explained the exhibit is just a rough sketch showing the sidewalk on the north side and the shared use path on the south side so Council would have an idea of the general locations. There will be some modifications to the shared use path and sidewalk along the alignment, specifically near our parking lots and other entrances. The design consultant will have to do a more formal design and come back for public engagement. Staff is simply trying to get approval of a typical cross section heading east from North Washington Street to North Rehoboth Boulevard. The design team will produce a detailed rendering to be presented to the public in the upcoming weeks. That will lead to a final set of construction plans to be produced within the next twelve months.

Councilman Morrow commented that he likes it on the south side and asked if the swale can be moved over; Mr. Pierce said the goal is to create as much separation as possible

*Authorization/Riverwalk Freedom Festival/Chapters 77 & 165/Alcohol Waiver*

Chamber of Commerce Riverwalk Freedom Festival Chairperson Angela Dorey submitted the following request:

Once again, the Chamber of Commerce for Greater Milford is hosting the 18th Annual Riverwalk "Freedom" Festival scheduled for Saturday, September 8, 2018. Like last year, we will hold the event all on one day, with the vendor and children's activities beginning at 9:00 a.m. on Saturday, ending with fireworks after dark that evening. Last year we held the first ever Red, White and Brew Garden in Bicentennial Park and it was a huge success.

Thank you for your vote of confidence and especially those of you that even donated your time and assisted in raising money to assist a member of a Milford Police Officer's Family. We heard an abundance of fantastic reviews and many requests to hold the event again this year. We are diligently planning this year's festival and want to begin accurately advertising the details of the event. We request permission to host the Beer Garden in Bicentennial Park again.

We will use the same layout that worked so well with the Red, White & Brew Garden. We will have a fenced off area in a small section of the park with a view of the stage. A map is included in the packet for review.

We will be checking identifications and hand stamping those above 21 years of age and older. This will allow them to purchase beer and wine with cash during the festival in the designated area. We will reserve the right to recheck identification as deemed appropriate. As the Delaware Alcoholic Beverage Control regulations permit, the designated area will be family friendly, so all ages will be permitted to enter the area. We will have the entrance/exit clearly marked with eye level signage that no alcoholic beverages are permitted beyond the designated area. We will have a portable restroom in the enclosed area, as well as multiple trash bins.

We plan to have cornhole boards and food vendor(s) in the area as well. We will provide several open tents to provide shade and cover and will adhere to all Delaware Alcoholic Beverage Control regulations regarding alcohol service, including obtaining a Gathering License.

The Beer Garden would open at 12:00 noon on Saturday, September 8<sup>th</sup> and will close at 10:00 p.m. All beer and alcohol sales will end promptly at 9:00 p.m.

Motion made by Councilmember Campbell, seconded by Councilmember Peel to approve as requested. Motion carried.

EXECUTIVE SESSION

Councilmember Campbell moved to go into Executive Session reference the below statutes, seconded by Councilmember Peel:

Pursuant to 29 Del. C. 29 §10004 (b)(4) Collective Bargaining Matters  
Pursuant to 29 Del. C. 29 §10004 (b)(9) Personnel Matters

Motion carried.

Mayor Shupe recessed the Council Meeting at 8:01 p.m. for the purpose as is permitted by the Delaware Freedom of Information Act.

*Return to Open Session*

Council returned to Open Session at 8:11 p.m.

*IBEW Local Union 126 Negotiations*  
*MPD Teamsters Negotiations*  
*Performance Evaluations (Council Appointees)*

Mayor Shupe announced no action was needed as a result of the discussion in Executive Session.

ADJOURN

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

The Council Meeting adjourned at 8:13 p.m.

Respectfully submitted,

Terri K. Hudson, MMC  
City Clerk/Recorder

NOTE: Audio unavailable due to recorder malfunctioning.

Attachment:  
Resolution 2018-01 Council Rules of Procedure/Exhibit A  
Resolution 2018-02 Planning Department Fees

**RESOLUTION 2018-01  
EXHIBIT A**

**City of Milford  
City Council  
Rules of Procedure**

Regular meetings of City Council shall be held on the second and fourth Monday of each month at Milford City Hall and shall commence at 7:00 p.m. In the case of a holiday on said Monday, the meeting shall be on the next business day. There shall be only one regular City Council meeting held on the second Monday of the month of December. Additional meetings, workshop meetings and/or committee meetings may be held on alternate Mondays, prior to regular meetings, or alternate days of the week with start and end times to be set at the discretion of the Mayor or committee chair.

**City Council Regular Meetings  
Order of Business**

1. Call to Order
2. Invocation & Pledge of Allegiance
3. Approval of Previous Minutes (On second Monday only.)
4. Public Hearing (On fourth Monday only, if needed. See below for procedures.)
5. Approval of Consent Agenda
6. Council Business
  - a. Recognition (If needed, this item is for recognition of City staff (new or special achievements) or Proclamations for community members who have made special contributions to improve the quality of life of our community.)
  - b. Special Informational Presentations
  - c. Communications and Correspondence (On second Monday only.)
    - i. Committee and Ward Reports
    - ii. City Manager's Report
    - iii. Police Chief's Report
    - iv. Finance Report
  - d. Appointments to Boards, Committees and Commissions (if needed)
7. Unfinished Business (Items included in this section are ordinances introduced at a prior meeting, or items postponed from previous City Council meetings. The order in which items will be addressed is as follows:)
  - a. Presentation / Report by staff, consultants or others
  - b. City Council Discussion / Questions
  - c. Public Comment as applicable, see below
  - d. City Council Deliberation
  - e. Council Action (Approve, Deny or Postpone)
8. New Business (The order in which items will be addressed is as follows:)
  - a. Presentation / Report by staff, consultants or others
  - b. City Council Discussion / Questions
  - c. Public Comment as applicable, see below
  - d. City Council Deliberation
  - e. Council Action (Approve, Deny or Postpone)

9. Executive Session (If needed and only if included on agenda.)
10. Adjourn

### **City Council Workshop Meetings Order of Business**

1. Call to Order
2. Unfinished Business
3. New Business (The order in which items will be addressed is as follows:)
  - a. Presentation / Report by staff, consultants or others
  - b. City Council Discussion / Questions
  - c. Public Comment as applicable, see below
  - d. City Council Deliberation
4. Adjourn

### **City Council Committee Meetings Order of Business**

1. Call to Order
2. Unfinished Business
3. New Business (The order in which items will be addressed is as follows:)
  - a. Presentation / Report by staff, consultants or others
  - b. City Council Discussion / Questions
  - c. Public Comment as applicable, see below
  - d. City Council Deliberation
4. Adjourn

### **City Council Executive Session Order of Business**

1. Call to Order (In Open Meeting)
2. Motion to Enter Executive Session
3. Call to Order
4. Unfinished Business
5. New Business (The order in which items will be addressed is as follows:)
  - a. Presentation / Report by staff, consultants or others
  - b. City Council Discussion / Questions
  - c. City Council Deliberation
6. Return to Open Meeting
7. Council Action (if any, to Approve, Deny or Postpone)
8. Adjourn

## **City Council Public Hearing Procedures**

Effective: September 1, 2017

The Mayor shall preside over Public Hearings and follow these steps:

1. Call the Public Hearing to order.
2. Mayor or City Solicitor will explain the procedure.
3. Mayor will identify the application or subject by name and number.
4. In the case of land use or similar matters, the Mayor will call on the City Planner or other appropriate staff to establish advertising was done as required by law and to review the application or subject.
5. Mayor will then call on the applicant or representative to concisely present their application. The applicant is asked to limit their presentation to 15 minutes. If the application is sufficiently complex that more time is necessary, the applicant should notify the City Clerk prior to the meeting and the Mayor will determine and announce if additional time is granted.

Questions may be asked by the City Council or the Mayor during the testimony to clarify comments or statements made during the remarks. The Mayor must recognize speakers first. However, City Councilmembers should reserve discussion or expression of opinions until the deliberation portion of the Public Hearing.

6. The Mayor will then invite testimony from all who favor the application (up to three minutes per person).
7. The Mayor will then invite testimony from all opposed to the application (up to three minutes per person).
8. The Mayor will then invite testimony from those not opposed or in support of the application (up to three minutes per person).
9. After everyone has spoken, the Mayor declares the public hearing closed.
10. The City Council discusses the application based on the merits presented, after which the Mayor will call for a motion.
11. A roll call vote will be conducted on the motion with each Councilmember voicing her/his vote (aye or nay) followed by a brief reason for supporting or opposing the motion based information presented on the record. The order of the roll call vote will change with each such vote and will be tracked by the City Clerk.

## **City Council Public Comment Procedures**

Public Comment (non-Public Hearings) is an opportunity for individuals to speak before City Council at designated times during meetings.

1. Public Comment is limited to items noted for Public Comment on the published agenda.
2. Individuals wishing to speak during said times shall complete a colored Public Comment card provided at the entrance of the Council Chamber and place the completed card in the box at the end of the Council desk prior to the start of the meeting.
3. Public Comment will follow any staff report and any discussion by the City Council.
4. At the appropriate time, individuals who have signed up for public comment will be called forward to the podium by the Mayor or Committee Chair to speak. When recognized by the

Mayor or Committee Chair, a speaker should approach and speak from the podium, if they are able, state their name and address and commence with their comments. Speakers are asked to please be sure to speak into the microphone so comments are recorded. Speakers are limited to three minutes each. These time limits may be extended by the Mayor or Committee Chair, if in his/her opinion, the speaker is representing a contingent of individuals present at the meeting and the speaker is acting as spokesperson so that every individual will not need to speak.

5. If the speaker has items to be distributed to the City Council or to staff, they are asked to please provide them to the City Clerk's Office by noon on the Wednesday prior to the meeting. No items will be distributed during the meeting.
6. Speakers shall remain polite, civil and respect the decorum of the City Council meeting. Comments are to be addressed to the Mayor and City Council as a whole, and should not include insults, personal attacks, etc. Certain topics are not appropriate for public discussion or to be addressed to City Council per the City Charter and the Delaware Code. Accordingly, speakers are asked to refrain from addressing personnel matters, topics that should only be discussed in Executive Session, or subjects that are not otherwise within the authority or responsibility of the City of Milford or the City Council. Speakers who, in the opinion of the Mayor or Committee Chair, are not following these expectations may be cut off and asked to leave the podium. Once the comments are completed, the speaker should be seated or may leave the Council Chambers.
7. Audience members are asked to please be courteous to those who are speaking during public comment by refraining from applause, cheers or commenting from while others are speaking.

## **Additional Procedures**

**Public Posting Compliance:** In accordance with state FOIA regulations and the Charter, the final agenda for all City Council meetings will be prepared and posted by the City Clerk at least seven days prior to the meeting. The final agenda will be posted on the City website and the link will be emailed to the Mayor, City Council members, the City Manager and department heads no later than seven days prior to the meeting.

Agenda items will be established by the City Manager, the Mayor or Committee Chair and the City Clerk. Staff reports, supporting materials, presentations, memos, etc. for the packet shall be emailed to the City Clerk's Office no later than the Wednesday prior to the meeting. The packet will be posted on the City website and the link emailed to the Mayor, City Councilmembers, the City Manager and department heads no later than the Friday morning prior to the meeting.

Councilmembers are encouraged to review the agenda and packet prior to the meeting and are requested to contact the City Manager or Police Chief, in the case of items originating from the Police Department, with questions that may require additional information or research by noon on the day of the meeting.

**Cancellation of Meetings:** Cancellation of any meeting shall be at the discretion of the Mayor as circumstances may require. In any case, as much notice of said cancellation as is practical shall be given through the City Clerk's Office to City Council members, the City Manager and department heads and shall be posted on the City's website.

**Minutes:** Minutes shall be kept of all City Council meetings, including the language of and votes upon all motions. The City Clerk's Office will strive to have minutes of the prior meeting prepared and included in the appropriate monthly packet. Audio recordings shall record the business transacted at all City Council meetings and shall be stored for future reference according to the approved Record Retention Schedule for the State of Delaware. Minutes shall be prepared of all executive session meetings by the City Clerk and shall be maintained under the custody, control, and supervision of the City Clerk.

**Consent Agenda:** A Consent Agenda may be used to approve a group of matters with one motion and vote at the beginning of the meeting. This is used for routine matters and/or items that have been vetted through committees or prior City Council discussion. Prior to approving the Consent Agenda, the items are to be read aloud by the City Clerk so that everyone in the room is aware of the items that will be approved together, with one vote. Prior to the vote, any Councilmember may request an item be removed from the Consent Agenda for more detailed discussion.

**Parliamentary Procedure:** The Mayor or Committee Chair shall have authority to manage meetings in accordance with the Charter and these procedures, with the City Solicitor serving as Parliamentarian when in attendance. In those matters not covered by these Rules, and where not in conflict with the Laws of Delaware or the Ordinances of the City of Milford, Robert's Rules of Order (most current published edition) shall be the parliamentary authority.



**RESOLUTION 2018-02  
PLANNING DEPARTMENT FEES**

<b>PLANNING AND ZONING FEES</b>		
Description		Fee
Major Subdivision	Preliminary or Final, Residential	\$1,000.00 plus \$10.00 per unit
	Preliminary or Final, Other than Residential	\$1,000.00 plus \$100.00 per lot
Minor Subdivision or	Final, Residential	\$300.00 plus \$50.00 per unit
	Final, Other than Residential (less than four acres)	\$500.00 plus \$100.00 per unit
Lot Line Adjustment	Final, Residential	\$300.00 plus \$50.00 per unit
	Final, Other than Residential (less than four acres)	\$500.00 plus \$100.00 per unit
Site Plan	Preliminary, Final or Amendment	\$700.00
Conditional Use or Amendment to a Conditional Use		\$700.00
Zoning Map Amendment/Comprehensive Plan Amendment		\$1,000.00 plus \$100.00 per acre
Zoning Code Amendment Request		\$700.00
Annexation	Residential, less than 1 acre	\$700.00
	Residential, 1 to 5 acres	\$2,500.00
	Residential, 5+ acres	\$2,500.00 plus \$100.00 per acre
	Other than Residential	\$2,500.00 plus \$500.00 per acre
Variance(s)	1-3 variances	\$300.00
	4-6 variances	\$400.00
	7+ variances	\$500.00
Board of Adjustment Hearing (no variance)		\$300.00
Subdivision Agreement		\$2,500.00
Zoning Verification Letter		\$20.00
Certificate of Use		\$75.00
Legal Interpretation of Subdivision or Zoning Code		\$300.00
Street or Alley Closing		\$300.00
Application Resubmission or Rescheduling Fee		\$200.00
Professional Service Fees (including but not limited to Legal Fees, Engineering Review Fees)		Fees charged the City of Milford, plus 10%; Billed as encumbered.

<b>BUILDING INSPECTION AND PERMITTING FEES</b>		
Description		Fee
Building Permit, Residential, Use groups R3 or R4	New Dwelling Unit	\$50 per 100 heated square feet plus \$13 per 100 unheated square feet
	Interior/Exterior Renovations, Accessory Building, Pool, Deck, Ramp, Solar Panels	\$50 plus \$5 per \$1,000 up to \$1M and \$2 per \$1,000 over \$1M based on cost of project
	Demolition	\$50.00
	Certificate of Occupancy	\$25.00

Building Permit, Other than use groups R3 or R4	New Construction, Commercial Fit-Out, Interior/Exterior Renovations, Footer, Foundation,	\$100 plus \$5 per \$1,000 up to \$1M and \$2 per \$1,000 over \$1M based on cost of project
	Sign, Sales/Construction Trailer, Solar Panel	\$50 plus \$5 per \$1,000 up to \$1M and \$2 per \$1,000 over \$1M based on cost of project
	Demolition	\$100.00
	Certificate of Occupancy	\$25.00
Building Permit, Renewal		\$50 or 10% of permit fee, whichever is greater
Re-inspection		\$50.00
Temporary Certificate of Occupancy		\$50.00
Carlisle Enhancement Fund		1/4 of 1% of heated square feet cost

<b>CODE ENFORCEMENT AND LICENSING FEES</b>		
	Description	Fee
Licensing	Contractors	\$100.00 annually, prorated semi-annually
	Residential Rental Operating	\$50.00 per unit annually
	Peddler, Solicitor, and Transient Merchant	\$50.00 annually, prorated semi-annually
	Transfer	\$50.00
Inspection	Re-Inspection / Follow Up Inspection	\$50.00

This Resolution replaces in its entirety Resolution 2017-06.

\_\_\_\_\_  
Mayor Bryan W. Shupe

Attest: \_\_\_\_\_

City Clerk Teresa Hudson

City Council Adoption: 02/12/18

MILFORD CITY COUNCIL  
MINUTES OF MEETING  
February 26, 2018

The City Council of the City of Milford met in Workshop Session on Monday, February 26, 2018 in the Joseph Ronnie Rogers Council Chambers at Milford City Hall, 201 South Walnut Street, Milford, Delaware at 6:49 p.m..

PRESIDING: Mayor Bryan Shupe

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

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

COUNSEL: City Solicitor David Rutt, Esquire

ABSENT: Councilmembers Christopher Mergner and James Starling Sr.

*Carlisle Fire Company Report*

Joe Mriss was present on behalf of Carlisle Fire Company. He recalled back in June as the City was preparing its budget, they presented some information on the various expenses the company uses the money received from the City.

He is presenting a breakdown of some of the costs incurred throughout the year, specifically on the ambulance side.

Mr. Mriss referred to the following report, stating this covers the first six to seven months from this fiscal year:

AMBULANCE PROFIT/LOSS 2018  
1 July 2017 - 22 January 2018

Income

Ambulance Billing	330,871
Appropriations	85,702
<b>TOTAL INCOME</b>	<b>416,573</b>

Expenses:

Salaries	210,799
Payroll Taxes	16,699
Employee Insurance	19,523
Ambulance Billing	25,487
Ambulance Supplies	6,814
Ambulance Maintenance	9,343
Training/IT	678
Fuel	5,600
Money for replacement Ambulance	40,000
<b>TOTAL EXPENSES</b>	<b>334,943</b>
<b>Net Profit</b>	<b>81,630</b>

Ambulance Calls (same time-frame)	1,804
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## MAJOR PURCHASES THIS YEAR

Ambulance Building	\$270K
Update SCBA	\$325K

JANUARY Fire Calls	74
JANUARY Ambulance Calls	320

YTD Fire Calls	74
YTD Ambulance Calls	302

Mr. Mriss indicated the \$81,680 net profit is not a realistic figure as that is most likely going to change in the future.

He noted that the ambulance calls during this time (July 2017 - January 2018) is a little more than 1,800. In 2007, there were just over 2,000 ambulance calls for the entire year; in 2012, the company was slightly below 3,000 calls. Based on those figures, they anticipate ambulance calls this year to run between 3,200 and 3,300 or 250 to 260 per month.

From the first of July through the October 2017, there was only one full-time employee, in addition to the Company's secretary. One full-time EMT covered the ambulance and everyone else is a part-time employee.

They have since added a supervisor and are preparing to hire a second full-time employee to ensure the best coverage Monday through Friday 24/7.

Ambulances are presently being rotated every seven years because of the high mileage and use. They do not have long transport times to the hospital in town; however, 200 plus ambulance calls per month add up. The cost for an ambulance is approximately \$200,000.

The cost of the new building will be approximately \$270,000. An order was just placed for all new air bags to meet today's standards that are estimated at \$325,000. Profits are also eaten into by overtime and additional employees.

They have met with the City Manager and Mayor on several occasions to inform that the next three budget years, or between now and 2021, a new ladder truck will need to be purchased at the cost of \$1 million.

Mr. Mriss noted that the small profit made on the ambulance side will need to be saved for these future expenses.

He also noted that the Company continues to maintain a volunteer name though the EMS side is paid coverage in order to meet the community's demands. The expenses should be compared to what the Police Department experiences in regard to equipment and personnel expenses throughout the year.

Concluding, he emphasized the Fire Company relies heavily on state funding, county funding and fund drives.

Councilman Burk confirmed their intent is to remain volunteer; Mr. Mriss stated yes, aside from the ambulance because of the round-the-clock coverage that is needed.

Mayor Shupe thanked Mr. Mriss on returning and educating Council on how busy the Fire Company is as well as the associated costs. He noted Milford is fortunate to have such a dedicated and reliable Fire Company.

The Workshop Session concluded at 6:58 p.m.

Respectfully submitted,

Terri K. Hudson, MMC  
City Clerk/Recorder

MILFORD CITY COUNCIL  
MINUTES OF MEETING  
February 26, 2018

Milford City Council held Public Hearings on Monday, February 26, 2018 in the Joseph Ronnie Rogers Council Chambers at Milford City Hall, 201 South Walnut Street, Milford, Delaware.

PRESIDING: Mayor Bryan Shupe

IN ATTENDANCE: Councilmembers Christopher Mergner, Arthur Campbell, Lisa Peel, James Burk, Owen Brooks Jr. and Katrina Wilson

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

COUNSEL: City Solicitor David Rutt, Esquire

ABSENT: Councilmembers Douglas Morrow and James Starling Sr.

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

Planning Director Rob Pierce was also present.

*Bayhealth Medical Center Inc. for a Preliminary Major Subdivision  
168.48+/- acres in an I-S District  
Wilkins Road & State Route 30  
Tax Map 3-30-15.00-058.00*

Mr. Pierce reported the application was published in the Milford Beacon on December 27, 2017. All properties within 200 feet of the parcel received a copy of the Public Notice in the mail.

