

# City of Milford



## CITY COUNCIL AGENDA

**Monday, May 14, 2018**

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

**7:00 P.M.**

### COUNCIL MEETING

Call to Order - Mayor Archie Campbell

Invocation

Pledge of Allegiance

Approval of Previous Minutes

Recognition

Milford Police Department

Monthly Police Report

Monthly City Manager Report

Code Enforcement Update

Monthly City Finance Report

Committee & Ward Reports

Communication & Correspondence

Unfinished Business

FY 2017-2018 Budget Adjustment/New Position (Code Official)

New Business

Adoption/Resolution 2018-07/Sidewalk Waiver/Randy & Kathy Donze/452 Kings Highway®

Adoption/Resolution 2018-09/Annexation Committee Investigation/City of Milford Substation Land/  
Elks Lodge Road & Wilkins Road®

Introduction/Ordinance 2018-13/Gator & Associates/easySpeak/Conditional Use Amendment

Introduction/Ordinance 2018-14/Chapter 230-Zoning/ Article III-Use & Regulations §230-19.3-Institutional  
Medical District

Introduction/Ordinance 2018-15/Chapter 19-Economic Development & Redevelopment/  
Abatement of Property Taxes

Authorization/Police Station Project/Architect  
Approval/SRO Agreement  
Bid Award/Matlinds Estate Paving Project  
Adoption/Resolution 2018-11\*\*/Declaring City Council Vacancy/Authorizing Special Election

Adjourn

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

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

© *Public Comment, up to three minutes per person, will be accepted.*

041718 050218 050318 050718 \*050818 Item Removed \*\*051018 Resolution Added to Agenda Item

MILFORD CITY COUNCIL  
MINUTES OF MEETING  
April 9, 2018

A Joint Meeting of the City of Milford Public Works and Finance Committees was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall, 201 South Walnut Street, Milford, Delaware on Monday, April 9, 2018.

PRESIDING: Mayor Bryan Shupe

IN ATTENDANCE: Councilmembers:  
Public Works Committee Chair Owen Brooks  
Public Works Committee Members Lisa Ingram Peel (Douglas Morrow)  
Finance Committee Chair Douglas Morrow  
Finance Committee Members Christopher Mergner and James Burk  
  
City Manager Eric Norenberg, Police Chief Kenneth Brown and City Clerk Terri Hudson

ABSENT: Finance Committee Member Christopher Mergner

Public Works Committee Chairman Brooks called the Joint Committee meeting to order at 6:00 p.m.

Also present were Public Works Director Mark Whitfield, City Accountant Suzannah Frederick and ICMA Local Government Management Fellow Evan Miller.

*Capital Improvement Plan Update*

City Manager Norenberg reported that staff has been working on a comprehensive Capital Improvement Program for the next five years. He recalled when Local Government Management Fellow Evan Miller previously explained the process involving all City Departments. What is being presented is a full plan that has not been whittled down based on available revenue, though the intent is for Council to see the complete picture of what has been identified as needs over the next five years.

Mr. Miller advised this has been the work of all Department Heads, the Public Works Director and the City Accountant over the past two months. The spreadsheet is broken down by Enterprise Fund/Department and General Fund/Department and individual projects and equipment.

It also includes the department's priorities (essential, desirable, deferrable) as well as the funding source and the specific year. Mr. Miller emphasized the projects have not been vetted and is more of a wish list at this point.

In the upcoming weeks, meetings will be held with the Department Heads to acquire additional information and determine if the projects have been slated for the correct year and whether the costs can be distributed across the five years.

Mr. Norenberg explained that the next key issues will be for our Finance Department to complete preliminary revenue forecasts of each of the funds for next year. Budget meetings will begin in the next couple weeks to review operating budget requests and capital needs. At that time, it will be determined if each of the requested capital items and totals will fit into the reserve fund balances that currently exist.

He asked Council if there are any specific items to inform him of any projects identified in individual wards that are not included on the spreadsheet. As they review the street requests, they will acknowledge some of the street and sidewalk costs that have been discussed over the past year.

Councilwoman Peel noted there are sub-levels of priorities and asked if there is another way to sort by overall priority or because they are being funded by different sources. Mr. Miller advised that each priority was determined by the Department Head. The next step would be for the City Manager and Mr. Miller to meet with the Department Heads individually and get

into those specifics, then prioritize and bring back for further review and approval by Council.

Mr. Norenberg shared that the enterprise funds are very tight at this point. The general fund will be less than all the projects competing for those monies and economic development funds. However, CDBG, grant money, transportation funds and other sources will supplement the projects.

Mr. Miller referenced the street resurfacing and rehabilitation and ADA curb compliant ramp projects noting that financing for private sidewalk improvements and city sidewalk improvements have been included, as well as a number of streetscapes projects. The majority of projects in the Street Department and Parks and Recreation Departments were identified as streetscapes projects and ranked by the Rivertown Rebirth Steering Committee.

City Manager Norenberg advised that the City typically brings in between \$225,000 and \$250,000 in Municipal Street Aid (MSA) from the State of Delaware which can be used toward \$840,000 street rehabilitation. The Delaware League of Local Government is requesting as a priority to our State Legislators an increase in the MSA allocation in the next budget though even if approved, it will not be enough to close that gap.

Public Works Director Whitfield then explained that when the street list was created, the first criterion in the ranking was those designated as in poor/very poor/serious condition. To properly address them, the cost would be \$830,000 a year over the next five years.

He further explained when you look at the total square feet of pavement in the entire City and assuming that rehabilitation is needed every twenty-five to twenty-six years, the estimated cost is approximately \$830,000 per year.

Mr. Whitfield stressed that if Council wants to keep our streets in the best condition, that is the amount of money that will be needed on an annual basis with the appropriate preventive maintenance.

He also confirmed that Mispillion Street is scheduled for this year's budget. Councilman Brooks said has been promised by four City Managers that street would be done and it never was. Mr. Whitfield assured Councilman Brooks it is scheduled this year.

Mr. Norenberg stated that as we go through the budget process and constrain this plan by available money, there is very little chance of \$830,000 being available in next year's budget. As a result, a prioritization process would be required, and local and MSA money combined to accomplish the highest priority streets.

The Public Works Director then explained that we also receive requests from local legislators who have funds available for particular streets and this will provide a good summary of our worst streets. There are also funds that may become available from time to time and by having this list, together with an estimate for each street segment, will allow the City to pursue that grant money in a much quicker manner.

Councilwoman Peel asked if the financing for private sidewalk improvements is the same project that has been discussed with regard to doing the work and have those residents pay it back. Mr. Whitfield confirmed that is correct.

Mr. Whitfield reported that a rough assessment was done of the entire City and the number was actually less than he expected. He feels the \$75,000 estimate may be on the high side and does include almost everyone needed repairs.

The City Manager referenced the cost of the West Street curb and sidewalk project and the City's match against the CDBG money and recalled the resolution recently adopted by Council.

Mr. Whitfield has designated the Walnut Street crossing over the Mispillion River as one he plans to bring before the Public Works Committee meeting next Monday. He wants to create a safer connection between the two sides of the park. He has been working with DelDOT and looking at various alternatives. The crosswalk must be made ADA compliant which posed

another issue because we did not want to go into the bridge deck. The thought is to raise the level of the bridge deck with brick paving or similar material to the same level as the sidewalk on each side and create something similar to a speed bump or traffic calming device of sorts.

DeIDOT performed an analysis on the bridge to confirm it will take the additional load. Mr. Whitfield is hoping for something decorative which would become a focal point in the downtown. He also thinks there may be some outside funding sources available for that project.

Councilman Burk stated that he had submitted a request for a crosswalk on Walnut and Clarke Street. Mr. Whitfield explained that DeIDOT is continuing to work on that noting there are a couple of obstacles that have to do with FHWA (Federal Highway Administration) rules.

Mr. Whitfield assured Councilman Burk he continues to work with DeIDOT to make that happen. The installation of ADA compliant ramps noted on the CIP is a Citywide project where requests and alterations are needed based on high usage. In addition, City Manager explained that when the City is working on a sidewalk and the property owner is required to repair their sidewalk adjacent to a corner, that money pays the cost of creating that ADA compliant sidewalk.

Mr. Whitfield said another issue raised is the amount of the money needed to do paving where more than ½ inch of roadway is needed and the intersections made ADA compliant. In addition to the paving, work is needed on the curbing along the street and the sidewalks.

While evaluating the streets, the water and sewer lines are also being evaluated so that work can be done in advance of the road work.

The Public Works Director then referred to the following memo:

*The City's various Departments are faced with aging equipment that will need to be replaced in the near future. Budgeting for these replacements can create a financial burden, in particular with high priced, specialized Public Works equipment. One way to reduce the wide swings in annual budgets is through the creation of an Equipment Replacement Fund. The fund may be initially established using Reserved Funds available in the Water, Sewer, Electric, Solid Waste and General Fund. Each year, money is added to fund based on the annualized depreciated value of the vehicles/vehicle's anticipated useful life. When the vehicle reaches the end of its useful life, money within the fund would be available for its replacement. That does not mean the vehicle must be replaced. It can be retained for a longer period of time, however, when time comes to replace the unit, funds would continue to be available.*

*In the Committee packet is a sample funding scheme for each Department/Division. Using Electric Division as an example, for the 2019 Budget, \$45,159 would be included in the budget for Vehicle Replacement Fund. At the end of 2018, \$1,144,886 of the Electric Reserves would be earmarked for Equipment Replacement, with the \$45,159 being added in 2019. As vehicles are replaced, the Annual Depreciation amount will increase based on the depreciated value of the new piece of equipment. Funds for the purchase of replacement equipment will be deducted from the Electric Equipment Replacement Fund. In short, the fund is self-sustaining, and annual budgeting for replacement equipment is leveled out, without having excessive spikes in expenditures.*

He noted that the Electric, Water and Sewer Departments have fairly healthy reserves and part of those funds would be earmarked for vehicle replacement. Adding to that on an annual basis will be a set amount of money. This will also work with the Police Department who needs at least two vehicles every year and will provide a self-supporting system.

Mr. Whitfield emphasized that these vehicles do not have to be replaced at the time they are fully depreciated. This will only provide the funding for the eventual replacement of that vehicle.

Councilman Brooks pointed out there are a number of vehicles that never leave the City; Mr. Whitfield agreed adding that

they are also reviewing equipment that can have multiple uses and those that make more sense to rent versus purchasing. For example, the City has a pavement roller that has not left the City yard in three years. Though this may have been a difficult piece of equipment to rent many years ago, he is now able to call a rental company and have a roller delivered in 24 hours. He would use it as needed and then have it returned.

Councilman Burk agreed adding that will also substantially reduce a lot of maintenance and insurance costs.

The Public Works Director estimates the roller to be 12-13 years old and might have 110 hours. As a result, the cost of purchasing that type of equipment in comparison to the amount of time used is not feasible.

Multifaceted pieces of equipment are also being considered. One proposal is for a hook truck which is a heavy duty truck fitted with a hydraulic hook lift hoist system in which various bodies can be used. A leaf bed, a forestry bed, dump bed and there are some that can be used for a garbage truck. Mr. Whitfield recommends the hook body be considered for seasonal equipment that is versatile and can be used year round.

Councilman Brooks asked if routine maintenance is now being done on all City equipment; Mr. Whitfield explained that the routine maintenance is done in-house. Depending on the size and scope of the maintenance, some items will be contracted out. Councilman Brooks said he knows the City has a mechanic.

Councilman Burk said he is aware of some municipalities who do equipment sharing and asked if we have considered that; Mr. Whitfield responded by stating that we actually have shared the street sweeper with the Town of Milton. They have a need but not to the point that buying their own would be cost effective. The City's street sweeper is not used five days a week so that has worked out well.

In addition, Mr. Whitfield recalled allowing our sewer truck to be used in other jurisdictions. Councilman Burk appreciates that and recalled that Milford assisted Blades when they were experiencing some utility issues. In addition, Mr. Whitfield reported that the City has also assisted Harrington and Camden when their equipment went down. A mutual aid agreement is in place which alleviates Milford from having a need for a backup piece of equipment when an adjacent municipality is in possession of one.

Councilman Mergner asked if auto gas options are being for propane, for example, with the installation of dual tanks. Mr. Whitfield stated that what is being considered is how much that piece of equipment is used. The Public Works Director has, for example, used compressed natural gas in refuse trucks because they are on the road 220 days a year. In his opinion, it makes sense to put natural gas or propane in those type vehicles, but it is not as economical for a dump truck that is only used for snow plowing. Those vehicles rarely get 8,000 miles a year. Therefore, the maintenance and uplifting costs to add natural gas or propane is being based on the use of the vehicle.

Councilman Mergner announced there are some great programs available where those transition costs to equip vehicles with those type tanks. He recommended that when Mr. Whitfield looks at the fleets, that be considered as a way to save money versus paying diesel and gasoline costs. The State of Maryland puts money into that type of pot though he is unsure if Delaware does that yet.

Mr. Whitfield explained the other thing being considered are hybrid vehicles and as Councilman Brooks pointed out, there is a lot of equipment that never leaves the City. Having an electric or hybrid car that could be used in a small geographic area makes a lot of sense based on the saving of maintenance and fuel. Councilman Mergner agreed.

Councilwoman Peel then asked for more information on the three vehicles included in the CIP for the Planning Department.

City Manager Norenberg explained there are currently two vehicles. The Chevy Colorado is earmarked for the in-house building inspector, but has been lent to the Public Works Department, though it is subject to recall when needed. That is in addition to the Dodge Durango that our Code Official uses.

Mr. Whitfield explained that presently the Colorado is being used in the Public Works Department by some of the supervisors and the reason there is a request in the CIP for a hybrid vehicle which would eliminate the need for the borrowed vehicle.

Planning Coordinator Pierce then explained that the need for three vehicles will be based on the other portions of the operating budget and specifically, if an in-house building inspector is hired. We would require three vehicles for the two Code Officials and the Building Inspector. Based on that, the vehicles may be adjusted back down to two.

Councilwoman Peel then asked about Customer Service and the IT Department each having vehicles; Mr. Norenberg explained those vehicles get very limited usage and share options will be considered in those cases. She recommends evaluating that carefully before three new vehicles are purchased.

Mr. Norenberg also shared that one of the issues that may need to be revisited is the option of mileage reimbursement versus the City purchasing a vehicle. Currently, the Public Works Director and he have allowances instead of City-owned vehicles which is a substantial savings to the City in maintenance and insurance costs and is something that may be expanded.

Councilmembers Burk and Peel stated they are both in favor of that idea. Mr. Norenberg reported that the Camry currently owned by the Finance Department has limited in-town errands, including regular trips to the banks. However, it is used by several employees, including those at City Hall, for out of town meetings typically in Dover or Wilmington. It depends on the user preference and whether personal errands will be done before or after the meeting. In those situations, it is more appropriate for the employee to take their personal vehicle.

Mr. Norenberg plans to discuss this with each department before any serious consideration is given to purchasing new vehicles.

Councilman Morrow then asked the North Walnut Street sidewalk and if that was on the cemetery side or the opposite side. Councilman Brooks also asked if a sidewalk is needed on the cemetery side because he has never seen anyone walk on that side. Mr. Whitfield said that was identified when the wall replacement project was being considered. It was reported there are a number of students that cross through the cemetery as part of their route to Milford High School and Central Academy.

Councilman Burk stated that if the sidewalk is not feasible, perhaps a crosswalk can be considered due to that street having two sidewalks up to a point. Councilwoman Peel prefers a crosswalk be installed at the Dairy Queen Intersection. Mr. Norenberg agrees assuming those students will follow the signs and directions.

Councilman Brooks reiterated he has never seen any school kid walk on that side of North Walnut Street.

Councilwoman Peel agrees there are students heading north in that area who need to cross those streets. She has observed them walking through the IG Burton Body Shop/Enterprise lot and crossing at the One Stop Convenience Store. There are also a lot of workers that walk from Perdue to Wawa.

Councilman Brooks stated that he walks by that area every morning to go to the store and that road is like a racetrack.

The Committee then thanked the City Manager, Public Works Director, Evan Miller and the Department Heads who worked together to create this CIP. Mr. Norenberg said that in addition, Suzannah Frederick and Rob Pierce were also very helpful though Mr. Miller was extremely instrumental.

Councilwoman Peel commented it was very well done and a great overview of what is needed to plan for in the years ahead. Councilman Morrow and Councilman Brooks both agreed that they really liked the new document and thanked everyone who participated.

There being no further business, Councilman Morrow moved to adjourn the Joint Committee Meeting, seconded by

Councilman Mergner. Motion carried.

Meeting was adjourned by Chairman Brooks at 6:46 p.m.

Respectfully submitted,

Terri K. Hudson, MMC  
City Clerk/Recorder

MILFORD CITY COUNCIL  
MINUTES OF MEETING  
April 9, 2018

The City Council of the City of Milford met in Workshop Session on Monday, April 9, 2018 in the Joseph Ronnie Rogers Council Chambers at Milford City Hall, 201 South Walnut Street, Milford, Delaware at 6:02 p.m.

PRESIDING: Mayor Bryan Shupe

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

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

COUNSEL: City Solicitor David Rutt, Esquire

ABSENT: Councilmember James Starling Sr.

Human Resources Administrator Jamesha Eaddy was also present.

*Review/Ordinance 2018-08/Chapter 55/Personnel Policy Manual*

Mr. Norenberg referred to the proposed draft Employee Policy Manual that was introduced two meetings ago. It was recommended by Council Members to allow more time to review the document, and that the policies referenced in the manual, be provided.

He noted the new HR Administrator, Jamesha Eaddy's memo, included in the packet, as well as the copies of each applicable policy:

*The City's personnel ordinance (policies and regulations contained in Chapter 55 of the Milford Code) was discussed during the City Council meeting on March 26. At that meeting Councilmembers requested additional information on the policies referred to in the draft Human Resources Policy Manual. The purpose of this memo is to review those additional policies and provide a status.*

*There are a number of references in the draft Human Resources Policy Manual to other sections of the Manual or external administrative policies. The list below provides a guide to those references.*

- 1. Public Records Policy – (see attachment 2)*
- 2. Workfrom Home – This policy has been under consideration for some time. Based on the recent input of the City's new Human Resources Administrator, this reference is proposed to be revised to address reasonable accommodations (see attachment 1)*
- 3. Leave Donation – please refer to page 26 within the Human Resources Policy Manual*
- 4. Employee Recognition Policy – This policy has not been developed yet. We expect to be able to share a recognition plan with City Council during the budget process.*
- 5. Flex Time – please refer to page 13 within the Human Resources Policy Manual*
- 6. Family Medical Leave Act – please refer to page 23 within the Human Resources Policy Manual and the revision to the last paragraph of the FMLA section shown on attachment 1.*
- 7. Smoke-Free and Tobacco-Free Environment – please refer to page 35 within the Human Resources Policy Manual and to proposed revised language shown on attachment 1.*
- 8. Dress Code – This policy is under development. It will continue the current practice of deferring to department uniform policies, safety requirements and the expectation of business casual attire for those not in uniform. The current draft is attached. (see attachment 3)*
- 9. Safety Work Boots – (see attachment 4)*
- 10. Computing Resources Use Policy – (see attachment 5)*

11. *Safety and Vehicle Usage – (see attachment 6). In addition, the City's Safety Committee is working with our Workers' Compensation provider to develop a Citywide safety manual.*
12. *Cellular Telephone Policy (including Smart Phones) – (see attachment 7)*
13. *Drug-Free Safety Program Policy – This policy is under development in conjunction with the City's Safety Committee is working with our Workers' Compensation provider. The content of the policy will address regular training for employees and supervisory personnel.*

*It is recommended that Ordinance 2018-08 be approved with the revisions shown on Attachment 1.*

He pointed out that the memo labeled attachment two, includes some references to three different changes related to Working from Home, Smoke and Tobacco Free Environment and Family Medical Leave Policies.

That is recommended in addition to the language shown as strikeouts and additions.

Councilman Brooks asked how Mr. Norenberg feels about employees working at home. Mr. Norenberg explained it would need to be under rare circumstances and one of the reasons for the proposed amendment. The City has had requests and in most cases, while an employee is recovering at home from a surgery or illness, or to care for a family member. In addition, weather-related situations could be a reason. Regardless, it would not occur on a regular basis for any employee because we do not have the type of work force or circumstances that a lot of large employees are able to offer their employees who work from home.

Solicitor Rutt asked that the definitions be moved to the front of the document for easier access. Mr. Norenberg added that the City Clerk also recommended a Table of Contents be added, as well as some indexing and formatting to make navigation easier.

Once the substance is approved by Council, those changes will be made.

Councilman Morrow asked if the policies referenced, will be included in the Code, or at least easily accessible. Mr. Norenberg stated that he and HR Administrator discussed that this morning. Once the document is approved and formatted, employees will be trained to ensure they are familiar with it. They will also assure accessibility to this document either through a three-ring binder, or the website, as most employees do not want more paper. Therefore, he is working with Deputy City Clerk Christine Crouch to create an area on our website where the policies can be accessed and searched. They want to make sure that all employees are educated and familiar with the manual and policies and that no one is left out.

Councilman Brooks said the job procedures and standard practices can be put in the book as well. Mr. Norenberg agreed those SOP's or departmental policies and procedures can all be kept together by each employee.

Councilman Burk asked if the City requires employees to take defensive driving; Mr. Norenberg stated that our Safety Committee is presently working with our Workers Compensation provider to develop a safety manual. That is something that could be considered in the future, particularly if there are any driving related incidents where some remedial training may be needed.

Councilman Burk said he just recommended to his employee that they require it on a regular basis despite any accident issues. He feels it will be beneficial with insurance costs.

Public Works Director Mark Whitfield was present and would provide that information to the Safety Committee which he is a member.

Councilman Campbell questioned the language in the employee reprimand section stating that Department Heads were only privy to that action and asked why supervisors would not have that right. Mr. Norenberg explained that the City wants the supervisors to be working closely with Department Heads to ensure any disciplinary action is consistent and documented. Depending on the situation, the supervisor could write the reprimand.

Ms. Eaddy further explained that the need for the Department Head will need to be involved. For example, the reasons for allowing employees to work from home needs to be applied consistently. She wants to make sure that each supervisor is applying that policy in the same manner to every employee. When a department head reviews that, it should hopefully ensure there is no bias treatment where one manager would allow one person to work from home, yet deny another request. She believes that should eliminate any issues and will resolve it before it becomes a problem. For example, they would have the ability to determine whether flex time should be applied, such as in the case of a doctor's appointment. The Department Director would then allow that employee to make up the hour the following day versus applying the need to work from home. However, if there is an emergency and that Manager can prove that employee can perform their work functions from home, that is the reason for that Department Directors' involvement.

Councilwoman Peel agreed adding that the Department Heads ultimately have responsibility for what is going on and need to be brought into those situations.

City Manager Norenberg noted that because this was a workshop item, the Ordinance is on the regular Council agenda under unfinished for potential adoption. Public comment will be accepted at that time in addition to further comments or questions from Council.

There being no further discussion, the Workshop Session concluded at 7:15 p.m.

Respectfully submitted,

Terri K. Hudson, MMC  
City Clerk/Recorder

MILFORD CITY COUNCIL  
MINUTES OF MEETING  
April 9, 2018

A Meeting of Milford City Council was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall on Monday, April 9, 2018.

PRESIDING: Mayor Bryan Shupe

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

City Manager Eric Norenberg, Police Chief Kenneth Brown and City Clerk 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 7:15 p.m.

#### INVOCATION AND PLEDGE

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

#### APPROVAL OF PREVIOUS MINUTES

Included in the packet were minutes of the February 26, 2018 Council Meeting, March 12, 2018 and March 26, 2018 Council and Committee Meetings. Councilmember Brooks moved for approval, seconded by Councilmember Peel. Motion carried.

#### RECOGNITION

No special guests in attendance.

#### MONTHLY POLICE REPORT

Police Committee Chairman Burk presented the monthly Police Report noting that Chief Brown has been very busy and is doing the best he can with minimal resources emphasizing that as is printed in the news, Milford is a very busy City to our Police Department.

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

#### MONTHLY CITY MANAGER REPORT

City Manager Norenberg referenced the various project updates and engineering assignments included in the packet. A number of those will be on the Public Works Committee agenda next Monday for a review.

Councilmember Burk asked if there was ever a final determination in regard to the March 12, 2018 Code Enforcement reported as three new cases and zero closed; Planning Director Pierce responded by explaining those numbers were correct as was discussed with staff.