The property is currently designated Employment in the Comprehensive Plan and zoned Institutional Service District.

The applicant proposes to subdivide the 168 +/- acre parcel into two parcels of land to separate the hospital use from the remainder of the uses on the health campus. Lot one, the site of the new hospital/medical facility, contains approximately 39 acres. Lot two consists of approximately 128 acres of vacant land to its south. A road through the property will divide the two areas.

Staff has reviewed the application for compliance with Chapter 230 Zoning and Chapter 200 Subdivision of Land and determined that all requirements have been met.

The Planning Commission recommended approval at their January meeting by unanimous vote.

Councilman Brooks asked if the City talked to anyone about a new bypass going to the hospital or in that area. Planner Pierce referenced the recently adopted Comprehensive Plan that recommends working with DelDOT to consider an east-west connector solution that would provide access from US Route 113 to the health campus.

However, that was only discussed at the Comprehensive Plan level; some informal conversations with DelDOT have occurred over the past few months in an attempt to work out a possible transportation solution from US Route 113. He recalled it was one of the goals in the recent Comprehensive Plan though everything is all very preliminary at this point.

Planner Pierce explained this could involve some inline improvements to assist vehicles accessing the hospital from the western side of Milford. He then reiterated these are all preliminary conversation stages and a possible concept of the future. DelDOT will need to do a lot of studies and research before anything can be considered.

Councilman Brooks asked if Planner Pierce had an idea of where it would begin and end; Mr. Pierce responded by stating no, it is all too preliminary at this time.

City Manager Norenberg stated that in a letter sent about a month ago regarding the Comprehensive Plan, included in his Friday update to Council, stated the City of Milford felt the connection needed to be considered again because it had been put on the shelf several years ago. However, there are no specific options or plans and will start at the beginning to review the possibility.

Councilman Brooks asked if the City of Milford started it; Mr. Norenberg stated that is correct though it had been discussed in the past.

Mayor Shupe added that DelDOT had called some of the local legislators on the state and local level. They were reminded of the conversation many years ago and asked if there was any interest in starting the conversation again. Everyone agreed there was no harm in discussing it particularly because the hospital is developing in that area though that was not a consideration previously. However, at this point, there is not even a date scheduled for a formal discussion.

City Solicitor Rutt stated that he received a call from Bayhealth's attorney and asked that the site plan shows easements and utilities that match the Economic Development Agreement previously entered into. He asked that Mr. Rutt make that comment on their behalf though it appears there is not a lot of overlap.

Planner Pierce pointed out that this is just the preliminary major subdivision though they will be required to submit a final record plan. In the meantime, they are working out some of the details in terms of easements for City utilities and ensuring there are easements and agreements in place for the maintenance of stormwater. Presently lot one conveys onto lot two for stormwater management. He is hoping to work that out over the next month or so and anticipates returning with their final subdivision approval in the next couple of months.

Planner Pierce noted this is in conjunction with the Site Plan Review by the Planning Commission for the Nemours Building on lot two. That is a permitted use site plan and only needs review and approval by the Planning Commission.

Greg Moore of Becker Morgan Group and Bayhealth's Mike Messing were both present.

Mr. Moore confirmed the plan presented by the Planning Director is accurate to what Bayhealth is doing. The hospital will maintain the entire property and they are trying to separate the hospital from leased-parcels that will happen in the future. The first will be the Nemours project whose plan has already been submitted, though they are not connected other than they are the hospital's first leased entity. However, that will only be seen by the Planning Commission as Planner Pierce alluded to.

There being no further questions from City Council, Mayor Shupe opened the floor for public comments. No one responded. The public hearing portion of the meeting was then closed.

Councilmember Wilson moved to approve the Bayhealth Medical Center Incorporated application for a Preliminary Major Subdivision of 168.48+/- acres in an I-S District at Wilkins Road & SR 30, Milford, Delaware. Tax Map 3-30-15.00-058.00, seconded by Councilmember Burk. Motion carried by the following 5-0-1 roll call vote with Councilman Morrow abstaining because he is on Bayhealth's Board of Directors.

Councilman Campbell votes yes to approve the Preliminary Subdivision as a result of the Planning Commission's recommendation and tonight's comments.

Councilwoman Peel votes yes adding that it makes sense and is part of the next step of delegating the entities the property will be leased to.

Councilman Burk votes yes adding that it meets all the criteria in our codes.

Councilman Brooks votes yes adding it is much needed.

Councilwoman Wilson votes yes based on the Planning Commission's recommendation and the needs of our community that this will address in time.

ADJOURNMENT

The Public Hearing adjourned at 7:12 p.m.

Respectfully submitted,

Terri K. Hudson, MMC  
City Clerk/Transcriber

# City of Milford



## PROCLAMATION 2018-03 *GIRL SCOUT WEEK IN THE CITY OF MILFORD*

**WHEREAS**, March 12, 2018, marks the 106th anniversary of Girl Scouts of the USA, founded by Juliette Gordon Low in 1912 in Savannah, Georgia; and

**WHEREAS**, Girl Scouts of the USA was officially chartered by the US Congress on March 16, 1950; and

**WHEREAS**, throughout its distinguished history in the World Association of Girl Guides and Girl Scouts (WAGGGS), scouting has inspired millions of girls and women with the highest ideals of courage, confidence, and character; and

**WHEREAS**, because of the Girl Scout leadership experience, girls develop the skills and lessons that will serve them a lifetime so that they may contribute to their communities; and

**WHEREAS**, Girl Scouting takes an active role in increasing girls' awareness of the opportunities available to them today in math, science, sports, technology and other fields that can expand their horizons; and

**WHEREAS**, Girls Scouts continues its legacy as the premier organization for girls knowing that it leaves a lifelong impression on participants, of which nearly 50 million women are former Girl Scouts and living proof of the impact of this amazing movement.

**NOW, THEREFORE, I, Bryan W. Shupe**, by virtue of the authority vested in me as Mayor of the City of Milford, do hereby applaud the commitment Girl Scouting has made to support the leadership development of America's girls and proudly proclaims the week of March 11–17, 2018 as **Girl Scout Week**.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of the City of Milford to be affixed hereto this 12<sup>th</sup> day of March 2018.

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Mayor Bryan W. Shupe

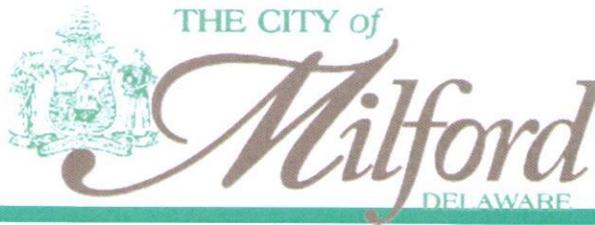
Attest:

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City Clerk



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



400 NE Front Street  
Milford Delaware 19963  
302.422.8081 Fax 302.424.2330

TO: Mayor and Members of City Council  
FROM: Gary L. Bailey, Assistant Chief of Police   
DATE: March 6, 2018  
RE: Activity Report/February 2018

**Monthly Stats:**

A total of 521 arrests were made by the Milford Police Department during February 2018. Of these arrests, 135 were for criminal offenses and 386 for traffic violations. Criminal offenses consisted of 27 felonies and 108 misdemeanors. Traffic violations consisted of 134 Special Duty Radar, 10 Drunk-Driving charges, 242 other.

Police officers investigated 40 accidents during the month and issued 92 written reprimands. In addition, they responded to 1092 various complaints including city requests and other agency assistance.

**Monthly Activities:**

Chief Brown held a mandatory departmental meeting on February 6, 2018, to announce Officer and Civilian of the Year. Also, to update employees on information in reference to possibly increasing manpower with additional police officer positions and the prospect of a new Police Department facility.

Chief Brown held a meeting with staff and Mike Ritter from Tyler Technologies on February 13, 2018, to discuss upgrades to our CAD/Records Management System.

Chief Brown attended a meeting with other Police Chiefs and Senator Chris Coons at the Camden Town Hall on February 16, 2018, to discuss current police related issues.

Chief Brown and staff officers attended the Delaware State Police Academy Graduation ceremony held at Dover High School on February 16, 2018.

Chief Brown held a meeting with staff and Andrew Jaffee from Axon on February 23, 2018, to discuss upgrades to our Records Management System.

Chief Brown attended a meeting with other City Staff and the PATH Program Representative in reference to outreach to homeless persons.

**Training –**

All officers attended mandatory training courses in Responding to Open Carry and Carrying Concealed, TASER Recertification, HB 457- Training on Child Abuse, and Patriarch/MEMEX System and Gang Snapshot.

**SRO –**

Sgt. Masten and Detective Maloney attended the Social Media Conference at Delaware Technical and Community College.

Sgt. Masten met with members of the Knotts Landing home owners association and discussed a variety of safety related topics, including the potential forming of a neighborhood watch.

Captain Bailey and Sgt. Masten met with organizers of the Lady Bug Festival and started preliminary discussions about the safety aspects of the event.

Cpl. Bloodsworth assisted staff at Mispillion Elementary School with an intruder drill.

Cpl. Bloodsworth participated in a joint tabletop exercise discussing school security with Lulu Ross and Mispillion Elementary Schools.

Sgt. Masten had discussions with staff at Morris Early Childhood Center about enhancements to the way they notify staff in case of an emergency.

Cpl. Bloodsworth has scheduled an intruder training for Milford School District bus drivers in March.

Sgt. Masten assisted Milford Senior High School staff with an intruder drill. All Milford School District schools complete two intruder drills and one tabletop exercise each school year, as well as having numerous other discussions about improving school safety.

**K9 Unit –**

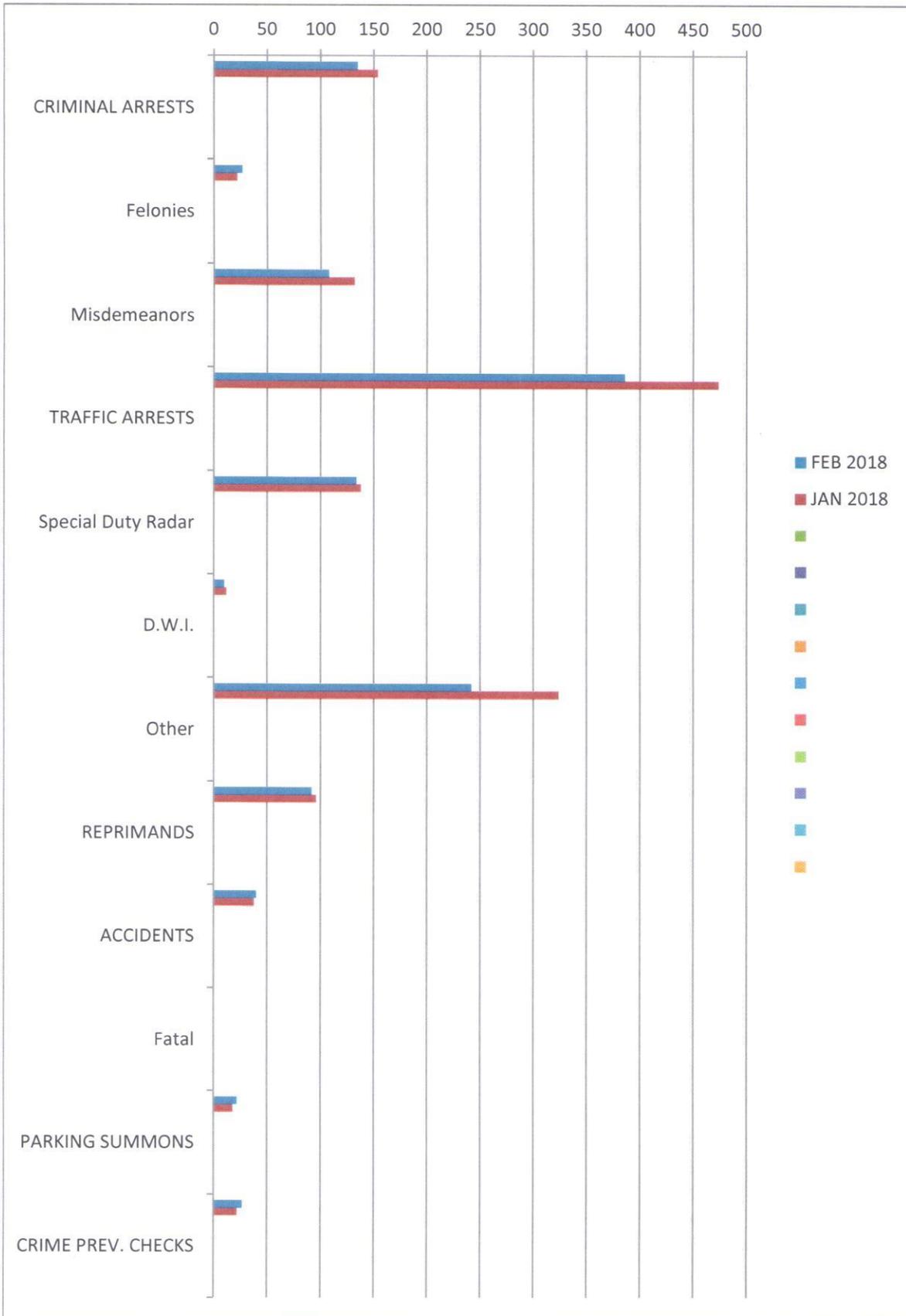
For the month of January 2018 the Milford Police Department K9 unit had the following stats:

- Utilized 14
- Building Searches 11
- Foot Patrols 7
- Drug Sniff 2
- No Bite Apprehensions 1
- Tracks 1

<u>Seized Items</u>	<u>Amount</u>	<u>Value</u>
• Heroin	.728 grams	
• Other	Drug Paraphernalia	

FEB 2018 ACTIVITY REPORT

	FEB 2018	TOTAL 2018	FEB 2017	TOTAL 2017
COMPLAINTS	1092	2335	1149	2268
CRIMINAL ARRESTS	135	289	116	283
Felonies	27	49	18	66
Misdemeanors	108	240	93	212
TRAFFIC ARRESTS	386	860	426	744
Special Duty Radar	134	272	106	164
D.W.I.	10	22	5	10
Other	242	566	315	570
REPRIMANDS	92	188	111	236
ACCIDENTS	40	78	44	87
Fatal	0	0	0	0
PARKING SUMMONS	22	40	14	44
CRIME PREV. CHECKS	27	49	36	84
FINES RECEIVED	\$6,457.67	\$ 12,519.59	\$ 7,895.36	\$ 14,008.75





## City Manager's Report March 12, 2018

### FINANCE DEPARTMENT

#### *Customer Service Division*

Accounts Billed for the Month	
Residential	5984
Small General	738
Medium General Service	363
Contract Services	3
Large General Service	6
General Service Primary	14
City Accounts	49
Lights: Street/Security	180
Total	7337

Payments Processed	
Cash	201,777.34
Check	2,605,856.29
Money Orders	8,838.17
Direct Deposit Payments	603,821.47
Credit Card (Utilities)	143,217.93
Online Credit Card (Utilities)	309,811.49
Online Credit Card (Taxes)	1,704.93
Online E-Check (Utilities)	93,075.73
Online E-Check (Taxes)	1,290.12
City Accounts	43,025.07
Total	4,012,418.54

Payment Plan/Delinquent/New Accounts/Terminated Accounts	
Payment Plans Arranged	193
Sent to Collections	0
Delinquent Notices Mailed	1546
Disconnect for Non-Payment	90
Accounts Not Re-Connected	8
Door Tags (requesting customer contact us)	38
Final Bills Mailed	66
New Services Set Up	137
Services Terminated	47
Total	2,125

- We have been working with Finance in the Monition Sales process and collecting past due taxes.
- Rose Kibler retired March 2 and Vicky Love started February 26 to replace her.

## **INFORMATION TECHNOLOGY DEPARTMENT**

Issues Addressed	
Administration/Council	7
Customer Service	21
Finance	1
Parks & Recreation	6
Planning	3
Police	1
Public Works	9
Information Technology	28
Vendor/3 <sup>rd</sup> Party	8
Total	84

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

## **PARKS & RECREATION DEPARTMENT**

### *Parks Division*

- Park Superintendent continued to assist coaching a basketball team and with the basketball program.
- Improvements continue to be made to the Armory storage building and we are hopeful to get new bathrooms installed sometime in the spring. We were finally able to get the heat system working thanks to Eisenbrey and Son Heating and Air. Other improvements included replacing all the door locks. Work continued in February with preparations for new water, sewer and electric services to be installed in the rear building to separate it from the main building.
- The last of the Christmas decorations were removed in February along the Chaney-Wilmont section of the Riverwalk.
- Design work continues for the “remove and replace” sections of the Riverwalk decking with bid documents due to be ready to go out in the spring. Cost estimates were sourced during February and the final scope of work was determined to finalize the plans in order to get ready to bid out the project. In the meantime, several deck boards which had been compromised were replaced by park staff.
- Servicing of mowers and equipment was performed by park staff in preparation for the cutting season. A tractor which had to be sent to Maryland to be fixed was picked up by staff.
- Park Superintendent conducted interviews for temporary workers to come back in the spring.
- A section of railing was damaged on the elevated boardwalk on Goat Island due to a tree falling on it and is scheduled to be replaced.
- A number of meetings were held with DMI throughout February discussing issues ranging from Milford in Bloom, the Farmers Market location and preparations for Bug and Bud Festival.



### *Recreation Division*

- The annual Delaware Recreation and Parks Association conference was held in Rehoboth February 14 & 15. Most of the Parks and Recreation Staff attended. There were many interesting sessions on topics such as community gardens, child abuse prevention (Stewards of Children), recreation

programming and park maintenance issues. The annual Awards Banquet was held on the second day during the luncheon and Mary Betts received the Lifetime Achievement Award for her almost 30 years of dedication to recreation in Delaware.

- Lil Buc’s Wrestling concluded at the end of February. We had over 35 participants in this program.
- Gymnastics & Tumbling began after a week delay due to the snowstorm. Our participation numbers were up – we had about 65 kids aged 3-10 years old. It was a 6 week program that ended Feb 17. Many of our leaders are staff that work in our summer playground day camp.



- Youth Basketball practices continued throughout the month of February, with the season starting in early January. Practices and games are held both at night and on Saturdays. Programs include a 6 & 7 year old instructional program, and a league for 8 & 9 year olds, 10 & 11 year olds and 12 & 13 year olds.



began in January and continued through the month of February and were held on Sunday afternoons. Programs include games for 6 & 7 years old, 8 & 9 year old, and 10 & 11 year old.

## **PLANNING & DEVELOPMENT DEPARTMENT**

### *Code Enforcement Division*

Case Activity	
New Cases	3
Closed Cases	0
Open at Start of Month	76
Open at End of Month	79

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

Inspections & Licensing	
Rental Inspections Performed	
Rental Licenses Issued	164
Vendor Licenses Issued	0
Contractors Licenses Issued	78

### *Economic Development Division*

- The City of Milford has seen a committed investment of over \$4.13 million (no change 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 \$463k (no change from last month) in grant funds for both large and small commercial and residential projects in Milford. The City has waived over \$83k (no change 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.
- Staff submitted CDBG infrastructure grant application through Kent County Planning Department for sidewalk and curb ramp improvements along West Street in the 4<sup>th</sup> Ward. CDBG may provide up to 80% funding for infrastructure projects in income eligible neighborhoods.

*Permitting Division*

Building Permits Issued	
Commercial Foundation	0
Commercial New Construction	1
Commercial Sign	2
Demolition	3
Residential New Construction	5
Residential Renovation/Accessory Structure	10
Roof/Siding	4
Solar Panels	2
Utility (Electric/Water)	4
Total	31

*Planning Division*

- The Planning Commission reviewed and approved the preliminary site plan for the Microtel hotel project to be located along Silicato Parkway. The Commission also approved the revisions to the Brookstone Trace Planned Unit Development and the preliminary apartment site plan associated with the project. The Commission also granted a one-year extension to Riverwalk Villas for their proposed multi-family site plan along the Mispillion River.
- The Board of Adjustment reviewed and approved three variance requests associated with the proposed Microtel hotel site plan proposed along Silicato Parkway.
- Met with downtown business and property owners to discuss the possibility of sharing solid waste service to reduce the number of trash cans and/or dumpsters in the central business district.
- Met with representatives from DART, DTC (Delaware Transit Corporation), Bayhealth, Nationwide Healthcare and Nemours to discuss planned public transportation options within the City of Milford. In conjunction with this stakeholder meeting, DART held a public workshop at the Milford Public Library outlining several local route options for Milford. A dedicated transit loop is planned to start in the Milford area in May 2018. Additional information to come on the exact route.
- Staff provided comments to both Kent and Sussex County Planning Departments regarding their draft comprehensive plans in an effort to coordinate development within the City’s annexation area.
- Attended a pre-construction meeting for the Gator & Associates site plan project located at 586 Milford-Harrington Highway. Work includes expansion of the existing parking lot, drainage, utilities, and entrance work.
- Attended SR1/NE Front Street GSI “kick-off” meeting held by DeIDOT and attended by key stakeholders and impacted property/business owners.
- Met as part of a DMI working group that is developing voluntary architectural Design Guidelines for the downtown area.