Councilmember Burk reminded Mr. Pierce that code enforcement remains a hot button among his constituents and he does not feel those number are unacceptable.

Councilman Brooks commented that China is stopping recycling which could impact services in this country.

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

#### MONTHLY FINANCE REPORT

Finance Committee Chairman Morrow reported that through February with 67% of the fiscal year have passed, 71% of revenues having been received and 60% of the operating budget expended. He noted that the revenues indicate a higher than average percentage mainly due to the real estate taxes and building permit fees.

Chairman Morrow moved to accept the February 2017 Finance Report, seconded by Councilman Brooks. Motion carried.

#### COMMITTEE & WARD REPORTS

##### *Ward Two*

Councilwoman Peel commended the Public Works Department for addressing a water problem in a very timely manner. She also appreciated the City Manager's immediate response. The resident did ask that the City be proactive in advance of any planned maintenance notification in the future.

#### COMMUNICATIONS AND CORRESPONDENCE

Councilman Campbell thanked Public Works Director Mark Whitfield for installing the handicapped sign recently requested.

#### UNFINISHED BUSINESS

##### *City Manager 2018 Goals*

This item was discussed during the previous Executive Session and needs to be formally approved and accepted.

Councilmember Peel moved to accept the City Manager Goals for 2018 (attached) as presented, seconded by Councilmember Campbell. Motion carried.

##### *Adoption/Ordinance 2018-08/Chapter 55/Personnel*

City Manager Norenberg referenced the document which had been briefly reviewed in the Workshop prior to Council Meeting.

Mayor Shupe opened the floor to public comment. No one responded. The public comment portion of the meeting was then closed.

There being no questions, Councilmember Burk moved to adopt Ordinance 2018-08, seconded by Councilmember Peel:

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\*

The complete Ordinance can be found in the April 9, 2018 Council Packet.

Motion carried.

## NEW BUSINESS

*Introduction/Ordinance 2018-05/Milford Commons Partnership/Conditional Use*

Mayor Shupe introduced Ordinance 2018-05. Planning Coordinator Rob Pierce explained this application involves a card detail operation in the Milford Commons Shopping Center zoned C-3. A Public Hearing is scheduled for April 23, 2018.

*Introduction/Ordinance 2018-06/Liborio Watergate LLC Revised/Conditional Use & Preliminary Major Subdivision*

Mayor Shupe introduced Ordinance 2018-06. Planning Coordinator Rob Pierce reported the applicant has been before Council in the past for the Watergate Subdivision and they are now seeking a revised application in an R-3 zoning district. A Public Hearing is also scheduled for April 23, 2018.

*Introduction/Ordinance 2018-12/Milford Ponds LLC Revised/Conditional Use & Revised Preliminary Subdivision*

Mayor Shupe introduced Ordinance 2018-12. Planning Coordinator Rob Pierce reported this application is for an existing subdivision known as Milford Ponds and involves a revised Planned Unit Development and Preliminary Major Subdivision for Phase I of the project. The PUD is a split zoning of R1/R2/R3 and is designated low density residential in the City Comprehensive Plan. A Public Hearing is scheduled for April 23, 2018.

*Certification/2018 City of Milford Voter Registration List*

Councilmember Peel moved to certify the 2018 City of Milford Voter Registration that can be found in the April 9, 2019 Council Packet, seconded by Councilmember Burk. Motion carried.

*Adoption/Resolution 2018-06/Sidewalk Waiver 523 South Washington Street*

Planning Coordinator Rob Pierce referenced the written request from Property Owner John Collins, who recently purchased 523 South Washington Street. It was a vacant lot at the time it was purchased, though it was once the home of a single family dwelling unit that had caught fire several years ago.

Mr. Collins has since constructed a new home and is requesting approval of the waiver for the following reasons:

- 1) There is no sidewalk on either of the property to connect north of Milford Little League's entrance to McCoy Street.
- 2) An uninterrupted sidewalk exists on the west side of Washington Street in this area.
- 3) Received no prior information regarding the sidewalk mandate at the time of the purchase or by the contractor.

Mr. Pierce explained that when sidewalks are installed in this area and adjacent to this property, the City will request the owner to install the sidewalk within a specific time frame.

Councilwoman Wilson and Peel both favored the temporary waiver due to the general need for sidewalks in the City.

Councilwoman Wilson moved to adopt Resolution 2018-06, seconded by Councilman Burk:

*RESOLUTION 2018-06  
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 and conditioned by Milford City Council, on February 12, 2018 shall be reflected on the Site Plan.

Motion carried.

City Manager Norenberg explained he has heard some concerns expressed by the property owners about the delay this process added to their timeline. As a result, he asked Council to consider an administrative process for handling such waivers on routine requests though the owner would still have to comply with the terms of the resolution as was just adopted. In addition, the Code needs to be changed. He recommended the Public Works Committee consider in the near future.

#### EXECUTIVE SESSION

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

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

Mayor Shupe recessed the Council Meeting at 7:31 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 8:00 p.m.

#### *Performance Evaluations (Council Appointees)*

No action.

#### *MPD Teamsters Negotiations*

Councilwoman Wilson moved to authorize the City Manager to continue negotiations as was discussed in Executive Session, seconded by Councilman Campbell. Motion carried.

#### ADJOURNMENT

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

The Council Meeting adjourned at 8:05 p.m.

Respectfully submitted,

Terri K. Hudson, MMC  
City Clerk/Recorder

Attachment:  
City Manager 2018 Goals

## 2018

### Goals for City Manager Eric Norenberg

1. Prepare for Seating of new Mayor and Councilmember
  - Work with the City Clerk's Office and City Departments to prepare an orientation for newly elected officials.
2. Employee Relations, Staffing and Operations:
  - a. Identify and implement improvements in building code and property maintenance code enforcement that will result in a safe and attractive built environment.
    - Evaluate outsourced building inspections services to gauge success of this model. Make recommendations, as necessary, to City Council.
    - Monitor and evaluate contracted rental inspection program and report progress to City Council.
    - Present recommendations for updated Building Codes to the City Council for approval.
  - b. Prepare for future retirements of key City staff by developing a succession plans.
  - c. Ensure the safest possible workplace for our employees through the continuation of the Safety Committee made up of both employees and supervisors.
    - With Safety Committee and management team input, implement the safety policy, vehicle / equipment usage policy, and the Drug-Free Safety Program Policy; with training as needed.
  - d. Continue evaluating staffing levels and reporting structures and adjust, as needed.
  - e. Complete implementation process for the updated City Human Resource Manual ordinance, including development of related programs and policies (e.g. donated leave, work from home, etc.) and staff training.
    - Continue and expand employee engagement and recognition initiatives,
    - Develop and implement merit pay structure, and
    - Improve employee evaluation practices.
  - f. Assess the City's overall customer service delivery and evaluate how we can improve the service to our customers across departments through process improvement and improving the customer experience.
  - g. Continue to support development of next generation municipal government talent in Delaware through the ICMA Local Government Management Fellowship program, mentoring and provision of internships and other learning opportunities to current students and recent graduates.
  - h. Strive to have an inclusive workforce that reflects the community.
3. Stewardship, Accountability, and Fiscal Management:
  - a. Ensure efficient operations of City departments (including, implementation of energy efficiency audit recommendations).
  - b. Complete implementation of the Advanced Metering Infrastructure Program / Smart Meter project leading to greater efficiency, improved grid management and cyber security.
  - c. Continue collection of back taxes and fees owed to the City and establish a routine collection process for those who have limited delinquency in order to prevent greater problems in the future.

- d. Monitor the 2017-18 adopted budget and work with the Finance Director and Accountant to develop the 2018-19 proposed budget, including improved Five-Year CIP.
  - e. Continue improving the budget process to create more understanding and clarity for City Councilmembers and the public regarding mandated/required expenditures, reductions incorporated in the recommended budget, unmet needs, and future challenges and opportunities. Establish linkages between the Strategic Plan and budget process.
  - f. Improve monthly financial reports to the City Council.
4. Communication and Relationships:
- a. **Continue to strengthen and support effective relationships with the Mayor and Council by meeting individually and in the committee structure, as needed, providing regular communication through email updates, staff reports and monthly reports.**
  - b. Continue to explore and implement strategies to improve communication with residents and businesses.
  - c. **Explore additional opportunities for the public to be more involved in advising City Council, including additional citizen advisory boards, workshop meetings, surveys, or other engagement.**
  - d. Continue to strengthen and support effective relationships with department heads and other key staff.
  - e. Continue to strengthen and support effective relationships with state leaders and county officials, other municipalities, the Chamber of Commerce for Greater Milford and Downtown Milford, Inc.
5. Continue Downtown Development District / Citywide Economic Development activities, identifying and recommending new or improved strategies to grow the downtown and Milford economy.
- a. Collaborate with local, county and state partners on economic development activities, including workforce development.
  - b. Continue to facilitate Bayhealth campus development project.
  - c. Support the adaptive reuse of the former Milford Memorial Hospital Campus.
  - d. Continue to seek collaborative solutions to homelessness in Milford
  - e. Continue seeking partners to adaptively reuse the main Armory building
6. Implement or make progress on Major Projects:
- a. **Complete collective bargaining agreement with the Teamsters.**
  - b. **Initiate zoning code (including subdivision and sign code) updates**
  - c. **Complete recommended water, sewer, and solid waste code updates.**
  - d. **Implement sidewalk improvement program.**
7. Complete the five-year strategic planning process to set Citywide vision and goal for the community, mission and values for the organization, and an implementation plan to achieve the goals.
- a. Implement the Strategic Plan and infuse the mission, vision and values in the organization.
  - b. Link the Plan to the Budget and to performance appraisals.
  - c. Regularly report progress to the City Council and the Community
8. **Work with Police Chief, Mayor and City Council to develop plans for a replacement Police Station.**

MILFORD CITY COUNCIL  
MINUTES OF MEETING  
April 16, 2018

A Meeting of the City of Milford Public Works Committee was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall, 201 South Walnut Street, Milford, Delaware on Monday, April 16, 2018.

PRESIDING: Chairman Owen Brooks Jr.

IN ATTENDANCE: Committee Members: Councilman Douglas Morrow and  
Councilwoman Lisa Ingram Peel  
Council Member Katrina Wilson

STAFF: City Manager Eric Norenberg and City Clerk Terri Hudson

CALL TO ORDER

Chairman Brooks called the Committee Meeting to order at 5:33 p.m.

Public Works Director Mark Whitfield and City Engineer Erik Retzlaff were also in attendance.

*NE & NW Front Street Sewer/Water Improvement Update*

Public Works Director Whitfield advised that he is meeting with DelDOT next week with regard to the Streetscapes Project. The City's goal is to get any work on water and sewer lines completed before that project begins. All sewer lines have been televised and the Department is aware of a few lines that need to be addressed.

Professional Engineer Jason Loar of DBF confirmed the sewer line on Front Street has been televised and a majority of the work will involve a lining project. However, there is a section that needs to be replaced with a traditional open cut. The plan is to work on it this fall after the tourist season.

The water line project is ongoing and a majority of the line is asbestos or old transite pipe. One concern is the lack of room in the road to physically get in and repair it though it will be worked out with DelDOT.

*Sidewalk Inspection/Improvement Program Update*

Mr. Whitfield reported the goal is to have the inspection work completed by the beginning of May. The downtown area is completed and they are working on those routes that lead out to the various schools.

The intent is to provide letters to the residents on May 18<sup>th</sup> and provide approximately 90 days to complete the work (end of August). Three quotes will be obtained from contractors to provide residents to give them an idea of the per square block basis if the City were to handle. Any work not completed by the homeowner by September will be done by the City.

Councilman Brooks confirmed that the residents are responsible for the repairs until August, at which time the City will perform the work. Public Works Director Whitfield agreed reiterating residents will have until the end of August to have the work done by themselves. After that, the City will do the work and bill the property owner.

Councilwoman Peel recalled that when this was discussed during previous meetings, it was recommended that subsequent warnings should be provided to residents to ensure they understand they are accountable for the sidewalks. She is unsure if that was done.

Mr. Whitfield stated that would be included in the letter though presently there are no plans to give advanced notices even that it can be done.

The City Manager referenced several recent articles related to the sidewalk project.

Committee Members agreed with Councilwoman Peel that it would be an abrupt approach without providing more than a three-month warning.

The Councilwoman believes that homeowners do not understand that sidewalks are their responsibility though she would like to think everyone reads the paper and is well informed. However, last week she attended the candidate forum and found that is typically not the case in Milford.

Mayor Shupe agrees the majority of people are unaware of that responsibility.

Councilman Brooks asked how money is in the sidewalk account and how much the State of Delaware contributed; Mr. Norenberg explained that we don't have money from the State in a sidewalk account. When they talked about the Capital Improvement Program at the last meeting, it was recommended money be identified as part of the capital appropriation for next year to cover any costs associated with sidewalk repairs that will have to be financed. That would allow property owners the option of paying for it over time and this will allow funding to pay the contractor invoice after which it would be reimbursed.

In addition, Mr. Norenberg explained we have curb cuts and ADA improvements that will have to be budgeted. However, most of the work will fall in next year's budget.

Councilwoman Peel feels that our residents truly do not know sidewalks are their responsibility. If they were aware of it, she believes that most homeowners would complain about that.

City Manager Norenberg confirmed that the Committee is suggesting a letter be mailed to those property owners in need of sidewalk repair informing them the City will be doing this project and that a certain time will be given before the City comes in and makes the repairs.

Mayor Shupe recommends having a public meeting just about the sidewalk program. Councilman Morrow feels this involves one of the many ordinances that have not been enforced over the past thirty or so years. He agrees that a pre-notice may help in this situation. Once the inspections are completed, he recommends it be presented to City Council in a workshop with a more complete report and then Council can decide how to proceed.

Councilman Brooks compared his situation whereby he has sidewalks though none of his neighbors have sidewalks. It would be unfair for the City to tell him he has to repair sidewalks because the other neighbors have no problem because the sidewalks do not exist on their property.

Councilman Morrow asked about property owners that do not have sidewalks that should have sidewalks which is another Ordinance the City has not enforced for at least two decades. Public Works Director Whitfield explained the intent of this project is to repair what already exists.

Councilwoman Peel recalled that the Public Works Director had previously indicated the cost was not as much as anticipated and suggested the mean costs be compared to what the residents are expecting to pay; Mr. Whitfield said that can be done and recalled that a cursory review of all sidewalks was done. That resulted in a rough estimate of just less than \$250,000 and included the repair of all deficient sidewalks. This project begins with only a small segment. He emphasized that this does not include the areas where sidewalks do not exist.

Councilwoman Peel is concerned it will appear we are again burdening the landlords because if all their properties are in one area being repaired, they could end up being responsible for a large amount of money. The other issue is that people will ask why the City wants them to pay to fix their sidewalks when there is no code enforcement. That will especially be the case if there are trash issues in the neighborhood and the questions will be why repair the sidewalks.

Councilwoman Peel only suggests getting in front of those type issues before we actually begin this process.

Mayor Shupe recommends a final and accurate report be discussed in a public workshop so residents truly understand the

need. Councilman Morrow agrees that Council needs to understand how big the problem really is.

Councilwoman Peel referred to the delinquent tax accounts over the past twenty years and wonders if the City is able to absorb that in the City budget.

Mr. Whitfield reported that he will have a much better handle on this by the middle of May in terms of how bad it is, the areas inspected and projected costs. He explained he has handled in this two manners in the past—over a one-year period or a three to four-month period. The problem with one-year period is that a lot of people end up forgetting and will need another reminder which adds to the time line.

Mr. Norenberg pointed out that most properties are not going to have more than maybe a few sections of sidewalks that need replacing and very few where a lot of work is needed. However, a lot of homeowners prefer to repair the entire sidewalk just to make it look neater and more uniform. For that reason, a lot of people will have their contractor do the work.

Councilwoman Peel recommends that we get in front of how we are presenting the information; otherwise we will either slow it down and have to work educating more people to prevent having another argument about changing the code with regard to responsibility.

The City Manager said if Public Works Director is expecting to send letters on May 18<sup>th</sup>, he recommends Council have that meeting the previous Monday and provide the update.

Mr. Norenberg also advised that if the City handles it, there will be a lower cost because of buying in bulk and economies of scale. They could either pay at that point or pay over a period of five years, which is a pretty generous payment plan.

Councilwoman Peel stressed that also impacts a household budget for the next five years.

Mayor Shupe prefers to have the numbers in hand before we proceed with anything.

Councilman Brooks noted there are also a lot of problems with tree roots that create sidewalk issues. In those situations, there is the cost of the tree removal cost in addition to the sidewalk repairs. He said the tree removal alone is approximately \$1,000.

It was agreed to discourage removing trees in the City. Mr. Whitfield then discussed a number of ways to address tree roots.

Councilwoman Peel asked the plans for Walnut Street noting there are a number of trees that are 100 years and older. That creates a roller coaster type effect on the sidewalk and asked if those situations were considered during the inspection.

Mr. Retzlaff then explained that involves more of a need to enforce the current City code and specifically identifies certain areas where the roots cannot be removed and the sidewalk rerouted around the tree. When asked who incurs the cost of the sidewalk and the arborist in these cases, the City Manager explained that it depends on the location of the tree in relation to the sidewalk. If it is on the curblane side, that is the City's responsibility. Fortunately, all those items are spelled out in the Code.

Councilwoman Peel feels that we are moving through the process fairly smoothly and she is still very much in favor of it. She agrees with what is needed though she wants to make sure we are cautious when presenting the information, which can undo a lot of work that has already been completed.

When Councilman Brooks questioned why his newer sidewalk flakes, Mr. Whitfield stated that it was most likely never sealed properly. Councilman Brooks pointed out it was a City Project and asked if the City was responsible because they paid for initially. Mr. Whitfield stated that as a homeowner, he always took care of his own sidewalks. He explained there are a lot of reasons that concrete can flake and some of it is the iodination of the stone though it can also be the way it was finished.

Councilman Brooks explained that after the City installed sections of sidewalks, including handicapped ramps, to Northeast Tenth Street, they began to flake after salt was put down after a snowstorm and asked if the City or the homeowner is responsible. Mr. Whitfield explained the City or DelDOT is responsible for the handicapped ramp and the property owners are responsible for their adjacent sidewalks.

When asked for a rough estimate of repairs for individual homeowners, Mr. Whitfield said that one sidewalk block (5x5 square) is roughly \$175. Mr. Norenberg added that two sidewalk blocks would cost \$350 or \$5.83 a month for the homeowner under a monthly payment plan.

#### *Refuse Collection Program Update*

Mr. Whitfield reported that the second automated refuse truck has been in operation since February. The cost of labor is down as was predicted.

He also noted the amount of recycling materials has increased significantly this year.

Overall, the cost of operations is below the past few years even though the number of customers continue to increase.

Councilman Brooks said that China is no longer taking recycling and asked the status; Mr. Whitfield explained that DSWA (Delaware Solid Waste Authority) continues to review that matter and is reviewing other markets they are able to sell those materials to.

Councilman Brooks said he can hear the brake pads on the new trucks when they are down the street and asked how long they last. The Public Works Director said he is unsure of that though Councilman Morrow agreed with Councilman Brooks when asked. Mr. Whitfield explained they have an automated braking system though he will look into that adding that generally, trash trucks last about eight years and are one of the most used vehicles within the fleet.

Councilman Brook is pleased they will be good for at least another six to seven years.

#### *Southeast Regional Pump Station Update* *Shawnee Acres Pump Station Update*

Public Works Director Whitfield reminded Committee Members the Southeast Regional Pump Station will serve the hospital once it is operating. The project is nearing completion.

The Shawnee Acres Pump Station is as important because the Southeast Pump will actually pump into it. Therefore, it will need to be replaced fairly rapidly.

DBF's Jason Loar reported there is some minor site work that needs to be completed, including fencing, driveway, entrance and some troubleshooting with regard to an operational item. However, he expects it will be completed in the near future.

Mr. Loar noted the project is above the original cost estimate so there will be an additional invoice to the developers sharing costs, including Bayhealth. That will be mailed once the project is complete.

Shawnee Acres Pump Station needs to be completely replaced due to the additional flow and development in the area. After it is permitted, construction should begin this fall. At a minimum, the contractor will be responsible for any additional flows once Bayhealth goes on line next year though the goal is to have it completed at that point. Right now they are working through some electrical issues though they plan to meet with residents in the area to ensure they are aware of what is occurring.

Councilman Brooks confirmed the City still has an agreement with those users about how the money will be handled. Mr. Whitfield stated that they were reviewing the additional flow and could possibly create a separate sewer district for those properties not identified in the initial service area and any new properties added on though that involves a different tapping

fee. Currently, that Code is being amended.

It was noted there are a number of households in Shawnee Acres that have wells, septic systems and public sewer and water services. A discussion about whether or not potential annexation was being considered by Shawnee Acres residents for additional services, Councilman Morrow recalled that we initially provided a specific time frame for residents to tap in at a reduced rate though that was many years ago.

*Southeast Second Street Water, Sewer, Curb & Sidewalk Repair Project*

Mr. Whitfield explained that DeIDOT has a plan to repave Southeast Second Street from Rehoboth Boulevard to Walnut Street. As he has discussed, the Public Works Department would like to address the issues with water and sewer lines in that roadway prior to the paving.

In addition, there are sections of bad curbing that need to be repaired as well.

They are working with DeIDOT to coordinate the work. The sewer work was televised and one small section was found to need external repairs though most of the repairs can be done internally by sliplining. That process is used to repair leaks or restore structural stability to an existing pipe by installing a smaller carrier pipe into the larger pipe.

In addition, two manholes will need to be addressed. One involves an existing line where a manhole was never installed though access is needed. The other one is a replacement.

On the water side, Mr. Whitfield explained that all the mains are in good shape. However, there are sections where lead goose necks are suspected and will have to be replaced. The only way to handle that is through an open cut with a visual inspection. This will involve a series of square cut holes down Southeast Second while this inspection is performed.

In order to avoid the cost of any extensive pavement patching, DeIDOT will permit the City to go in and put in base course and leave the trench alone without installing the top surface. DeIDOT would come in later and mill off the top then resurface the street.

He emphasized the importance of the coordination to prevent a lot of lag time from the point the City does the sewer and water line work until the DeIDOT work is done. It will be done as one project, which includes the concrete curbing which will be performed under one contractor. One section of the street will be addressed at a time though detours will be required.

Mr. Whitfield does not believe there are any sewer lines repairs that would create any damage to the sidewalks. Any sidewalks torn up as a result of a sewer and water line work by the City would be the responsibility of the City. The curbing would also be replaced at that time.

He added that DeIDOT is responsible for all sidewalks at the intersections. One of the streets not included in the Sidewalk Inspection List was Southeast Second Street. He does not want to tell the residents that sidewalks need to be replaced when the City may have to do it anyway.

Currently, DeIDOT is waiting on the City. City Engineer Erik Retzlaff has been trying to set up coordination meeting and the City is in the permitting process at this point. The intent is to have the project completed this year.

*Water Ordinance Code Draft*  
*Sewer Ordinance Code Draft*

Both Codes continue to be reviewed and are not to the point they can be presented.

*Solid Waste Code Draft*

The Public Works Director reported the following:

*The Public Works Department is recommending several changes be made in the Solid Waste Code. The Code should cover the policies for the collection of Solid Waste as well as the Fines and Fees. For that reason, we recommend removing any Rules and Regulations from the Code and making them separate. Rules and Regulation may change from time-to-time and should be the responsibility of the City Manager to oversee.*

*Establishing a Schedule of Fees and Fines. Because fees and fines may change on an annual basis, creating a Schedule of Fines and Fees would allow Council to change fees and fines by Resolution, rather than making a Code change.*

*Eliminating nuisance fines that are difficult to enforce and/or collect at the Justice of the Peace Courts. Those items include leaving containers on the street for extended periods of time. Instead, containers left on the street may be removed by the Public Works Department and stored. In order to receive the container back, customers would pay for both the removal of the container and the re-delivery of the container (\$70).*

*Reducing the fee for second refuse and yard waste container. Overfilling containers or leaving excess materials beside the container has become an on-going issue. Most customers do not choose for a second container due to the excessive cost. Additionally, the present charge for the second container is not justified. By reducing the fee for the second container, a number of unsightly and collection issues can be resolved by making the charge more affordable.*

Councilman Brooks asked the definition of 'too long'; Mr. Whitfield explained that the existing Code states 'after 24 hours'. He feels that if a container is left out for two to three days, it should be removed. Typically, the customers who leave their containers out are repeat offenders and it involves a very small number.