**PUBLIC WORKS DEPARTMENT**

*Electric Division*

Power Outages	0
Poles Replaces (due to age, rot or damage)	13
Closed Work Orders	19
Trouble Service Calls	11
After Hours Calls	6
New Electric Service Installed	6

Preventative Maintenance/Trees Trimmed	
Miss Utility Locates	141

- Asplundh Tree Trimming Service is in for the next 2 months trimming trees out of the City's Electric Distribution Lines.
- Crew set transformer pad for the station at the SE Tower.
- Crew pulled fiber and set splice box at the SE Pump Station
- Crew changed boards on the dump truck and stocked all trucks.
- Crew started Overpass Project on NE Front St. Ext. for DELDOT. Set pole and trenched 3 phase primary and set 350 box.

*Engineering Division*

- Met with Matt Carter from UofD regarding summer engineering interns.
- Met with Mispillion Brewery owner regarding drainage issue at rear of property along Airport Road.
- On 02/04 Knott's Landing pump station alarmed with both pumps jammed. Clean Delaware and the City's sewer vacuum truck arrived to clean out. Next morning discovered both pumps plugged with rags. Crew cleaned both pumps, wet well and then replaced pumps.
- Deltronics checked controls at Knott's Landing and installed rebuilt motor for Wendy's pump station crane hoist.
- Probes cleaned at all pump stations, cleaned water treatment plants for Sanitary Survey on 02/14.
- On 02/10 Lighthouse Pump Station alarmed due to heavy rain fall. SCADA was checked and water level cleared after about 10 minutes.
- On 02/19 customer called stating they had a sink hole in their yard, however after viewing the area, it was determined there was no City involvement.
- Several staff attended DRWA Conference for water operator points.



*Fleet Maintenance Division*

- Worked on Capital Improvement Plan as well as vehicle depreciation schedule.

*Solid Waste & Facilities Division*

Bulk Pick Ups	46
Brush Collections	3
<b>New Service Deliveries</b>	
Trash	10

Recycle	10
Yard Waste	6
Change Container Size	3
Damaged/Replaced Container	32

- Staff attended a trash haulers meeting with DSWA and State Legislators involving the collection of recyclables and current market conditions. The meeting also involved the discussion of littering caused by collection practices of trash haulers.

*Streets & Utilities Division*

- Staff resolved an issue with a resident regarding dewatering and trespassing at the SE Sewer Pump station.
- Excavated sewer line on North Street to determine sewer flow problems.
- Located water, sewer and force main on SE Front St for new DELDOT overpass.
- Replaced one sewer line due to roots in old clay pipe.
- Hydrant flow test are being performed for Fire Marshal.
- Installed new water service to the new Community Garden.
- Staff attended DRWA Conference.

Monthly Diversion Report\*

	Solid Waste Tonnage	Curbside Recycling Tonnage	Yard Waste Tonnage	Total Tonnage	Diversion
Jan-18	251.67	51.97	10.20	313.84	19.8%
TOTAL	251.67	51.97	10.2	313.84	19.8%
	Solid Waste Tonnage	Curbside Recycling Tonnage	Yard Waste Tonnage	Total Tonnage	Diversion
2013	3903.34	617.9	473.85	5208.86	25.1%
2014	3206.04	645.88	472.08	4567.90	29.8%
2015	3077.95	642.20	446.27	4425.91	30.5%
2016	3104.05	651.45	462.27	4633.16	33.0%
2017	3094.07	689.61	559.56	4565.16	32.2%
2018 (YTD)	251.67	51.97	10.2	313.84	19.8%

\*The amount of waste diverted from the landfill through recycling and yard waste program.

**FUND BALANCES REPORT**

Date: January 2018

Cash Balance - General Fund Bank Balance	\$4,366,801
Cash Balance - Electric Fund Bank Balance	\$4,249,882
Cash Balance - Water Fund Bank Balance	\$2,055,772
Cash Balance - Sewer Fund Bank Balance	\$335,867
Cash Balance - Trash Fund Bank Balance	\$51,835

	General <u>Improvement</u>	Municipal <u>Street Aid</u>	Real Estate <u>Transfer Tax</u>	Economic Development <u>Fund</u>
Beginning Cash Balance	367,374	586,568	2,148,788	\$427,008
Deposits		55,915	49,541	
Interest Earned this Month	242	89	1,419	
Disbursements this Month		(507,896)	(41,667)	
Investments				
Ending Cash Balance	\$367,616	\$134,676	\$2,158,081	\$427,008

	GF Capital <u>Reserves</u>	Water Capital <u>Reserves</u>	Sewer Capital <u>Reserves</u>	Electric <u>Reserves</u>
Beginning Cash Balance	1,904,678	7,426,030	3,482,451	8,072,359
Deposits		102,622	270,702	56,116
Interest Earned this Month	8,196	32,352	16,151	34,979
Disbursements this Month	(195)	(502,368)	(24,811)	(1,499,636)
Investments				
Ending Cash Balance	\$1,912,679	\$7,058,636	\$3,744,493	\$6,663,818

	Water <u>Impact Fee</u>	Sewer <u>Impact Fee</u>	Electric <u>Impact Fee</u>
Beginning Cash Balance	1,854,845	\$1,157,658	\$538,265
Deposits	5,189	\$2,742	\$3,000
Interest Earned this Month			
Disbursements this Month			
Investments			
Ending Cash Balance	\$1,860,034	\$1,160,400	\$541,265

INTEREST THROUGH THE SEVENTH MONTH OF THE FISCAL YEAR:

General Fund	18,994	Water Fund	7,570
GF Capital Reserves	12,129	Water Capital Reserves	46,534
Municipal Street Aid	3,635	Sewer Fund	919
Real Estate Transfer Tax	9,196	Sewer Capital Reserves	23,842
Electric Fund	17,996	Trash Fund	1,301
Electric Reserves	50,429		

TOTAL INTEREST EARNED TO DATE \$192,545

**REVENUE REPORT**

**Page Two**

58% of Year Expended

Date: January 2018	AMOUNT BUDGETED	MTD	YTD	YTD%
ACCOUNT				
Economic Development Fund	95,000	0	40,898	43.05%
General Fund Reserves	585,000	150,771	155,952	26.66%
Realty Transfer Tax-Police	500,000	41,667	291,667	58.33%
Real Estate Tax	3,850,560	10,628	3,856,765	100.16%
Business License	45,000	23,175	28,700	63.78%
Rental License	80,000	73,975	77,375	96.72%
Building Permits	80,000	7,608	121,623	152.03%
Planning & Zoning	15,000	2,720	16,336	108.91%
Grasscutting Revenue	16,000	0	8,000	50.00%
Police Revenues	446,750	7,761	331,826	74.28%
Misc. Revenues	286,065	40,585	161,428	56.43%
Transfers From	3,324,000	277,000	1,939,000	58.33%
<b>Total General Fund Revenues</b>	<b>\$9,323,375</b>	<b>\$635,890</b>	<b>\$7,029,570</b>	<b>75.40%</b>
Water Revenues	2,734,500	253,809	1,683,085	61.55%
Sewer Revenues	2,508,000	214,989	1,521,300	60.66%
Kent County Sewer	1,850,000	152,092	1,082,803	58.53%
Solid Waste Revenues	1,384,815	116,550	820,629	59.26%
Electric Revenues	25,016,000	2,360,571	15,022,669	60.05%
<b>TOTAL REVENUES</b>	<b>\$42,816,690</b>	<b>\$3,733,901</b>	<b>\$27,160,056</b>	<b>63.43%</b>
YTD Enterprise Expense		(52,162)		
YTD Enterprise Revenue		58,624		
LTD Carlisle Fire Company Building Permit Fund		131,650		

**EXPENDITURE REPORT**

**Page Three**

Date: January 2018

58% of Year Expended

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	YTD%	UNEXPENDED BALANCE
<b>City Manager</b>					
Personnel	505,220	\$41,063	288,674	57.14%	216,546
O&M	129,250	\$5,087	47,269	36.57%	81,981
Capital	0	\$0	0		0
<b>Total City Manager</b>	<b>\$634,470</b>	<b>\$46,150</b>	<b>\$335,943</b>	<b>52.95%</b>	<b>298,527</b>
<b>Planning &amp; Zoning</b>					
Personnel	137,180	\$10,591	78,823	57.46%	58,357
O&M	50,875	\$1,425	13,558	26.65%	37,317
Capital	0	\$0	0		0
<b>Total P, C &amp; I</b>	<b>\$188,055</b>	<b>\$12,016</b>	<b>\$92,381</b>	<b>49.12%</b>	<b>95,674</b>
<b>Code Enforcement &amp; Inspections</b>					
Personnel	130,630	\$11,381	72,412	55.43%	58,218
O&M	116,950	\$15,864	74,713	63.88%	42,237
Capital	0	\$0	0		0
<b>Total P, C &amp; I</b>	<b>\$247,580</b>	<b>\$27,245</b>	<b>\$147,125</b>	<b>59.43%</b>	<b>100,455</b>
<b>Council</b>					
Personnel	31,225	\$1,441	12,590	40.32%	18,635
O&M	41,200	\$1,864	16,948	41.14%	24,252
Council Expense	20,000	\$126	11,663	58.32%	8,337
Contributions	206,000	\$140,000	206,000	100.00%	0
Codification	10,000	\$0	7,977	79.77%	2,023
Employee Recognition	11,000	\$0	10,317	0.00%	683
Insurance	23,000	\$0	12,354	53.71%	10,646
Christmas Decorations	10,000	\$0	1,100	11.00%	8,900
Economic Development	5,000	\$0	898	17.96%	4,102
Strategic Plan	20,000	\$10,000	15,000	75.00%	5,000
Armory Expenses	12,000	\$2,458	7,500	62.50%	4,500
<b>Total Council</b>	<b>\$389,425</b>	<b>\$155,889</b>	<b>\$302,347</b>	<b>77.64%</b>	<b>87,078</b>
<b>Finance</b>					
Personnel	405,510	\$32,108	212,810	52.48%	192,700
O&M	84,650	\$2,756	41,436	48.95%	43,214
Capital	0	\$0	0		0
<b>Total Finance</b>	<b>\$490,160</b>	<b>\$34,864</b>	<b>\$254,246</b>	<b>51.87%</b>	<b>235,914</b>
<b>Information Technology</b>					
Personnel	157,195	\$10,937	88,639	56.39%	68,556
O&M	187,950	\$1,277	49,307	26.23%	138,643
Capital	63,000	\$0	60,300	95.71%	2,700
<b>Total Information Technology</b>	<b>\$408,145</b>	<b>\$12,214</b>	<b>\$198,246</b>	<b>48.57%</b>	<b>209,899</b>

**EXPENDITURE REPORT****Page Four**

Date: January 2018

58% of Year Expended

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	YTD%	UNEXPENDED BALANCE
<b>Police Department</b>					
Personnel	4,025,455	\$315,654	2,184,613	54.27%	1,840,842
O&M	497,700	\$39,566	271,685	54.59%	226,015
Capital	83,340	\$0	83,049	99.65%	291
<b>Total Police</b>	<b>\$4,606,495</b>	<b>\$355,220</b>	<b>\$2,539,347</b>	<b>55.13%</b>	<b>2,067,148</b>
<b>Streets &amp; Grounds Division</b>					
Personnel	381,565	\$38,269	213,102	55.85%	168,463
O&M	397,345	\$32,281	168,875	42.50%	228,470
Capital	538,000	\$144,712	144,712	26.90%	393,288
<b>Total Streets &amp; Grounds</b>	<b>\$1,316,910</b>	<b>\$215,262</b>	<b>\$526,689</b>	<b>39.99%</b>	<b>790,221</b>
<b>Parks &amp; Recreation</b>					
Personnel	642,235	\$40,710	377,687	58.81%	264,548
O&M	284,900	\$24,569	147,713	51.85%	137,187
Capital	115,000	\$6,059	11,240	9.77%	103,760
<b>Total Parks &amp; Recreation</b>	<b>\$1,042,135</b>	<b>\$71,338</b>	<b>\$536,640</b>	<b>51.49%</b>	<b>505,495</b>
<b>Total General Fund Operating Budget</b>	<b>\$9,323,375</b>	<b>\$930,198</b>	<b>\$4,932,964</b>	<b>52.91%</b>	<b>4,390,411</b>

**EXPENDITURE REPORT**

Page Five

Date: January 2018

58% of Year Expended

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	YTD%	UNEXPENDED BALANCE
<b>Water Division</b>					
Personnel	287,840	\$27,582	162,048	56.30%	125,792
O&M	1,186,575	\$101,294	615,601	51.88%	570,974
Capital	535,320	\$0	0	0.00%	535,320
Debt Service	724,785	\$0	125,539	17.32%	599,226
<b>Total Water</b>	<b>\$2,734,500</b>	<b>\$128,886</b>	<b>\$903,188</b>	<b>33.03%</b>	<b>1,831,312</b>
<b>Sewer Division</b>					
Personnel	287,840	\$25,485	160,328	55.70%	127,512
O&M	1,177,425	\$119,383	593,044	50.37%	584,381
Capital	384,015	\$0	59,427	0.00%	324,588
Debt Service	658,720	\$0	477,916	72.55%	180,804
<b>Sewer Sub Total</b>	<b>\$2,508,000</b>	<b>\$144,868</b>	<b>\$1,290,715</b>	<b>51.46%</b>	<b>1,217,285</b>
Kent County Sewer	1,850,000	\$152,087	1,082,798	58.53%	767,202
<b>Total Sewer</b>	<b>\$4,358,000</b>	<b>\$296,955</b>	<b>\$2,373,513</b>	<b>54.46%</b>	<b>1,984,487</b>
<b>Solid Waste Division</b>					
Personnel	344,810	\$24,373	183,547	53.23%	161,263
O&M	776,001	\$89,300	471,446	60.75%	304,555
Capital	264,004	\$254,653	254,653	96.46%	9,351
<b>Total Solid Waste</b>	<b>\$1,384,815</b>	<b>\$368,326</b>	<b>\$909,646</b>	<b>65.69%</b>	<b>475,169</b>
<b>Total Water, Sewer Solid Waste</b>	<b>\$8,477,315</b>	<b>\$794,167</b>	<b>\$4,186,347</b>	<b>49.38%</b>	<b>4,290,968</b>
<b>Electric Division</b>					
Personnel	1,240,350	\$106,560	725,896	58.52%	514,454
O&M	2,061,020	\$124,220	879,782	42.68%	1,181,238
Transfer to General Fund	2,500,000	\$208,333	1,458,333	58.33%	1,041,667
Capital	721,665	\$342	43,520	6.03%	678,145
Debt Service	192,965	\$0	139,408	72.25%	53,557
<b>Electric Sub Total</b>	<b>\$6,716,000</b>	<b>\$439,455</b>	<b>\$3,246,939</b>	<b>48.35%</b>	<b>3,469,061</b>
Power Purchased	18,300,000	\$1,648,526	10,630,962	58.09%	7,669,038
<b>Total Electric</b>	<b>\$25,016,000</b>	<b>\$2,087,981</b>	<b>\$13,877,901</b>	<b>55.48%</b>	<b>11,138,099</b>
<b>TOTAL OPERATING BUDGET</b>	<b>\$42,816,690</b>	<b>\$3,812,346</b>	<b>\$22,997,212</b>	<b>53.71%</b>	<b>19,819,478</b>

**INTERSERVICE DEPARTMENTS REPORT**

Page Six

Date: January 2018

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	58% of Year Expended YTD%	UNEXPENDED BALANCE
<b>Garage</b>					
Personnel	92,590	9,025	56,243	60.74%	36,347
O&M	77,855	6,039	40,732	52.32%	37,123
Capital	0		0		0
<b>Total Garage Expense</b>	<b>\$170,445</b>	<b>15,064</b>	<b>\$96,975</b>	<b>56.90%</b>	<b>73,470</b>
<b>Public Works</b>					
Personnel	428,039	30,371	208,474	48.70%	219,565
O&M	168,161	24,384	106,466	63.31%	61,695
Capital	11,100	0	10,122	91.19%	978
<b>Total Public Works Expense</b>	<b>\$607,300</b>	<b>54,755</b>	<b>\$325,062</b>	<b>53.53%</b>	<b>282,238</b>
<b>Billing &amp; Collections</b>					
Personnel	554,850	43,081	303,645	54.73%	251,205
O&M	221,975	23,440	121,164	54.58%	100,811
Capital	0		0		0
<b>Total Billing &amp; Collections</b>	<b>\$776,825</b>	<b>66,521</b>	<b>\$424,809</b>	<b>54.69%</b>	<b>352,016</b>
<b>City Hall Cost Allocation</b>					
Personnel	0		0		0
O&M	44,200	4,500	25,322	57.29%	18,878
Capital	0		0		0
<b>Total City Hall Cost Allocation</b>	<b>\$44,200</b>	<b>4,500</b>	<b>\$25,322</b>	<b>57.29%</b>	<b>18,878</b>

**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.**



**DELAWARE LEAGUE OF LOCAL GOVERNMENTS  
THE DUNCAN CENTER  
500 W. LOOCKERMAN STREET, 5<sup>TH</sup> FLOOR, DOVER**

\*\*\*\*\*

THURSDAY, MARCH 22, 2018  
REGISTRATION/SOCIAL HOUR: 5:30 P.M. - 6:15 P.M.  
DINNER: 6:30 P.M. – 7:15 P.M.  
PROGRAM: 7:15 P.M.

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PROGRAM:

Robert Coupe, Secretary of the Delaware Department of Safety and Homeland Security, is the keynote speaker for the March meeting. Secretary Coupe was appointed to this Cabinet position last year. Previous to this, he was Commissioner of the State Department of Corrections. As Secretary, Mr. Coupe oversees eight Divisions and two Disabilities Councils. The Divisions cover a wide range of responsibilities, including State and Capitol Police, Emergency Management, Highway Safety, Communications and E911, Forensic Science, and Alcohol, Tobacco and Gaming Enforcement.

Connie Holland, Director of State Planning Coordination, will provide information about proposed Delaware Population Consortium legislation.

The DLLG wishes to thank Zelenkofske Axelrod for sponsoring this month’s dinner meeting and complimentary social hour drinks.

**PLEASE RSVP TO Christine NO LATER THAN 03/13/18**

Mail To/Make Payable to: Delaware League of Local Governments • PO Box 484 • Dover, DE 19903-0484  
Phone: 302-678-0991 • Email: [cfluft@udel.edu](mailto:cfluft@udel.edu)

City of Milford will have X attendee(s)

List Attendees:

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

\*\*\*\*\*

**Next Meeting: Thursday, April 26, 2018**



## ***Delaware Department of Transportation***

***You are cordially invited to a Groundbreaking Ceremony for the construction of SR 1, Northeast Front Street Grade Separated Intersection Project.***

***What: This project aims to create a grade separated intersection at Northeast Front Street and SR 1 by elevating Northeast Front Street to cross above SR 1. Additionally, a connector road will be constructed between Northeast 10th Street and Northeast Front Street to eliminate the at grade crossover, and redirect traffic to the proposed grade separation.***

***In conjunction with the corridor capacity preservation study for SR 1, a grade separated intersection at Northeast Front Street and SR 1 is needed to preserve both highway operational capacity and safety.***

***Who: Governor John C. Carney, Jr., US Representative Lisa Blunt Rochester, US Senator Thomas Carper, Department of Transportation Secretary Jennifer Cohan, state and local officials.***

***When: 1:30 p.m. on Monday, March 26***

***Where: Silicato Parkway behind Grottos Restaurant and Royal Farms in Milford***

***Please enter via Northeast 10<sup>th</sup> Street – and turn onto Silicato Parkway behind Grottos Restaurant. DelDOT staff will direct you to parking.***

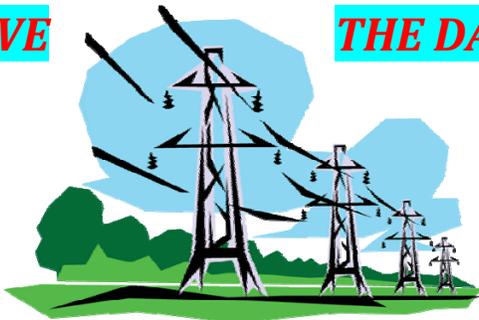
***RSVP: Please RSVP to DelDOT Community Relations by 4:30 p.m. on Friday, March 16 at [\(302\) 760-2082](tel:3027602082) or please send an email to [Louise.Holt@state.de.us](mailto:Louise.Holt@state.de.us)***

## Crouch, Christine

---

**From:** Kendra Friel <kfriel@demecinc.net>  
**Sent:** Thursday, March 8, 2018 9:56 AM  
**To:** acalaman@lewesbpw.com; C. Anderson; Chalea Johnson (cjohnson@smyrna.delaware.gov); David Del Grande (DDelGrande@newark.de.us); dgordon@lewesbpw.com; DMitchell@doover.de.us; Norenberg, Eric; Gary Stulir; jahurlock@clayton-delaware.com; June Merritt; Kimberly Schlichting; lpeddicord@doover.de.us; mdebenedictis1@verizon.net; Morris Deputy; patonep@newcastlecity.com; Patrick McCullar; Carmean, Rick; Roy Sippel; tcoleman@newark.de.us; treynolds@middletownde.org; Crouch, Christine; Kris Keller (kkeller@lewesbpw.com); Kristen Krenzer (kkrenzer@middletownde.org); Laura Oakley (loakley@lewesbpw.com); MMC Traci A. McDowell (cityclerk@doover.de.us); Sue Muncey (smuncey@clayton-delaware.com); Hudson, Terri; Tracy Torbert (ttorbert@seafordde.com); vheritage@smyrna.delaware.gov; Heather Contant; jcoulbourne@smyrna.delaware.gov; Lou Vitola; Scott Lynch; Stephanie Dove; Steve Siok  
**Subject:** SAVE THE DATE - DEMEC 2018 Joint Council Briefing

**SAVE THE DATE**



# DEMEC

### DEMEC 2018 Joint Council Briefing

**Speaker:** Patrick E. McCullar, DEMEC President & CEO  
**Where:** Dover Downs Hotel and Conference Center  
**When:** Tuesday, May 22<sup>nd</sup>, 2018  
**Purpose:** Educational opportunity to learn current electric industry issues directly affecting your communities.

**Time:** 4:00 p.m. Social Hour

5:00 p.m. Dinner and Presentation

**Audience:** Municipal City & Town Managers, City Mayors and Councils, Municipal Utility Committees, and other key decision makers within your constituency.

Good Morning~

Please reserve the date of **Tuesday, May 22<sup>nd</sup> 2018** for the DEMEC 2018 Joint Council Briefing. Above you will find a tentative agenda for the evening. More information and invitations will follow in the coming weeks.

## Kendra D. Friel

*Administrative Assistant*

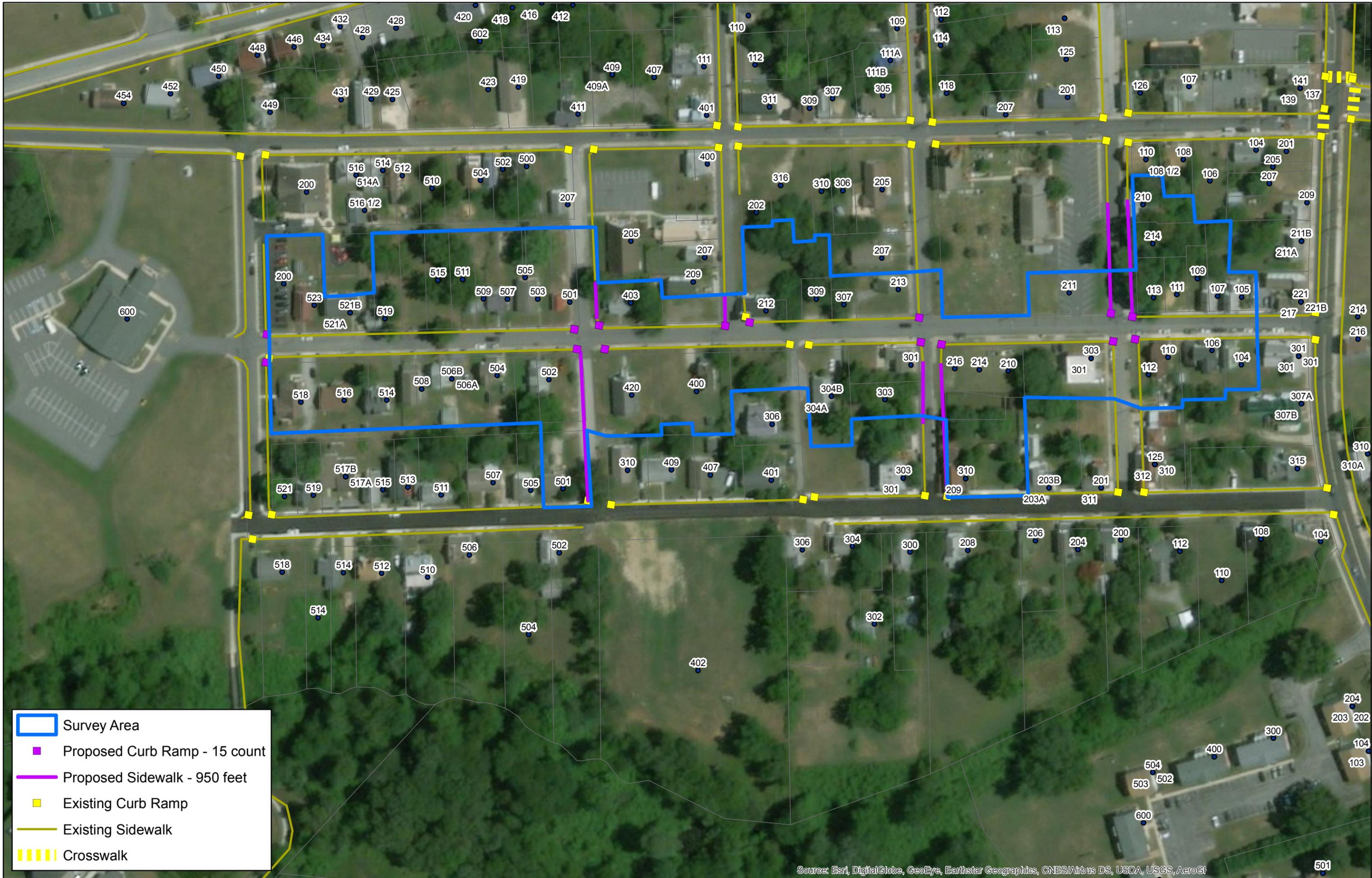
22 Artisan Dr, Smyrna, DE 19977

Ph: 302-653-2733

Fax: 302-653-2734

[www.demecinc.net](http://www.demecinc.net)

[Like us on Facebook!](#)



- Survey Area
- Proposed Curb Ramp - 15 count
- Proposed Sidewalk - 950 feet
- Existing Curb Ramp
- Existing Sidewalk
- Crosswalk

West Street - Ramp and Sidewalk Project					
Item No.	Description	Unit	Quantity	(\$ Unit Cost	(\$ Total Cost
1	Curb Ramp	EA	15	\$9,000.00	\$135,000.00
2	4' Sidewalk	SF	3800	\$6.00	\$22,800.00
3	Mobilization	LS	1	\$2,200.00	\$2,200.00
	Construction Total				\$160,000.00
4	Design / Admin / Inspection	N/A			\$40,000.00
	<b>Total Project Costs</b>				\$200,000.00

# City of Milford



## RESOLUTION 2018-05

WHEREAS, The City Council for the City of Milford, Delaware, hereby authorizes its Mayor, Bryan W. Shupe, to apply for the Fiscal Year 2019 Community Development Block Grant (CDBG) for the installation and replacement of accessibility ramps and the installation of sidewalk along West Street. The total estimated cost for this project is Two Hundred Thousand Dollars (\$200,000.00).

THEREFORE, BE IT RESOLVED that the City of Milford agrees to pay matching funds or “in-kind” services for the said project in the amount of Forty Thousand Dollars (\$40,000.00).

BE IT FURTHER RESOLVED, that this Resolution was passed by a majority of the Council of the City of Milford on the 12<sup>th</sup> day of March, 2018.

\_\_\_\_\_  
Mayor Bryan W. Shupe

Attest: \_\_\_\_\_  
City Clerk Teresa K. Hudson

Adopted: March 12, 2017

AMENDMENT TO AN AGREEMENT  
JULY 1, 2014 – JUNE 30, 2018  
BETWEEN THE  
MILFORD POLICE DEPARTMENT  
GENERAL TEAMSTERS LOCAL 326  
AND THE  
CITY OF MILFORD, DELAWARE  
AMENDMENT EFFECTIVE  
March \_\_, 2018

**8.5 Shift Differential**

- 8.5.1 The amount of shift differential pay shall be calculated for each hour actually worked between 7 pm and 7 am at the rate of \$1.00 per hour.
- 8.5.2 Shift differential shall not become part of base pay and shall be paid bi-weekly.
- 8.5.3 Shift differential is not payable for hours worked on Special Duty or Grants.

IN WITNESS WHEREOF, the parties hereto agree to and have caused this Amendment to be signed in their respective names by their representatives hereunto duly authorized dated:

Paul A. Shubert

2/27/18

Signature for General Teamsters Local 326

Date

Title: SECRETARY/TREASURER

\_\_\_\_\_  
Signature for the City of Milford

\_\_\_\_\_  
Date

Title: \_\_\_\_\_

# MARVEL AGENCY

15 NORTH WALNUT STREET  
P.O. BOX 358  
MILFORD, DE 19963

FAX 302-422-9687  
PHONE 302-422-9626

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

EMAIL: [marvel@marvelagency.com](mailto:marvel@marvelagency.com)

February 8, 2018

City of Milford  
Department of Public Works  
180 Vickers Drive  
Milford, DE 19963

Attn: Mark Whitfield, Public Works Director  
Eric Norenberg, City Manager

Re: Walnut Village Phase 1

Dear Mark:

On behalf of Walnut Village, LLC, the developer of Walnut Village respectfully request that the City of Milford grant **acceptance** of the water distribution system, sewer system, and all public streets in Phase 1, of Walnut Village, including Thelma Lane and part of Eleanor Lane. The City has received the one year maintenance bond for this phase.

If you need anything else, please let me know.

Sincerely,



Randy E. Marvel  
Managing Member, Walnut Village, LLC

REM:ck

# City of Milford



## RESOLUTION 2018-04

WHEREAS, Chapter 200 provides that public roads and public utilities shall be accepted into the City of Milford's street system and public utility system by resolution of City Council; and

WHEREAS, the Public Works Director and City Engineer have determined the water distribution system, sewer system, easements, sidewalks and public streets included in a portion of Phase 1 of Walnut Village Subdivision have been completed in accordance to City standards and requirements; and

WHEREAS, the portion of Phase I to be accepted includes Thelma Lane from South Walnut Street to the southern lot line of Lots 46 & 78 and the portion of Eleanor Lane from northern intersection with Thelma Lane to the eastern lot lines of Lot 15 & 60, as depicted on the Walnut Village Subdivision Plan dated October 17, 2005, recorded in Sussex County, Plat Book 108, Page 145, on October 6, 2006; and

WHEREAS, approval to operate those utilities has been obtained from the applicable State agencies; and

WHEREAS, Walnut Village LLC has provided the City of Milford with a maintenance bond for 10% of the value of public improvements and public utilities warranting said improvements for one year from the date of acceptance; and

WHEREAS, said developer has provided as-built drawings of the utilities to the City.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Milford during a regular session of Council, by a favorable majority vote, accepts the water distribution system, sewer system, easements, sidewalks and public streets in the Walnut Village Subdivision, Phase I, that are to be dedicated for public use into the City of Milford's street system and public utility system.

BE IT FURTHER RESOLVED, that the City of Milford shall assume responsibility for the future maintenance and repair of the water distribution system, sewer system, easements, sidewalks and public streets in Walnut Village Subdivision, Phase I, as noted in this resolution.

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Mayor Bryan W. Shupe

Attest: \_\_\_\_\_  
City Clerk Teresa K. Hudson

Adopted: March 12, 2017

**ORDINANCE 2018-07**

**CODE OF THE CITY OF MILFORD  
PART II-GENERAL LEGISLATION  
CHAPTER 88  
BUILDING CONSTRUCTION**

WHEREAS, the City regulates construction practices and standards by means of technical codes to protect the health, safety and welfare of its citizens; and

WHEREAS, such codes must be updated from time to time; and

WHEREAS, at least one copy of the 2012 International Residential Code, which is hereby to be adopted by reference, has been filed with the City Clerk's office and made available for public use, inspection and examination; and

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

*Section 1.* Chapter 88 is hereby repealed and replaced as follows:

**ARTICLE I - International Residential Code**

**§ 88-1. - Adoption of code.**

That a certain document, three (3) copies of which are on file in the office of the Department of Planning of the City of Milford, being marked and designated as the International Residential Code, 2012 edition, including Appendix Chapters C, G and J, be and is hereby adopted as the Residential Code of the City of Milford, in the State of Delaware, for regulating and governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal, and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with separate means of egress as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions, and terms of said Residential Code on file in the office of the City of Milford are hereby referred to, adopted, and made a part hereof, as if fully set out in this article, with the additions, insertions, deletions, and changes, if any, prescribed in § 88-2 of this chapter.

**§ 88-2. - Additions, insertions and changes.**

The following sections are hereby revised:

**A. Chapter 1, Administration.**

(1) **Section R101.1.** Insert: City of Milford

(2) **Section R105. Permits.**

(a) **Section R105.2, Work exempt from permit,** is deleted in its entirety.



Snow Load	Speed (mph)	Topo. Effects	Category	Weathering	Frost line depth	Termite	Design Temp	Underlayment Required	Flood Hazards	ng Index	al Temp	Assumed Soil Bearing
25	90	NO	A	SEVERE	24"	MOD-HEAVY	14	NO	9/14/92 3/16/15 7/7/14 1/6/05	368	55.7F	2000 psf

(2) **Section R311, Means of Egress.** Replace the following:

(a) **Section R 311.7.5.1 Risers.** The maximum riser height shall be 8-1/4 inches (209.6 mm). The riser shall be measured vertically between leading edges of the adjacent treads. The greatest riser height within any flight of stairs shall not exceed the smallest by more than 3/8 inch (9.5 mm). The riser height at landings with hinged doors shall be measured from the landing vertically to the top of the threshold (not the compression strip). The riser height at landings with sliding doors shall be measured from the landing vertically to the top of the highest projection of the door track. Risers shall be vertical or sloped from the underside of the nosing of the tread above at an angle not more than 30 degrees (0.51 rad) from the vertical. Open risers are permitted provided that the opening between treads does not permit the passage of a 6-inch-diameter (102 mm) sphere.

Exception: The opening between adjacent treads is not limited on stairs with a total rise of 8-1/4 inches (209.55 mm) or less.

(b) **R311.7.5.2 Treads.** The minimum tread depth shall be 9 inches (229 mm). The tread depth shall be measured horizontally between the vertical planes of the foremost projection of adjacent treads and at a right angle to the tread's leading edge. The greatest tread depth within any flight of stairs shall not exceed the smallest by more than 3/8 inch (9.5 mm).

(3) **Section R313. Automatic Fire Sprinkler Systems.** Deleted in its entirety.

(6) **Section R319. Site Address.**

(a) Add: **R319.1. Street Identification.** Permanent street signs shall be in place prior to the issuance of the Certificate of Occupancy.

D. Chapter 4, Foundations. Adopt without changes.

E. Chapter 5, Floors. Adopt without changes.

- F. Chapter 6, Wall Construction. Adopt without changes.
- G. Chapter 7, Wall Covering. Adopt without changes.
- H. Chapter 8, Roof-Ceiling Construction. Adopt without changes.
- I. Chapter 9, Roof Assemblies. Adopt without changes.
- J. Chapter 10, Chimneys and Fireplaces. Adopt without changes.
- K. Chapter 11, Energy Efficiency. Deleted in its entirety. Refer to the current adopted State Energy Code
- L. Chapter 12, Mechanical Administration. Adopt without changes.
- M. Chapter 13, General Mechanical System Requirements. Adopt without changes.
- N. Chapter 14, Heating and Cooling Equipment. Adopt without changes.
- O. Chapter 15, Exhaust Systems. Adopt without changes.
- P. Chapter 16, Duct Systems. Adopt without changes.
- Q. Chapter 17, Combustion Air. Adopt without changes.
- R. Chapter 18, Chimneys and Vents. Adopt without changes.
- S. Chapter 19, Special Fuel-Burning Equipment. Adopt without changes.
- T. Chapter 20, Boilers and Water Heaters. Adopt without changes.
- U. Chapter 21, Hydronic Piping. Adopt without changes.
- V. Chapter 22, Special Piping and Storage Systems. Adopt without changes.
- W. Chapter 23, Solar Systems. Adopt without changes.
- X. Chapter 24, Fuel Gas. Adopt without changes.
- Y. Chapter 25, Plumbing Administration. Delete in its entirety. Refer to current adopted State Plumbing Code.
- Z. Chapter 26, General Plumbing Requirements. Delete in its entirety. Refer to current adopted State Plumbing Code.
- AA. Chapter 27, Plumbing Fixtures. Delete in its entirety. Refer to current adopted State Plumbing Code.
- BB. Chapter 28, Water Heaters. Delete in its entirety. Refer to current adopted State Plumbing Code.
- CC. Chapter 29, Water Supply and Distribution. Delete in its entirety. Refer to current adopted State Plumbing Code.
- DD. Chapter 30, Sanitary Drainage. Delete in its entirety. Refer to current adopted State Plumbing Code.
- EE. Chapter 31, Vents. Delete in its entirety. Refer to current adopted State Plumbing Code.
- FF. Chapter 32, Traps. Delete in its entirety. Refer to current adopted State Plumbing Code.

- GG. Chapter 33, Storm Drainage. Delete in its entirety. Refer to current adopted State Plumbing Code.
- HH. Chapter 34, General Requirements. Delete in its entirety. Refer to current adopted State Electrical Code.
- II. Chapter 35, Electrical Definitions. Delete in its entirety. Refer to current adopted State Electrical Code.
- JJ. Chapter 36, Services. Delete in its entirety. Refer to current adopted State Electrical Code.
- KK. Chapter 37, Branch Circuit and Feeder Requirements. Delete in its entirety. Refer to current adopted State Electrical Code.
- LL. Chapter 38, Wiring Methods. Delete in its entirety. Refer to current adopted State Electrical Code.
- MM. Chapter 39, Power and Lighting Distribution. Delete in its entirety. Refer to current adopted State Electrical Code.
- NN. Chapter 40, Light Fixtures. Delete in its entirety. Refer to current adopted State Electrical Code.
- OO. Chapter 41, Appliance Installation. Delete in its entirety. Refer to current adopted State Electrical Code.
- PP. Chapter 42, Swimming Pools. Delete in its entirety. Refer to current adopted State Electrical Code.
- QQ. Chapter 43, Class 2 Remote-Control Signaling and Power-Limited Circuits. Delete in its entirety. Refer to current adopted State Electrical Code.
- RR. Chapter 44, Referenced Standards. Adopt without changes.
- SS. Appendix C, Exit Terminals of Mechanical Draft and Direct-Venting Systems
- TT. Appendix G, Swimming Pools, Spas, and Hot Tubs.

**(1) Section AG102. Definitions.**

- (a) Add: Swimming Pool: Any structure intended for swimming or recreational bathing that contains or is capable of containing water over 24 inches (610 mm) deep or more water. This includes in-ground and on-ground swimming pools, hot tubs and spas.

**(2) AG105.2 Outdoor swimming pool. Add:**

11. For split rail fences, 14 gauge wire with opening no greater than 2 inches (51 mm) wide and 4 inches (102 mm) high shall be permitted. The fence must be 48 inches (1219 mm) high with the top edge securely fastened to the top rail. The wire must be applied on the side away from the pool (outside).

UU. Appendix J, Existing Buildings and Structures. Adopt without changes.

§ 88-3. - Fee schedule.

Permit fees shall be set by resolution adopted by City Council and maintained by the City Clerk's Office.

## ARTICLE II - International Building Code

### § 88-4. - Adoption of code.

A certain document, three (3) copies of which are on file in the office of the Department of Planning of the City of Milford, State of Delaware, being marked and designated as the International Building Code, 2012 edition, be and is hereby adopted as the Building Code of the City of Milford for regulating and governing the conditions and maintenance of all property, buildings, and structures, by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary, and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations; provisions, penalties, conditions and terms of said Building Code on file in the office of the City of Milford and hereby referred to, adopted, and made a part hereof, as if fully set out in this article, with the additions, insertions, deletions, and changes, if any, prescribed in § 88-5 of this chapter.

### § 88-5. - Additions, insertions and changes.

The following sections or portions are hereby revised as follows:

#### A. Chapter 1, Administration.

(1) **Section R101.1.** Insert: City of Milford

(2) **Section 105, Permits.**

(a) **Section 105.2. Work exempt from permit,** is deleted in its entirety.

(b) Add: **105.5.1. Time limitation of permit.** A permit for any activity for which a permit is required shall be valid for two years from the date of issuance.

(c) Add: **105.5.2. Completion of construction.** All construction for which a building permit is required must be completed and pass final inspection within two years after issuance of a building permit. One extension of six months, accompanied by a renewal fee of a minimum of \$50 or 10% of the original building permit fee, whichever is greater, may, at the discretion of the Code Official, be granted.

(3) **Section 109. Fees.**

(a) Add: **109.4.1. Violation fee.** When obtaining a building permit after the start of construction, the building permit fee shall be \$100 plus the permit fee or double the normal permit fee, whichever is less.

(4) **Section 113, Board of Appeals,** is deleted in its entirety and replaced with the following;

**113.1. General.** Appeals of orders, decisions, or determination made by the Building and/or Code Official relative to the application and interpretation of this code, shall proceed as described in Article III of this Chapter.

(5) Replace: **114.4. Violation penalties.** Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect,

construct, alter or repair a building or structure in violation of an approved plan or directive of the Code Enforcement Official, or of a permit or certificate issued under the provisions set forth under this code shall be guilty of a misdemeanor, punishable by a fine of not more than \$500. Each day that a violation continues after due notice has been served shall be deemed as a separate offense.