Councilwoman Peel asked if there is a concern about the trash if the container is removed and what the customer will do with their trash; Mr. Whitfield said that can involve another fine which would actually fall under the Property Maintenance Code. He is unsure if most of the homes could get by very long considering the amount of trash they produce.

He explained that in these situations, his staff notifies Code Enforcement and he believes the fine is between \$5 to \$10.

Planning Director Rob Pierce was present adding that the customer has to be taken to JP Court to be fined. City Manager Norenberg explained that is the problem though we are trying to find other solutions.

Councilwoman Peel understands that but feels that if the City takes a trash container, the resident will be angry which will result in trash being dumped in the yard or some other public place. The question is where the trash will go because they will continue to generate trash.

It was explained these are the issues still being worked on and the purpose of getting feedback from the Committee.

Mr. Norenberg stated that in these situations, the City has tagged and tagged containers, warned and called customers and sent letters to a number of the problem properties. He hopes they will contact the City once the container is removed to determine what the problem is and to get it back.

When asked how fines are collected for trash issues, Mr. Pierce explained that a violation is issued. The fine is collected and added to the property tax bill. He shared that frequently we have to deal with those type issues and the City goes onto the property to do the cleanup. The associated fee is then added to their property tax bill.

Councilwoman Peel recommends giving them a notice that a charge will be put on their bill for each day or however long it remains there. Mr. Norenberg agreed that is worth researching through our Solicitor.

Councilman Brooks said he does not want that fee to increase every month like delinquent rental license fees.

Mr. Whitfield believes the fine is so low that it does not make sense to do a lot of follow-up. Councilwoman Peel said this is a good example of something the City is doing but not following thru. This only creates another layer in her opinion.

Mayor Shupe agrees that in this case, he is unsure if it is worth the time to fine someone. He recommends adding it to the bill and believes they respond quicker in that manner.

It was pointed out another issue involves customers not paying their utility bill and the risk of being disconnected. In those situations, it should not involve the non payment of a trash violation.

Mr. Norenberg reiterated those are the details still being worked on and is very grateful for the Committee feedback.

Councilwoman Peel suspects we will have people storming City Hall again so we need to be very careful. She wants to make sure we capture the problem and if the issue is the Code is not being enforced, and she is not meaning the fault of City Personnel, but because it is such a minute issue. She noted that we are already sending them a bill and it seems easier to add to the monthly bill versus sending staff, letters, etc. She does not want to make it any more complicated.

It was agreed that adding it to the bill is appropriate until it gets to the point it should be taken to the JP Court.

The other item to reduce the fee for a second refuse or yard waste container. Mr. Whitfield explained that currently a customer is able to have an unlimited number of recycling containers though there is an additional fee for the second refuse container. To prevent the need to request a second container, a number of customers place trash on top or on the side of the container in a bag. Often times, our driver has to get out of the truck and physically pick it up. It is more cumbersome having to handle in that man than reducing the fee for a second container. The Public Works Director prefers a \$5 fee versus the current \$20 fee. They are also proposing a fee for the second yard waste container of \$3 per month which is significantly less than the current fee.

The Public Works Director emphasized the real cost is getting the truck to the location and not the second container.

*Licensing and registering of private haulers. Staff recommends private haulers collecting solid waste and recycling from properties within the City be licensed and vehicles be registered. As part of the licensing procedure, staff can receive reports on participation of businesses for waste removal as well as recycling materials.*

Another item not included in the ordinance is the licensing and registering of private haulers. Mr. Whitfield reported there are a lot of private haulers that collect from commercial businesses. As a result, there are often spills or items left on the side of the road so he looked at how other Delaware Cities handle this. Almost all of them have a licensing procedure for any outside hauler and he is recommending a \$150 licensing fee.

Councilwoman Peel recommends changing the definition of contractor and adding refuse collection services.

City Manager Norenberg said that can be explored. One of the big issues is the ability to track the hauler if there is a spill. Mr. Whitfield agreed this would provide a list of eligible haulers and their customers as well as a generic list of items that are removed. That would help the City a great deal in terms of the City reporting to the State of Delaware as required.

Councilman Brooks does not like the idea of the hauler having to contact City Hall every time they get a new customer. Mr. Whitfield said the recommendation would be to update every six months or so.

It was noted this requirement was in our Code in prior years and was removed at some point. However, this is something typically associated with the solid waste code because of the reporting requirements

Councilwoman Peel agrees that if there is a problem with haulers, the City needs to make sure they are actually qualified to handle these services within the City in an appropriate manner. It was confirmed the Solid Waste Supervisor would make sure it was followed up.

*Alternative collections. Staff receives requests for "at-door" service from a number of businesses. For those customers, leaving containers at the curb for collection is often impractical at times.*

*Providing for a medical exception. Staff recommends that folks who receive a medical exception from a physician be exempt from placing containers at the curb. No additional fees would be charged for this service.*

He also reported there are a few customers we handle in this manner now. Mainly involved are doctors offices or businesses in the downtown area who cannot for practical reasons leave the container out. Mr. Whitfield noted that we have residents that are handicapped and are unable to get the container to the curb. Our employees already provide that service to a number of our residents who are willing to pay a minimal fee. None of these services are permitted in the Code and Mr. Whitfield prefers it be added.

The Public Works Director emphasized that anyone with a medical issue would not be charged the additional fee.

For the nominal fee of \$10, Mr. Norenberg feels these businesses would welcome this service especially when it would prevent sending someone to put out the container out on trash day at 6:00 a.m. Councilwoman Wilson believes this has been occurring for the past several years and she is aware of a resident the sanitary workers know is disabled and they have retrieved her container for years. In return, she has provided them water during the summer.

*Downtown collection. Staff recommends the Committee consider a requirement that containers must be removed from downtown streets prior to 10:00 a.m. on the date of collection.*

This involves trash containers left out that block the sidewalk or walking areas. The City makes an extra effort to collect those containers because of the problems they create.

Mr. Whitfield said the City of Dover has an Ordinance that requires businesses in specific areas to bring their containers in by 10 o'clock in the morning. On the other hand, these businesses would also have the option of requesting an at-door collection and paying the \$10 fee. Regardless, the container still needs to be removed before that hour in the morning.

*Creating a rate for dumpster container services. Circumstances exist where it may be more practical to collect waste using a dumpster container, rather than 90-gallon containers.*

Currently there is no rate for dumpster service and that fee would be equated to a 90-gallon container and needs to be codified. This has been ongoing for several years without the authority to do so.

*Contamination. This has become a major issue, particularly with yard waste and recycling. Excessive yard waste in a refuse container (more than 10% of total truck load) is also considered contamination. Cost to the City for a contaminated load of yard waste or recycling materials can be as much as \$1000 per truck load. Refuse trucks found with more than 10%-yard waste is turned away from DSWA and City staff must dump the load at the Public Works facility and remove the yard waste prior to returning to DSWA. Staff recommends that yard waste and recycling containers found with contamination be removed from service. Additionally, any truck load found to be contaminated, and the source of contamination can be identified, that the customer found to be the violator is required to pay for the contaminated load and any costs borne the City.*

Mr. Whitfield explained this also involves repeat offenders. He explained that the most difficult part is being able to identify where the contamination is coming from. However, the City has to pay the equivalent of approximately \$1,000 because that load then becomes all waste. That is the reasoning behind the removal of the containers and no longer being permitted to participate in yard waste and recycling.

This mainly involves trash being added to the yard waste container. Recycling is not as bad though the biggest obstacle is people insist on bagging their recycling materials.

It was confirmed that presently, if the container is contaminated, the contents are not picked up and are tagged. A follow-up letter is also mailed.

The intent is to remove the yard waste and recycling containers, but leave the trash bin.

He also noted that Milford used to take their yard waste to Blessings. Since that was closed, it is not transported to Georgetown.

Councilwoman Wilson pointed out that it appears that all efforts have been exhausted and there is nothing else to do. Mr. Whitfield said he is willing to provide one opportunity. But on the second occurrence, the container will be removed. Councilman Morrow and Brooks agree there is no other choice. Mr. Whitfield said this involves around fifty customers.

It was agreed that a related Draft Ordinance would be created and brought back for Council review.

Mr. Norenberg then referenced to the new rate schedule, which incorporates the current rates, as well as some of the special rates discussed. He recommends bringing the rate schedule in advance of the Code change, then follow with the description of the process for the other items. This rate schedule would be removed from the Code which makes it easier for people to find.

The Committee prefers both items be presented together in order for it to make sense.

He noted that a lot of the rules and regulations are codified. The Public Works Director and City Manager prefer to pull them out and place them on one sheet, front and back, that can be updated without changing the Ordinance.

A discussion followed about the number of times the Solid Waste Department is called to return when a customer's trash container is put out late or forgotten. A small fee is proposed for that service and the consensus of the Committee was that most people would be willing to pay that if they had legitimately forgotten. Presently there is no charge.

Councilwoman Wilson believes this problem is better than in the past because our trash crews are much better at coming at the same time. In the past, it used to very sporadic.

The natural consequence to Councilwoman Peel is that the trash is simply not picked up if it is not put out.

#### *Concept Plans/Walnut Street Pedestrian Crossing at Mispillion River Bridge*

Mr. Whitfield presented a sketch as was discussed at the last meeting to be able to connect the two sides of the riverwalk with a pedestrian crossing. The idea is to add a speed table which would help slow traffic down and identify an area for pedestrians to cross while addressing the issue of ADA compliance.

Several design items were discussed including a proposal from KCI. The landscape architect who created it was the same one that oversaw the downtown Smyrna project. DelDOT is extremely interested in this project and feels it could be showcased as pedestrian friendly.

Councilperson Peel confirmed that in addition to slowing down speeders, it would create a crosswalk for residents and visitors to use. Mayor Shupe asked if it can be made slightly smaller and is concerned that someone unfamiliar with the area may not see it and end up on the sidewalk.

Several design options were also discussed and it was agreed it should be made somewhat shorter.

Mr. Whitfield stressed there are many details that must be worked out before the plan is finalized and the reason he recommends an architect review it as a focal point in the downtown area. It was confirmed the bridge would accept the additional weight.

The City Manager reported there is also the possibility of receiving some grant funding, as well as support from DelDOT so it can be used as a pilot project.

Councilman Brooks recommended one be added on Washington Street for the people crossing over to Park Place. Mr. Whitfield reported there is already a handicapped crossing on the south side of that street.

*Matlinds Estates Street Paving*

There has been CTF money received for the Street Paving Project within Matlinds Estates. That project is currently out to bid and due on May 10<sup>th</sup>. The intent is to present the tabulations on May 14<sup>th</sup> so that the construction can be completed by the end of June.

*Downtown Truck Turning Restriction Proposal*

Item reserved for discussion at next meeting.

*Airport Road Project/Post Roadway Adjustments*

The Public Works Director explained there are two locations where some minor alterations are needed. One is in front of Mosquito Control and involves an inlet that is somewhat too low and has been an issue. In addition, the open ditch on the north side of Airport Road between Delaware Veterans Boulevard to Canterbury is extremely deep. One vehicle has already ended up in the ditch so some modifications are needed.

Mr. Loar added that they hope to address the issue without compromising the stormwater, particularly in front of Mosquito Control. However, the open ditch should be a simple fit.

Mr. Whitfield reported there are some unexpended funds earmarked for Airport Road and he will request they be used to pay for these two modifications over the summer.

ADJOURNMENT

As a result of another commitment, Councilmember Morrow moved to adjourn the Committee Meeting, seconded by Councilmember Peel. Motion carried.

Chairman Brooks adjourned the Public Works Committee meeting at 7:28 p.m.

Respectfully submitted,

Terri K. Hudson, MMC  
City Clerk/Recorder

MILFORD CITY COUNCIL  
MINUTES OF MEETING  
April 23, 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 Monday, April 23, 2018

PRESIDING: Chairman Christopher Mergner

IN ATTENDANCE: Committee Member: Councilmember Lisa Ingram Peel  
Mayor Bryan Shupe

STAFF: City Manager Eric Norenberg and Deputy City Clerk Christine Crouch

ABSENT: Committee Member: Councilmember James Starling Sr.

#### CALL TO ORDER

Chairman Mergner called the Committee Meeting to order at 5:32 p.m.

City Planning Director Rob Pierce was also present.

#### UNFINISHED BUSINESS

##### Realtor RFP Update

Planning Director Pierce stated that during the month of March 2018, the City solicited proposals from qualified commercial real estate companies for commercial real estate sales and marketing services for City-owned property, primarily in the Greater Milford Business Complex and Independence Commons office park.

The Department received one proposal in response to the Request for Qualifications (RFQ) from R&R Commercial Realty. A copy is included in the Committee Packet.

The City Manager and Mr. Pierce reviewed the submission and found R&R Realty qualified to perform the work as outlined in the RFQ documents. R&R Realty has proposed a compensation rate for each sale of 6% gross, of which 3% would be split with cooperating brokers.

Staff recommends an initial contract period of two years. The draft contract will be presented to City Council for approval at a later date.

When asked why there was no additional interest, the City Manager said no concerns were expressed though at one time, they were considering the due date and potentially allow more time for submissions.

A discussion about whether or not two years was appropriate followed and both Chairman Mergner and Councilwoman Wilson preferred a one year term.

Mr. Norenberg explained that this agreement will any city-owned properties and not just those in the Greater Milford Business Park and Independence Commons. The recent property inventory revealed a few remnants and the City could also end up with other properties through the monition or similar processes. That was one of the reason the two-year term was recommended so that the firm was locked in and able to respond very quickly.

Councilwoman Peel said the only other concern is that the promotional plan does not incorporate any social media and prefers something beyond MLS listings.

Mr. Norenberg recalled them discussing some traditional advertising thought there was no mention of Facebook or similar sites though the internet and website were to be included.

Councilwoman Peel also noted that there was no mention of any local newspapers other than the Delaware State News.

#### *Armory Tenant Update*

City Manager Norenberg stated that discussions have continued with the potential tenant with the Armory. At the last meeting, more information regarding their services, was requested. The group continues to work on a business plan and are still negotiating some items including the lease. There is a draft lease included in the Committee Packet though it has not been finalized.

Lillian Harrison, Delaware Community Reinvestment Action Council (DCRAC) Housing Director, who had previously addressed the Committee in February, was again present to provide additional information. She agreed they have been discussing the lease and they both feel they are close to coming to an agreement on the lease. With regards to speaking to potential tenants, they have two on board, depending on the final terms of the lease. One of the tenants is the youth organization that was housed at the Milford Community Center (former Boys and Girls Club) on Front Street. They mentor and provided cheer and after school programs. This would be the only in-house tenant; all other programs and services are being provided elsewhere.

She spoke with the Methodist Minister who was overseeing the homeless program and was informed that the other local churches have come on board and are now offering those services as far as housing, food pantry, soup kitchen, etc. As a result, the only program left is the after school program.

It was important to keep those services in Milford because they were vital to many residents. She reported that City Manager Norenberg met with a number of people and provided a great deal of information and contact information. They then reached out to those that were at the center. With the Milford Ministry on board, they have already established a partnership to some degree that they will be working together.

Ms. Harrison also pointed out that DCRAC has identified gaps in services so they can begin working on what is needed.

She stated that the Youth Organization and Elevated Ministries is a Workforce Development program. They also work with churches and organizations and help them create programs that will benefit the community.

Ms. Harrison said that they are still waiting on several organizations and have confirmed that Family Counseling Center will be there part-time and currently lease from their facility in Wilmington.

She prefers the one-year lease and letting it renew annually. This will allow them to evaluate the costs of renovating the building. They just completed a \$200,0000 renovation project at the old Fulton Bank site in location that was given to them. They do not want to deny services to the community while in that planning stage and that is their present dilemma and some additional time is needed to figure that out though and need the additional time.

Councilman Mergner asked how many partners are needed to make this work; Ms. Harrison said not many and the goal is always to work with the community. When they learned the Community Center was closing, they immediately sought to work with them because they were aware of the services that would be lost. However, they would like other partners though CDRAC is fairly comprehensive. Adding the workforce development program done by Elevated Ministries and bringing on the youth forms an extremely comprehensive group of services from the youth to the elderly. That is in addition to working with a host of agencies they work with that would not be housed with.

Ms. Harrison then talked about CDRAC's annual report. That shows the complete services offered as she discussed at the meeting in February. Without any other partners, they offer the housing clinic, tax clinic, title clinic and the community outreach program.

Elevated Ministries brings workforce development services. They also offer soft skills training and work with local colleges and schools.

Chairman Mergner asked what changes are being considered aesthetically outside and whether signage may be needed as well as additional parking.

City Manager Norenberg confirmed the parking will need to be reconfigured. After Ms. Harrison works with the City Planning Director, a lot of these items can be addressed.

He added that Ms. Harrison wants to bring an architectural engineer to address the structural needs of the building due to some recent roof issues that the City had to maintain this past year. Those type of issues will have to be addressed that the City does not have the budget to accommodate and the reason for a business plan and fundraising efforts.

As a result, they are trying to structure the lease for what is fair for both parties.

The Committee thanked Ms. Harrison for the update and look forward to working with her in the future.

#### NEW BUSINESS

##### *Downtown Milford Incorporated (DMI) Contract/Lease*

Board President Sara Pletcher and Executive Director Murrie Zlotziver were both

The City Manager reported that it is time to create a new contract for DMI which he has been working on with their Executive Director and Board President.

Mr. Zlotziver and Ms. Pletcher then provided an update of DMI's recent activities.

See attached presentation.

In addition, Mr. Zlotziver also announced that the small business loans were given to My Sister's Fault and Petite Sweets, who are new and existing businesses respectively.

DMI also offers a matching facade grant to local businesses for awnings and sides. Novelty Nook received that grant for new signage.

He also reported there are presently 24-25 vendors scheduled for the Annual Farmer's Market that begins in May. Seven are new vendors this year.

The organization is also working on (voluntary) design guidelines for businesses.

They were informed today that DMI is receiving a \$2,500 grant from Milford Lions Club for a sale banner project. The intent is to develop some new banners for the park that will be shaped as sails that local artists will decorate. They hope the end result will be a community picnic in the park sometime this fall.

Also new this year, is the Ladybug Music Festival on September 22<sup>nd</sup>. All music will be female-led bands. There is no admission with the goal to bring residents and visitors downtown. In addition to an outdoor stage, many of the bands will be in stores, including empty store fronts to showcase those spaces that are available.

Emphasizing the importance of volunteers to DMI and Milford, from June 1 to December 31, 2017, the Executive Director shared that DMI had 1,741 volunteer hours which is valued at \$41,784 (based on an established hourly rate set by the State of Delaware). They are reported quarterly to the State of Delaware.

From past experience at other jurisdictions, he has found the City of Milford to be a great partnership within the seven months he has been here, adding that City staff has been extremely helpful and cooperative.

Mr. Zlotziver hopes to renew the five-year DMI contract with the City beginning July 1, 2018. They are asking for financial assistance in the amount of \$45,000 with subsequent annual compensation increases based on the Mid-Atlantic CPI. As part of the agreement, DMI will provide semi-annual updates to City Council.

Councilwoman Peel asked what Mr. Zlotziver speculates in the way of compensation increases. The Executive Director reiterated it will be based on the index and could be three or four percent which is typically the average range.

Mr. Norenberg recalled that last year it was two percent and an area of the contract that is still influx. It has been reviewed and agreed upon by all parties, including the City Solicitor, after which one change was made. They wanted to bring the compensation piece to Council because of its impact on the budget. The contract has been \$40,000 for a number of years and this increase will be a change. However, the last agreement between the City and DMI was only a page and a half and two pages and not very detailed. The new agreement has a lot more detail including a reporting process and an evaluation process. Therefore, the provision for the compensation increase will be based on the evaluation.

However, the Committee has the option of recommending the capping the increase or providing a specific number.

Board President Pletcher noted that this component was added to the contract before it was increased from \$40,000. She explained that they hope to be able to give their Executive Director a raise over time and this money is earmarked to pay his salary. The DMI Board recommended that language be added that would allow some additional compensation.

Mayor Shupe agreed that DMI has been an instrumental partner with the City over the years, especially taking into consideration the businesses that are here and those that want to move here. He also does not believe that many people realize that the Downtown Development District started under the then Board President Sara Kate Hammer who initiated that application process. The second year, our Planner had a template to use from DMI to move forward. As a result, there has been several million dollars invested in the Downtown area the last two years.

Mayor Shupe congratulated DMI on the work that has been accomplished adding that they have encouraged the City with many projects, including the northeast/northwest project discussed earlier today and the rehabilitation of the gateways.

Councilwoman Peel confirmed there has never been a performance evaluation done in the past.

Chairman Mergner said he mirrors the comments made by Mayor Shupe and appreciates what DMI does for the City. He then reviewed the five-year contract with up front money each year, which will be increased based on the CPI.

Mayor Shupe believes this is the second five-year contract.

When asked if this presentation will be made before the full Council prior to the budget, or is this request being based on this Committee's recommendation, Mr. Norenberg said that the Committee will have an impact though the intent is to get the process moving in order to plan for the budget.

Councilwoman Peel feels it would helpful to frame the discussion in context of those deliverables that are included in the contract which seems more tangible. She feels the information presented is great, including the volunteer hours which she feels is measurable and can be linked to those goals. Anytime anyone is asking for more money, she feels that it is important to show the stewardship with existing funds and what has been done to meet the expectations of the City in the past.

Chairman Mergner agrees adding he is open to the whole idea but believes we have to strategically carve it in a way Council can understand the deliverable side and how moving forward will be accomplished.

Ms. Pletcher said they can pull up the MOU from last year and hash that out. Chairman Mergner and Councilwoman Peel feel that will be helpful because those are the type of questions that will need to be answered. Specific numbers and data

will be to DMI's advantage, as well as anything new that are coming up and how that connects back to the primary mission..

The City Manager will work on figuring out the timing based on the tentative dates for the budget hearings.

#### *Wireless Facility Ordinance*

Planning Director Pierce referenced the following memo related to wireless and telecommunications facilities:

*The City of Milford Zoning ordinance does not currently provide regulations for the placement of towers and wireless facilities within City limits. There is an increasing demand for wireless facilities to be located throughout the region to improve broadband coverage, especially along major transportation corridors and in densely populated areas. Advances in technology have made smaller wireless antenna installation more common and cost effective, leading to placement of antennas on buildings and poles within public rights-of-way. Below are sample pictures of small-cell wireless technology, both individual monopoles and pole-mounted.*

*The City Solicitor and staff will prepare a draft ordinance for the Planning Commission and City Council to review to address telecommunication towers and small-cell deployments, with provisions for facilities to be located within City or State rights-of-way and private property. The ordinance will address application requirements, review procedures, facility location and design standards and other necessary regulations to protect the health, safety and welfare of the residents of Milford while preserving the character of the City's neighborhoods.*

*In addition to the zoning regulations, construction standards will need to be developed for wireless attachments located on electric distribution poles and non-utility poles.*

*There may be an opportunity to establish franchise agreements with wireless providers for antenna installations within City rights-of-way and/or City-owned property as a source of new revenue.*

Chairman Mergner asked if the City will incur additional costs to move these items; Mr. Pierce stated no, this has come up through State Legislation and permitting these type of facilities within DelDOT right-of-ways.

Mr. Norenberg shared that a bill was introduced last May and approved toward the end of June to allow these devices in DelDOT right-of-ways, not municipal right-of-ways. Some cities have had pressure and contact by cell companies to have these small cell devices located in their areas. That has resulted in some quick legislation being adopted by municipalities while other municipalities are trying to get ahead of it.

Some of the provisions included in the ordinance have been modeled after provisions from other cities around the State of Delaware.

Mr. Pierce explained that the purpose tonight was to make the Economic Development Committee that a potential ordinance was coming through. It will go before the Planning Commission for a review and recommendation.

Solicitor Rutt has reviewed the first draft though it will still be fine tuned before it is officially presented to the Planning Commission.

He also added this may allow for some additional franchise agreements for right-of-way use which is a good source of revenues.

#### *Greater Kent Committee (GKC) Request*

Chairman Mergner excused himself from the discussion because he is a member of the Kent Economic Partnership (KEP).

Present were GKC Executive Director Shelly Cecchett and Board Members Kent-Sussex Industries CEO Craig Crouch and Bill Strickland.

Mr. Strickland reported the Greater Kent Committee is a non-profit membership dues-supported organization created in the late 1980's by CEO and top business executives in Central Delaware. At the present time, The Greater Kent Committee has more than 90 active members, all of whom are civic minded CEOs and top executives of businesses in Central Delaware. 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.

Mr. Strickland advised that the primary project in recent years has been the Kent County Regional Sports Complex (DE Turf). With its successful launching, they began to look at the next endeavor and has chosen economic development. The reason DE Turf was launched as a catalyst for economic development in Central Delaware.

Working groups then began to study economic development over the last ten months. At the start of their assessment, it was recommended that more of a private/partnership should be considered to drive economic development in Central Delaware. That group is currently overseen by KEP, which Councilman Mergner is a member and the basis of his recusing himself from consideration of this topic.

He continued by stating the KEP has been doing economic development for many years. It was a feeling of the Working Group associated with the Greater Kent Committee, that they could do better. They began to assemble a game plan similar to the plan launched by Governor Carney launched early in his administration which was the reformation of the Delaware Economic Development Office into two different subsets of economic development. One that is still housed under the Secretary of State's Office and the other became a public/private entity known as the Delaware Prosperity Partnership (DPP).

They looked at what they were doing and came to a stark reality that despite the GKC's best intentions to drive the real emphasis to include Downstate Delaware, the likelihood was their primary focus would be driven in New Castle County. The GKC looked at that as an opportunity versus a negative and they believed they could get out in front of this and create a new group in a much more expedite fashion than the State fo Delaware.

Mr. Strickland believes that Kent County has assets that will amend itself to an emerging economic vitality that has not been seen in many years. The GKC reached out to the KEP to collaborate and expand the role of the Kent Economic Partnership. In doing so, they wanted to take the KEP Executive Director's outside of the county. The current structure has the KEP Executive Director housed at the county and working under the control of Kent County. This would be a new entity and a new Executive Director would be hired who would report to an expanded board that would include the interests of both businesses and municipalities such as the City of Milford.

He stated that KEP does a lot of things very well, but because there was a need for more private oversight along with several existing board members and the entity was reformed. The bylaws were changed and begun the process of establishing what is done well and what is not done well. A study was commissioned through a third party for which a presentation was made last Wednesday which City Manager Norenberg attended and presented a lot of their findings about Central Delaware, and most importantly the attributes that need to be improved to do a better job of bringing new job and new higher-paying jobs into Central Delaware.

A fundraising effort has been launched to assist this effort and the GKC has committed to raising \$100,000 on an ongoing basis. From its membership, Kent County Levy Court has committed \$200,000 in funding and they are coming before the City of Milford, the City of Dover and the Town of Smyrna to ask for financial support of an overall annual budget of \$360,000.

They are requesting \$20,000 a year for three years from each municipality to support this endeavor.

The next step will be to hire an Executive Director and they are presently in the process of interviewing for that position and are excited about the quality of candidates that have expressed an interest and already begun that process.

The new Executive Director would then begin the process in tandem with the data driven work the third party consultant is doing of quantifying exactly what is needed and specifically measurables, how it works and specifically how to get out in front of the statewide effort to show Kent County as being on first base before the other economic initiatives begin.

The goal is to fast track a strategy to bring out the best interest of both the public and private sectors in Central Delaware.

Mayor Shupe pointed out the KEP has been amazingly successful noting that he has not seen anything like DE Turf from any other organization in the State of Delaware. In addition, to the increased traffic in Milford's existing businesses, but attracted businesses Microtel who was interested enough to develop in the middle of the new Bayhealth Medical Campus and the sports complex, just a little north of here.

He said their Board of Directors is an impressive group who will oversee this Executive Director and their success.

Mayor Shupe recalled that we did an official Executive Director in the City of Milford years ago, but never had the connections and contacts that the KEP does to make things happen.

Councilwoman Peel stated that the reputation of what has been established precedes the organization in what has been delivered with DE Turf. She also agrees that being nimble is key and appreciates Mr. Strickland's willingness to pivot and reorganize and restructure to make sure these needs are met and possibly bringing in some folks below the canal.

Councilwoman Peel does not need any additional information and appreciates hearing about what has been done, what the plan is and where they are in the process and reorganization.

Mr. Strickland added that Becker Morgan Group's Principal Greg Moore is the President of the new Kent Economic Partnership. They have a powerpoint as was seen last Wednesday at their legislative briefing. He feels it would be advantageous to walk City Council what the third party study has shown.

It was agreed for the presentation and request for an upcoming Council Meeting. Mr. Norenberg would like to have the information provided during a Council Workshop at the beginning of the Council Meeting.

Mr. Norenberg also recalled there were some questions about the GKC regular dues and if the \$20,000 is in addition to the \$1,500 dues.

Mr. Strickland confirmed it is separate and Ms. Cecchett confirmed it is too different organizations. The fee to be a member of the Greater Kent Committee is \$1,500 and the \$20,000 commitment is to the Kent Economic Partnership though they are involved in both.

Mayor Shupe agreed expressing concern that a lot of the economic development funding will end up in Northern Delaware. Milford could be left behind unless we are part of an organization willing to catch onto things at the appropriate times.

A presentation will be scheduled at which time President Greg Moore will be in attendance.

#### *Chapter 19-Economic Development and Redevelopment Draft Changes*

Planning Director Pierce stated that the City continues to process Incentive Applications for the Downtown Development District (DDD) Program. The first request for tax abatement associated with converting properties from rental to owner-occupied units has been reviewed.

During a review of the Code, it was determined the language could be interpreted that an owner-occupied property as of 2016, then rented, and then converted back to a owner-occupied unit. In theory, they could claim they are eligible for tax abatement incentives per Chapter 19 Incentive Program for DDD.

As a result, Mr. Pierce sent an email to the State Planning Office to determine how to update local incentives. They directed him to submit a request letter to the State Planning Director and the Cabinet Committee on State Planning issues and put Milford immediately on the next available agenda. This group only meets as needed, he took the opportunity to present the amended language for their review:

(4) Abatement of Property Taxes.

(d) Properties converted from rental units to owner occupied housing shall receive a full tax abatement for ten (10) years, subject to continued occupancy by the property owner. **In order to be eligible for the tax abatement, properties must have been registered as a rental property with the City of Milford at the time of Downtown Development District Designation by the State of Delaware, which was August 10, 2016.**

He emphasized that the goal is to promote home ownership over the period of the DDD program and not have a loophole. The State of Delaware approved the modification and after the Committee was informed, it will be prepared for the ordinance process.

#### *Chapter 130-Floodplain Management*

The Planning Director stated this is another item they wanted the Committee to be made aware of. This will be presented to the Planning Commission for a recommendation as well because Floodplain Management is referenced in Chapter 230.

He explained that a few years back a requirement for freeboard or construction above the base flood elevation. Milford is one of a few municipalities that do not have any additional wiggle room on top of the base flood elevation for construction measures. Instead, we are set at the base flood elevation and means the finished floor elevation could be at the FEMA flood plain 100-year flood elevation.

One of the long term goals out of the Comprehensive Plan was to put back an 18-inch freeboard requirement which would require people to construct 18 inches above the base flood elevation.

Mr. Pierce pointed out this is more consistent with what other jurisdictions along the bays and ocean have adopted a higher and more restrictive level to make sure they are planning for the future.

In addition, the 18-inch requirement will help with flood insurance rates in Milford.

This will be brought before the Planning Commission for discussion in May and proceed with a more formal Code revision afterwards.

Chairman Mergner asked why Building Inspector is being removed and the City Manager replaced as the Administrator. Mr. Pierce shared that the City Manager or his designee is the appropriate authority to delegate those tasks. In addition, Milford currently does not have a building inspector and the City Manager is more appropriate.

Mr. Norenberg noted that both of the previous Code changes will have an impact on the business communities. However, as was discussed a few weeks ago, he thought it needed to be brought before the appropriate Committee before the formal process begins.

He asked if anyone has any concerns at this point.

Councilman Mergner asked if we are talking about going back and changing this requirement, or moving forward. Mr. Pierce commented that there are a couple sets of requirements in the current Floodplain Ordinance. If it is an existing structure, it must be treated a certain and new structures would have to meet the new construction standards. If a new building were planned downtown, it would have to meet the flood code which means it would be elevated three feet higher than anyone else or flood proof up three feet.

He added there are FEMA requirements for new construction and requirements for existing buildings. No one would be made to go back and flood proof. However, it would be required with major renovations. For example, a \$100,000 upgrade to a \$200,000 assessed property would require the entire structure to be made flood proof though that is already a requirement in the City's Flood Code. This will simply change the requirement of three feet or four and a half feet above the ground in terms of flood proofing.

Mr. Norenberg noted that everything else is mandated by FEMA.

Chairman Mergner asked who this will impact; Mr. Pierce stated primarily new construction in the flood plain and major renovations which is defined as more than half of the structure value.

Mayor Shupe and Chairman Mergner both expressed concern about the renovation of old buildings. Mr. Pierce explained that when Davis, Bowen and Friedel renovated the old Skating Center, they were required to flood proof up to the base flood elevations. There is already an expense associated with that. However, under the proposed ordinance, they would be required to flood proof another 18 inches.

Chairman Mergner understands projects being rehabbed, but he is talking about current businesses who are not doing anything. Mr. Pierce confirmed that nothing is required. The requirement comes into play when the threshold of 50% of the assessed value is met.

Mr. Pierce explained that this is needed because when you project long term planning, there is a need to address the 100-year flood level, particularly where buildings are being constructed.

He added that based on the level of freeboard that is adopted, will determine Milford's flood insurance rates. Jurisdictions with more lax flood plain regulations will see a higher flood insurance premium. The same applies when the City updates its Building Codes or don't have Codes that are enforced properly, will see a higher insurance rate.

Chairman Mergner asked if Mr. Pierce could provide a map of the floodplain area. Mayor Shupe feels there is a challenge with being a rivertown and rehabbing older buildings in the downtown/flood area along the river and could be an added cost though he understands the lower insurance rates.

The City Manager questioned the Committee if they were comfortable with the Planning Commission reviewing the Code and making a recommendation to City Council. Chairman Mergner prefers more information including the map of the flood area in addition to some estimates people would have to spend to do something like this.

Mr. Norenberg stated that this involves the additional rehab and if the bulk of the cost is for the first three feet, and this adds and additional eighteen inches, perhaps they could get an estimate from Davis, Bowen and Friedel for the additional cost if they were required to add another eighteen inches.

Mr. Pierce will also provide the codes adopted by other communities.

#### ADJOURNMENT

Chairman Mergner adjourned the Public Works Committee meeting at 6:55 p.m.

Respectfully submitted,

Terri K. Hudson, MMC  
City Clerk/Recorder

Attachment:  
DMI Presentation

# Engine of Economic Growth: Main Street

City of Milford  
Economic Development Committee  
April 23, 2018

Sara Pletcher, DMI Board President  
Murrie Zlotziver, DMI Executive Director

DOWNTOWN  
*Milford*  
INCORPORATED

# Main Street “Four Point Approach”

- Economic Vitality: Business growth
- Design: Aesthetics of downtown
- Promotion: Markets downtown & businesses
- Organization: Collaboration

# Economic Vitality

Façade renovations, building rehabilitations,  
new construction projects and completed  
public improvements:

Public: \$486,000

Private: \$4,260,000

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TOTAL: \$4,747,000

- 20+ new businesses
- Estimated 60+ jobs
- 2 Small Business loans

# New Businesses & Expansions

(since 2013)

Total: 25

- All About Time Clock Shop
- Arena's Milford
- Ashtanga Yoga 302
- Bank House B&B
  - coming soon
- Bibi's Restaurant & Bar
- Coolspring Cottage
- Davis, Bowen & Friedel
  - expansion
- Delaware Branding Company
- Imperial Nutrition
- Irish Rose
- John Mollura Photography
- Josephine Keir, Ltd
- Lifecycle
- Milford Billiards
- Mispillion Art League
  - expansion
- Music School of Delaware
  - expansion
- My Sister's Fault
- Norman's Deluxe Barber
- Novel Tea Nook
- Petite Sweets
- Red Bandana
- Reiki Joy 'n Peace
- Salon M
- Twice is Nice
- Your Moment in Time

My Sister's Fault  
bread . breakfast . bakery



# Spurring economic growth...

- Downtown Development District
- Rebirth 2025 Plan
- Small Business Loans
- Entrepreneur's Network
- Riverwalk Farmers Market

# Design

## Creating An Inviting Atmosphere

- Milford in Bloom (Spring & Winter)
- Art on the Riverwalk Tour
- Spring Flower Sale
- Design Guidelines
- Sign, Awning & Façade Grant
- 5 for 5 Paint Program

# Promotion

## Creating a Market Place

- River Town. Art Town. Home Town.
- St. Patrick's Day Pub Crawl
- Bug & Bud Festival
- 3<sup>rd</sup> Thursdays
- Ladybug Music Festival
- Santa House
- Shop Small Saturday
- Holiday Stroll

# Organization

## Delivering on the Promise...

- Volunteer Recruitment
- Organizational Structure
- Financial Responsibility
- Community Collaboration

# Moving Forward

## To Continue Our Success...

- DMI is seeking a renewable lump sum from the City of Milford for five years
  - July 1, 2018 – June 30, 2023
- First year: \$45,000
- Subsequent years: an annual compensation increase in accordance with the mid-Atlantic CPI
- DMI will present to City Council twice annually with updates

# Contact Information

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DMI Board President

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Murrie Zlotziver

DMI Executive Director

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MILFORD CITY COUNCIL  
MINUTES OF MEETING  
April 23, 2018

Milford City Council held Public Hearings on Monday, April 23, 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., Douglas Morrow and Katrina Wilson

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

COUNSEL: City Solicitor David Rutt, Esquire

ABSENT: Councilmember James Starling Sr.

Mayor Shupe called the Public Hearing to order at 7:01 p.m.

Planning Director Rob Pierce was also present.

*ORDINANCE 2018-05*

*Milford Commons Partners LLC for a Conditional Use*

*Allow a Car Detailing Operation*

*Portion of 7.80+/- acres in an C-3 Zoning District*

*Property is located at 973 N DuPont Blvd, Milford, Delaware*

*Present Use: Retail Shopping Center; Proposed Use: Same and Car Detailing Operation.*

*Tax Map MD-16-174.14-01-03.01*

Mr. Pierce reported that the applicant proposes to use a 2,800 square foot suite within the Milford Commons Shopping Center for car detailing. It was previously used for retail and occupied by an auto glass repair company.

The operation will utilize a rinseless car washing system involving less than ½ gallon of water per vehicle. The existing retail suite has an overhead garage door on the rear of the commercial building that allows vehicles to be pulled inside similar to the manner used by the previous business.

Chapter 230-14 (C) states car repair shops, service stations and carwashes are conditional used within the C-3 category although car detailing operation is not specifically listed. However, staff felt it was appropriate to allow this under a conditional use based the similar uses described. Chapter 230-14 (C)(17) states business, commercial or industrial uses that do not adversely affect neighboring properties may be permitted subject to receiving a conditional use permit from City Council.

In the packet is an evaluation based on the conditional use criteria information presented, a zoning and location map to review the adjoining districts. Some pictures were provided by the applicant showing some interior improvements and materials and equipment that will be used as part of the detailing operation.

The Planning Commission recommended approval at their March 20, 2018 Planning Commission meeting by unanimous vote.

The applicant, Damon S Stone, addressed Council reiterating that what Mr. Pierce stated, he will be using a rinseless wash system whereby one small section of the car is sprayed at a time. A wet microfiber towel is then used to clean the pre-sprayed section to remove the dirt. After this process is complete another dry microfiber towel is used to dry the section completing the cleaning process. This process is repeated panel by panel and with less than 1/2 gallon of water indoors. No running water is used.

However, if he has a vehicle that is heavily soiled, he will be going across the street to the self wash to spray it off. He will

then be returning the car for a full detail.

He hopes that eventually he will be hiring additional workers and is ready to move forward at this point. He believes the operation of this business will have a practically zero impact on surrounding businesses and the environment.

There being no questions from City Council, Mayor Shupe invited comments from those in the audience who wished to be heard either in favor or in opposition of the application. There was no response and he closed the Public Hearing.

Mr. Pierce noted that as part of their recommendation of approval, the Planning Commission added a condition to restrict the number of vehicles on the property to twelve.

Councilwoman Wilson stated that she is familiar with the applicant and looks forward to a successful opportunity and moved to adopt Ordinance 2018-05 permitting a Conditional Use for Milford Commons Partners LLC and allow a car detailing operation at 973 North DuPont Boulevard as recommended by the Planning Commission, seconded by Councilman Brooks.

Motion carried by the following 7-0 unanimous vote of those present:

Mergner-vote to approve based on the recommendations of the Planning Commission.

Campbell-votes yes to approve as was recommended by the Planning Commission following their review.

Peel-votes yes to approve based on the recommendations of the Planning Commission and their unanimous decision.

Burk-votes yes to approve based on the reasons as stated by his fellow Councilmembers.

Brooks-votes yes based on the Planning Commission.

Morrow-votes yes based on the Planning Commission's approval.

Wilson-votes yes as recommended by the Planning Commission's decision.

#### *ORDINANCE 2018-06*

*Liborio Watergate LLC for a Conditional Use*

*Amendment of a Planned Unit Development and Preliminary Major Subdivision*

*47.39 +/- acres in an R3 (Garden Apartment and Townhouse) Zoning District*

*Property is located on the east side of Marshall Street*

*approximately 650 feet north of the Elks Lodge Road Intersection, Milford, Delaware*

*Present Use: Townhouses and Vacant Land*

*Proposed Use: 43 Single Family Units, 48 Duplex Units, 129 Townhouse Units and 80 Apartment Units for a 300-Unit Subdivision*

*Tax Map 3-30-11.09-029.00; -029.03; -30.00 through -032.00;*

*3-30-11.09-101.00 through -304.00*

Mr. Pierce reviewed the application stating the application was before City Council for the same preliminary subdivision approval; however, the applicant allowed that preliminary approval lapse. Instead of asking for an extension request, based on City procedures, they were required to go back through another preliminary approval.

He referred to an overview of that background information recalling the preliminary approval and the conditional use application was granted by City Council in December 2016 with the condition they adhere to the terms and conditions set forth in the settlement agreement of Milford Mini Storage Incorporated versus Liborio Watergate LLC and the City of Milford filed in the Court of Chancery. Included as a condition to amend the offer requirement on the north side of parcel 030.00 between the subdivision and the existing mini storage building which would allow for an additional landscape buffer with a height of no more than 3 feet or depth of 85 feet from the edge of Marshall Street right-of-way.

This is an existing subdivision that some minor revisions were planned to accommodate a sewer utility easement and some overall improvements to the proposed character and layout of the neighborhood.

Copies of the November Planning Commission and December City Council meeting minutes are included in the packet.

P.E. Scott Lobdell, Professional Engineer and Branch Manager at Van Cleef Engineering Associates stated that this is the

exact plan presented at the time of the preliminary approval approximately eighteen months ago. Additional approvals are being received and there is a need to move ahead with the final approval. To do that, the preliminary approval had to be renewed.

The improvements consisted of moving some lots around for a better layout of the original plan that is already started and being developed. Some one-way streets were made two-way streets, some lots were eliminated to allow larger open space areas and some configurations allowed the units to fit better than what was proposed previously.

Mr. Lobdell reported that some additional parking stalls were added to meet the parking requirements and are able to provide two parking stalls per unit, including the units that have not yet been developed.

He also noted that Attorney John Pardee is present on behalf of the self storage property.

Mr. Lobdell further stated that all of the conditions included in the original plan approval remain on the plan and are noted on the cover sheet of the plan which the applicant agrees to.

Councilman Mergner asked if sidewalks will be installed around the units; Mr. Lobdell confirmed there are sidewalks throughout the development. He stated they may not be on the document included in the Council packet only because of the scale though they are included on the complete plan. In addition to the sidewalks throughout the development, there is sidewalk proposed along the frontage per DelDOT's request.

When asked about recreational areas, Mr. Lobdell referenced the previous townhouse unit area. However, part of the areas was to make the two streets two-way and eliminate some of the units which provided a large open space area. In addition, there are other open space areas as are noted. He confirmed there is no specific recreational equipment proposed though that would be up to the developer to install.

Mr. Pierce reiterated this was a plan previously approved by Council and before the preliminary submitted in December. There is an existing recorded subdivision they are able to move forward with and construct units. In the meantime, some modifications were made to allow for some additional open space throughout the development. Some concerns were expressed about providing utility services and some of the lots were realigned as a result of the City's comments.

The Planning Director recalled approval for 303 units in the original plan, though that was reduced to 300. Some townhouse lots were transitioned to more traditional multi-family units in the front. He believes there were some multi-family and live-work units in the plan approved approximately ten years ago. The plan is approved though some modifications have been requested for the future phases.

Councilman Burk asked for clarification of the apartments at the bottom left hand corner of the drawing; it was confirmed they are three-story, twelve unit buildings. Mr. Pierce noted there were three multi-family buildings on the original plan, one on each side of the entrance and townhouses removed along the south side of Watergate Boulevard that were up to eighteen feet wide which are very narrow. To free up some of the open space, some of that density was made up by providing multi-family units.

Councilman Campbell asked if garages are included; Mr. Pierce said they are working that out in the final plan review to ensure adequate off street parking.

The townhouses that are rear loaded will have two parking spaces and some have had garages with the goal to ensure the future townhouses have adequate parking by way of paved parking spaces or garages.

The original live-work units on the original approved plan were up against Marshall Street. The City agreed not to require any changes though they have tried to provide as much buffer as possible.

Mr. Pierce emphasized that if they proceed with the original approved plan that is already recorded, they could construct the live-work units in the same locations.

He said it is a situation where the plan is being improved though it has already been approved and the owner was willing to work with the City on some of the recommendations.

The Planning Director clarified that the original approved plan is still in effect and there is no sunset provision on subdivisions.

There being no questions from City Council, Mayor Shupe invited comments from those in the audience who wished to be heard either in favor or in opposition of the application.

Roberta Rainey of Beechwood Avenue shared that her property backs up to this subdivision. She asked if any of those proposed changes affect any of the single family lots; Mr. Pierce believes the only modifications were converted to single family units. There was odd intersection that has been removed and a line of townhouses added. He stated that the developer honored the previous approval where singles match singles and duplexes match duplexes.

He noted that unit-type C indicates single family, detached products and unit type B indicates duplex housing on the drawing.

There being no further responses and Mayor he closed the Public Hearing.

Mr. Pierce noted that the Planning Commission did recommend approval by unanimous vote though there were no additional public comments at their hearing.

When asked the completion date, Mr. Pierce said he reviewed the pre-submission and review comments with the Project Engineer approximately one month ago. He anticipates that will be sent back to the applicant and is aware the developer is eager to get the project completed and believes that permits were just pulled on the last batch of townhouses. However, this approval is needed to move forward and anticipates the final being presented within a couple months or so.

Councilman Brooks moved to adopt Ordinance 2018-06 authorizing the amended Conditional Use of the Planned Unit Development and Preliminary Major Subdivision, of Liborio Watergate LLC on the east side of Marshall Street approximately 650 feet north of the Elks Lodge Road Intersection as presented, seconded by Councilwoman Wilson. Motion carried.

Motion carried by the following 7-0 unanimous vote of those present:

Mergner-vote to approve based on the Planning Commission's recommendation.

Campbell-votes to approve as was recommended by the Planning Commission.

Peel-votes yes to approve based on the recommendations of the Planning Commission and barring any negative comments from the public.

Burk-votes to approve based on the unanimous recommendation of the Planning Commission.

Brooks-votes yes based on the Planning Commission and because it was approved before.

Morrow-votes yes based on the Planning Commission's approval and the improvements to the original plan.

Wilson-votes yes as recommended by the Planning Commission's and is excited to see this completely developed considering the time this has taken.

*ORDINANCE 2018-12*

*Milford Ponds LLC for a Conditional Use to Amend*

*Planned Unit Development (Master Project) and Revised Preliminary Major Subdivision (Phase I Only)*

*178.03 +/- acres in R1, R2 and R3 Zoning Districts*

*East side of S DuPont Blvd approximately 5,500 feet south of the Seabury Avenue Intersection*

*Milford, Delaware*

*Present Use: Vacant Land*

*Proposed Use: 459 Single Family Units, 0 Duplex Units, 91 Townhouse Units and 150 Apartment Units for a 700-Unit Subdivision*

*Tax Map 1-30-3.00-264.00, 1-30-3.00-264.01, 1-30-6.00-108.00, 1-30-6.00-167.00 thru 558.00, 1-30-6.00-601.00 thru 691.00*

Planning Director Pierce referenced the fairly long history, as included in the staff report, with the original change of zone in

July 2004, Preliminary Major Subdivision approval and conditional use approval granted in September 2004 for a total of 722 units, including 150 condominiums, 228 townhouses and 344 single family detached units. The Final Major Subdivision approval was granted by City Council in 2006 and 2008.