- (6) Replace: **115.3. Unlawful continuance.** Any person who shall continue any work in or about the structure after having been served with a stop-work order, except such work as would be necessary to correct said violation(s) or unsafe conditions, shall be liable to a fine of not less than \$500.
- (7) Replace: **116.5. Restoration.** A building or structure condemned by the Code Enforcement Official is permitted to be restored to a safe and fully code compliant condition, provided that said restoration or repairs do not exceed 50% of the value of said building or structure as determined by the assessment given by the City for tax purposes. This valuation figure shall be exclusive of foundations. Said repairs shall be made to comply, in all respects, with the requirements for materials and methods of construction of structures hereafter erected. To the extent that the repairs, alterations or additions are made or a change of occupancy occurs during the restoration of the structure, such repairs, alterations, additions or change of occupancy shall comply with the requirements of Section 105.2.2 and Chapter 34.

- B. Chapter 2, Definitions. Adopt without changes.
- C. Chapter 3, Use and Occupancy Classification. Adopt without changes.
- D. Chapter 4, Special Detailed Requirements Based on Use and Occupancy. Adopt without changes.
- E. Chapter 5, General Building Heights and Areas. Adopt without changes.
- F. Chapter 6, Types of Construction. Adopt without changes.
- G. Chapter 7, Fire Resistance-Rated Construction. Adopt without changes.
- H. Chapter 8, Interior Finishes. Adopt without changes.
- I. Chapter 9, Fire Protection Systems. Adopt without changes.
- J. Chapter 10, Means of Egress. Adopt without changes.
- K. Chapter 11, Accessibility. Adopt without changes.
- L. Chapter 12, Interior Environment. Adopt without changes.
- M. Chapter 13, Energy Efficiency. Delete in its entirety. Refer to current State Energy Code.
- N. Chapter 14, Exterior Walls. Adopt without changes.
- O. Chapter 15, Roof Assemblies and Rooftop Structures. Adopt without changes.
- P. Chapter 16, Structural Design.  
**1612.3. Establishment of flood hazard areas.** Insert: “City of Milford” for Name of Jurisdiction and “dated most recently enacted” for Date of Issuance.
- Q. Chapter 17, Structural Tests and Special Inspections. Adopt without changes.

- R. Chapter 18, Soils and Foundations. Adopt without changes.
  - S. Chapter 19, Concrete. Adopt without changes.
  - T. Chapter 20, Aluminum. Adopt without changes.
  - U. Chapter 21, Masonry. Adopt without changes.
  - V. Chapter 22, Steel. Adopt without changes.
  - W. Chapter 23, Wood. Adopt without changes.
  - X. Chapter 24, Glass and Glazing. Adopt without changes.
  - Y. Chapter 25, Gypsum Board and Plaster. Adopt without changes.
  - Z. Chapter 26, Plastic. Adopt without changes.
  - AA. Chapter 27, Electrical. Delete in its entirety. Refer to current adopted State Electric Code.
  - BB. Chapter 28, Mechanical Systems. Adopt without changes.
  - CC. Chapter 29, Plumbing Systems. Delete in its entirety. Refer to current adopted State Plumbing Code.
  - DD. Chapter 30, Elevators and Conveying Systems. Adopt without changes.
  - EE. Chapter 31, Special Construction. Adopt without changes.
  - FF. Chapter 32, Encroachments into the Public Right-of-Way. Adopt without changes.
  - GG. Chapter 33, Safeguards During Construction. Adopt without changes.
  - HH. Chapter 34, Existing Structures. Adopt without changes.
  - II. Chapter 35, Referenced Standards. Adopt without changes.
  - JJ. Appendix E, Supplementary Accessibility Requirements. Adopt without changes.
  - KK. Appendix F, Rodentproofing. Adopt without changes.
  - LL. Appendix H, Signs. Adopt without changes.
- § 88-6. - Fee schedule.

Permit fees shall be set by resolution adopted by City Council and maintained by the City Clerk's Office.

### ARTICLE III - Board of Appeals

#### § 88-7. - General.

In order to hear and decide appeals of orders, decisions, or determinations made by the building or code official relative to the application and interpretation of the code, there shall be and is hereby created a board of appeals. The Board of Appeals shall be appointed by City Council and shall hold office at its pleasure. The Board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official.

§ 88-8. - Limitations on authority.

An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.

§ 88-9. - Membership of the board.

The Board of Appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction. City Council shall appoint three members for terms of three years, provided that the terms of the original members shall be established in a manner that the term of at least one member shall expire each year and the successor shall be appointed for a term of three years.

§ 88-10. - Alternate members.

City Council shall appoint an individual of its choice to be an alternate during those times where one of the permanent members is unable to attend an appeals hearing or in cases where a conflict of interest may exist. Said appointment shall be made for a two-year term.

§ 88-11. - Chairperson.

The Board shall annually select one of its members to serve as chairperson.

§ 88-12. - Disqualification of member.

A member shall not hear an appeal in which that member has a personal, professional or financial interest.

§ 88-13. - Secretary.

The City Manager shall designate a qualified clerk or staff as Secretary to the Board. The Secretary shall file a detailed record of all proceedings with the office of the City Clerk. Secretary shall have no right to vote on matters coming before the board.

§ 88-14. - Compensation of members.

Compensation of members shall be determined by ordinance of City Council.

§ 88-15. - Application for appeal.

Any person directly affected by a decision of the Code Official or an notice or order issued under this code shall have the right to appeal a decision of the Code Enforcement and/or Building Official to the Board of Appeals provided the application is filed within 20 days of the day the decision, notice, or order was served. An application for appeal shall be based on a claim that the true intent of the code or the rules legally adopted thereunder have been incorrectly interpreted, that the provisions of this code do not apply or that an equivalent form of construction is to be used.

§ 88-16. - Hearing fee.

The following nonrefundable fee schedule shall apply for hearings of the Board of Appeals:

International Residential Code: \$ 300.00

International Building Code: \$1,000.00

International Property Maintenance Code: \$ 300.00

§ 88-17. - Notice of meeting.

The Board shall meet upon notice from the Chairperson. The meeting date and time shall be scheduled in accordance with the state guidelines for public hearings. Surrounding property owners within 200 feet of the property or building in question shall be notified by mail.

§ 88-18. - Open hearing.

All hearings before the Board shall be open to the public. The appellant's representative, the Code Official and any other person or persons that may be deemed necessary as witnesses and all other persons whose interests are affected shall be given an opportunity to be heard.

§ 88-19. - Procedure.

The hearing shall address only those issues or items that may be deemed relevant to the case being heard. The Board shall adopt and publish, for public information, the procedures under which the hearing will be conducted.

§ 88-20. - Postponed hearing.

When there are fewer than two members of the Board available and the authorized or appointed alternate is unavailable, notification shall be given to the interested parties.

§ 88-21. - Board decision.

The Board shall affirm, modify or reverse the decision of the Code Official by means of a simple majority.

§ 88-22. - Records and copies.

The decision of the board shall be recorded. Copies shall be furnished to the appellant and to the appropriate Building or Code Official.

§ 88-23. - Administration.

The appropriate Building or Code Official shall take immediate action in accordance with the decision of the Board.

§ 88-24. - Court review.

Any person, whether or not a previous party of the appeal, shall have the right to apply to the Superior Court of the State of Delaware in the applicable county for a writ of certiorari to correct

errors of law. Application for review shall be made in the manner and time required by law, following the filing of the Board's decision in the Office of the City Clerk.

§ 88-25. - Stays of enforcement.

Appeals of notices and orders (other than Imminent Danger Notices) shall stay the enforcement of the notice and order until the appeal is complete or the stay is lifted by the Superior Court.

*Section 2. Dates.*

Introduction: March 12, 2018

Adoption (Proposed): March 26, 2018

Effective (Proposed): April 5, 2018

**ORDINANCE 2018-08**

**CODE OF THE CITY OF MILFORD  
PART I-ADMINISTRATION LEGISLATION  
CHAPTER 55  
PERSONNEL**

WHEREAS, Chapter 55 of the City of Milford Code governs personnel practices for all City of Milford employees; and

WHEREAS, the City Council for the City of Milford desires to update Chapter 55 in its entirety to conform to and comply with Federal and State law and current personnel practices as set forth herein.

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

*Section 1.* Chapter 55 is hereby repealed and replaced as follows:

**CITY OF MILFORD  
EMPLOYEE POLICY MANUAL**

Table of Contents

NOTE: Policies and procedures referenced, but not contained within this manual can be obtained from your supervisor, Department Director or the Human Resources Office.

**General Provisions**

**1. Purpose**

The purpose of this manual is to set forth the policies and procedures that will be followed by the City of Milford in the administration of its Human Resources program. The City's policies and procedures are intended to establish an efficient, equitable and functional system of Human Resources administration based on merit principles which govern employee selection, promotion, transfer, layoff, dismissal, discipline and other conditions of employment.

The information contained in the City of Milford Employee Policy Manual has been prepared as a guide to general human resource methods at the City of Milford. If anything has been stated that is different from actual provisions of benefit plan documents, the actual provisions will govern.

No employee manual can anticipate every circumstance or questions about policy. As the City continues to grow, the need may arise to change policies and procedures contained in the manual. The City of Milford, therefore, reserves the right to revise, supplement or rescind any policies or portion of the manual, from time to time, at the City's discretion for any reason, with or without notice. The policies and statements contained in the manual, as in other provisions

that may be modified or added from time to time, are not direct or implied contractual commitments between the City of Milford and its employees with respect to duration of employment, level of compensation, or any other terms or conditions that are a part of the employment relationship. It does not promise that the policies mentioned will be applicable in any given instance.

For those who are at-will employees, the policy manual does not change the employment-at-will relationship in any way. Employees, who fall under the provisions of an executed Collective Bargaining Agreement shall be guided by relevant provisions regarding the employment relationship.

The policy manual is not an employment contract and does not provide any enforceable contractual rights to the employee with respect to his/her terms or conditions of employment. Neither these guidelines, nor any written or oral policies, practices nor procedures, which may develop from these guidelines, create either an express or implied employment contract.

## **2. Scope**

This manual is prepared for all employees of the City of Milford. For employees who are covered under collective bargaining agreements (CBA), the provisions in those agreements/documents will prevail, if and when there is conflict between this manual and a CBA. Specific department rules and standard operating procedures that have been reviewed and approved by the Appointing Authority will also prevail (see section 4 below).

## **3. Administration and Approval**

The City's Appointing Authorities (or his/her designee), shall be responsible for the overall administration of these policies and procedures, the City's Human Resources Administrator shall serve as the Appointing Authority's designee, for questions on any of the policies and procedures that are part of or referenced by this manual. City Council approval may be required for some of the policies referenced herein.

## **4. Department Policies and Procedures**

Individual Department Directors have the right to establish certain policies and procedures that are unique to the department, and if reviewed and approved by the Appointing Authority, they are given the same weight as if they were contained in this manual.

# **Responsibilities for Managing Information and Serving the Public**

## **1. Contact with the Public**

The City of Milford's employees will, at all times, treat the residents of Milford and the general public with patience, courtesy, dignity and respect.

Beyond acts that are obviously illegal and/or unethical, any behavior that is not conducive to properly and effectively serving the citizens of Milford is prohibited and may be subject to corrective action.

In addition, the City of Milford and its employees will make every effort in dealings with the general public to make reasonable accommodations for persons with disabilities.

While employees are encouraged to be helpful and courteous to the public, responses to requests for information should comply with the *City's Public Records Policy*, which is available in the City's Clerk's Office. Questions about the City's policy should be referred to the employee's supervisor.

## **2. Contact with City Council**

All employees are expected to respond to requests from City Council through the appropriate Appointing Authority in a timely manner.

Neither City elected officials nor Commission members can act directly to resolve employee concerns or issues. Thus, employees are encouraged to use steps under the section covering *Grievance* of this manual to address and resolve issues and concerns.

## **3. Contact with the Media**

Representatives of the media who are seeking information or opinions concerning pending legislation, litigation, or other matters of apparent interest to the general public may contact City of Milford employees from time to time. Any requests for non-routine information from media representatives must be immediately referred to the appropriate Department Director and be reported to the Appointing Authority. It is important that the media be provided accurate and timely information. Accordingly, in the context of City government business, employees should not initiate contact with the media unless assigned as his/her responsibility by an Appointing Authority.

## **4. Release of Information and Public Records**

It is the policy of the City of Milford that openness leads to better informed citizens, which leads to better government and better public policy. The City of Milford policies and practices regarding release of information and public records adhere to the State of Delaware Public Records Law; Freedom of Information Act (FOIA) and employees receiving requests for public records should refer and adhere to the City's *Public Records Policy*.

All requests for information regarding the plans or business affairs of the City, or the personal and/or business affairs of its employees, except routine matters relating to day-to-day operations, shall be immediately referred to the Department Director or Appointing Authority. Employees are prohibited from releasing such information without specific authorization of the Appointing Authority, Department Director or as may be authorized by departmental policies and procedures.

## **Employment Policies and Procedures**

### **1. Equal Employment Policies**

The City of Milford's policy is to employ and treat all employees and employment applicants without discrimination on the basis of race, creed, color, religion, citizenship status, gender, age, national origin, ancestry, disability, sexual orientation, gender identity or expression, marital status, pregnancy, military veteran status, political beliefs or affiliation, genetic history, or other characteristic protected by law. These protections apply to all areas of employment, including recruitment, hiring, training and development, promotion, transfer, dismissal, layoff, compensation, benefits, social and recreational programs.

Questions and concerns should be addressed to the employee's supervisor, Department Director, or to the Human Resources Administrator, who serves as the City of Milford's EEO compliance officer.

### **2. Accommodations for Persons with Disabilities**

It is the policy of the City to comply with all the relevant and applicable provisions of the Americans with Disabilities Act and corresponding state and local laws. The City does not discriminate against any qualified employee or job applicant with respect to any terms, privileges, or conditions of employment because of a person's physical or mental disability.

A person with a disability who believes that he or she may require an accommodation should contact the Human Resources Administrator, who will work with the individual in an interactive manner in order to assess a needs-based accommodation.

### **3. Anti-Harassment**

#### **A. Purpose**

The City strives to maintain a workplace that fosters mutual employee respect and promotes harmonious, productive working relationships. Our organization believes that harassment in any form constitutes misconduct that undermines the integrity of the employment relationship. Therefore, the City is committed to a work environment which is free of harassment (which includes harassment based on gender, gender identity, pregnancy, childbirth, or related medical conditions), as well as harassment based on such factors as race, color, creed, national origin, ancestry or citizenship, age, physical or mental disability, marital status, genetic history, or any other categories protected by law.

The City disapproves of and will not tolerate harassment of employees by managers, supervisors, or coworkers. Similarly, the City will not tolerate harassment by its employees of non-employees with whom its employees have a business, service or professional relationship. The City also will attempt to protect employees from harassment by non-employees in the workplace.

## **B. Harassment Defined**

Harassment includes verbal, physical, and visual conduct that creates an intimidating, offensive, or hostile working environment that interferes with an employee's work performance. Such conduct constitutes harassment when:

- Submission to the conduct is made either an explicit or implicit condition of employment;
- Submission to or rejection of the conduct is used as the basis for an employment decision; or
- The harassment has the purpose or effect of interfering with an employee's work performance or creates an intimidating, hostile, or offensive work environment.

### **1. Examples of Harassing Conduct**

Harassing conduct can take many forms and includes, but is not limited to, the following: slurs, jokes, statements, gestures, assault, impeding or blocking another's movement or otherwise physically interfering with normal work, pictures, drawings, or cartoons based upon an employee's sex, race, color, national origin, religion, age, physical disability, mental disability, medical condition, ancestry, marital status, sexual orientation, gender, gender identity, or physical appearance.

### **2. Examples of Sexually Harassing Conduct**

Sexually harassing conduct in particular includes all of these prohibited actions as well as other unwelcome conduct, such as: unwelcome sexual flirtations, advances, or propositions; verbal abuse of a sexual nature; subtle pressure or requests for sexual activities; unnecessary touching of an individual; graphic comments about an individual's body; a display in the workplace of sexually suggestive objects or pictures; sexually explicit or offensive jokes; or physical assault. Sexually harassing conduct can be by a person of either the same or opposite sex.

## **C. Reporting & Investigating Harassing Conduct**

The City understands that victims of harassment are often embarrassed and reluctant to report acts of harassment for fear of being blamed, concern about being retaliated against, or because it is difficult to discuss sexual matters openly with others. But no employee should have to endure harassing conduct and the City therefore requires employees to promptly report any incidents of harassment so that corrective action may be taken.

### **1. Reporting Harassment**

Any incidents of harassment, including work-related harassment by any personnel or any other person, must be reported immediately to the employee's supervisor or Department Director. An employee is not required to complain to that person if that person is the individual who is harassing the employee but may instead report the harassment to any other member of management. Supervisors and managers who receive complaints or who observe harassing conduct must immediately inform the Department Director or Appointing Authority or other appropriate City official so that an investigation may be initiated.

## 2. Investigating Harassment

Every reported complaint of harassment will be investigated thoroughly and promptly. Typically, the investigation will include the following steps: (1) an interview of the employee who lodged the harassment complaint to obtain complete details regarding the alleged harassment; (2) interviews of anyone who is alleged to have committed the acts of harassment to respond to the claims; and (3) interviews of any employees who may have witnessed or who may have knowledge of the alleged harassment.

The investigating City official will notify the complainant of the results of the investigation. The investigation will be handled in as confidential a manner as possible consistent with a full, fair, and proper investigation.

### **D. Corrective Action**

The City will not tolerate retaliation against any employee for making a complaint of harassment or for cooperating in an investigation. If harassment or retaliation is established, the City will take corrective action. Corrective action may include, for example: training, referral to counseling, or disciplinary action ranging from verbal or written warnings to termination of employment, depending on the circumstances.

### **E. Non-Retaliation**

The City's mission can only be accomplished in an environment that promotes integrity, honesty and open communication which is free from any form of discrimination, harassment or retaliation. Retaliation by part of management and/or employees against any employee for reporting of any real or perceived incident involving alleged discrimination or harassment or unethical, illegal in good faith, unsafe conduct, or for participating in the investigation of any such allegations are not be tolerated.

## **4. Pregnancy Notice**

The Delaware Discrimination in Employment Act prohibits discrimination against any employee based on pregnancy, childbirth, or related condition, including, but not limited to, lactation. If you believe that you have been subjected to pregnancy discrimination or harassment, please inform a member of management as soon as reasonably possible. The company is committed to providing a workplace free of discrimination and harassment and will take prompt action to investigate and address any such allegations.

The Delaware Discrimination in Employment Act also entitles employees to reasonable accommodation of known limitations related to pregnancy, childbirth, and related conditions, provided that the accommodation does not impose an undue hardship on the company. An employee need not be disabled to request a reasonable accommodation related to pregnancy, childbirth, or a related condition(s). If you suffer from a limitation that prevents you from performing the essential duties of your job, please inform your supervisor promptly so that we can begin the process of identifying a reasonable accommodation. Employees are encouraged to request a reasonable accommodation as soon as possible before performance problems arise.

## **5. Methods of Appointment**

City vacancies shall be filled either by original appointment, promotion, reassignment, transfer, demotion, or re-employment, and shall require submission of an application. Police officers, except as provided otherwise by ordinance of City Council, are competitive class positions and those positions shall be filled by competitive testing.

In the event that a vacancy must be filled immediately, the Appointing Authority may make an interim, temporary appointment, for a period of no longer than ninety (90) days; additional periods of temporary appointment, not to exceed ninety (90) days, may be granted only through written agreement and approval of the Appointing Authority. During the period of such interim appointment, the recruitment and selection processes will proceed (refer to *Recruitment Guidelines* document).

No person shall hold more than one City of Milford position at the same time without prior approval of both Department Heads (if applicable) and the respective Appointing Authority(ies).

## **6. Types of Appointments**

Employees shall be appointed to one of the following classifications in consultation with the respective Appointing Authority or the Human Resources Administrator:

(a) Regular full-time: A position which requires working a full department schedule per week, which is generally between thirty (30) and forty (40) hours per week. Regular full-time positions will be classified as either FLSA exempt (salaried) or FLSA non-exempt (hourly), depending on their job duties, in accordance with the Fair Labor Standards Act. These positions may or may not fall under provisions of one of the City's collective bargaining agreements.

(b) Regular part-time: A position which requires consistently working a part-time schedule, which is generally between twenty (20) hours, but less than thirty (30) hours per week and which is not classified as an intermittent, seasonal or special classification. Regular part-time employees will be classified as either FLSA exempt (salaried) or FLSA non-exempt (hourly), depending on their job duties, in accordance with the Fair Labor Standards Act.

(c) Intermittent/Seasonal/Special: A position which requires working either a full-time, part-time or variable schedule, and requires working to complete special projects where additional resources are required, to cover fluctuations in work, to fill vacancies for employees absent from the workplace or to fill other employment needs that may arise. Intermittent/Seasonal/Special positions may be classified as either FLSA exempt (salaried) or FLSA non-exempt (hourly), and may be paid on various pay schedules, including piece rate, depending on their job duties, in accordance with the Fair Labor Standards Act. Volunteers and contracted temporary agency workers do not qualify as any type of City employment.

All required payroll forms must be completed, along with employee orientation administered by the Human Resources Administrator, at the start of employment with the City.

In situations where an employee retirement or resignation can be anticipated or planned for, a position may be filled, with the approval of the Appointing Authority, up to several months early to allow for education and training for the individual replacing the departing employee.