The packet includes a PUD overview map showing the entire subdivision.

The applicant is seeking an amended Conditional Use approval for the revision of the Master Planned Unit Development and the Preliminary Major Subdivision of Phase I only. The townhouse type units were removed and are being replaced with single family detached homes in Phase I.

The Planning Commission recommended approval of the Conditional Use with one dissenting vote and unanimous recommendation of the Preliminary Subdivision Phase One .

Principal/Professional Engineer Ring Lardner with Davis, Bowen and Friedel was present on behalf of Milford Ponds LLC. Also in attendance was Principal/Owner Chris Calico.

Mr. Lardner also provided a history of the project stating that Milford Ponds is a three-phase PUD originally approved in June 2008. The PUD is split zoned R-1, R-2 and R-3 zoning. The allowable density is 1,015 units though the original approval was for 727 units with a mixture of single family homes, townhouses and multi-family buildings. The PUD was also approved with varying design requirements for each type of unit.

The construction began in 2008 and quickly went dormant during the recession. The current owner purchased the project from the bank and has begun completing improvements. He has spent a great deal of money on infrastructure which was initially installed correctly and not to City specifications. A number of other problems have also been revealed and corrected during the construction.

Mr. Lardner said they are very appreciative of Public Works Director Mark Whitfield and his staff for working with them as they get close to being able to open a model home.

The Project Engineer noted that Ryan Homes is the builder and are hoping to open soon based on the amount of interest that has been expressed.

He shared that the revision to the Master PUD will reduce the number of units from 727 to 700. In doing so, they phased Phase I's allocation from 247 single family homes and 144 townhouses into 364 single family homes, thus a total of reduction of 27 units.

The developer is also requesting a change to varying sideyard setbacks based on lot frontage of a single sideyard setback of ten feet or five feet on each side. That makes it easier for the Planning Staff to issue building permits to determine which type of single family home is being built. It will also allow more uniformity across the community.

The final change to the master PUD is to provide a clubhouse with a minimum square footage of 4,000 square feet because the current PUD does not list a specific size.

Mr. Lardner explained the second request is for the approval of the Preliminary Subdivision for Phase I. There are significant changes from the original plan. Besides the allocation changes, the townhouse locations were generally focused as the Engineer referenced on the Site Plan. Those townhouses have been removed and are now planned as single family detached units.

Changes have been made in the lot lines to ensure the lots will fit the five or so Ryan Homes planned for this community.

Calico Place and Nine Patch Way were changed from dead end streets to cal-de-sacs with the proper turning radius per the Fire Marshal requirements and for City service access such as trash collection. Other dead-end streets have also been removed with a new connection that provides a more flexible intersection with in and out traffic. Other features included in the Site Plan were also noted.

There being no questions from City Council, Mayor Shupe invited comments from those in the audience who wished to be heard either in favor or in opposition of the application. There was no response and the Public Hearing was closed.

Councilman Morrow stated that he is very excited to see some activity at this site adding that it will provide a solution to the housing concerns in Milford by providing reasonable prices that everyone can afford.

Councilman Morrow moved to adopt Ordinance 2018-12 approving the Conditional Use to Amend the Milford Ponds LLC Planned Unit Development/Master Project as presented, seconded by Councilman Burk. Motion carried by the following 7-0 unanimous roll call vote:

Mergner-vote to approve the very well thought up improved community adding that it was presented very well.

Campbell-votes to approve based on the improved plan.

Peel-votes yes to approve the amended PUD and also feels it is an improved plan.

Burk-votes to approve based on the presentation and feels it is a good addition to the area.

Brooks-votes yes stating it has been awhile getting done but it is a start.

Morrow-votes yes and likes the amended plan based on the improved changes.

Wilson-votes yes to approve the Ordinance and enhanced PUD as presented. She recall a lot of work that was done ten years ago that included annexations and plans being approved. It is now wonderful to see it finally coming to life and our older residents and new residents will benefit from this construction for years to come.

Councilman Morrow moved to adopt Ordinance 2018-12 and the Revised Preliminary Major Subdivision of Phase I of Milford Ponds LLC as presented, seconded by Councilwoman Wilson.

Motion carried by the following 7-0 unanimous vote of those present:

Mergner-vote to approve based on the comments presented and improved Phase I project.

Campbell-votes to approve and believes this is going to be good for the community and an overall approval to this land that was vacated many years ago.

Peel-votes yes to approve based on the upgrades as presented in the updated Phase I.

Burk-votes to approve Phase I as updated.

Brooks-votes yes based because it was approved years ago and is needed.

Morrow-votes yes based on the improvements and previous comments.

Wilson-votes yes to approve Phase I as revised.

There being no further business, Mayor Shupe recessed the Public Hearing at 7:37 p.m.

Respectfully submitted,

Terri K. Hudson, MMC  
City Clerk/Transcriber

MILFORD CITY COUNCIL  
MINUTES OF MEETING  
April 23, 2018

A Meeting of Milford City Council was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall on Monday, April 23, 2018.

PRESIDING: Mayor Bryan Shupe

IN ATTENDANCE: Councilpersons Christopher Mergner, 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 Christine Crouch

COUNSEL: City Solicitor David Rutt, Esquire

ABSENT: Councilperson: James Starling Sr.

CALL TO ORDER

Mayor Shupe called the Council Meeting to order at 7:37 p.m.

INVOCATION AND PLEDGE

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

RECOGNITION

*Proclamation 2018-08/Municipal Clerks Week*

Mayor Shupe read the following proclamation into record:

*2018-08  
Municipal Clerks Week*

*Whereas, The Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world; and*

*Whereas, The Office of the Municipal Clerk is the oldest among public servants; and*

*Whereas, The Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other level; and*

*Whereas, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; and*

*Whereas, The Municipal Clerk serves as the information center on functions of local government and community; and*

*Whereas, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, provincial, county and international professional organizations; and*

*Whereas, It is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.*

*Now, Therefore, I, Bryan W. Shupe, Mayor of the City of Milford, do recognize the week of May 6 through May 12, 2018 as*

*Municipal Clerks Week, and further extend appreciation to our Municipal Clerk Teresa Hudson and Deputy City Clerk Christine Crouch and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.*

City Manager Norenberg announced that Christine Crouch was recently elected to the President of the local Chapter.

Ms. Crouch stated that Delaware Municipal Clerks Association is the group of Delaware Clerks and she is the President for the next two years and was the Vice President the past two years.

Councilwoman Wilson recommends Council present them with something asking the City Manager to handle on their behalf.

#### COMMUNICATIONS & CORRESPONDENCE

City Manager Norenberg referenced the invitations to several events including SCAT, NAACP Annual Banquet and DEMEC Joint Council Briefing. He asked anyone interested in attending to contact the City Clerk's Office or him.

Mr. Norenberg also referred to the memo from Carl Luff, Executive Director of Delaware League of Local Governments in regarding to the request to the General Assembly to increase Municipal Street Aid for FY 2019 from \$5 to \$6 million. The additional \$1 million would restore that fund back to prior levels.

He also announced that Monday, June 4<sup>th</sup> and Tuesday, June 5<sup>th</sup> have been tentatively scheduled for Council Workshops to review the upcoming Fiscal Year Budget. Anyone with conflicts should contact the City Manager as soon as possible.

#### UNFINISHED BUSINESS

##### *DelDOT/Status Update/Transportation Alternatives Program/Northeast-Northwest Front Streetscape Design Concept*

City Planner Pierce introduced the members of DelDOT's Transportation Alternatives Program along with representatives from McCormick Taylor Incorporated who assisted in a Community Workshop today at Milford Public Library. They will be providing a brief overview of the project which designs for a new bike and pedestrian path to be located along Northeast Front Street in Milford. The project is part of the DelDOT Transportation Alternative Program and will be included as part of Milford's Streetscape Improvement Program.

Mayor Shupe announced that DelDOT's TAP Spokesman Todd Pryor approached the City about this program suggesting they take advantage of it.

Mr. Pryor explained the Transportation Alternatives Program (TAP) is a federal program administered through DelDOT, which picks up 80 percent of the funding. The sponsor, in this case, is the City of Milford who will provide the remaining 20%. The community-driven program's main goal is to improve pedestrian and bicycle connectivity throughout the City. He presented a rendering (attached) of the Northeast/Northwest Front Street Corridor selected by the City as Phase I showing two conceptals for consideration.

Stefan Rukowicz of McCormick Taylor stated they are the Engineering Consulting Firm working with DelDOT on the project. Initially when they met with the Planning and Public Works Directors, one of the priorities was to extend the downtown feel to the west of Washington Street, down Front Street toward Rehoboth Boulevard.

Mr. Rukowicz said the other priority was to provide the bicycle and pedestrian path.

The concept shows a shared use path on one side and a sidewalk on the other side of Front Street. The shared use path is a ten-foot traveled way for bikes and pedestrian with a five-foot sidewalk on the opposite side for pedestrian use.

Shown are the shared use path on the south side in one option and the shared use path on the north side in the second option. The existing sidewalk would be replaced with brick sidewalk to match the previous project to the west. There are pros and cons to the path on either side as Mr. Rukowicz explained. Each phase will be capped at \$1 million with one of the challenges

is determining where to end each phase. The ultimate goal is to end it out to Rehoboth Boulevard though they are only extending the project to Northeast Fourth Street based on the funding.

Once the path is extended to Rehoboth Boulevard, the challenge is the truck center located at the corner of Rehoboth Boulevard and Northeast Front Street and the large trucks that must enter and exit the parking lot, making it less safe for pedestrians and bicyclists.

He further explained that if the shared use path is unable to be extended to Rehoboth Boulevard, a mid block crossing would be required at Northeast Fourth Street. The DelDOT Traffic Division will perform a study to determine if that crossing is feasible and can be installed.

The shared use path would end at Bicentennial Park where some bike racks would be installed. Future phases could possibly extend the path to US Route 113.

When asked how the decision will be made, Mr. Rukowicz reported that in terms of Front Street, the intent was to extend the downtown area. A count has not yet been performed to determine the area for bikes. However, the long term goal is to provide bike connectivity for its residents.

Mr. Pierce explained that previously the City had a Northeast Front Street Streetscapes Project planned several years ago, after the original Walnut and Front Street Streetscapes Project was completed. There was never any effort to proceed due to the utility work that was placing in the area.

The idea has been to extend the downtown feel and potentially beautify the gateways into the center part of the City. The facilities along the right-of-way are not uniform and there was a need to make some improvements which should help with forcing slower traffic as drivers tend to drive slower when pedestrians and bicyclists are present.

He continued by reporting that Phase I would extend the project to Fourth Street and the next phase to Rehoboth Boulevard.

Also noted was the new interchange at Northeast Front Street will include decorative branding on the abutment of the bridge with Milford's logo and this will add to the appeal of the entryway into town.

The Planning Director also recalled that the Downtown Master Plan outlined a Streetscapes Project as well as the traffic concerns and hopefully this will help alleviate some of those speeding issues.

There were several comments at today including the addition of trees, bump outs with landscaping and incorporating more decorative lighting. This is only a concept rendering and all of those finer details will need to be worked out.

Mr. Pierce advised that property owners were invited to today's workshop, in addition to going door to door to ensure anyone directly impacted is made aware of the project.

Ted Foglietta of McCormick Taylor emphasized the importance of community input adding that comments are encouraged and will be accepted by both the City and DelDOT regarding which of the two designs is preferred. Once the design is chosen by the City, a more complete plan will be created. That will result in a cost estimate that is needed for the next fiscal year's budget which starts July 2018.

DelDOT wants to make the decision on the design quickly in order to get the project started within the next few months; if not, it could be delayed another year.

Councilwoman Peel said this has been talked about for years and she is very pleased it is finally coming to fruition and is pleased that Milford was chosen for the project.

She would like to go on record stating that lighting will be essential to the project as was expressed by the public earlier today.

Mayor Shupe moved this item to the May 14<sup>th</sup> agenda as they met earlier this evening with the Economic Development Meeting to discuss a private/public partnership they hope to create in Kent County.

*City of Milford Strategic Plan: Vision Statement Selection*

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

Associate Policy Scientist Fran Fletcher and Assistant Policy Scientist Leeann Moore from the University of Delaware's Institute of Public Administration were in attendance to present the final selection of Vision Statement in the City's Strategic Plan. The Plan is being used by City Council and Staff to guide the City's direction and priorities for the next five years

Ms. Moore stated that they hope to wrap up this process tonight and recalled that at the last workshop, the decision on the vision statement was postponed.

1. Small town feel, big time opportunities
2. Small town feel, with big time opportunities for a diverse community
3. A diverse, collaborative community with a small town feel and big-time opportunities

She pointed out that vision statement number three is shown in the plan, but City Council is being asked to make a final decision as part of the approval of the plan.

Councilwoman Peel liked the simplicity of number one but likes the idea of including some of the language of the mission. She feels that the mission includes filling the needs of the diverse, collaborative community and believes that is more of the intended mission than the vision.

Councilmembers Burk, Brooks and Morrow agreed with Councilwoman Peel.

Councilwoman Wilson prefers number three because it includes the word diverse. In her opinion, it explains the differences of the community and she feels it is welcoming to everyone and should be part of the vision statement.

Councilman Mergner agrees that he likes numbers one and two and believes that number three is a little wordy. Regardless, he feels any of the three would work.

After a vote, number one was selected by four of the seven Councilmembers present.

Ms. Moore then presented the final draft of the strategic plan entitled 'Press Play: Vision 2023'. Some minor amendments are still needed based on the selection of the vision statement. An indepth review and history of the plan was then done (see Council packet):

The Prelude

City Manager Letter to Residents and Employees

Milford City Council Profile

Overview

Executive Summary

The Planning Process

Vision

Mission

Value Statements

Our City

City Profile

Population

Economy

Government Structure

Directory for City Departments

Organizational Chart  
Understanding Today  
Where Are We Now?  
Existing Plans  
Community Engagement  
National Citizen Survey  
Community Conversations  
Discussions With Council Members, Department Heads, and Staff  
Planning for Tomorrow.  
Looking Forward  
Priority Areas  
Framework  
Public Safety & Preparedness  
Economic Health & Development  
Mobility & Infrastructure  
Neighborhoods & Community Services  
Fiscal Responsibility & Public Engagement  
Community Involvement  
Community Partners  
Community Conversations Participants.  
Terms  
Glossary  
Appendices  
A: NCS Community Livability Report  
B: NCS Dashboard Summary Of Findings  
C: Community Conversations Questions  
D: Priority Area Charts

She pointed out the 2020 Census is quickly approaching and upon its completion, that data can be plugged in as needed, in addition to any other changes that are needed.

Councilman Mergner suggested adding email addresses in addition to the telephone numbers.

When asked for public comment, Duane Powell expressed concern about community involvement noting that a lot of Milford residents do not realize they have to register to vote in local elections because it is not being advertised.

There being no further interest, Mayor Shupe then closed the floor to comments.

*Adoption/Resolution 2018-08/Strategic Plan 2018-2023*

Councilwoman Peel moved to adopt Resolution 2018-08, seconded by Councilman Mergner:

RESOLUTION 2018-08

WHEREAS, the City of Milford, in conjunction with the University of Delaware Institute for Public Administration, began preparing a five-year strategic plan to promote an inclusive community, increase accountability and transparency, and establish a clear and unified direction which will guide future decisions; and

WHEREAS, the National Citizen Survey Inc mailed community surveys to residents in the summer of 2017; and

WHEREAS, the City and the University of Delaware held nineteen Community Conversations with staff and members of the community; and

WHEREAS, Community Conversations provide an opportunity for community members and staff to shape Milford's future

by sharing personal perspectives and input on key topics such as quality of life, services, transportation, land use, and economic health; and

WHEREAS, based on the information gathered in the survey and Community Conversations, the City drafted a Strategic Plan to address four major topics to include the City's current status, future planning, how to get to the future and how to measure the progress; and

WHEREAS, the Draft Strategic Plan was presented to City Council on March 12, 2018; and

WHEREAS, the Final Strategic Plan was presented to City Council on April 23, 2018.

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, hereby accepts the 2018-2023 Strategic Plan as presented.

BE IT FURTHER RESOLVED, that the City Council of the City of Milford commends all those persons who participated in the development of the Strategic Plan for their dedication and commitment to the future of the City of Milford.

Motion carried.

#### NEW BUSINESS

##### *Bid Award/Parks & Recreation/Riverwalk Decking & Upgrading Project*

Parks and Recreation Brad Dennehy reported that his Department, with the assistance of our design professional recently bid out the work to be done on the Riverwalk from Mill Street to the old Fire House, then from the State Service Center to the rear of the Second Street Players.

This includes removing all sections of decking and replacing with composite deck boards, new caps on the guardrails, and pressure washing the exposed wooden areas. Pedestrian bridges will have deck boards removed and replaced as needed, and a section of railing will be sand blasted and painted.

Matt Spong of Landscape Architect Services LLC provided the following recommendation:

Advertisement for bids of the Mispillion Greenway Upgrade ORPT #17-235-T were placed in the Delaware State News Public Notices and run on 3/19/2018 and 3/26/2018 of which four contractors requested contract documents. On March 20, 2018, there was a non-mandatory, pre-bid meeting held at the City of Milford Parks Department Building. Bids were due Tuesday April 3, 2018 at 11:00 AM at The City Hall Council Room.

The bid price solicited from contractors was requested as follows:

##### Base Bid: To Include:

Demolition, power-washing and replacing approximately 9,400 sq. ft. of wood decking with 2X6 Polymer Lumber and approximately 2,000 ln. ft. of Polymer caps.

##### Plus Add Alternates

1-6 as described in the Bid Documents

The following bids were received:

- 1) Kent Construction Co. Inc. Smyrna ,DE  
Base Bid \$ 473,605.00. Add alternates 1-6 \$59, 926.54.  
Total Base Bid and Add Alternates \$ 529,531.59
- 2) Gerardi Construction, Inc. Felton ,DE

Base Bid \$ 211,517.33 Add alternates 1-6 \$82,564.74  
Total Base Bid and Add Alternates \$ 294, 082.07

- 3) Norman Johnson Builders ,LLC Ocean View DE  
Base Bid \$ 258,810.00 Add alternates 1-6 \$54,000.  
Total Base Bid and Add Alternates \$ 312,810.

After discussion with the Parks & Recreation Director, review of the unit price lists verification of materials, etc. I recommend award the contract to the low bidder Gerardi Construction, Inc. for the base bid and all 6 add alternates. For a total contract amount of \$ 294,082.07

NOTE: This cost is in line with our probable cost estimate for the Construction base bid of 2-27-18 Letter for \$214,840) plus \$24,775 in fees for an estimated total of \$239,615

Funding for this project includes \$150,000 of previously approved capital funds, \$75,000 of grant money from Outdoor Recreation, Parks and Trails (DNREC) and the balance of \$69,000 from local legislators was obtained after Mayor Shupe and City Manager Norenberg contacted Senator Simpson, and Representatives Kenton, Postles and Wilson for financial assistance.

Councilwoman Peel asked if anything other than a verbal agreement was made with the legislators. Mayor Shupe is confident adding that the process has already started through their assistants and this has been handled in the same manner as other projects.

Councilwoman Peel moved to award the Mispillion Greenway Upgrade ORPT #17-235-T project to the low bidder Gerardi Construction, Incorporated for the base bid and all six add alternates to a total contract amount of \$294,082.07. Motion seconded by Councilman Mergner and carried with no one opposed.

#### *Authorization/General Fund Reserves Transfer to Enforcement and Inspections Demolition*

Planning Director Pierce presented a request for an appropriation of \$23,000 from General Fund Reserves to the Enforcement and Inspections Department Demolition budget item to cover expenses associated with the demolition of 112 Southeast Front Street. Three quotes were obtained from contractors with Clarks General Contractors, Incorporated coming in with the lowest bid.

The single-family dwelling unit was condemned in May 2014 and subsequent notices were sent to the property owners in 2015 and 2017. The final notice was mailed 2017 and provided the owners with four options:

- (1) arrange the demolition privately
- (2) repair the building to code and postpone demolition
- (3) appeal the determination
- (4) take no action and the City will demolish the structure.

The owners have not responded nor have they appealed the order to demolish writing nor have they signed a restoration agreement to repair the structure. Therefore, the Department wishes to move forward with the demolition process.

Mr. Pierce noted that property taxes are owed on the property and the monition process was started. However, it would be at least another nine months before it is actually presented for sale.

The delay could be postponed awaiting the results of the tax monition sale. If the balance is paid, the City could pursue enforcement. However, the City has had a great deal of recent successful due to the efforts of the City's Finance Department pursuing these tax monitions.

The Planning Director's only concern is that the \$23,000 expense may not be recouped by the City in the long run.

They are prepared to proceed with the demolition process, but he is also willing to wait should Council decide to wait for the results of the monition sales.

Councilman Burk pointed out the bottom of the memo states that ‘since 2006, sixteen violation notices have been issued to this property owner for various code enforcement issues including weeds and tall grass, exterior structure, abandoned vehicles, rubbish and garbage and condemnation – unfit for human occupancy. Utilities have been inactive since 2014. A lien will be placed on the property for expenses associated with the demolition.’

He asked if the City mowed the grass and how much is owed on top of the \$23,000 and pointed out that if this is only a vacant lot, the City will not recoup that amount. He suggested considering an appraisal to see what the lot is worth and whether it is a good move to tear it down. In addition, he asked if there is any historic significance to the home.

Mr. Pierce responded by stating the home is not on the National Register of Historic Places in Delaware though it probably could be if the owner was willing to proceed with that process.

It was noted that the property next door recently went to monition sale and had fire damage on the siding which has since been repaired by the new owners who are marketing it to sale.

Mr. Pierce is confident there are some grass cutting fees that were added to the delinquent property taxes.

He also noted there have been some vacant lots that were sold at monition sale that only sold for a few thousand dollars and some that sold for \$15,000 to \$20,000. Any recoupment would need to be shared with any other potential lienholder and specifically Sussex County.

Councilman Morrow believes the City needs to keep the momentum and show our residents we are continuing to be proactive after being dormant for so long. He agrees the structure needs to be torn down and have the problem resolved.

Mayor Shupe asked Chief Brown if there have been any problems with squatters in that home; Chief Brown said he is unaware of any.

Mr. Pierce reiterated the City Manager’s report that he plans to provide more details and quarterly reports of outstanding violations. He said there has been a lot of activity because of the tax monition sales and the DDD program and a number of the condemned structures have been torn down privately and put back into good use.

Mr. Pierce stressed that his goal to keep City Council informed of the status of some of the older cases. This is probably one of the oldest cases on the City books as far as violations. The costs of those that have to be demolished, may have to be absorbed by the City.

Anyone purchasing the property would be required to either rehab the property or tear it down. The City would work with them to establish a time line though they will understand they are inheriting a problem.

Solicitor Rutt explained that because the City does not own the land, the City does not have the right to sell it. Instead, it has to go through the lien process and then sell it based on the lien. The \$23,000 could be attached to the amount the City is trying to recoup. However, the City does not want to end up owning the property.

Councilman Mergner confirmed that even though the City does not own it, the City has the right to condemn the structure and board the home up based on health and safety laws.

Mr. Pierce added that the property has been abandoned and no action taken for at least a two-year period.

Councilwoman Wilson moved to proceed with the demolition of 112 Southeast Front Street and that \$23,000 be appropriated from General Fund Reserves to the Enforcement and Inspections Department Demolition line item to cover associated expenses, seconded by Councilman Morrow adding that we need to move addressing a number of these properties though we need to understand the City is going to lose money on some, some we will make money on and we may break even on others,

but it is necessary to clean up the town.

When asked if some of the pieces of the home could be salvaged and sold by the City, Mr. Rutt explained that would be a decision of the contractor who will take into consideration any salvageable items. Councilman Burk noted that the demolition is much more surgical if they are trying to salvage various items.

Motion carried with no one opposed.

#### *Authorization/Building Permit Surplus Revenues Transfer to Enforcement and Inspections Contract Services*

Mr. Pierce reported that the Planning Department is requesting a transfer from surplus FY2018 Building Permit Revenue in the amount of \$60,000.00 to Contract Services to cover building permit review and building inspection contract services through June 30, 2018.

The City estimated approximately \$80,000.00 in building permit revenue for FY2018 and have collected more than \$160,000.00.