## **7. Present Employee Consideration**

When a City position becomes vacant, the City may initiate both internal and external recruitment processes simultaneously to find the best candidate to fill the vacant position. If, in the determination of the Appointing Authority, a sufficient pool of internal candidates exists, to comply with collective bargaining agreements or to promote career development and succession planning, the City may elect to only open a recruitment internally.

## **8. Employment of Relatives**

The City of Milford permits the employment of qualified relatives of employees, of the employee's household or immediate family as long as such employment does not create actual conflicts of interest. That is, the intent is that no employee is permitted to work within the chain of command of one's relative and be in a position of influence over the work responsibilities, salary, schedule, career progress, benefits or other terms and conditions of employment. For purposes of this section, relative is defined as a spouse, child, parent, sibling, grandparent, grandchild, aunt, uncle, first cousin, corresponding in-law, step relation, or any member of the employee's household.

The following guidelines control hiring of relatives:

- There will be no direct reporting or supervisor to subordinate relationship allowed;
- No relatives of Department Directors will be permitted to work within the chain of command of his/her department;
- No relatives of City Council Appointees or the Human Resources Administrator will be permitted to work in any department;
- Employees who marry, become part of the same household while employed, or are in a relationship are treated in accordance with this policy and may be transferred at the earliest practicable time;
- No relatives of the Mayor or of a City Councilmember shall be hired by the City during that elected official's term in office.

The only exceptions to this policy are seasonal employees, with the approval of the Appointing Authority and pre-existing situations which are grandfathered in and may remain in place, as long as the employees are retained by the City in those employment positions. Once an employee is transferred or separated from employment, these pre-existing situations are no longer permitted.

## **9. Length of Service/Anniversary Dates**

The employee's anniversary date is defined as the date an employee reports to work following appointment to a regular full-time or regular part-time position with the City. The anniversary date is important in relation to any type of merit pay consideration, certain benefits and paid

vacation. Specific application of anniversary dates and length of service information are covered in other sections of this manual.

## **10. Employee Eligibility**

Federal law requires that all individuals who become employees of any organization be authorized to work in the United States. Upon hiring, every individual will be required to submit documentation and complete an I-9 form to prove his or her authorization to work in accordance with relevant federal regulations.

## **11. New Employee Orientation**

To help each employee get off to a good start in his/her employment with the City of Milford, a New Employee Orientation will be provided. This orientation will include a range of information, administrative matters, and personal introductions.

## **12. Introductory Periods**

The introductory six (6) month period shall be utilized as an opportunity to observe a new employee's work, to train and aid the new employee in adjustment to his/her position, and to terminate any new employee whose work performance fails to meet required work standards.

All new exempt and non-exempt employees shall serve a six (6) month non-contestable introductory period. A newly hired introductory employee may be terminated at any time, with or without cause, during the introductory period.

Supervisors shall observe the employee's work performance and counsel any introductory employee whose work performance is marginal or inadequate. Supervisors shall document said counseling and any deficiencies.

Promotional employees placed internally shall serve an introductory period of up to six (6) months in the new position. Such promotional appointees, at the discretion of the Appointing Authority, who exhibit inadequate performance during the introductory period, may be placed in another position, terminated, or subject to a six (6) month introductory period in the new position.

The introductory period may be extended for employees which the Appointing Authority, Director and supervisor determine to have the ability to succeed in the position.

During the introductory period, vacation leave will only be approved for an emergency and must have the approval of the Department Director.

## **13. Layoffs**

The Appointing Authority may lay off any employee due to lack of funds, curtailment of work or abolishment of a position. At the discretion of the Appointing Authority, employees shall be laid off in reverse order of anniversary date unless there are compelling operational needs. No

regular full-time employee will be laid off while there are newly-hired introductory or intermittent employees working in the same or related classes of positions in that department, unless the introductory employee is applying a special and unique skill set, or the intermittent employee is working on a unique project for which training another individual is exceptionally costly or time-consuming.

To the extent available, an employee who is laid off may retain reinstatement rights for up to one year. Questions concerning reinstatement rights should be directed to the respective Appointing Authority.

## **14. Resignations/Retirement/Separation from Service**

An employee who resigns from the City is expected to present a letter of resignation to his/her supervisor, including reason for leaving, at least two (2) weeks prior to his/her departure. Department Directors, Superintendents and Administrators are encouraged to provide at least ninety (90) days' notice of resignation.

Employees may retire pursuant to the provisions of the State of Delaware County & Municipal General Pension Plan or State of Delaware County & Municipal Police & Firefighters' Pension Plan. Employees are encouraged to provide at least four (4) months' notice of their retirement by presenting a letter to his/her supervisor with a copy to the Human Resources Administrator who will initiate the employee's pension application process.

In the event a non-introductory employee is involuntarily terminated, the employee may follow the grievance procedure to appeal the termination.

Prior to final separation, it will be the supervisor's responsibility, in collaboration with the Human Resources Administrator, to see that all administrative matters of the retirement, separation or resignation, including the return of City property, computer access, reimbursement of any reimbursable training and an exit interview, are managed in a timely and appropriate manner.

## **Hours of Work/Attendance**

### **1. Hours of Work**

Regular hours of work for full-time employees consist of forty (40) hours per week for all general employees, or eighty (80) hours bi-weekly for all police officers, as assigned by the Appointing Authority. For police officers, hours of work will be in accordance with the applicable requirements of the Fair Labor Standards Act.

### **2. Attendance Recording**

In order to ensure accurate reporting of an individual's time for payroll purposes and attendance record maintenance, each non-exempt employee is required to complete entries into the City's Time Keeping System, or by other approved documentation, in a timely and accurate manner and each exempt employee is required to complete entries into the City's Time Keeping System

or by approved documentation for any leave of absence (in accordance with the forms and deadlines established by the Finance Department), including employee signature and supervisory approval and signature, as required.

Non-exempt employees should report to work no more than 15 minutes prior to their scheduled starting time nor stay more than 15 minutes after their scheduled stop time without express prior authorization from their supervisor.

Employee time from 1 to 7 minutes will be rounded down, and thus not counted as hours worked, but employee time from 8 to 14 minutes will be rounded up and counted as a quarter hour of work time.

### **3. Work Schedules**

Work schedules shall be determined by the Department Directors for employees in their departments, subject to the Appointing Authority's approval, and may vary to meet a department's unique needs. Work schedules shall be arranged to meet the needs of the City.

Use of flex time is permitted in accordance with the FLSA by exempt and non-exempt personnel. Flex time practices must be pre-approved by the Appointing Authority and specific situations must be approved by the employee's supervisor. Use of flex time may not be approved if absence from work will cause impairment to the performance of the department or the City.

Appointing Authorities may permit exempt employees to occasionally work from home, in lieu of regular work hours, where circumstances are deemed appropriate for an employee to be compensated for performing assigned responsibilities while working at home. Working from home requests must be pre-approved following the determination that all or significant components of the work can be done at home, operational needs of the department are met, and the work is considered official City business. In all cases while working from home, employees may be requested to provide additional documentation of work records, as deemed necessary by their supervisor. The employee must adhere to the *Work from Home Policy*.

Alternative work schedules may be approved by Appointing Authorities when customer service needs, weather or other circumstances dictate modified schedules.

### **4. Attendance and Tardiness**

Regular and punctual attendance at work is required of all employees. If an employee will be detained or unable to report for work, he/she must notify their supervisor before the scheduled start of their shift. An employee who fails to notify a supervisor that he/she is unable to report to work prior to the scheduled start of his/her shift shall result in the employees' loss of pay for that day unless circumstances outside of the control of the employee prevented the employee from giving notice.

## **5. Lunch and Break Periods**

All regular, full-time employees working 7.5 hours or more in a day, as designated by State of Delaware Labor Law, will be provided with one half hour unpaid lunch break, each regularly scheduled day. Meal breaks will be given sometime after the first two hours of work or before the last two hours of work as designated by the Department Director/Superintendent/supervisor. Employees will be relieved of all active responsibilities and restrictions during their meal break and will not be compensated for that time.

Each employee is normally entitled to two (2) paid fifteen (15) minute breaks per work day, which shall be taken separately unless authorized in advance by the Department Director/Superintendent/supervisor to use to extend the one-half hour unpaid lunch break. Breaks are subject to the discretion and approval of the Department Director/Superintendent/supervisor, depending on, but not limited to, staffing levels, level of work and temporary fluctuations in workload. Break periods must be used as assigned.

## **Classification, Performance Evaluation, and Compensation**

### **1. The Classification Plan**

A position classification plan is in place to provide a basis for evaluating positions, assigning a pay grade to each position, and ensuring that individual employees are compensated competitively, taking into account both internal and external equity.

A position description will be maintained for each position, including position title, reporting relationship, summary of position, specific duties, education and experience requirements, and any special knowledge and skill requirements, along with FLSA status and pay grade.

### **2. Maintenance of the Position Classification Plan**

The respective Human Resources Administrator shall be responsible for the proper and continuous maintenance of the Position Classification System.

### **3. Pay Grades**

Each position within the classification system will be assigned a pay grade that indicates the minimum and maximum pay rates for employees within a particular pay grade. Periodic adjustments may be made to the pay grades, with the approval of City Council.

### **4. Work Week and Pay Periods**

The normal work week for all employees shall begin on Sunday 7:00 a.m. through the following Sunday 6:59 a.m. Paydays shall be on a bi-weekly schedule and will occur on Fridays, unless otherwise scheduled.

## **5. Compensation**

Employee compensation may be comprised of, but not limited to, the wage rate and/or any other special provisions outlined in this Manual or under a collective bargaining agreement.

Wage increases, initiated by the respective Department Director and approved by the respective Appointing Authority, under the direction of City Council, may be granted for meritorious service. Except as otherwise provided, no employee shall receive pay in addition to the wages authorized by the pay plan for services rendered.

## **6. Overtime Compensation**

Eligibility: All FLSA non-exempt employees shall be eligible for overtime compensation. (\*NOTE: There are special rules for police officers, please refer to the FLSA Special 7[k] Work Periods rules.)

Scheduling: When operating requirements or other needs cannot be met during regular working hours, employees may be scheduled to work overtime hours. When possible, advance notification of these mandatory assignments will be provided. Overtime scheduling in all departments must be approved by the Department Director, Superintendent or supervisor prior to overtime work, except in the case of an emergency.

Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work.

Overtime Pay: FLSA non-exempt employees shall be compensated at the rate of one and one-half times the equivalent hourly rate of the employee for overtime hours worked. The work week starts at 7:00 a.m. Sunday and ends at 6:59 a.m. the following Sunday. Hours worked in excess of forty (40) hours in the work week, for regular non-exempt employees or 80 hours in a pay period for non-exempt police officers, will be paid at overtime rate. Vacation leave, bereavement, and paid holidays will be considered hours worked for purposes of performing overtime calculations, unless otherwise specified in a collective bargaining agreement. Hours worked by regular full-time employees on a holiday, which has been approved by City Council as an observed City holiday, shall be compensated at the rate of one and one-half times the equivalent hourly rate of the employee. When a holiday occurs on a Saturday or Sunday the holiday will be observed and paid on Friday or Monday (in accordance with the section of this manual regarding pay periods). An employee shall receive only one paid holiday per holiday.

## **7. Flex Time**

This policy applies to all non-exempt employees whose employment status is regular full-time and regular part-time. All non-exempt employees are subject to the overtime pay provisions of the Fair Labor Standards Act and must be compensated for all hours worked, including all hours worked on and off work premises. They cannot donate their services and are not permitted to work, in excess of their regularly scheduled work hours, without prior supervisory approval.

Exempt and non-exempt employees are eligible in certain circumstances to adopt a flexible work schedule, either continuous or intermittent. The flexible work schedule, whether only for a particular day or week, must be arranged in advance and the employee and supervisor must mutually agree upon the schedule and then obtain the written approval of the Department Director or Appointing Authority. At all times, normal business hours as well as the operational needs of the department must be maintained. In addition, the immediate supervisor is to conduct a periodic review of the staff member's flexible work schedule to determine whether it should continue or not. No flex schedule is to be considered as permanent or in perpetuity. Flex time is not to be used as a means of facilitating or responding to tardiness. Employees are expected to be on time for the designated starting hour of work. Flex time should be documented on the employee's timesheet.

## **8. Emergency Conditions**

Emergency conditions, including severe weather, can disrupt the City's operations and interfere with work schedules.

The City Manager or designated appointee will determine whether and the extent to which the City will operate in inclement weather. Employees in positions designated as Essential Employees are required to report to work during emergency closures.

In the event that such an emergency closing occurs before 8:00 am or after 4:30 pm (normal business hours), the closing will be posted on the city's website ([www.cityofmilford.com](http://www.cityofmilford.com)) and the City Manager or designated appointee will contact each Department Director, who will then notify their staff if or when they need to report during the emergency closing. City of Milford emergency closing information will also be provided to local media.

Since the City of Milford is responsible for providing essential public services during emergency conditions, each department/division supervisor or appointed designee will determine which employees are essential to their department's operation or department's designated duties during the emergency closing. Employees that have been designated essential for an emergency should report as instructed during the emergency. The supervisor or appointed designee will notify each employee that has not previously been designated as essential when and if they are required to work during the emergency closing. When an emergency closing occurs during normal M-F work hours, non-essential non-exempt and exempt employees that have been allowed to leave work, report to work on a delay opening or not report for work shall receive a supplement of hours to ensure that they have eight (8) hours of pay or salary for the day. Essential non-exempt employees which are required to work shall be paid their regular eight (8) hours of pay for the day, plus time and one half for the actual number of hours worked during the emergency closing. Essential exempt employees which are required to work shall receive their salary for the day and be granted compensatory time off, as approved by the City Manager.

All Police Department officers and dispatchers are classified Essential personnel and are required to work their normal scheduled shifts. Depending on the circumstances of the emergency closing and with the authorization of the Chief of Police, the Police Department may require additional staff to report. The Police Department officers and dispatchers will be granted compensatory time equal to the number of hours that the City of Milford emergency closing was in effect

during a normal eight (8) hour business day. These compensatory hours will be added to the holiday accrual bank for each officer and dispatcher.

If inclement weather does not result in an emergency closing for the City of Milford and an employee is unable to commute to work due to the weather conditions, the employee should contact their supervisor prior to the start of their shift to make arrangements to obtain transportation to work or be approved to use vacation leave.

## **9. Compensable Benefits**

In accordance with IRS regulations, certain benefits, such as those pertaining to vehicles, communication services/devices or uniforms, may be considered compensable and therefore subject to certain taxes.

## **10. Bilingual Pay Differential Allowance**

A pay differential allowance may be paid to employees required to use a second language as designated and approved by the Appointing Authority. Designation of bilingual differential positions is the sole prerogative of the City. Positions can only be designated to receive the Bilingual Pay Differential Allowance when it benefits the immediate needs of the City.

## **11. Performance Review**

The City of Milford recognizes that timely, candid performance feedback and discussion with employees is essential to good work performance and employee development. To that end, supervisors should review each employee's individual performance at least annually.

The purpose of the Performance Review program is to create an understanding with the employee as to how well he/she is performing and establish a plan for improved work performance and future job/professional growth in accordance with the procedures and guidelines for Performance Evaluation as established by the respective Appointing Authority. In accordance with a merit-based pay system, the results of a Performance Evaluation may impact an employee's pay.

The performance of all regular full-time and part-time employees will be reviewed at approximately mid-point (3 months) of their introductory period and again prior to when their introductory period (6 months) ends. Individual employees may be required to complete a self-appraisal as part of the overall performance review process.

Human Resources, supervisors, Department Directors, and Appointing Authorities are responsible to see that this program is implemented in a timely and consistent manner.

## **12. Employee Records**

The following individual employee records will normally be maintained by the Human Resources Office:

- Application/Job Description
- Compensation History/Status Changes
- Performance Reviews
- Disciplinary Documents
- Training/Certifications
- Commendations/Miscellaneous
- Employment Verifications
- Benefit Documents
- Medical/HIPAA Documents (which are kept separately from other personnel documents)

The Finance Department will maintain records relating to payroll, taxes, garnishments, wage attachments and unemployment compensation. The City's Human Resources Administrator will maintain records relating to workers compensation, FMLA leaves, and other non-payroll employee-related items.

Employee records are the property of the City of Milford and access to the information is restricted. Generally, only administrative officials of the employer who have a legitimate reason to review information in a file are allowed to do so. With reasonable advance notice, an employee may review material in his or her personnel records, but only in the Human Resources Office and in the presence of the individual appointed to maintain the file. Employees should contact the Human Resources Administrator if they would like to review their personnel records.

## **Employee Benefits**

### **1. Vacation**

Regular, full-time employees will be entitled to take vacation time off upon the accrual of usable vacation hours with the approval of their supervisor. For newly hired full-time employees who are completing an introductory period, vacation leave will only be approved for an emergency and must have the approval of the Department Director.

Vacation pay will be calculated based on the employee's straight time pay rate (in effect when vacation benefits are used) times the number of hours the employee would otherwise have worked on the day(s) of absence.

Employees who have accrued usable vacation hours may submit scheduled vacation requests through the submission of a leave request into the City of Milford time keeping system which their supervisors will then review. Vacation requests will be granted on a City seniority basis. Employees who desire to schedule vacation time for periods of more than one (1) day during the calendar year must submit the leave request into the City of Milford time keeping system by January 31<sup>st</sup> each year. Requests for vacation time for periods of one (1) day or less shall be

submitted into the City of Milford time keeping system at least five (5) working days in advance. Requests will be granted based upon anticipated operating requirements and staffing considerations during the proposed period of absence. In the event that an employee's request is submitted after January 31<sup>st</sup> it shall be handled on a first-come, first-served basis without regard to City seniority.

Employees are strongly encouraged to use their earned vacation. A maximum balance of 240 vacation hours may be carried forward as the employee's beginning balance at the employee's anniversary each year, except to the extent it is necessary to carry over vacation hours because the employee is not permitted to take his or her vacation hours subject to approval by the Department Director or Appointing Authority.

Upon termination of employment employees will be paid for vacation benefits that have accrued through the last day of work, up to the maximum of 240 hours. For the purposes of this calculation any partial month of service will be treated as a full month of service.

Vacation benefits accrue monthly and are available as updated to the employee's usable vacation leave. The Vacation Benefits Eligibility Table below defines when vacation benefits become available to employees and how much vacation is accrued per month by employees. Vacation benefits will be awarded to eligible employees according to the following schedules:

Vacation Benefits Eligibility Table

<u>Years of Service</u>	<u>Hours of Leave</u>	<u>Monthly Hours Accrued</u>
1 year – 5 years	80 hours	6.67 hours
6 years – 9 years	120 hours	10.00 hours
10 years – 14 years	160 hours	13.33 hours
15 years plus	200 hours	16.67 hours

Employees with six (6) years or more of service are eligible to sell back up to 40 hours of unused vacation each fiscal year provided that the employee has used at least two (2) weeks of vacation during the course of the year. An employee's vacation sell back request must be given to their supervisor for approval prior to budget submission for their department/division. Any approved vacation sell back will be confirmed with the employee at least two (2) weeks before being paid out and will be paid with the first payroll of December at the rate then in effect for the employee.

The City Manager may negotiate and approve vacation leave as part of an offer to hire for exempt employees not to exceed 120 hours.

Employees can accrue vacation hours monthly but at their anniversary their beginning balance will not exceed 240 hours. (Employee is paid 100% of vacation time accrued up to 240 hours upon termination.) In the event of an employee's death, any remaining compensation will be forwarded to the employee's estate.

## 2. Sick Leave

Regular, full-time employees (including introductory employees) will be provided with paid sick leave benefits for periods of temporary absence due to illness or injuries. Sick leave benefits will accrue at the rate of eight (8) hours per month and can accumulate up to a maximum of 1,040 hours.

An eligible employee may use sick leave benefits for an absence due to illness or injury sustained by either that employee or a family member. For this section, family member shall mean: employee's spouse, parent, child, step-child, grandparents, grandchildren or siblings.

Employees who are unable to report to work due to an illness or injury must notify their supervisor before the scheduled start of their shift. An employee who fails to notify a supervisor that he or she is unable to report to work prior to the scheduled start of his or her shift, shall result in the employees' loss of pay for that day unless circumstances outside of the control of the employee prevented the employee from giving notice. The supervisor should also be contacted regarding each additional day of absence.

If an employee is absent for three (3) or more consecutive days due to illness or injury, a physician's statement must be provided verifying the nature of the disability and its beginning and expected ending dates. Such verification may be requested for sick leave absences of less than three (3) days when the employee uses leave in a pattern that suggests sick leave abuse, including but not limited to, the following: (1) using sick leave or other leave in lieu of sick leave as soon as it is earned; (2) a pattern of unscheduled sick leave or requests on Monday's or Friday's or preceding or following a holiday; (3) habitual tardiness based on reports of illness; (4) information that an employee's justification for using sick leave is false; and (5) use of sick leave following the denial of a vacation request. Verification may be the basis for payment authorization of sick leave benefits.

If an employee with the written authorization and restrictions from their physician is able to do work from home and their supervisor approves the employee and supervisor must agree on a schedule and what work will be done which adheres to the physician's restrictions. If an employee must be at home to care for a family member but is able to still do work from home and their supervisor approves, the employee and supervisor must agree on a schedule and what work will be done. Written approval must then be obtained from the Director or Appointing Authority before the employee may do work from home. The employee must adhere to the *Work from Home Policy*.