Councilman Morrow moved to authorize the transfer of \$60,000 from surplus FY2018 Building Permit Revenue to Contract Services to cover Building Permit Review and Building Inspection Contract Services through June 30, 2018.

#### *Revised City Council Committee Structure*

City Manager Norenberg recalled recent discussions regarding Councilmembers being able to predict and schedule standing Committee meetings preferably on Monday's prior to City Council meetings.

In order to accomplish a standing schedule for Committee meetings, the best solution appears to be reducing the number of Council Committees which would simplify scheduling and enable a regular schedule so that projects, ordinances, etc. are not delayed.

One option is to combine the Public Works and Finance Committees and the Community Affairs and Economic Development Committees, while leaving the Police Committee and Annexation Committee to stand on their own. (The Parks and Recreation Committee could lapse due to the creation of the Parks and Recreation Advisory Board.) Each Committee would still have three members, so each City Councilmember would only need to serve on one or two committees.

The recommended structure is as follows:

General Committee Structure - Each committee shall consist of three members of the Council (unless otherwise dictated by the Charter or Codified Ordinances). Committee members shall be appointed by the Mayor, with the concurrence of the City Council, at the first regular meeting of the Council following any regular City election or as soon thereafter as is practicable. The Mayor should strive to include as many City Councilmembers as possible across the committees and to appoint a different City Councilmember to Chair each committee.

The Chair of each committee shall be responsible to the Council for the function of the committee. The Mayor and other Councilmembers are welcome to attend and participate in the meetings of any committee. However, only Committee Members shall be permitted to vote on those items before the committee. The City Manager or designee shall attend all committee meetings, unless excused. Two committees may meet together in joint session when topics cross the scope of both committees. Regularly scheduled meetings may be cancelled if there are insufficient agenda items to warrant meeting.

#### *Annexation Committee*

Purpose: Once the Planning Director deems an application for annexation is complete, the Mayor shall appoint a Committee composed of not less than three of the elected members of the City Council and one member of the City Planning Commission to investigate the possibility of annexation. Not later than ninety (90) days following referral by the City Council, the Committee shall submit a written report containing its findings and conclusions to the Mayor and City Council of Milford. The report so submitted shall include the advantages and disadvantages of the proposed annexation, both to the City of Milford

and to the territory proposed to be annexed and shall contain the recommendation of the Committee whether or not to proceed with the proposed annexation and the reasons therefore. **Meets as needed.**

#### *Community and Economic Development Committee*

Purpose: The Community and Economic Development Affairs Committee shall provide policy guidance to the City Council on matters pertaining to economic development, including economic development activities to attract new businesses to Milford, to retain and expand current business, to support small and local business/entrepreneurism, and to facilitate workforce development. The Committee shall also monitor the status of the Greater Milford Industrial Park and Independence Commons, monitor the status of the Economic Development Fund and recommend changes to ordinances or programs to enhance economic development efforts. It also, provides policy guidance to City Council on issues related community development, including neighborhoods, housing, homelessness, code compliance, historic preservation, and planning, zoning and development processes including site plan, permitting and inspections, public transit, walkability and bikeability and infrastructure planning. **The Committee shall have a standing meeting at 5:30 before the first City Council meeting of odd numbered months.**

#### *Finance and Public Works Committee*

Purpose: The Finance and Public Works Committee shall advise the Council on policy matters relating to the City's fiscal health, debts service, development and implementation of innovations, government efficiency (including energy efficiency) best practices, and use of new technology. The Committee shall also provide policy guidance to the Council regarding the financing, maintenance, operation and improvement of the public utilities (electric, water, wastewater and solid waste) serving the City of Milford, both privately and municipally-owned, as well as energy and water conservation and related sustainability initiatives. The Committee shall provide policy guidance to the Council regarding the streets and transportation network. **The Committee shall have a standing meeting at 5:30 before the first City Council meeting of even numbered months.**

#### *Police Committee*

Purpose: The Police Committee shall provide policy guidance to the City Council on issues related to the operations and facilities of Milford Police Department, emergency preparedness and homeland security. **The Committee shall have a standing meeting at 5:30 before the second City Council meeting of even numbered months.**

If the City Council supports this new structure, it is recommended that it be approved so that the scheduling of meetings and planning can get underway. The new Mayor will then be able to make Committee assignments in May.

Councilman Brooks emphasized that all Council people are permitted to attend any Committee. Mr. Norenberg agreed adding that is described in the general structure. Councilman Brooks likes the idea and recalled when the City Clerk previously called him a number of times to try and schedule a Committee meeting that took a long time. In this way, he will know he has a committee at 5:30 before the first meeting of the month. He likes the idea and appreciates it.

Councilman Morrow confirmed that the Committee Chair will still have an option to call a meeting when needed; it was agreed that would still be permitted. However, the purpose is to plan ahead and minimize that situation if needed.

Councilwoman Wilson also likes the idea and prefers advanced scheduling and knowledge of the times.

It was noted that the Public Works Committee has a lot of business to attend to on its own, before the Finance Committee's responsibilities are added in.

Mr. Norenberg explained that as we work on utility rates, driving decisions in the utility areas, etc. as well as implementing the capital improvement plan including street and sidewalk improvements. It may not seem directly related, there will be a lot of implications who met recently in a joint meeting to review the CIP. He feels the skill sets will overlap.

Councilman Brooks said he thinks it will help the citizens knowing that these Committees meet at 5:30 each Monday before a Council Meeting. If it was automatic, a lot more citizens would attend.

Councilman Brooks moved to approve the new revised Committee structure as presented, seconded by Councilwoman Peel. Motion carried with no one opposed.

*Appointment/2018 City of Milford Election Workers*  
*Appointment/2018 City of Milford Ward 1 Clerks*

Carlene Wilson	Absentee Ballot Judge/Machines
Kayla Boone	Absentee Ballot Judge/Machines
_____	Absentee Ballot Judge/Machines
Antoinette Sauls	Ward One Clerk-Check In
_____	Ward One Clerk-Check In
Patricia Bailey	Mayoral Clerk-Check In
Donna Merchant	Mayoral Clerk-Check In

Deputy City Clerk noted there remains two vacancies, including an Absentee Ballot Judge/Machines and a Ward One Clerk Check In position vacant. She stated we are still working to get those positions filled and the City Clerk and Ms. Crouch would very much appreciate if Council would allow Staff to fill those positions due to the election being this Saturday.

Councilman Morrow moved to defer to Staff recommendations authorize the list of Election Workers as presented, and defer to Staff recommendations to fill the two vacant positions, seconded by Councilman Burk. Motion carried.

EXECUTIVE SESSION

Councilmember Mergner moved to go into Executive Session reference the below statutes, seconded by Councilmember Wilson:

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 8:50 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 9:01 p.m.

*MPD Teamsters Negotiations*

No action.

*Personnel Matter (Administrative Salaries)*

Councilwoman Wilson moved to authorize to \$8,000 be paid from the Verizon Contract Revenues as recommended by the City Manager for salary adjustments, seconded by Councilman Burk. Motion carried.

*Performance Evaluations (Council Appointees)*

No action.

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

ADJOURNMENT

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

The Council Meeting adjourned at 9:02 p.m.

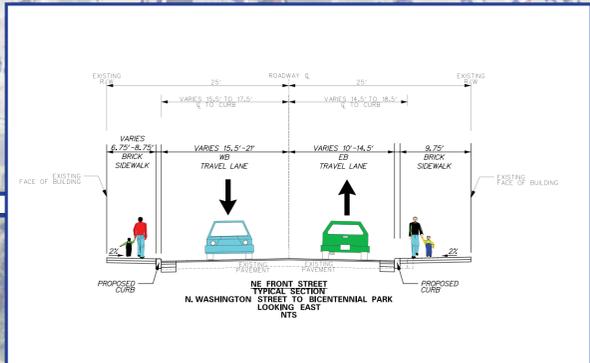
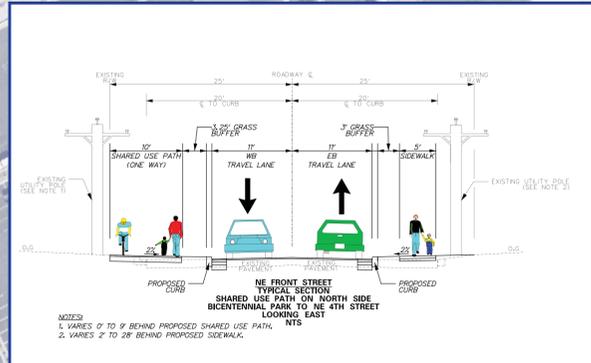
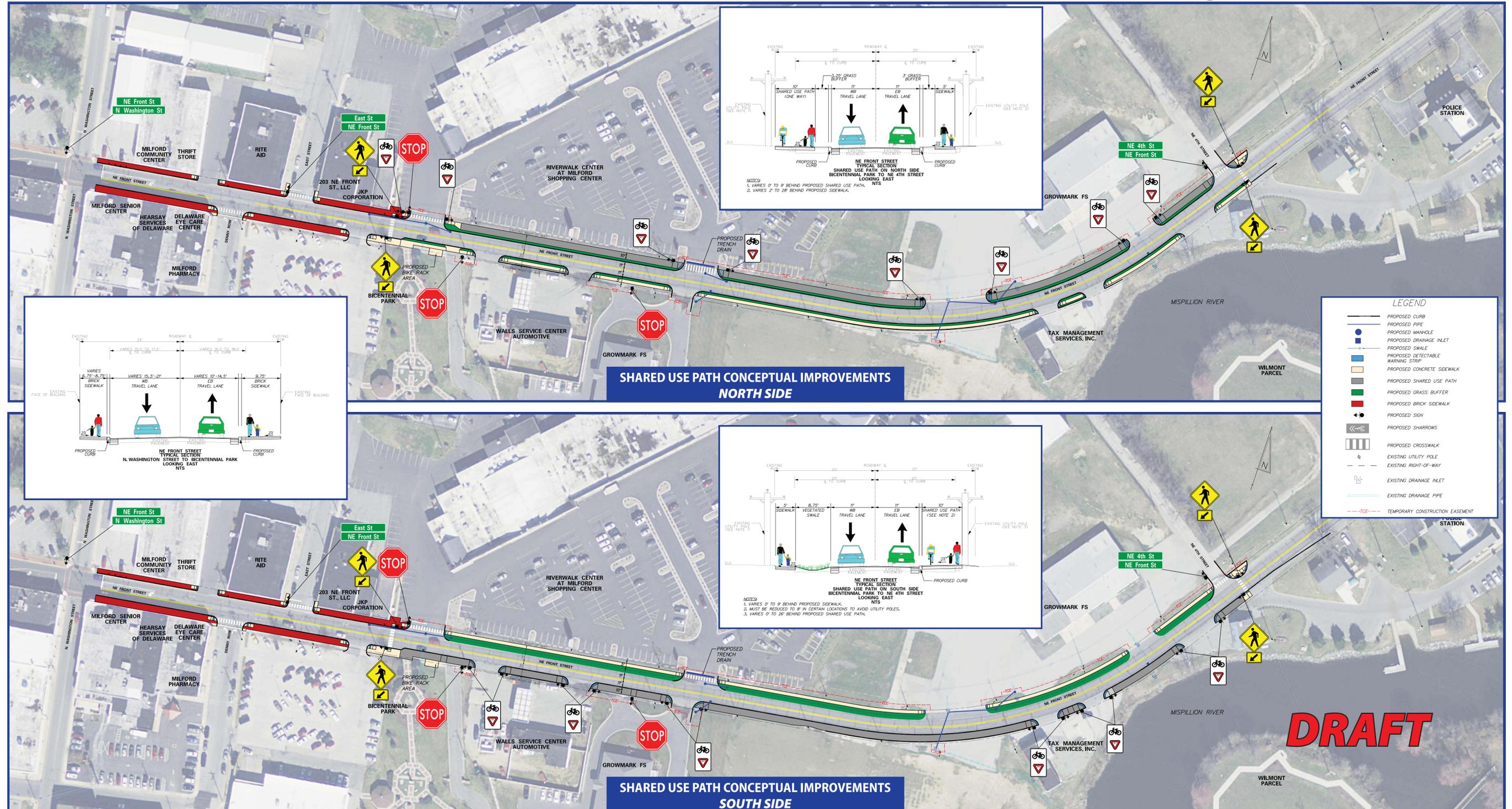
Respectfully submitted,

Terri K. Hudson, MMC  
City Clerk//Transcriber

Attachment:

Front Street Streetscape Improvement/Shared Use Patch Concepts

# N.E. Front Street Streetscape Improvements - Milford



**LEGEND**

- PROPOSED CURB
- PROPOSED PIPE
- PROPOSED MANHOLE
- PROPOSED DRAINAGE INLET
- PROPOSED SWALE
- PROPOSED DETECTABLE WARNING STRIP
- PROPOSED CONCRETE SIDEWALK
- PROPOSED SHARED USE PATH
- PROPOSED GRASS BUFFER
- PROPOSED BRICK SIDEWALK
- PROPOSED SIGN
- PROPOSED SHARROWS
- PROPOSED CROSSWALK
- EXISTING UTILITY POLE (SEE NOTE 1)
- EXISTING RIGHT-OF-WAY
- EXISTING DRAINAGE INLET
- EXISTING DRAINAGE PIPE
- TEMPORARY CONSTRUCTION EASEMENT



**DRAFT**

MILFORD CITY COUNCIL  
MINUTES OF MEETING  
May 3, 2018

A Meeting of the City of Milford Police Committee was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall, 201 South Walnut Street, Milford, Delaware on Thursday, May 3, 2018.

PRESIDING: Chairman James Burk

IN ATTENDANCE: Committee Members:  
Councilmembers Owen Brooks Jr. and Katrina Wilson

Councilmembers Archie Campbell and Douglas Morrow

Mayor Bryan Shupe, City Manager Eric Norenberg and City Clerk Terri Hudson

Chairman Burk called the Committee Meeting to order at 5:00 p.m.

*Review Draft RFQ/Police Department Building Project*  
*Review Police Facility Referendum Timeline*

City Manager Norenberg advised that over the past several months, Chief Brown and he have worked with City Planning Director Rob Pierce and Public Works Director Mark Whitfield, who have assisted with the RFQ to secure an Architect/Engineering Firm to help with the next phase of planning for the new Police Facility.

To get ready for the borrowing referendum, a site plan and rendering is needed for educational purposes as well as an updated budget.

Mr. Norenberg recalled that a year and a half ago, Dan Redstone from Redstone Architects, updated the projections on space needs and related items. That will feed into the next phase so it does not need to be completely recreated. However, a new budget is needed based on current construction cost estimates in Delaware so that the City can provide the public with accurate numbers.

He referred to the draft RFQ document (see May 3, 2018 Committee Packet) which breaks the project into two phases of work. The first phase would be site planning, renderings and budgeting. That information would then be used for the referendum. After the referendum passes, we would proceed with the construction drawings, development, etc. Those items could be paid for out of the proceeds from the approved bonds as part of the referendum.

The up-front costs would have to be paid out of the General Fund for the architectural services prior to the referendum. After that, everything would be paid from the proceeds authorized by Milford's voters. Those voters would also be asked to authorize the final purchase of the land.

It was confirmed that the proceeds from the bonds could not pay for the pre-requisition costs; Mr. Norenberg believes that cost will be approximately \$20,000 and the Finance Director is recommending it be paid from the General Fund.

The last exhibit in the RFQ was the timeline that he also discussed with the City Clerk and Finance Director:

Anticipated Election Cycle

*May 3, 2018: Police Committee reviews draft RFQ and considers recommendation for City Council to authorize release of RFQ.*

*May 14, 2018: City Council reviews draft RFQ and considers authorizing release of RFQ.*

*(Assuming approval)*

*May 20, 2018: RFQ is advertised in the Delaware State News and on the City website.*

*June 20, 2018: Responses due to the City Clerk's Office by 3:00 p.m.*

*June 25, 2018: Police Committee reviews responses, selects firms for interviews.*

*Week of July 9: Interviews are held. Preferred firm selected. Contract negotiations begin.*

*July 23 or August 13: Police Committee prior to City Council meeting to review contract / make recommendation. City Council approves contract.*

*August - September: Firm prepares updated project budget, revised site plan, elevations, etc. for City Council to review and for public outreach effort.*

*September 24: Police Committee prior to City Council meeting to review budget, plans, etc. / make recommendation. City Council considers approving project moving forward as presented.*

*Once approved by City Council, City Clerk advertises the Resolution to approve project borrowing at least 30 days prior to Public Hearing.*

*November 12, 2018: Public Hearing and City Council considers Resolution to approve borrowing. City Council considers Resolution calling an Election on the Referendum for the financing of the land and Police Station project and funding for five additional officers for December 15.*

*December 15, 2018: Referendum on Police Station and Funding five additional officers.*

Mr. Norenberg shared that Chief Brown is concerned with the timeline because he wanted to have his five new police officers start the police academy in September.

Councilman Brooks asked if the last study done by Redstone can be used; Mr. Norenberg explained that was more of a space/needs study that will be used.

When asked if Redstone will have the opportunity to bid for the project, Mr. Norenberg reported that Chief Brown and he just looked at the Redstone website and it appears they normally work with a local architect. Therefore, they could be involved as a consultant though their involvement will need to be clarified.

It was confirmed that French and Ryan were the previous local architects that worked with Redstone in a number of local projects, though both architects have since retired.

Mr. Norenberg also noted that the timeline may change in terms of how long it takes the architect/engineer to prepare the renderings and updated budgets that will be used for voter education. He stressed how important it is that voters understand what they are going to get for their money as well as the quality and safety risks at the current location.

As a result, there are a lot of activities that will need to be added to the timeline, including voter education events and a possible open house at the department.

In the meantime, Chief Brown and the City Manager will follow up with Mr. Redstone about his firm's ability to participate and their role, assuming the Police Committee makes a recommendation to the full Council to authorize proceeding with the project.

The City Manager stated that Rehoboth Beach created a video showing all the issues with their previous station which was very effective in educating their voters and can be presented any time.

Mayor Shupe asked if the police are permitted to go door-to-door similar to candidate campaigning; Mr. Norenberg said he will need to follow up with Solicitor Rutt about that type of activity.

Councilman Brooks suggests having an open house at the police station one night and let them walk through and view its size

and condition.

When asked if the time line can be expedited, Mr. Norenberg stated that before May 14<sup>th</sup>, he will check the capability of using Redstone Architects and check with the City Solicitor to ensure we are not violating a procurement procedure by working with them. He will also double check the timeline in the Growmark Agreement for the land purchase.

The other possibility is if the selected firm agrees to speeding up their process, we may be able to have those items in hand earlier than expected. If the referendum is held earlier in November, the City Manager feels that would be an advantage versus trying to hold it around the holidays.

Chairman Burk moved to recommend that City Council proceed as illustrated in the Committee packet, seconded by Councilwoman Wilson. Motion carried.

#### *School Resource Office Agreement Renewal*

Chief Brown and the City Manager have worked with the Milford School Superintendent and Finance Director on this agreement.

Chief Brown stated that both sides agreed to continue what has been done. However, there have been some issues with one of the school resource officers who in the National Guards and was called to active duty in late fall. That took him out of the school for two to three months. The Department was very short at that time and there were no additional officers to place in the school.

The School Superintendent was not pleased with the situation though he understood according to Chief Brown.

In recent discussions about the SRO Agreement, the School Superintendent brought the subject up and again expressed concern that when one of the officers is out, there is a need to replace them. The same officer was recently out again on FMLA, came back for a short time and was out again for military training. The School Superintendent expressed great concern that another officer should be filling that position. Chief Brown is desperately trying to do that because the officers are very busy and continue to run short on manpower.

Chief Brown said these are all reasons he needs the five additional officers.

He added that the School Superintendent also talked about Morris School in Lincoln, which is part of the Milford School District. The Chief said that Captain Bailey read in the contract that Milford Police Department is responsible for the entire district.

Chief Brown emphasized that in reality, his Department is only responsible for the schools in the City of Milford. However, the Chief agreed to meet with the State Police and recalled when Chief Hudson met with them years ago about the same concern, the State Police Administration's position at that time was that Morris School was in Lincoln which was their jurisdiction and they were not relinquishing it to Milford. At that time, Chief Hudson put an officer down there periodically to build relationships with the students. However, any police action needed was handled by the State Police.

At the request of the Superintendent, Chief Brown agreed to talk to the State Police Administration, which has changed since that times so he hopes they are able to work it out. If that occurs, a minor adjustment may be needed to the contract though the intent remains the same.

The City Manager said that though it has not been addressed in the contract, there were also some questions about the cost of special duty (officers who work dances, athletic events , etc.). During the Teamsters negotiations, Mr. Norenberg said it was tentatively agreed the special duty rate would remain the same for the school district, though it increased for officers working other events.

He and Chief Brown were very appreciative that the Teamsters understood the importance of the partnership with the school district and the need to control the districts' costs as well.

Chairman Burk then moved to recommend to City Council the SRO Agreement be approved, with the possibility of a slight modification related to the jurisdiction of the Evelyn Morris School in Lincoln, seconded by Councilwoman Wilson. Motion carried.

*Resignation*

Chairman Burk announced his resignation from City Council effective this date, due to being hired as the Assistant City Manager at the Town of Millsboro. As a result, he must step down from Council as of May 3, 2018. He said he is very happy to be back in Sussex County and feels that Millsboro is doing a lot of great things and is anxious to begin this next chapter of his career.

He said it has been a pleasure working with everyone though he is very excited about his future.

Those present congratulated Chairman Burk and wished him the best of luck in his future endeavors.

ADJOURNMENT

There being no further business, Chairman Burk moved to adjourn the Committee Meeting, seconded by Councilwoman Wilson. Motion carried.

Chairman Burk adjourned the Police Committee Meeting at 5:28 p.m.

Respectfully submitted,

Terri K. Hudson, MMC  
City Clerk/Recorder

*MILFORD CITY COUNCIL*  
MINUTES OF MEETING  
May 7, 2018

The Annual Organizational Meeting of Milford City Council was held Monday, May 7, 2018 in the Joseph Ronnie Rogers Council Chambers of Milford City Hall at 201 South Walnut Street, Milford, Delaware.

PRESIDING: Mayor Bryan W. Shupe

IN ATTENDANCE: Councilpersons Christopher Mergner, Arthur Campbell, Lisa Ingram Peel, Owen Brooks, Jr., Douglas Morrow, James Starling, Sr. and Katrina Wilson  
  
City Manager Eric Norenberg, Police Chief Kenneth Brown and  
City Clerk/Recorder Terri Hudson and Deputy City Clerk Christine Crouch

COUNSEL: City Solicitor David Rutt

CALL TO ORDER

Mayor Shupe called the Annual Organizational Meeting to order at 7:00 p.m. He acknowledged those that attended this evening, noting we have an overflow crowd and appreciates the support.

Mayor Shupe then thanked everyone stating he is very humbled and extremely grateful for the opportunity to serve the Milford Community over the last four years. He stated that this Council has worked tirelessly with him and the community as a team, to make the quality of life even better in Milford.

He thanked each Councilmember individually as well as each resident in Milford, stressing that they are each a part of this community and everyone's efforts together have made the City what it is today.

The Mayor stated that tonight is not about him, but about an individual who is about to take the next step in Milford Government and the Community is extremely excited about the change. He personally looks forward to working with Mayor-Elect Shupe and is anxious to see what he has in store for the City.

INVOCATION AND PLEDGE

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

RECEIPT OF CERTIFICATION BY ELECTION BOARD OF COUNCIL MEMBERS

The following letter, dated April 12, 2018, was submitted by the Board of Elections of the City of Milford:

*April 28, 2018*

*Mayor and City Council  
City of Milford  
Milford, DE 19963*

*Honorable Mayor and Members of City Council:*

*As members of the City of Milford Board of Election and in accordance with 15 Del. C. §7558(d), we hereby certify the results of the April 28, 2018 Annual Election, in which two offices were contested, to be as follows:*

<i>Total Votes Cast for Mayor:</i>	<i>871</i>
<i>Archie J. Campbell</i>	<i>537</i>
<i>F. Todd Cullota</i>	<i>334</i>

*Total Votes Cast for Ward One Council Seat: 426*  
*Michael J. Boyle 245*  
*Cindy L. Schofield 181*

*Hence, Arthur F. Campbell and Michael J. Boyle have been declared winners of their respective races. Mayor-Elect Campbell and First Ward Councilman-Elect Boyle will both serve two-year terms beginning on May 7, 2018, at which time they will be officially sworn in by the Honorable Noel E. Primos of the Delaware Superior Court.*

*There being only one candidate for each Office of Councilperson in Ward Two, Ward Three and Ward Four, the Election Board of the City of Milford hereby declares the following candidates elected for a two-year term beginning May 7, 2018:*

*Lisa Ingram Peel - Ward Two*  
*Owen S. Brooks, Jr. - Ward Three*  
*Katrina E. J. Wilson - Ward Four*

*Above three candidates are entitled to assume office without a formal election pursuant to 15 Del. C. §7555(j).*

*Respectfully submitted,*  
*City of Milford Board of Elections*

*Karen F. Boone*

*Joanne Leuthauser*

*Katrina L. White*

Councilman Brooks moved to accept the Election Results, as Certified by the Board of Elections, seconded by Councilman Mergner. Motion carried with no one opposing.