Sick leave benefits will be calculated based on the employee's base pay rate at the time of absence. As an additional condition of eligibility for sick leave benefits, an employee must apply for any other available compensation and benefits, such as state disability insurance. Sick leave benefits will be used to supplement any state disability insurance or workers' compensation benefits that an employee is eligible to receive. The combination of any such disability payments and sick leave benefits cannot exceed the employee's normal earnings.

Unused sick leave benefits will be allowed to accumulate until the employee has accrued a maximum total of 1,040 hours' worth of sick leave benefits. Accrual will begin again if the

employee's sick leave balance drops below the maximum total of 1,040 hours until which time they again reach the maximum total. Because sick leave benefits are intended to provide income protection in the event of an actual illness or injury, unused sick leave benefits cannot be used for any other paid or unpaid absence.

At the time of termination, accumulated sick leave which was provided by the City will be compensated up to 240 hours of sick hours accumulated.

If an employee has exhausted all of their available leave and is not eligible for disability benefits, the Approving Authority may approve donated sick leave, in accordance with the *Voluntary Leave Donation Policy*.

Employees that do not require the use of their sick leave benefit will be eligible for recognition through the *Employee Recognition Policy*.

### **3. Holiday**

The City will grant holiday time off to all employees on all legal holidays officially adopted and approved by the Milford City Council each calendar year. Holiday pay will be calculated based on the employee's straight time pay rate (as of the date of the holiday) times the number of hours the employee would otherwise have worked on that day.

To be eligible for holiday pay, employees must work or be on approved leave the last scheduled day immediately preceding the holiday and the first scheduled day immediately following it.

If a recognized holiday falls during an eligible employee's paid absence (e.g., vacation, sick leave, etc.), holiday pay will be provided instead of the time off benefit that would otherwise have applied.

If an eligible employee works on a recognized holiday, he or she will receive holiday pay plus wages at one and one-half times his or her straight time rate for the hours worked on the holiday.

The City will provide to employees a list of holidays each year after approval of the City Milford Council.

When a holiday falls on a Saturday, the preceding Friday will be the observed holiday. When a holiday falls on a Sunday, the following Monday will be the observed holiday.

If an employee is absent from work the day before or after a holiday, holiday pay will not be provided until proof of sickness or excusable absence is established to the satisfaction of the Department Director.

### **4. Employee Assistance Program (EAP)**

The City of Milford recognizes that problems of a personal nature can have an adverse impact on an employee's family life and job performance. To provide resources to employees dealing with personal problems, the City, in connection with the State of Delaware health insurance plan, provides access to an employee assistance organization to provide confidential counseling and

referral services.

The Employee Assistance Program (EAP) is designed to assist with a broad range of problems including family and marital discord, nervous or emotional disorders, drug or alcohol abuse, poor physical health and other personal problems. Services provided by EAP counselors may include some combination of assessment, direct problem assistance, referral and follow-up.

The Employee Assistance Program (EAP) provides early identification, short-term problem solving and referral to appropriate care in order to enhance the treatment process.

The EAP is available to all City employees, their spouses, and dependents residing in the employee's home. Participation in the program and all records and discussions will be handled in a strictly confidential manner, in accordance with applicable law.

If employees or their dependents realize they have personal problems that could be resolved through the EAP, they are encouraged to seek assistance on their own by contacting the EAP directly. In certain situations, management may opt to refer an employee (or employees) to the EAP.

Charges for additional services beyond those covered by the EAP will be subject to insurance coverage and/or may be the personal responsibility of the employee. For additional information about the EAP, employees are encouraged to contact the Human Resources Administrator or their supervisor.

## **5. Health Insurance**

Regular full-time employees, including any eligible family members, are eligible to enroll in the City's health insurance plans. Initial enrollment takes place the first of the month following the employee's date of hire. Employees may also enroll during the City's annual open enrollment or within 30 days of an involuntary loss of coverage.

The employee and the City share the cost for this benefit. Plan coverages and employee contribution amounts, as determined and adjusted periodically by the City, are available from Human Resources or Payroll.

## **6. Dental Insurance**

Regular full-time employees, including any eligible family members, are eligible to enroll in the City's optional dental insurance plans. Initial enrollment takes place the first of the month following the employee's date of hire. Employees may also enroll during the City's annual open enrollment or within 30 days of an involuntary loss of coverage.

The employee assumes the cost for this optional benefit. Plan coverages and Employee contribution amounts, as determined and adjusted periodically by the City, are available from Human Resources or Payroll.

## **7. Vision Insurance**

The City currently provides employee vision coverage, to regular full-time employees. Regular full-time employees may voluntarily, at their cost, add eligible family members in the City's vision insurance plan. Initial enrollment takes place the first of the month following the employee's date of hire. Employees may also enroll eligible family members, during the City's annual open enrollment.

Plan coverages and employee contribution amounts, as determined and adjusted periodically by the City, are available from Human Resources or Payroll.

## **8. Life, AD&D and LTD Insurance**

The City currently provides regular full-time employees, without charge, life, accidental death and dismemberment and long-term disability insurance coverage. Coverage for the employee begins the first of the month following the employee's date of hire.

## **9. Voluntary Short-Term Disability Insurance**

The City currently offers Voluntary Short-Term Disability Insurance. Regular full-time employees are eligible to enroll at time of hire. Coverage, which is at the employee's cost, would begin the first of the month following the employee's date of hire. For eligibility after hire, contact Human Resources.

## **10. Pension Plan**

Regular full-time employees will be enrolled in either the State of Delaware County and Municipal General Pension Plan or the State of Delaware County and Municipal Police and Firefighter Pension Plan and are subject to the terms and conditions of the Plan as determined by the Trustees of the Plan.

## **11.457(b) Deferred Compensation Plan**

Regular full-time employees will be eligible to enroll in the City's 457(b) Deferred Compensation Plan at hire for their own contributions.

To be eligible for the City's approved match, the employee must be employed by the City one (1) year or one thousand (1,000) hours with the match commencing with the first payroll of January or July.

The City's approved match information is available from Human Resources or Payroll.

## **12. Workers' Compensation**

In accordance with applicable state laws, employees may be eligible for workers' compensation benefits in the event of accidental injury or occupational disease arising out of employment with the City of Milford, requiring medical treatment, hospitalization or loss of work time.

In the case of an accidental injury to a regular full-time employee which occurs while on the job and is covered by Workman's Compensation Insurance, the City shall guarantee 100% of the injured employee's gross salary less State and Federal and employment taxes and regular benefit and voluntary deductions for the first ninety (90) calendar days that the employee is absent from work under a licensed physician's care. In each situation where the employee must be absent from work because of an on-the-job injury beyond the ninety (90) days period, the City Manager, after reviewing the employee's case, may at his/her discretion, grant extensions of the employee's 100% pay for additional periods of time not to exceed a total of 180 calendar days. The employee will sign over their workers compensation checks received during the period in which the employee is paid by the City.

### **13. Unemployment Insurance**

In accordance with applicable state laws, City of Milford employees may be eligible to receive unemployment compensation if laid off for reasons including budgetary or grant limitations and elimination of positions.

### **Continuing Education**

The City encourages employees to share information with each other and to continually enhance their knowledge and skills. This process will assist in keeping current with technology changes and will result in improved service to our residents. Following are two (2) approaches to continuing education:

#### **1. Attendance at Conferences and Seminars**

The Appointing Authority or Department Director may approve attendance at non-mandatory conferences and seminars and other training sessions that are work related and in the best interest of the City after recommendation of the supervisor and if funds are available. At times the City may opt to provide on-site training in City facilities to meet employee training needs.

If approved, the City will normally cover costs of conference, seminar and other training sessions including registration, travel, lodging, parking and meals. Employees will be paid at their regular pay rates while attending training sessions, in accordance with the Fair Labor Standards Act. Budgetary constraints may limit or negate conference attendance. Participants are encouraged to share information obtained at conferences and seminars with other interested employees.

The Appointing Authority or Department Director when approving job related training will determine if the training is deemed to be reimbursable to the City if the employee leaves employment within one (1) year of completing the training. If so, prior to the training the employee may be required to sign an agreement to repay the City if the employee leaves employment within one (1) year of completing the training.

## **Time Away from Work**

There are times for a variety of reasons when an employee must be away from work. The following guidelines will apply to time away from work:

### **1. Leave Application Process**

Prior to any planned absence from work, employees must complete a leave request into the City of Milford time keeping system indicating date(s) of absence and the type of leave being requested. The employee must submit the form to his/her immediate supervisor for approval.

In the event of an unplanned absence, the employee should complete a leave request at the earliest opportunity following the initial absence from work.

The approved leave request must be reconciled with the time keeping entry by the Department or Division Supervisor and then submitted to the payroll office.

For employees utilizing flex time, they must adhere to the *Flex Time Policy*. (See *Flex Time* section in this manual.)

### **2. Bereavement Leave**

In the event of a death in the immediate family of an employee the employee shall be granted up to three (3) working days with pay not charged to any leave balance to arrange for and/or attend the funeral service or related matters. In the event of a death in the extended family of an employee the employee shall be granted one (1) working day with pay not charged to any leave balance to attend the funeral service or related matters.

Immediate family shall be defined as the employee's spouse, parent, child, step-child, grandparents, grandchild or sibling; the employee's spouse's parent, child, step-child, grandparents, grandchild or sibling; the employee's child's spouse. Extended family defined: Described as the employee's aunt, uncle, niece, nephew or first cousin; employee's spouse's aunt, uncle, niece, nephew or first cousin. Special consideration will also be given to any other person whose association with the employee was similar to any of the above relationships.

Payment for absences due to a death in the family will not be made in addition to sick leave payments or holidays which may occur simultaneously.

An employee may request additional available leave time as approved by the Appointing Authority beyond the time provided. The Department Director may grant such additional time to be charged against the employee's sick leave.

Hours granted as bereavement time shall be counted as hours worked for the purpose of calculating overtime and shall not be charged as vacation if the employee is on vacation at the time of the death.

### **3. Family and Medical Leave Act Procedure (FMLA)**

The Family and Medical Leave Act of 1993 (FMLA) requires covered employers to provide up to 12 weeks of unpaid, job protected leave to eligible employees for certain family and medical reasons. Employees are eligible if they have worked for a covered employer for at least one year, and for 1,250 hours over the previous 12 months, and if there are at least 50 employees within 75 miles.

In certain circumstances, employees may be eligible for Family and Medical Leave. This benefit is designed to assist certain eligible employees who need time away from work to care for themselves or certain family members when they are experiencing a serious health condition, as defined by the Family and Medical Leave Act (FMLA). This benefit has also been expanded to provide leave for eligible employees when certain circumstances arise that cause a qualifying exigency arising out of service in the Armed Forces, or to care for certain family members experiencing a serious injury or illness when those members are covered service members of the Armed Forces.

The employee should provide thirty (30) days advance notice, to their supervisor and Human Resources, when the leave is foreseeable. If a thirty (30) day notice is not possible due to a medical emergency or the employees' uncertainty as to when the leave will be required to begin, notice must be given as soon as it is practical to do so.

Employees who are or will be absent for more than three (3) days should notify Human Resources of their absence and obtain a Certification of Health Care Provider form to have completed by the attending physician of the employee or qualified family member for verification of a qualifying serious health condition.

While the Family Medical Leave Act provides for 12 weeks of unpaid job protection the City permits the employee to use his or her accrued leave time in conjunction with FMLA leave in order to avoid a loss in wages. The use of accrued leave does not extend one's FMLA leave. Accrued sick leave may be used for any medical related absences and accrued vacation leave may be used for any non-medical absences.

The City will track FMLA leave on a rolling year which is a 12-month period measured backward from the date an employee uses any FMLA leave and not a calendar year, which is a defined 12-month period, such as a calendar, anniversary or fiscal year.

Leave as the result of a workers' compensation injury will be counted as FMLA leave.

For more specific information and procedures pertaining to the FMLA, contact Human Resources. The employee must adhere to the *FMLA Procedure Policy*.

### **4. Military Leave**

A leave of absence without pay will be granted to any employee who enters any branch of the United States armed services. Benefit accruals for any employee serving on active duty longer

than 30 consecutive days will be calculated in accordance with federal laws or as approved by the Approving Authority.

The employee will be reinstated with full seniority to his/her former position or to a comparable position if application for re-employment is made within ninety (90) calendar days of the date of an honorable discharge or the date of release from hospitalization following discharge.

Any employee who is a member of a reserve component of the armed forces will be placed on unpaid leave for his/her annual two-week training or one weekend per month required duty. Benefit programs will be unaffected by the leave and the employee may elect to use any vacation entitlements for the absence. Training leaves will not normally exceed two weeks per year, plus reasonable travel time.

## **5. Jury Duty/Court Appearance**

Any regular full-time employee called for jury duty or as a witness in any civil or criminal legal proceeding will be given a leave of absence with pay (at their base rate of pay for the hours served) for the duration of their service on jury duty. If employee is dismissed from jury duty at least three hours prior to the end of the employee's work day, the employee shall report to work. This obligation to work applies both to the end of the employee's jury duty and on each day during the employee's jury service.

Employees will be required to obtain documentation from the court as to a record of their attendance.

Leave time without pay or approval to use vacation leave, as deemed appropriate by the Appointing Authority or Department Director, shall be granted for court attendance when an employee is the defendant or is engaged in personal litigation, unless such actions are a result of an act performed as a part of the employee's duties as a City employee; provided, however, that an employee will not be paid for court attendance if the employee is pursuing a claim against the City.

If an employee is required to serve beyond this period of paid leave, he/she may request to use vacation leave or request an unpaid leave of absence which would not affect accrual for benefit calculations.

## **6. Leave Without Pay**

- a) Requests for leave without pay will be evaluated on a case-by-case basis and approved at the sole discretion of the Appointing Authority.
- b) During a period of leave without pay of 30 days or less, an employee will be retained on the City of Milford's health plan under the same conditions that applied before the leave commenced. To continue health coverage and any other optional benefits that are eligible to be continued, the employee must continue to make any contributions that he/she made before taking leave (please refer to section §1 of Employee Benefits, above). Vacation and sick leave will not accrue during an employee's leave without pay.

- c) At certain times, the City may implement temporary periods during which employees may request a voluntary leave to mitigate certain financial hardship issues facing the City. This decision will be made jointly by the City's Appointing Authorities.

## **7. Unauthorized Absence**

Any unauthorized absence of an employee from duty shall be considered an absence without pay and may be grounds for disciplinary action. Any employee who is absent for three (3) or more days without authorized leave arranged through his/her Department Director, Superintendent or supervisor may be discharged for cause. In the event extenuating circumstances are found, a leave may be granted retroactively based upon recommendations of the Department Director, Superintendent or supervisor and approval of the Appointing Authority.

## **Voluntary Leave Donation**

The City recognizes that employees may have a personal or family medical emergency or major disaster resulting in a need for additional time off in excess of their available sick/vacation time. To address this need, all eligible employees will be allowed to donate sick time from their unused balance to their co-workers in need of leave in accordance with the policy outlined below. This policy is strictly voluntary.

### **1. Eligibility Criteria**

#### **A. Eligible Employees**

Employees must be employed by the City for a minimum of one (1) year and have no disciplinary actions for abuse of leave time to be eligible to donate and/or receive donated sick time. For an employee to be eligible to receive donated leave they must have exhausted all available paid leave down to a vacation balance of 40 hours which may be reserved for future use. An employee who is on an approved leave of absence may not donate.

#### **B. Eligible Events**

Leave donations may be requested only for a medical emergency and/or major disaster, which are defined as follows:

A "medical emergency" is a medical condition of the employee or a family member that will require the extended absence of the employee from duty and will result in a substantial loss of income to the employee due to the exhaustion of all paid leave available. A family member is defined as a spouse, child or parent.

A "major disaster" is a disaster declared by the President of the United States under §401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (the Stafford Act), or as a major disaster or emergency declared by the President pursuant to 5 U.S.C. §6391 for federal government agencies. An employee is considered to be adversely affected by a major disaster if the disaster has caused severe

hardship to the employee or to a family member of the employee that requires the employee to be absent from work.

### **C. Eligible Donations**

Donations must be made in no less than four (4) hour increments. An employee may not receive more than 480 hours (12 weeks) of donated time in any rolling 12-month period. Donations may be made only of time already accrued; employees may not borrow against future sick leave to donate.

## **Employee Conduct, Disciplinary Action and Grievance Procedure**

### **1. Disciplinary Action**

The City of Milford expects each employee to work productively, responsibly, and professionally at all times, and to treat all persons with consideration, dignity and respect. Employees will conduct themselves in strict conformity with all local, state and federal laws and ordinances. No employee shall attempt to further his/her self-interests through the use of his/her position.

On occasion, negative work performance or negative behavior may arise. It is the objective of the City to correct performance and behavior issues as quickly as possible. Such correction efforts may include a management referral or directive to the Employee Assistance Program.

Examples of unacceptable behavior include, but are not limited to:

- Unsatisfactory work performance, including failure to work productively or in accordance with standards and procedures.
- Failure to respond to an assigned emergency call.
- Poor attendance and tardiness, including failure to adhere to department rules regarding notification of absences.
- Failure to treat all persons with consideration, dignity and respect.
- Unauthorized or careless use of tools, vehicles, equipment or financial resources.
- Operating equipment and vehicles in a careless or unsafe manner. Refer to *Safety and Health, Item 3. Vehicle Use/Insurability*.
- Illegal gambling while on duty or while on City property.
- Providing confidential or sensitive information to unauthorized individuals or entities.
- Repeated instances of creating or contributing to unsanitary conditions or poor housekeeping at work.
- Failure to follow prescribed timekeeping procedures.
- Disregard for safety policies, procedures and use of safety equipment and/or clothing.
- Failure to report any personal injury, accident, or unsafe condition to the employee's supervisor in a timely manner.
- Violation of City *Smoke-Free Environment Policy*.
- Directing abusive or profane language toward co-workers, residents, business representatives, government officials or anyone involved in City business.

- Violation of department policies.
- Failure to adhere to *City Dress Code Policy*.
- Performing personal work on City time or with City property.
- Unauthorized entry to City facilities.
- Unauthorized use or possession of alcohol, controlled substances or illegal drugs.
- Unauthorized possession of a weapon on municipal property or in a City vehicle.
- Insubordination or refusal to carry out assigned duties.
- Theft or unauthorized possession of City property.
- Sexual harassment or other forms of harassment.
- Fighting, issuing threats or verbal or physical abuse or other disorderly conduct while performing City of Milford business.
- Scandalous or disgraceful conduct, either on or off duty where conduct brings employee's department or City into public disrepute.
- Unauthorized absence.
- Conviction of a felony or misdemeanor involving moral turpitude, casting doubt on ability to perform the job. Moral turpitude is defined as an act of baseness, vileness or depravity in private or social duties. Examples of moral turpitude include income tax evasion, perjury or its subornation, theft, indecent exposure, sex crimes, conspiracy to commit a crime, defrauding the government and illegal drug sales.

Depending on the severity of the offense, the corrective action procedure may include any or all of the following, including termination:

A. Verbal Reprimand – A verbal warning to an employee that if his/her actions continue the formal discipline process will begin. (Supervisors must document the verbal reprimand and have the employee sign acknowledging that they have received the verbal reprimand.)

B. Written Reprimand – A written warning that places the employee on notice that additional incidents will result in more severe disciplinary action. The notice shall detail the specifics of the problem as well as what further action can be taken. This warning shall be placed in the employee's personnel file.

C. Suspension – Suspension is the temporary removal from duty status, without pay, of an employee for cause for a period of one (1) to thirty days. The City also reserves the right to suspend with pay, at the discretion of the Appointing Authority. Suspension shall be recommended by the Department Director and approved by the Appointing Authority.

D. Demotion – An employee may be moved to a position in a class with a lower maximum salary rate for serious misconduct. Demotion shall be recommended by the Department Director and approved by the Appointing Authority. This action may be used in selected situations that would not be disruptive to other employees or to the level of service to the public. If a position for demotion is unavailable the City may implement a period of disciplinary probation in which the terms and conditions of probationary status are applied to the employee's appointment for a period of time to be determined by the Appointing Authority, not to exceed one (1) year.

E. Dismissal –An administrative review session shall be held for the employee to challenge anything in the employer’s report. The Appointing Authority shall make the final decision.

## **2. Discrimination & Harassment**

The City of Milford is committed to providing a work environment that is free of discrimination and harassment. Employees will not, by means of speech, touching or body language, abuse, harass or be discourteous to their fellow employees or members of the general public for any reason including someone’s age, race, color, creed, citizenship status, sexual orientation, gender/sex, marital status, gender identity or expression, religious or political beliefs, military/veteran status, ancestry, national origin or disability.

All employees must also be allowed to work in an environment free from all forms of harassment and intimidation.

All employees are to refrain from sexual harassment. Unwelcome sexual advances, flirtations, propositions or requests for sexual favors, or other verbal or physical conduct of a sexual nature are considered sexual harassment under the following conditions:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment.
- Submission to or rejection of such conduct by an individual is used as a basis for any employment decisions affecting that individual.
- Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance, or creating an intimidating, hostile or offensive work environment.

The display in the workplace of sexually suggestive objects or pictures is prohibited. The Delaware Discrimination in Employment Act prohibits discrimination against any employee based on pregnancy, childbirth, or related condition, including, but not limited to, lactation. If you believe that you have been subject to pregnancy discrimination, please inform a member of management as soon as reasonably possible. The City is committed to providing a workplace free of discrimination and harassment and will take prompt action to investigate and address any such allegations.

The Delaware Discrimination in Employment Act also entitles employees to reasonable accommodation of known limitations related to pregnancy, childbirth, and related conditions, provided that the accommodation does not impose an undue hardship on the company. An employee need not be disabled to request a reasonable accommodation related to pregnancy, childbirth, or a related condition(s). If you suffer from a limitation that prevents you from performing the essential duties of your job, please inform your supervisor so that we can promptly begin the process of identifying a reasonable accommodation. Employees are encouraged to request a reasonable accommodation as soon as possible before performance problems arise.

### **3. Participation in Political Activity**

Employees may not engage in political activity during working times. Political activities include:

- Solicitation, distribution, or receipt of any assessment, subscription or contribution for any political party or cause; and
- Campaigning for any candidate or issue, including posting, wearing or distributing political material of any kind.

### **4. Gifts and Gratuities**

City of Milford employees will not accept any gratuities, loans, gifts, merchandise, meals or other items of other than nominal value in connection with or resulting from their employment with the City in compliance with the City of Milford and State of Delaware's ethics laws and policies. Solicitation of gratuities of any sort by City employees is strictly prohibited. Employees are referred to the Delaware Ethics Law and Related Statutes published by the Delaware Public Integrity Commission.

### **5. Outside Employment**

Employees must notify their supervisor and Department Director of any outside employment. The City of Milford will not object to an employee having outside employment as long as the employee is successfully and competently performing his/her job duties as determined by the Department Director or Appointing Authority and without negative impact on attendance and so long as it would not create a potential conflict of interest. Secondary employment is prohibited if:

- The secondary employment is doing business with or seeking to do business with the City.
- Such employment will create a conflict of interest or the appearance of a conflict of interest.
- Such employment is a direct conflict with any municipal functions or ordinances.

### **6. Volunteer Fire Response**

Employees must notify their supervisor and Department Director of any outside employment. Any regular full-time employee who is an active volunteer fire fighter with the Carlisle Fire Company of Milford may, with the approval of the employee's supervisor and Department Director, in consultation with the Appointing Authority, be permitted to respond to fire calls during regular business hours without loss of pay. Special consideration will be given to other active volunteer fire fighters when Carlisle Fire Company is in need of extra fire fighters.

## **7. Dress Code/Appearance/Uniforms/Safety Work Boots**

All employees are required to maintain a neat and clean personal appearance including clothing, personal hygiene and grooming appropriate for their positions and to follow any department dress code and appearance guidelines.

The City may provide uniforms and clothing items for employees in certain positions. The City reserves the right, in the City's best interest, to determine the type(s) of clothing worn by City employees. Employees may not wear hats which display advertising. The City will provide hats to employees as needed. Employees who are provided uniforms are expected to wear them while at work and may wear them while traveling to and from work only. At any time while wearing City issued uniforms or clothing employees are expected to act as a representative of the City of Milford.

All City provided uniforms and City marked clothing must be returned upon separation of employment. Employees should return all items to their supervisor or Department Director.

Safety Work Boots which meet or exceed the requirement and safety standards as defined by each department's duties will be purchased for the employees who hold certain positions as defined in the *Safety Work Boots Policy* each fiscal year during the month of October.

A newly hired employee filling any of the eligible positions will have their initial pair of safety work boots purchased for them after a successful three (3) month evaluation of their six (6) month introductory period.

Supervisors or their appointed designee will be responsible to select the appropriate safety work boots from an approved vendor of safety work boots which meet the safety requirements of their department's approved positions with a maximum price to be established by the City Manager.

## **8. Internet & Email**

Internet access is to be conducted in a responsible and professional manner reflecting the City's commitment to ethical and non-discriminatory government practices. It is also the City's desire to protect the organization as much as possible from viruses or illicit attempts to access the City's servers. The City of Milford maintains an electronic mail system to conduct City business. All email messages composed, sent, received and/or stored are the property of the City and not the property of any employee. The City has a *Computing Resource Use Policy* which explains how email and the internet must be utilized. Before using email or the internet employees must acknowledge that they have reviewed and understand the City's *Computing Resources Use Policy*. Employees have no expectation of privacy in any information or message sent, received, or stored in or through the City's computer or network.

If you have questions regarding appropriate use of the internet and City email, please contact your supervisor or your respective Appointing Authority.

## **9. Telephone, Cellular Phone and Data Service**

Personal use of the City telephone or cellular phone system is limited to emergency or pressing reasons preferably during breaks and meal periods. Staff should refer to the detailed policy.

The Appointing Authority and his/her appointees are authorized to have cellular phones or smart phones, to conduct City business. In addition, Appointing Authorities may receive or authorize a monthly communications allowance in lieu of use of a City issued cell phone, smart phone or data device. The amount of such communications allowance will be established in the City's policy regarding telephones and data devices. All other City employees must obtain approval from their Appointing Authority for use of a City cellular phone, smart phone or data device. Cellular phone use must be in compliance with the City's *Safety and Vehicle Usage Policies*.

While at work employees are expected to exercise the same discretion in using personal cellular phones as is expected for the use of City telephones and cellular phones. Please refer to the City's *Cell Phone Policy*.

## **10. Employee Recognition**

The City will recognize employees who uniquely distinguish themselves through outstanding performance or innovation that exemplifies dedication, creativity and personal integrity. Upon recommendation by the Department Director and approval by the Appointing Authority, the employee may receive a letter of commendation and/or may become eligible for consideration for an additional salary increase at the time of their annual review. Please refer to the City's *Employee Recognition Policy* for procedures.

## **11. Grievance**

A grievance shall be defined as any difference, dispute or complaint regarding the interpretation or application of the terms of this Policy. All grievances filed shall contain a concise statement of the facts alleged to support the grievance. Grievances shall be processed in accordance with the following procedure and shall be determined by application of the terms of this Policy.

### **Step 1:**

An employee who has completed the Introductory Period shall within five (5) business days of the date of the occurrence, the action or event from which the grievance arose, or within five (5) business days when the employee obtains knowledge or should have obtained knowledge of the act or event, contact his/her Superintendent or supervisor to discuss and attempt to resolve the grievance. The Superintendent or supervisor shall discuss the grievance with the employee and shall reply in writing to the employee within five (5) business days of the meeting held with the employee. For the purposes of this section a business day is defined as any day between and including Monday through Friday, between 8:00 a.m. and 4:00 p.m.

### **Step 2:**

If, after receipt of the decision of the Superintendent or supervisor, the grievance has not been satisfactorily resolved, the aggrieved employee may, within five (5) business days of receiving the reply, file a written grievance with the Department Director or designee. The appeal shall be set forth in the form of a written statement explaining the grievance, giving the date of the occurrence, and the remedy sought. The Department Director or designee may schedule a meeting with the employee to discuss the grievance. Within five (5) business days of the meeting, or the receipt of the grievance if no meeting is held, the Department Director or designee shall respond to the employee in writing.

### **Step 3:**

If, after receipt of the written decision of the Department Director or designee, the grievance has not been satisfactorily resolved, the employee shall meet with the City Manager or designee in an attempt to resolve the grievance within ten (10) business days. The City Manager or designee shall respond in writing within five (5) business days of the conclusion of the meeting and this decision will be final.

## **Safety and Health**

### **1. General Considerations**

The City of Milford will provide a reasonably safe and healthy work environment for its employees and the general public. City safety leadership includes sponsorship of safety committees, safety orientation for new employees, employee education and relevant health and safety training, provisions for personal protective equipment as appropriate, accident and/or unsafe acts investigations, as well as other directed training opportunities.

City employees are expected to:

- Work in a safe manner at all times.
- Maintain proper housekeeping in individual work areas.
- Be alert for unsafe acts or conditions; correct them or report them *immediately* to a supervisor.
- Ask for assistance, every time, when attempting to lift, pull or push heavy objects; lift in a proper manner.
- Follow the reporting requirements when he/she has been injured or *could have been* injured on the job (please refer to your supervisor for more information).

For more information, please refer to the City's *Safety Manual*.

### **2. Accident Reporting**

Any employee sustaining an on-the-job injury, following the receipt of any appropriate first-aid treatment, shall immediately report the injury to his/her supervisor. In the event that an incapacitated employee requires professional medical care, the supervisor is required to report the injury to Human Resources as soon as practical. Failure to report injuries in a timely manner may result in disciplinary action. The supervisor will investigate the accident in a timely manner,

secure whatever assistance is required, prepare required reports, and determine what preventive measures should be taken in the future. A review of the incident may be done by the City's Safety Committee as warranted.

### **3. Vehicle Use / Insurability**

City of Milford employees are constantly in the public eye and those who drive a vehicle in the performance of their duties are representing the City. Employees are not only responsible for their own safety and security, but the safety and security of residents and visitors to the City. As a result, employees are required to exercise the utmost care and caution while operating a motor vehicle and other vehicle, tools and equipment on City business. Employees who operate City owned vehicles or personally owned vehicles while performing City business are required to abide by all applicable State laws in addition to the following rules and regulations.

City owned or leased vehicles are to be used for the following purposes:

- a. Transportation to conduct official City business during the normal working day.
- b. Transportation to conduct official City business before and/or after the normal business day.
- c. Transportation between the employee's principal work location and the employee's residence in order to facilitate quick response by those authorized and assigned to drive take home City vehicles by the respective Appointing Authority.
- d. Transportation to conventions, conferences, meetings and training programs. If using a personal vehicle for approved City business when no City vehicle is available employees will receive the current mileage reimbursement at the mileage rate as determined by the Internal Revenue Service.
- e. Rental Cars may be used for both in-state and out-of-state travel, if authorized by the respective Department Director or Appointing Authority.

Use of City vehicles for day-to-day operations must be approved by the Department Director/Superintendent/supervisor. Assignment of a City vehicle to an individual for a continuous, regular or indefinite period must be approved by the Appointing Authority (please refer to the *Use of Equipment and Vehicles Policy*).

Employee Responsibilities: Those driving vehicles in the course of their employment:

- Must have a valid license for the type of vehicle being driven and must obey all traffic laws.
- Must provide a copy of their driver's license to their Appointing Authority when hired in order to verify that the driver's license is valid.
- Will have their driver's license reviewed at least annually to verify validity.
- Are responsible for ensuring a current, valid copy of their license is on record with the City.

Any employee who is required to operate a City owned or private vehicle to perform City business must immediately report any license suspension, revocation or serious violation to his/her supervisor, ideally within 24 hours of the action. An employee must immediately report

to the Department Director any motor vehicle violations while performing City business, including parking violations incurred while utilizing a City vehicle before the end of the work day in which the violations occur. The supervisor will notify the Appointing Authority of any suspensions, revocations and violations that affect the employee's ability to drive. Any license suspension, revocation or serious violation not reported immediately to the supervisor will be subject to disciplinary action up to and including termination.

If operating a vehicle to perform City business, employees are required to be insurable through the City's insurance carrier.

Employees must wear a seat belt at all times when operating or riding in a City vehicle.

City vehicles and/or fuel shall not be used for personal use. Only City employees may operate City vehicles. No employee under the age of eighteen (18) is allowed to operate a City vehicle.

Employees are prohibited from transporting passengers except: 1) other City employees; or 2) individuals conducting business with or on behalf of the City.

Personal vehicles shall not be used to pull trailers or haul equipment while being used in City related business.

Employees are prohibited from making any modifications, alterations or additions to any City vehicle or equipment without the prior express approval of his/her supervisor.

#### **4. Smoke-Free / Tobacco-Free Environment**

The City respects the rights of employees who do not smoke. The following policy applies:

In accordance with State law there is no smoking allowed in any City building. In order that we convey a professional image to the public and are respectful of other current and future users of City vehicles, smoking is prohibited in City vehicles and while working. Use of e-cigarettes is prohibited in City facilities and City vehicles.

Smokers may smoke during approved break times and at approved locations. If you have any questions about appropriate times and/or locations, please contact your supervisor. If you are a smoker and would like information about quitting, please contact Human Resources. Questions concerning the application of this policy should be directed to the individual's supervisor.

#### **5. Alcohol & Drug-Free Workplace**

The goal of this policy is to maintain a safe and healthy work environment. The successful implementation of this policy will also enable the City to provide quality service to the public by maintaining efficiency and productivity. The use of illegal drugs and/or the misuse of alcohol or legal drugs are inconsistent with this goal.

The City of Milford does not permit the use of illegal drugs by employees or the misuse of alcohol, the sale, purchase, transfer, trafficking, use or possession of any illegal drugs, or arrival

or return to work under the influence of any drug (legal or illegal) or alcohol to the extent that job performance is affected. Use of prescription drugs are only permitted when prescribed by a physician who has determined that the substance will not adversely affect the employee's ability to safely perform his or her duties. Specific requirements and implementation procedures are detailed in the *Drug-Free Safety Program Policy*, and the City requires full compliance with said policy.

Employees will receive and acknowledge a copy of the *Drug-Free Safety Program Policy* during new employee orientation. Additional copies are available in Human Resources.

## **Administration**

### **1. Travel on Official City Business**

Whenever an employee travels for City-related business (training, meeting, seminar, conference, etc.) the employee must obtain prior authorization from their supervisor, including authorization of budget expenditures for the estimated cost of the travel. Meal and Incident Expense (M&IE) Per Diem Rates ([www.gsa.gov/perdiem](http://www.gsa.gov/perdiem)) and Mileage Reimbursement Rates ([www.gsa.gov/mileage](http://www.gsa.gov/mileage)) should be confirmed with the Finance Department by contacting the Accounts Payable Administrator with the details which should include the date(s), location(s) of the travel and any services that will be included in any registration fees before processing a purchase order for the employee's M&IE and/or mileage reimbursement.

The City encourages the use of any authorized available City vehicle, especially for local travel; however, if the employee has been approved to use their privately-owned vehicle, they can request mileage reimbursement for the actual miles (round trip) between locations. If more than one employee is traveling to the same event, the City encourages the sharing of vehicles to conserve fuel and City funds. When two or more employees travel together in a privately-owned vehicle, only one mileage reimbursement will be approved.

When employees are booking hotel reservations, they should obtain the lowest rate possible. Some conferences have discounted blocks of rooms reserved and most hotels offer a government rate which may be lower than an advertised rate. After obtaining the hotel rates, the employee must obtain approval from their supervisor of the hotel expense prior to the final booking of the hotel reservation.

Employees must acquire receipts for any expenses (hotel, parking, gas, rental car, taxi, tolls, etc.), which are being charged directly to the City or those which will be submitted for reimbursement to the employee and that are not included in the M&IE allowance. The receipts with an itemized expense sheet should be turned in to the employee's supervisor immediately upon the employee's return to work. The supervisor, after the review and approval of the receipts, should complete a purchase order for any reimbursement due to the employee or for any expenses that had not previously been processed through the purchase order system. The supervisor should then submit the signed approved receipts to the Accounts Payable Administrator to be processed for payment with the next payment cycle.

Employees receiving an M&IE allowance adhere to GSA and IRS regulations regarding covered incidental expenses. Accordingly, the following expenses will not be reimbursed by the City except under extraordinary circumstances and with approval of the Appointing Authority:

- All meals,
- Room service,
- Laundry, dry cleaning and pressing of clothing, and
- Fees and tips for persons who provide services, such as food servers and luggage handlers.

Employees travelling to conferences, training or other events that include meals which meet the employee's nutritional requirements for some or all days, should reduce the per diem accordingly based on the breakdown on the GSA website. In addition, the first and last days of travel are at a reduced M&IE rate. Please note that amount on the GSA website and on travel request forms.

## **2. Other Expense Reimbursement**

The City will reimburse employees for necessary business expenses beyond travel provided these expenses have been approved by a Department Director or Appointing Authority and are submitted on the proper form with supporting receipts.

## **Modifications to This Manual**

This manual will be modified from time to time as conditions change. Members of management will normally initiate modifications and updates; however, any employee may suggest changes and discuss them with his/her supervisor. The City Council will be involved appropriately to review and approve changes. Appointing Authorities will be responsible for reconciling modifications with the City Charter.

## **Glossary of Definitions and Terms**

**Anniversary Date:** The date an employee reports to work following appointment to a regular full-time or regular part-time position with the City of Milford. For purposes of performance evaluation, the review date shall be date of the most recent appointment or promotion.

**Appointing Authority:** City Manager or designee having the power of appointment over subordinate positions in any office, department, or division, or any person or group of persons having the power by virtue of ordinance or other lawfully delegated authority to make appointments to positions in the municipal service; Police Chief or designee having the power of appointment over subordinate positions in the Police Department.

**Appointment:** The designation of an individual to a position who has qualified for the appointment through an appropriate selection process.

**Class:** A grouping of positions that is sufficiently similar in responsibility, education and experience requirements that the positions will carry the same salary range, also known as Pay Grade.

**Corrective Action:** The process of correcting or addressing negative or unprofessional work performance and employee behavior.

**Demotion:** The movement of an employee from a position in one class to a position in another class having a lower salary range.

**Department:** A grouping of positions by function (i.e. Public Works Department, Finance Department).

**Department Director:** The individual responsible for overall operations of a department.

**Discharge for Cause:** Involuntary separation or dismissal from employment with the City of Milford due to unsatisfactory work performance or behavior.

**Division or Office:** A grouping of positions by function within a Department (i.e. Electric Division or Customer Service Office).

**Exempt Employee:** Professional, administrative and executive employees who are paid a fixed salary rather than an hourly wage and who are exempt from overtime provisions in the Fair Labor Standards Act (FLSA). Exempt employees do not receive payment for overtime hours worked.

**Extended Family:** Extended family shall mean: employee's aunt, uncle, niece, nephew or first cousin; employee's spouse's aunt, uncle, niece, nephew or first cousin.

**FLSA (Fair Labor Standards Act):** An act passed by the Federal Government in 1938, regulating minimum wage payments and overtime payments for non-exempt employees.

**Family Member:** Family member shall mean: employee's spouse, parent, child, step-child, grandparents, grandchildren, or siblings.

**Immediate Family:** Immediate family shall mean: employee's spouse, parent, child, step-child, grandparents, grandchild or sibling; the employee's spouse's parent, child, step-child, grandparents, grandchild or sibling; the employee's child's spouse.

**Introductory Period:** A trial period of six (6) months for a newly appointed or six (6) months for a promoted employee, during which an employee will receive frequent feedback regarding his/her performance. An employee may be placed on introductory status when transferred or promoted into a different position.

**Job Description:** See *Position Description* (below)

**Layoff:** The temporary, indefinite or permanent separation of an employee due to lack of funds, curtailment of work or abolishment of a position.

**Non-exempt Employee:** An employee who is not exempt from the provisions of the Fair Labor Standards Act of 1938. Non-exempt employees are normally paid overtime for hours worked beyond 40 in a week.

**Office or Division:** *See Division or Office (above)*

**Pay Grade:** The minimum and maximum compensation that a position can be paid.

**Position Description:** A summary document which defines the position title, i.e. department, reporting relationship, status, pay grade, schedule, summary of position, specific duties, education and experience requirements and any special knowledge and skill requirements essential to successful job performance.

**Promotion:** The movement of an employee from one position in one class to a position in another class with a higher maximum salary rate.

**Pyramiding:** Overtime pyramiding or overtime doubling is the (often mistaken) practice of counting the same hours against two different overtime limits. The most common example of overtime pyramiding is using hours that have been counted against daily overtime to calculate a weekly overtime limit.

**Qualifying Exigency:** Qualifying exigencies may arise when the employee's spouse, son, daughter, or parent who is a member of the Armed Forces (including the National Guard and Reserves) and who is on covered active duty or has been notified of an impending call or order to covered active duty. For purposes of qualifying exigency leave, an employee's son or daughter on covered active duty refers to a child of any age.

**Regular Full-time Employee:** An employee who normally and regularly works a full department weekly schedule.

**Regular Part-time Employee:** An employee who normally and regularly works less than a full department schedule, generally between twenty (20), but less than thirty (30) regularly scheduled hours per week.

**Suspension:** Involuntary time away from work imposed on the employee as part of the corrective action process.

**Transfer:** The movement of an employee from one department, division or unit of the municipal government to another.

**Vacancy:** An officially created, approved and funded position not currently filled.

EMPLOYEE ACKNOWLEDGEMENT FORM

The Employee Policy Manual describes important information about the City organization and I understand that I should consult with the Department Director or Human Resources Administrator regarding any questions not answered in the manual.

Since the information, policies and benefits described here are necessarily subject to change, I acknowledge that revisions to the manual or external policies, referenced within the manual, may occur. All such changes will be communicated through official notices and I understand that revised information may supersede, modify or eliminate existing policies. Only the City Council of the City of Milford has the authority to adopt any revisions to the policies in this manual, except as noted within the manual which designates authority to the Appointing Authority for external policy changes and updates.

Furthermore, I acknowledge that I have received a copy of the Employee Policy Manual and I understand that it is my responsibility to read and comply with the policies contained herein and any revisions which may occur.

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee's Name (Typed or Printed)

*Section 2. Dates.*

Introduction: March 12, 2018  
Adoption (Proposed): March 26, 2018  
Effective (Proposed): April 5, 2018