#### 2018 ELECTION REPORT - CITY MANAGER ERIC NOREMBERG

City Manager Eric Norenberg stated it is his honor to present the 2018 City of Milford Election Report adding his gratitude to the City Clerk and Deputy City Clerk, City Staff and Election Workers who ensured the Election ran smoothly.

He then read the following report into record:

*The Board of Election, appointed by City Council as required by the Charter of the City of Milford, has convened to determine the results of the election in order to certify the names of the winning candidates in the 2018 Annual Election.*

*A total of 871 votes were recorded in the Mayor's Race with Archie J. Campbell receiving the majority of votes over F. Todd Culotta, as indicated in the Certification Letter presented by Board Members Karen Boone, Joanne Leuthauser and Katrina White, dated April 28, 2018.*

*In the Contested Ward 1 Councilperson race, the Certification Letter verifies that of the 426 votes cast, Michael J. Boyle emerged as the winner over opponent Cindy L. Schofield. As a result, Arthur J. Campbell and Michael J. Boyle will be officially sworn in on May 7, 2018.*

*Given Incumbents:*

*2nd Ward Councilperson Lisa Ingram Peel,*  
*3rd Ward Councilperson Owen S. Brooks, Jr.*  
*and*

*4th Ward Councilperson Katrina E. J. Wilson*  
*each ran unopposed, an Election for those Offices was not required.*

#### SWEARING IN OF MAYOR AND CITY COUNCIL:

The Honorable Noel Eason Primos of the Superior Court of Delaware, then administered the Oath of Office to Mayor Arthur J. Campbell.

Following, Judge Primos administered the Oath of Office individually to the following Councilmembers:

Michael J. Boyle	First Ward Seat
Lisa Ingram Peel	Second Ward Seat
Owen S. Brooks, Jr.	Third Ward Seat
Katrina E. Wilson	Fourth Ward Seat

Family members participated in the ceremonies.

After the swearing in procedure concluded, the reelected Council Members signed their Oaths of Office.

#### ELECTION OF VICE MAYOR

Motion was then made by Councilman Brooks, seconded by Councilman Mergner, to appoint Councilman Douglas Morrow as the Vice Mayor for Council Year May 7, 2018 to 2019.

Motion passed.

#### REAPPOINTMENT OF CITY SOLICITOR

Motion by Councilman Brooks, seconded by Councilman Morrow, to appoint Esquire David N. Rutt as Milford's Solicitor for the Council Year May 7, 2018 to 2019.

Motion passed.

#### COMMENTS

Mayor Campbell then stated the room is full with residents that have lived here for many years and residents that have lived here only a few years. As he stated during the debate, he feels that the Mayor and Council are able to learn from the old and learn from the new. His goal is to make our City one Milford. He wants the Haitians, Latinos, African Americans and Caucasians that are here tonight to continue to work together and especially to become active in the community. He also encourages them to attend future meetings and looks forward to continuing some of the many conversations he has had with our residents.

He is very grateful to those in attendance and thanked those that supported him and in particular his wife. He also acknowledged his son, who surprised him with his attendance, as well as an old friend that came to Milford tonight for the ceremony.

He encouraged those in attendance to remember this is 'one Milford' as we move ahead as one group. Becoming a team is the only way we will be successful and he prays that each of us stays positive and is willing to work with their neighbors to become an even better Milford.

Mayor Campbell then thanked outgoing Mayor Shupe for the time and service he has given to this community and the many improvements he has made while in office.

#### RECOGNITION

Mayor Campbell acknowledged former Mayor Dan Marabello who was in attendance, Mayor Bryan Shupe and himself, who all live in the same neighborhood.

City Manager Norenberg then thanked outgoing Mayor Bryan Shupe and his family for sharing him the past four months. He noted the presence of so many residents who were here to celebrate the election of the new Mayor and Councilmembers, but to also express their appreciation to Mayor Shupe for the service to this City, adding that he, along with the Mayor's fellow elected officials, really appreciates the leadership shown over the past years.

City Manager Norenberg then presented Mayor Shupe with a golden gavel in honor of his years as Mayor of the City of Milford.

Following, Chief Brown thanked Mayor Shupe, for his role in selecting him to be Milford’s next Chief of Police. He then presented him with a token of appreciation that stated:

Presented to Mayor Bryan W. Shupe in recognition of his honorable service as Mayor with the City of Milford and outstanding leadership and dedicated service to the men and women of Milford Police Department 2014-2018.

Mayor Campbell then thanked Councilmembers for all of their hard work and congratulated those newly and re-elected members whom he looks forward to working within serving the Citizens of Milford. He knows that in addition to his door, their door is always open to our residents and they all welcome any comments and suggestions.

CITY COUNCIL COMMITTEE ASSIGNMENTS

Mayor Campbell announced the following Committee assignments for the Council Year May 7, 2018 to 2019:

- Annexation Committee: Owen Brooks, Chair  
James Starling  
Chris Mergner
- Community and Economic Development Committee: Chris Mergner, Chair  
Owen Brooks  
Katrina Wilson
- Finance and Public Works Committee: Doug Morrow, Chair  
Lisa Peel  
Michael Boyle
- Police Committee Katrina Wilson, Chair  
Lisa Peel  
Michael Boyle

He reiterated that he looks forward to working together as a team and continuing to make this City an even better Milford.

ADJOURNMENT

Councilman Morrow moved to adjourn the Organizational Meeting, seconded by Councilwoman Wilson. Motion carried.

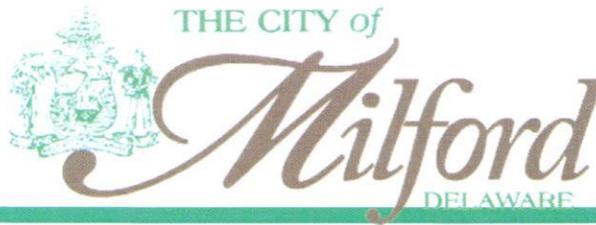
The Meeting adjourned by Mayor Campbell at 7:41 p.m.

Respectfully submitted,

Terri K. Hudson, MMC  
City Clerk/Recorder



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



400 NE Front Street  
Milford Delaware 19963  
302.422.8081 Fax 302.424.2330

TO: Mayor and Members of City Council  
FROM: Kenneth L. Brown, Chief of Police  
DATE: May 3, 2018  
RE: Activity Report/April 2018

#### **MONTHLY STATS:**

A total of 514 arrests were made by the Milford Police Department during April 2018. Of these arrests, 130 were for criminal offenses and 384 for traffic violations. Criminal offenses consisted of 25 felonies and 105 misdemeanors. Traffic violations consisted of 87 Special Duty Radar, 4 Drunk-Driving charges, 293 other.

Police officers investigated 61 accidents during the month and issued 94 written reprimands. In addition, they responded to 1,145 various complaints including city requests and other agency assistance.

#### **MONTHLY ACTIVITIES:**

##### **Chief of Police –**

Met with Council Candidate Michael Boyle at the Police Department on April 3, 2018.

Met with Council Candidate Cindy Schofield at the Police Department on April 6, 2018.

Attended Debate Forum for Council and Mayor Candidates held at the Milford High School on April 10, 2018.

Met with a Representative from the Food Bank of Delaware for a Coffee and Networking meeting to discuss matters pertaining to the Food Bank and to tour the facility.

Attended City of Seaford Police Department's Swearing-In Ceremony for Chief Robert Kracyla on April 16, 2018.

Met with Kevin Dickerson, Superintendent of the Milford School District, to discuss the School Resource Officer Contract on April 25, 2018.

Met with Representative from Brandywine Counseling at the Police Department on April 18, 2018.

## **Training** –

Three officers attended a two day training course in Survival Tactics at the Gracie Law Enforcement Training Facility in Smyrna.

Two officers attended at two day training course in Crisis Intervention for Veterans held at the Delaware Fire School.

Two officers attended a one day training course in Financial Crimes Against Senior held at Dover Police Department.

Lt. Edward Huey attended 2018 New World/Tyler Conference held in Boston, MA from April 22, 2018 – April 25, 2018.

## **SRO** –

S/Cpl. Bloodsworth spoke with women at the Church of the Nazarene about women's safety issues.

S/Cpl. Bloodsworth, Lt. Wells, and Sgt. Masten all volunteered to work the after prom event at Milford Senior High School.

S/Cpl. Bloodsworth met with Special Olympics of Delaware officials about the upcoming law enforcement torch run.

Sgt. Masten, with the assistance of the Drug Enforcement Agency, coordinated a prescription drug take back at the police department.

Sgt. Masten joined the City Manager, Councilman Campbell, and Councilwoman Wilson at an event to speak with residents from the Haitian community about city services and upcoming events. We were also joined by a representatives from Bayhealth (Joan Myer) and the Milford School District (Dr. Jason Peel).

Lt. Wells and Sgt. Masten met with Roger Maldonado and Terry Kauffman from Bayhealth to hold preliminary discussions about the February 2019 move from the West Clarke campus to the new Sussex Campus. This discussion was to look possible routes for the move and how the police department can assist. Mr. Maldonado is also in talks with the Delaware Department of Transportation about the planned move.

Sgt. Masten arranged for a building security assessments to be done on all Milford School District schools. Delaware Capitol Police had a representative (Detective Manual Rodriguez-Diaz) who's trained in building assessments meet with Sgt. Masten and Glen Stevenson (MSD Building and Grounds). The group toured all six schools and Detective Rodriguez-Diaz will prepare a report with suggestions to the district.

Sgt. Masten continues to plan the Milford's Night Out Scheduled for 08.07.2018. Grotto Pizza has again agreed to continue their significant support to the event and The Funsters have committed to returning this year.

**K9 Unit –**

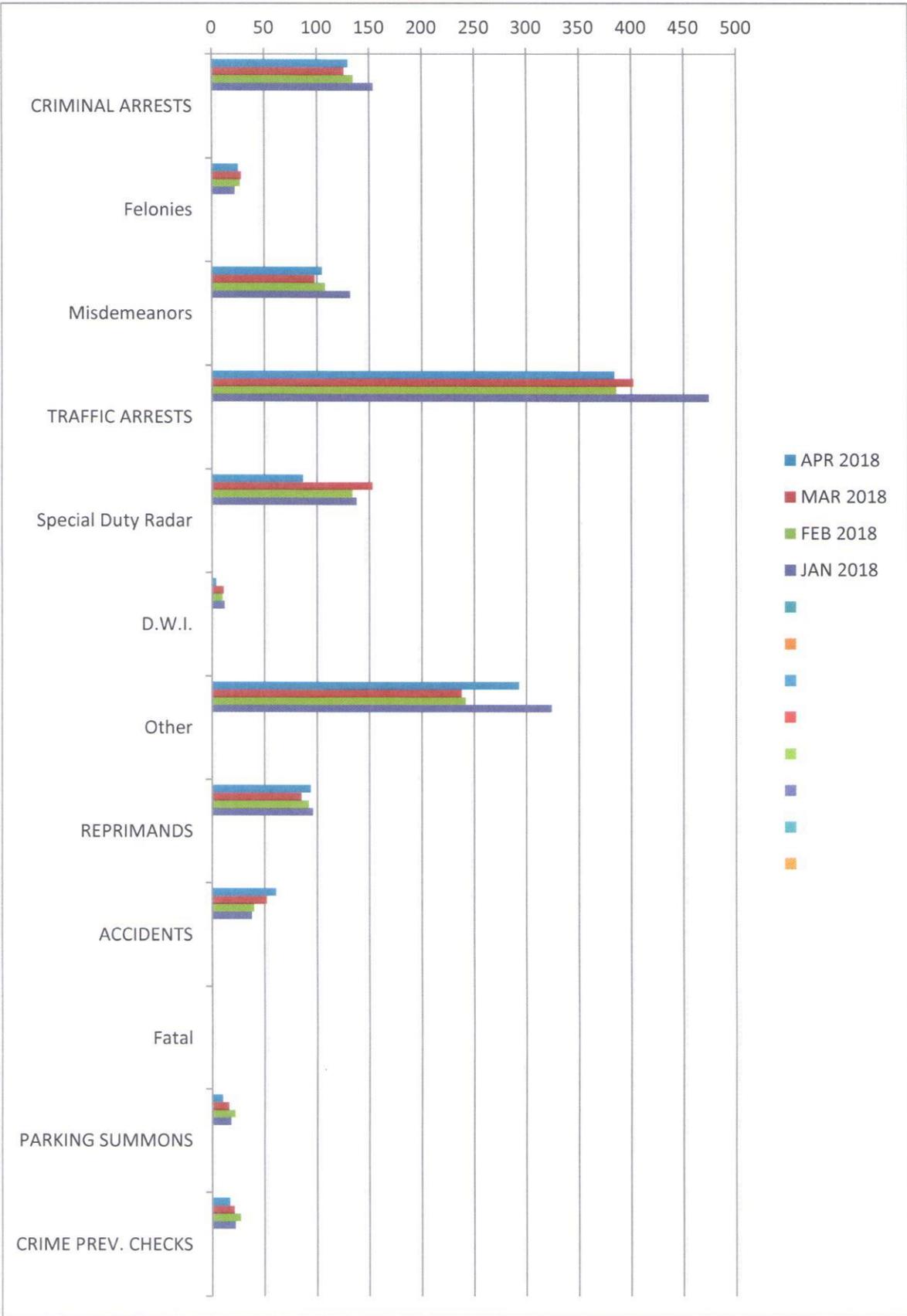
For the month of April 2018 the Milford Police Department K9 unit had the following stats:

- Utilized 8
- Building Searches 3
- Foot Patrols 3
- Disorderly Crowd 1
- Demo's 3
- Assist Other Agency 1

<b><u>Seized Items</u></b>	<b><u>Amount</u></b>	<b><u>Value</u></b>
• Crack Cocaine		
• Marijuana		
• Other		
• Firearms		
• Currency		

APR 2018 ACTIVITY REPORT

	APR 2018	TOTAL 2018	APR 2017	TOTAL 2017
COMPLAINTS	1145	4657	1156	4559
CRIMINAL ARRESTS	130	545	129	553
Felonies	25	102	30	118
Misdemeanors	105	443	99	430
TRAFFIC ARRESTS	384	1646	459	1584
Special Duty Radar	87	512	132	368
D.W.I.	4	37	2	18
Other	293	1097	325	1198
REPRIMANDS	94	367	87	439
ACCIDENTS	61	191	69	205
Fatal	1	1	0	0
PARKING SUMMONS	10	66	12	68
CRIME PREV. CHECKS	17	87	31	128
FINES RECEIVED	\$9,981.74	\$ 32,718.41	\$ 10,661.11	\$ 33,748.53





## City Manager's Report May 14, 2018

### **FINANCE DEPARTMENT**

#### *Customer Service Division*

Accounts Billed for the Month	
Residential	6006
Small General	735
Medium General Service	362
Contract Services	3
Large General Service	6
General Service Primary	14
City Accounts	52
Lights: Street/Security	177
Total	7355

Payment Plan/Delinquent/New Accounts/Terminated Accounts	
Payment Plans Arranged	357
Sent to Collections	30
Delinquent Notices Mailed	1955
Disconnect for Non-Payment	102
Accounts Not Re-Connected	5
Door Tags (requesting customer contact us)	33
Final Bills Mailed	76
New Services Set Up	131
Services Terminated	73
Total	2,762

#### *Information Technology Division*

Issues Addressed	
Administration/Council	6
Customer Service	24
Finance	16
Parks & Recreation	0
Planning	7
Police	2
Public Works	10
Information Technology	7

Vendor/3 <sup>rd</sup> Party	16
Total	88

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

## **PLANNING & DEVELOPMENT DEPARTMENT**

### *Building Inspections & Permitting Division*

Building Permits Issued	
Commercial Foundation	1
Commercial New Construction	5
Commercial Sign	1
Demolition	0
Residential New Construction	7
Residential Renovation/Accessory Structure	8
Roof/Siding	11
Solar Panels	3
Utility (Electric/Water)	4
Total	40

### *Economic Development Division*

- The City of Milford has seen a committed investment of over \$4.5 million within the Downtown Development District (DDD) area since September 2016 (based on permit valuations from submitted applications). The State of Delaware has committed or awarded over \$540k in grant funds for both large and small commercial and residential projects in Milford. Kent or Sussex County governments have awarded \$21,500 in matching grant funds for commercial and residential DDD projects in Milford. The City has waived over \$88,000 in permit, utility impact fees and full/partial tax abatements associated with these projects in accordance with Chapter 19 Economic Development and Redevelopment and DDD program guidelines.
- The Planning & Development Director presented an amendment to the City's Downtown Development District (DDD) local incentives at the April State of Delaware Cabinet Committee on State Planning Issues.
- Had several meetings and conference calls with Bayhealth and State officials regarding the proposed zip code boundary line amendment that would secure a Milford postal address for the new hospital health campus.

### *Code Enforcement & Licensing Division*

Case Activity	
New Cases	63
Closed Cases	46
Open at Start of Month	89
Open at End of Month	129

*\*61 of the 129 Open Cases are for tall grass which stay open the entire growing season.*

Case Violations	
Abandoned Vehicle	4
Dangerous Tree	0
Furniture	5
Generic	3

Property Maintenance	7
Rubbish/Garbage	4
Weeds & Grass	40
Zoning Use	0
Total	63

Inspections & Licensing	
Rental Licenses Issued	25
Vendor Licenses Issued	3
Contractors Licenses Issued	46

- The Department held a meeting with First State Inspection Agency at the end of the month to review the rental inspection program and document progress.
- 193 of the 718 rental units in Sussex County have been inspected since March 1, 2018 (approximately 27%). Approximately 53% have failed the initial inspection. The City is continually monitoring the program to determine if changes need to be made to scheduling procedures, inspection parameters and other aspects of the program.

### *Planning & Zoning Division*

- The Planning Commission reviewed and approved the final site plan for the proposed Microtel to be located along Silicato Parkway. The Planning Commission also recommended approval of two minor subdivisions, Lands of Joseph & Renate Wiley and Lands of Paul Mills, at the April meeting. Easyspeak, LLC presented an application to amend the conditional use approval for the property which placed a restriction on the hours of operation. The Planning Commission recommended approval of the amended conditional use.
- The Board of Adjustment reviewed and approved three variance applications. These included variances for the Wiley Minor Subdivision, a parking reduction and increase in number of units per building for the proposed Mispillion Landing multi-family project and a parking reduction for the Gator & Associates site plan.
- The Planning & Development Director was a panel speaker at the April Sussex County League of Women Voters meeting discussing comprehensive planning, master planning and transportation improvement districts (TIDs). The discussion highlighted the City of Milford's master planning exercises, including the SE Neighborhood Master Plan and the Downtown Master Plan.
- DelDOT held a community workshop at the Milford Library for the proposed NE Front Street Transportation Alternatives Program (TAP) project where conceptual renderings from N. Washington Street to NE Fourth Street were presented showing right-of-way and multi-modal improvements.
- Met with the Central Habitat for Humanity to review opportunities for investment in the City of Milford.
- Met as part of the DMI Design Guideline workgroup to develop voluntary architectural design standards for commercial facades and signage. Held discussions with the group regarding commercial signage in the downtown area and informed the group of the City's intention to revise Chapter 230 Signs in the upcoming months.

## **PUBLIC WORKS DEPARTMENT**

### *Electric Division*

Power Outages	4
Poles Replaces (due to age, rot or damage)	4

Closed Work Orders	7
Trouble Service Calls	19
After Hours Calls	7
New Electric Service Installed	7
Preventative Maintenance/Trees Trimmed	
Miss Utility Locates	196

- Crew shut down DEL1 Substation for maintenance and testing the first week in April.
- Crew finished installing electric infrastructure and set and terminated transformers at Brookstone Trace. Ran 3 phase loop from Brookstone to Heritage.
- Division staff attended the Annual Oil Spill Training provided by Compliance Environmental.

### *Engineering Division*

- Approved an additional engineering firm, KCI, to assist with the workload on the Engineering Division related to the numerous development projects.
- Began preparation of the Full DWSRF Loan Application for funding of a City-wide Lead Drinking Water Service Line Replacement project. Application must be submitted to secure a funding offer identifying any available principal forgiveness for the project.
- Finalized recommended revisions for review for revisions to the Water and Sewer Ordinances.
- Construction Standards:
  - o Continued review for proposed revisions required as part of the Sewer & Water Ordinance revisions.
  - o Met with Sales Representative along with Streets & Utilities Supervisor to discuss and review adding Curb Stops on customer service lines within the water distribution network.
  - o Added section regarding the installation of automatic blow-off's on dead-end water mains to improve water quality throughout distribution system
- Prepared and submitted disbursement request for reimbursement of funds expended to date for the Asset Management Project. Coordinated with DWSRF & DNREC FAB regarding next phase of the project.
- Sidewalk Inspection Program:
  - o Completed approximately 60% of the inspections of designated collector streets.
  - o Prepared maps for use in inspecting streets designated for access to schools.
- Matlinds Estates Pavement Repair Project:
  - o Finalized Bid packages and advertised project for bids.
  - o Held Pre-Bid Conference with interested Bidders
  - o Issued follow-up addenda to address Bidder questions.
- Washington Street Water Treatment Facility Replacement Project:
  - o Coordinated installation of aerator ducting modifications with Manufacturer and City Electric Department. Installation complete and the misting problem has been eliminated.
  - o Coordinated with DBF for the repair of the floor coating within the chlorine room. Painters are being scheduled currently. Once addressed, all of the Contractor's punchlist items will have been addressed for Final Acceptance being issued to the Contractor.
  - o DBF is responsible for repairing some components within the chlorine room before the City will formally accept the Facility.
  - o Determined the balance of the project funds and investigating potential additional work that falls within the scope of the original project.
- SE Regional Wastewater Pumping Station and Forcemain:
  - o Submitted documents to DelDOT for securing Entrance Construction Permit for installation of Access Drive.

- o Worked with DBF and Sewer Operators to monitor inflow into the station and provide guidance to DBF for the necessary repairs.
- Shawnee Acres Wastewater Pumping Station Improvements Project:
  - o Preliminary Review of Construction Documents submitted by DBF, coordinated with the City Electric Department regarding upgrading the service to the site, related to the increased capacity of the new pump station.
- NE & NW Front Street Utility Improvements – Continued working with DBF to begin design of the improvements for permitting.
- SE Second Street Utility Infrastructure Improvements:
  - o Continued finalizing Construction Drawings (approximately 65% complete).
  - o Finalized approximately half of the Construction Specifications and Contract Documents.
  - o Tentatively scheduled a meeting with DelDOT to discuss construction timelines and scope of work included in the City's and DelDOT's projects. Awaiting responses from two more parties.
- DelDOT SR1/NE Front Street Overpass Project:
  - o Coordinated with DelDOT and their Contractor on the installation of a conduit across SR1 for extension of the City's fiber-optic communications infrastructure to the Tenth Street Water Treatment Facility.
  - o Coordinated with DelDOT, Contractor and representatives of Kent County Engineering regarding required modifications to Kent County's forcemain and disposal of wastewater within the main via City infrastructure.
- Brookstone Trace:
  - o Issued Final Major Subdivision Plan Review Comments for Brookstone Trace subdivision.
  - o Issued Final Site Plan Review Comments for Brookstone Trace Apartments.
  - o Met with the Developer, his Engineer and the Planning Department to discuss comments.
  - o Reviewed Maintenance and Performance Bond Amounts for Phase 1 of the Brookstone Trace Subdivision and Issued comments back to Developer.
- Hickory Glen:
  - o Reviewed of Off-Site Utility Improvements portion of the Construction Drawings for Final Major Subdivision Approval (approximately 60% complete).
  - o Worked with DBF and Streets & Utilities Supervisor regarding comments related to internal sewer and water extensions and services.
  - o Coordinated with DBF regarding the proposed off-site utilities and re-connection of the proposed Crop Production Services utility connections.
  - o Coordinated with DBF & Planning Department for Issuance of Subdivision-related comments.
- Milford Ponds:
  - o Performed walkthrough inspection of water infrastructure to issue punchlist of items to be addressed in order for the Developer to secure conditional acceptance.
  - o Issued letter formally dictating the terms for Issuance of Certificates of Occupancy on the four model homes and any future building permits.
  - o Attended pre-construction meeting with the Developer, Engineer and Contractor for the Milford Ponds Development to discuss repairs to the Off-Site Sewer Infrastructure with deficient slopes.
  - o Coordinated with Developer and his Engineer to secure stakeout for extension of electric utility.

*Water & Wastewater Division*

- Several calls for discolored water, smell and taste, low pressure. All have been handled.

- Cleaned out Shawnee Pump Station (Clean Delaware).



Clean Delaware-Shawnee pump station-clean out. Leroy at Shawnee pump station with sewer jetter.



Shawn and Kenny (Deltronics) checking over controls.



Rags clogged Shawnee pump station.



Rags that were pulled from Shawnee pump station.



Shawnee pump station after cleaning.

*Solid Waste & Facilities Division*

Bulk Pick Ups	82
Brush Collections	4

<b>New Service Deliveries</b>	
Trash	9
Recycle	9
Yard Waste	14
Change Container Size	8
Damaged/Replaced Container	36

Case Year	Case Number	Case Status Date - Calc	Case Type Code Description	Case Detail	Street Address
13	10003820	6/11/2013	PROPERTY MAINTENANCE VIOLATION	Condemned - Unfit for Human Occupancy	309 NORTH ST
15	10000233	2/4/2015	PROPERTY MAINTENANCE VIOLATION	Condemned - Unfit for Human Occupancy	112 SE FRONT ST
15	10000566	12/8/2015	PROPERTY MAINTENANCE VIOLATION		292 N REHOBOTH BLVD
16	10000044	3/11/2016	PROPERTY MAINTENANCE VIOLATION	Condemned - Unfit for Human Occupancy	609 SE SECOND ST
16	10000047	3/11/2016	PROPERTY MAINTENANCE VIOLATION	Condemned - Unfit for Human Occupancy	19810 CEDAR BEACH RD
16	10000101	3/29/2016	PROPERTY MAINTENANCE VIOLATION		509 WEST ST
16	10000237	5/9/2016	PROPERTY MAINTENANCE VIOLATION	Condemned - Unfit for Human Occupancy	306 SE FRONT ST
16	10000415	10/13/2016	PROPERTY MAINTENANCE VIOLATION		113 S WASHINGTON ST
16	10000432	11/30/2016	PROPERTY MAINTENANCE VIOLATION		412 EAST ST
16	10000443	12/1/2016	GENERIC VIOLATION NOTICE		415 S WASHINGTON ST
16	10000449	12/14/2016	PROPERTY MAINTENANCE VIOLATION		35 FISHER AVE
17	10000003	1/5/2017	GENERIC VIOLATION NOTICE		110 FISHER AVE
17	10000014	4/26/2018	PROPERTY MAINTENANCE VIOLATION	Condemned - Unfit for Human Occupancy	408 NW FRONT ST
17	10000022	1/23/2017	GENERIC VIOLATION NOTICE		403 WEST ST
17	10000032	1/27/2017	PROPERTY MAINTENANCE VIOLATION		25 N CHURCH ST
17	10000044	2/15/2017	PROPERTY MAINTENANCE VIOLATION		427 S WASHINGTON ST
17	10000057	3/1/2017	GENERIC VIOLATION NOTICE		20 MARSHALL ST
17	10000059	3/3/2017	PROPERTY MAINTENANCE VIOLATION		14 DELAWARE AVE
17	10000064	3/21/2017	PROPERTY MAINTENANCE VIOLATION	Condemned - Unfit for Human Occupancy	114 MARSHALL ST
17	10000065	3/23/2017	PROPERTY MAINTENANCE VIOLATION		105 WILBUR ST
17	10000335	6/12/2017	PROPERTY MAINTENANCE VIOLATION		115 N WALNUT ST
17	10000365	8/3/2017	PROPERTY MAINTENANCE VIOLATION	Condemned - Unfit for Human Occupancy	105 NW FRONT ST
17	10000378	8/16/2017	PROPERTY MAINTENANCE VIOLATION		205 N WASHINGTON ST
17	10000393	10/4/2017	PROPERTY MAINTENANCE VIOLATION		510 N WASHINGTON ST
17	10000403	10/17/2017	GENERIC VIOLATION NOTICE		317 FISHER AVE
17	10000407	10/27/2017	GENERIC VIOLATION NOTICE		303 NW SECOND ST
17	10000410	10/31/2017	PROPERTY MAINTENANCE VIOLATION		107 COLUMBIA ST
17	10000412	10/31/2017	PROPERTY MAINTENANCE VIOLATION		501 SE FRONT ST
17	10000413	10/31/2017	PROPERTY MAINTENANCE VIOLATION		704 SE FRONT ST
17	10000414	10/31/2017	PROPERTY MAINTENANCE VIOLATION		707 SE FRONT ST
17	10000416	11/6/2017	DANGEROUS TREE		517 N WASHINGTON ST
17	10000418	11/6/2017	PROPERTY MAINTENANCE VIOLATION		502 N WASHINGTON ST
17	10000420	11/7/2017	PROPERTY MAINTENANCE VIOLATION		301 S WALNUT ST
17	10000425	11/16/2017	PROPERTY MAINTENANCE VIOLATION		502 SE FRONT ST
17	10000426	11/16/2017	PROPERTY MAINTENANCE VIOLATION		409 SE FRONT ST
17	10000430	12/7/2017	PROPERTY MAINTENANCE VIOLATION		214 S WASHINGTON ST
17	10000431	12/8/2017	GENERIC VIOLATION NOTICE		107 NORTH ST
18	10000003	1/3/2018	PROPERTY MAINTENANCE VIOLATION		312 S WASHINGTON ST
18	10000004	1/12/2018	GENERIC VIOLATION NOTICE	Condemned - Unfit for Human Occupancy	113 S CHURCH ST
18	10000015	3/7/2018	RUBBISH & GARBAGE		16 ELIZABETH ST
18	10000018	3/7/2018	RUBBISH & GARBAGE		408 EAST ST
18	10000020	3/7/2018	RUBBISH & GARBAGE		504 GILCREST ST
18	10000021	3/7/2018	Furniture Violation Notice		212 LOVERS LN
18	10000031	3/23/2018	DANGEROUS TREE		502 N WASHINGTON ST
18	10000034	3/27/2018	GENERIC VIOLATION NOTICE		22 MARSHALL ST
18	10000035	4/3/2018	ABANDONED VEHICLE		325 S DUPONT BLVD
18	10000037	4/4/2018	Furniture Violation Notice		214 S WASHINGTON ST
18	10000040	4/11/2018	GENERIC VIOLATION NOTICE		907 SE FRONT ST
18	10000041	4/11/2018	PROPERTY MAINTENANCE VIOLATION		915 SE SECOND ST
18	10000042	4/11/2018	WEEDS & GRASS		803 SE SECOND ST
18	10000043	4/11/2018	PROPERTY MAINTENANCE VIOLATION		21 MCCOLLEY ST
18	10000044	4/11/2018	PROPERTY MAINTENANCE VIOLATION		416 NW FRONT ST
18	10000045	4/11/2018	WEEDS & GRASS		604 NORTH ST EXT
18	10000046	4/11/2018	WEEDS & GRASS		109 NW THIRD ST
18	10000047	4/11/2018	WEEDS & GRASS		104 CAUSEY AVE
18	10000048	4/11/2018	WEEDS & GRASS		124 SE SECOND ST
18	10000049	4/11/2018	WEEDS & GRASS		24 W CLARKE AVE
18	10000051	4/11/2018	PROPERTY MAINTENANCE VIOLATION		311 N CHURCH ST
18	10000052	4/11/2018	GENERIC VIOLATION NOTICE		25 MCCOLLEY ST
18	10000053	4/12/2018	RUBBISH & GARBAGE		109 FISHER AVE
18	10000055	4/19/2018	GENERIC VIOLATION NOTICE		11 SE SECOND ST
18	10000056	4/23/2018	PROPERTY MAINTENANCE VIOLATION		205 S WASHINGTON ST
18	10000058	4/23/2018	ABANDONED VEHICLE		3 NELSON ST
18	10000059	4/23/2018	ABANDONED VEHICLE		127 SCHOOL PL
18	10000060	4/23/2018	PROPERTY MAINTENANCE VIOLATION		14 DELAWARE AVE
18	10000061	4/23/2018	WEEDS & GRASS		202 SE FRONT ST
18	10000062	4/23/2018	WEEDS & GRASS		306 SE FRONT ST
18	10000063	4/23/2018	WEEDS & GRASS		400 SE FRONT ST
18	10000064	4/23/2018	WEEDS & GRASS		312 SE FRONT ST
18	10000065	4/24/2018	Furniture Violation Notice		404 SE FRONT ST
18	10000066	4/24/2018	WEEDS & GRASS		406 SE FRONT ST
18	10000067	4/24/2018	WEEDS & GRASS		608 SE FRONT ST

18	10000068	4/24/2018	WEEDS & GRASS		610 SE FRONT ST
18	10000069	4/24/2018	WEEDS & GRASS		105 CHARLES ST
18	10000070	4/24/2018	WEEDS & GRASS		711 SE SECOND ST
18	10000071	4/24/2018	WEEDS & GRASS		416 MARSHALL ST
18	10000072	4/25/2018	WEEDS & GRASS		0 N CHURCH ST
18	10000073	4/25/2018	WEEDS & GRASS		429 NORTH ST
18	10000074	4/25/2018	WEEDS & GRASS		312 S WASHINGTON ST
18	10000075	4/25/2018	WEEDS & GRASS		404 S WASHINGTON ST
18	10000076	4/25/2018	WEEDS & GRASS		500 S WASHINGTON ST
18	10000077	4/25/2018	WEEDS & GRASS		703 SE THIRD ST
18	10000078	4/25/2018	WEEDS & GRASS		212 BRIDGEHAM AVE
18	10000079	4/25/2018	WEEDS & GRASS		210 BRIDGEHAM AVE
18	10000080	4/25/2018	WEEDS & GRASS		309 NORTH ST
18	10000081	4/26/2018	RUBBISH & GARBAGE		208 N WASHINGTON ST
18	10000082	4/26/2018	Furniture Violation Notice		117 N WALNUT ST
18	10000083	4/26/2018	ABANDONED VEHICLE		117 N WALNUT ST
18	10000084	4/26/2018	Furniture Violation Notice		212 N WASHINGTON ST
18	10000085	4/26/2018	WEEDS & GRASS		404 N WASHINGTON ST
18	10000086	4/26/2018	WEEDS & GRASS		409 N WASHINGTON ST
18	10000087	4/26/2018	WEEDS & GRASS		412 EAST ST
18	10000088	4/26/2018	WEEDS & GRASS		408 EAST ST
18	10000089	4/26/2018	WEEDS & GRASS		107 NE FOURTH ST
18	10000090	4/26/2018	WEEDS & GRASS		204 NE FOURTH ST
18	10000091	4/26/2018	WEEDS & GRASS		221 S REHOBOTH BLVD
18	10000092	4/26/2018	WEEDS & GRASS		223 S REHOBOTH BLVD
18	10000093	4/26/2018	WEEDS & GRASS		306 S REHOBOTH BLVD
18	10000094	4/26/2018	WEEDS & GRASS		535 S WASHINGTON ST
18	10000095	4/26/2018	WEEDS & GRASS		423 S WASHINGTON ST
18	10000096	4/26/2018	WEEDS & GRASS		424 S WASHINGTON ST
18	10000097	4/30/2018	WEEDS & GRASS		420 NORTH ST
18	10000098	4/30/2018	WEEDS & GRASS		209 N WASHINGTON ST
18	10000099	4/30/2018	WEEDS & GRASS		700 N WASHINGTON ST
18	10000100	5/1/2018	WEEDS & GRASS		416 NW FRONT ST
18	10000101	5/1/2018	WEEDS & GRASS		414 NW FRONT ST
18	10000102	5/1/2018	WEEDS & GRASS		207 NW THIRD ST
18	10000103	5/1/2018	WEEDS & GRASS		511 WEST ST
18	10000104	5/1/2018	WEEDS & GRASS		513 TRUITT AVE
18	10000105	5/1/2018	WEEDS & GRASS		512 N CHURCH ST
18	10000106	5/1/2018	WEEDS & GRASS		510 N CHURCH ST
18	10000107	5/1/2018	WEEDS & GRASS		449 N CHURCH ST
18	10000108	5/1/2018	WEEDS & GRASS		407 N CHURCH ST
18	10000109	5/1/2018	WEEDS & GRASS		305 N CHURCH ST
18	10000110	5/1/2018	WEEDS & GRASS		8 NW FOURTH ST
18	10000112	5/1/2018	ABANDONED VEHICLE		6 NW FOURTH ST
18	10000113	5/1/2018	WEEDS & GRASS		113 WEST ST
18	10000114	5/1/2018	WEEDS & GRASS		307 WEST ST
18	10000115	5/1/2018	WEEDS & GRASS		417 S WASHINGTON ST
18	10000116	5/1/2018	WEEDS & GRASS		400 S WASHINGTON ST
18	10000117	5/1/2018	WEEDS & GRASS		323 S WASHINGTON ST
18	10000118	5/1/2018	WEEDS & GRASS		217 NW FRONT ST
18	10000119	5/1/2018	WEEDS & GRASS		1 W CLARKE AVE
18	10000120	5/1/2018	WEEDS & GRASS		601 S WALNUT ST
18	10000121	5/1/2018	WEEDS & GRASS		701 S WALNUT ST
18	10000122	5/1/2018	WEEDS & GRASS		7 NELSON ST



## Code Enforcement

Department of Enforcement and Inspections

Open Cases older than April 1, 2018



## Code Enforcement

- ▶ 309 North Street
- ▶ Condemned - Unfit for Human Occupancy
- ▶ Potential DDD Project
- ▶ Tax Monitions
- ▶ Recently Purchased





## Code Enforcement

- ▶ 112 SE Front Street
- ▶ Condemned - Unfit for Human Occupancy
- ▶ Potential DDD Project
- ▶ Owner Signed Restoration Agreement



## Code Enforcement

- ▶ 292 N Rehoboth Boulevard
- ▶ Vacant/Abandoned, Exterior Violations





## Code Enforcement

- ▶ 609 SE Front St
- ▶ Condemned - Unfit for Human Occupancy
- ▶ DDD Project
- ▶ Demolition Order Sent
- ▶ Restoration Agreement signed
- ▶ Permit Issued
- ▶ New Roof Installed, Siding being installed



## Code Enforcement

- ▶ 19810 Cedar Beach Road
- ▶ Condemned - Unfit for Human Occupancy





## Code Enforcement

- ▶ 509 West St
- ▶ Exterior Violations
- ▶ To Be demolished by the owner by the end of May 2018



## Code Enforcement

- ▶ 306 SE Front St
- ▶ Condemned - Unfit for Human Occupancy
- ▶ Potential DDD Project





## Code Enforcement

- ▶ 113 S Washington Street
- ▶ Exterior
- ▶ DDD Project
- ▶ Building Permit Issued



## Code Enforcement

- ▶ 412 East Street
- ▶ Vacant, Exterior Violations
- ▶ Foreclosure





## Code Enforcement

- ▶ 415 S Washington St
- ▶ Exterior Violations



## Code Enforcement

- ▶ 35 Fisher Ave
- ▶ Roof
- ▶ Potential DDD Project





## Code Enforcement

- ▶ 408 NW Front Street
- ▶ Condemned - Unfit for Human Occupancy
- ▶ Foreclosure
- ▶ Recently Purchased



## Code Enforcement

- ▶ 403 West St
- ▶ Exterior
- ▶ DDD Project
- ▶ Permit Issued





## Code Enforcement

- ▶ 25 N Church St
- ▶ Exterior Violations, Dilapidated Accessory Building
- ▶ Potential DDD Project



## Code Enforcement

- ▶ 427 S Washington Street
- ▶ Garage in Disrepair





## Code Enforcement

- ▶ 20 Marshall Street
- ▶ Exterior and Interior Violations
- ▶ Potential DDD Project



## Code Enforcement

- ▶ 14 Delaware Ave
- ▶ Dilapidated accessory structure





## Code Enforcement

- ▶ 114 Marshal Street
- ▶ Condemned - Unfit for Human Occupancy
- ▶ Potential DDD Project
- ▶ Tax Monitions
- ▶ Recently Purchased



## Code Enforcement

- ▶ 105 Wilbur Street
- ▶ Garage In Disrepair





## Code Enforcement

- ▶ 115 N Walnut Street
- ▶ Paint
- ▶ DDD Project
- ▶ Flaking paint has been removed and should be painted in the upcoming weeks.



## Code Enforcement

- ▶ 105 NW Front Street
- ▶ Condemned - Unfit for Human Occupancy
- ▶ Potential DDD Project
- ▶ Foreclosure
- ▶ The City has provided a list of concerns to the bank and property maintenance company.





## Code Enforcement

- ▶ 205 N Washington Street
- ▶ DDD Project
- ▶ Owner has repaired torn screens and is working on other exterior violations



## Code Enforcement

- ▶ 317 Fisher Avenue
- ▶ Trash Enclosure in the Right of Way





## Code Enforcement

- ▶ 107 Columbia St
- ▶ Paint
- ▶ Potential DDD Project



## Code Enforcement

- ▶ 501 SE Front St
- ▶ Paint
- ▶ Potential DDD Project





## Code Enforcement

- ▶ 704 SE Front St
- ▶ Exterior



## Code Enforcement

- ▶ 707 SE Front St
- ▶ Paint





## Code Enforcement

- ▶ 502 N Washington St
- ▶ Garage in Disrepair



## Code Enforcement

- ▶ 301 S Walnut Street
- ▶ Paint, Broken Window, standing water.





## Code Enforcement

- ▶ 502 SE Front St
- ▶ Paint



## Code Enforcement

- ▶ 409 SE Front St
- ▶ Paint





## Code Enforcement

- ▶ 214 S Washington St
- ▶ Roof on back addition in disrepair, flaking paint



## Code Enforcement

- ▶ 107 North Street
- ▶ Trash Enclosure in the Right of Way





## Code Enforcement

- ▶ 312 S Washington Street
- ▶ Exterior - Rotting wood, flaking paint.



## Code Enforcement

- ▶ 113 S Church Street
- ▶ Condemned - Unfit for Human Occupancy





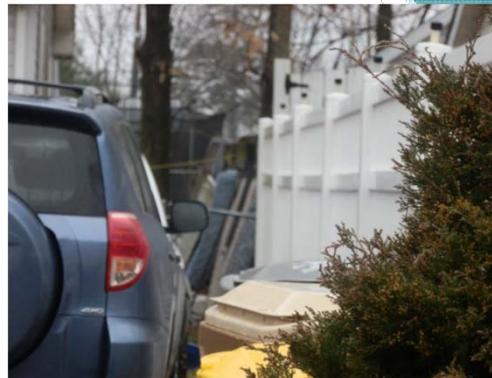
## Code Enforcement

- ▶ 16 Elizabeth Street
- ▶ Rubbish and Garbage



## Code Enforcement

- ▶ 408 East Street
- ▶ Rubbish and Garbage





## Code Enforcement

- ▶ 504 Gilcrest Street
- ▶ Rubbish & Garbage



## Code Enforcement

- ▶ 212 Lovers Lane
- ▶ Indoor Furniture outside, Rubbish & Garbage





## Code Enforcement

- ▶ 502 N Washington Street
- ▶ Trim tree from roadway



## Code Enforcement

- ▶ 22 Marshall Street
- ▶ Rubbish and Garbage, refrigerators, abandoned vehicles





## Code Enforcement

Department of Enforcement and Inspections

Remedied Violations



## Code Enforcement

- ▶ 11 Mill Street
- ▶ Exterior Violation





## Code Enforcement

- ▶ 209 S Walnut Street
- ▶ Exterior Violation



## Code Enforcement

- ▶ 911 SE Front Street
- ▶ Condemned
- ▶ Repaired





## Code Enforcement

- ▶ 205-209 N Walnut Street
- ▶ Exterior Violation



## Code Enforcement

- ▶ 810 SE Front Street
- ▶ Exterior Violation





## Code Enforcement

- ▶ 402 NE Fourth Street
- ▶ Condemned
- ▶ DDD Project
- ▶ C of O issued April 2018



## Code Enforcement

- ▶ 111 McColley
- ▶ Condemned
- ▶ DDD Project
- ▶ Work still in progress





## Code Enforcement

- ▶ 418 S. Washington Street
- ▶ Condemned
- ▶ Recently Purchased
- ▶ Demo Permit pulled 4/13/18



## Code Enforcement

- ▶ 111 West Street
- ▶ Condemned
- ▶ Demolished and Replaced





## Code Enforcement

- ▶ 113 West Street
- ▶ Condemned
- ▶ Repaired



## Code Enforcement

- ▶ 110 SE Front Street
- ▶ Exterior Violation
- ▶ Vacant Property
- ▶ Tax Monitions
- ▶ Repaired





## Code Enforcement

- ▶ 208 East Street
- ▶ Exterior, Rubbish and Garage
- ▶ Foreclosure
- ▶ Remedied



## Code Enforcement

- ▶ 490 Milford-Harrington Highway
- ▶ Exterior
- ▶ Owner demolished structures
- ▶ Remedied





## Code Enforcement

- ▶ 419 S. Washington Street
- ▶ Condemned - Dangerous Structure
- ▶ House fire
- ▶ City demolished structure



## Code Enforcement

- ▶ 510 N Washington Street
- ▶ Shed in Disrepair
- ▶ Owner has applied a protective coat to portions of the building and has repaired holes and other deficiencies.





## Code Enforcement

- ▶ 510 N Washington Street
- ▶ Exterior



## Code Enforcement

- ▶ 110 Fisher Ave
- ▶ Exterior
- ▶ DDD Project



**FUND BALANCES REPORT**

Date: March 2018

Cash Balance - General Fund Bank Balance	\$3,047,422
Cash Balance - Electric Fund Bank Balance	\$2,241,827
Cash Balance - Water Fund Bank Balance	\$1,882,026
Cash Balance - Sewer Fund Bank Balance	\$154,305
Cash Balance - Trash Fund Bank Balance	\$120,519

	General <u>Improvement</u>	Municipal <u>Street Aid</u>	Real Estate <u>Transfer Tax</u>	Economic Development <u>Fund</u>
Beginning Cash Balance	367,831	134,755	2,248,003	\$427,008
Deposits			85,768	
Interest Earned this Month	304	111	1,896	
Disbursements this Month	(510)		(41,666)	
Investments				
Ending Cash Balance	\$367,625	\$134,866	\$2,294,001	\$427,008

	GF Capital <u>Reserves</u>	Water Capital <u>Reserves</u>	Sewer Capital <u>Reserves</u>	Electric <u>Reserves</u>
Beginning Cash Balance	1,773,145	7,080,211	3,755,264	6,684,099
Deposits	1,000,000	1,000,000		3,000,000
Interest Earned this Month	512	1,493	694	1,789
Disbursements this Month	(241)	(702)	(326)	(3,742)
Investments				
Ending Cash Balance	\$2,773,416	\$8,081,002	\$3,755,632	\$9,682,146

	Water <u>Impact Fee</u>	Sewer <u>Impact Fee</u>	Electric <u>Impact Fee</u>
Beginning Cash Balance	1,873,689	\$1,197,889	\$545,465
Deposits	49,977	\$26,118	\$9,600
Interest Earned this Month			
Disbursements this Month			
Investments			
Ending Cash Balance	\$1,923,666	\$1,224,007	\$555,065

INTEREST THROUGH THE NINTH MONTH OF THE FISCAL YEAR:

General Fund	23,980	Water Fund	10,393
GF Capital Reserves	18,336	Water Capital Reserves	70,505
Municipal Street Aid	3,825	Sewer Fund	1,053
Real Estate Transfer Tax	12,406	Sewer Capital Reserves	35,758
Electric Fund	22,559	Trash Fund	1,455
Electric Reserves	76,521		

TOTAL INTEREST EARNED TO DATE \$276,791

**REVENUE REPORT**

**Page Two**

Date: March 2018	AMOUNT BUDGETED	MTD	YTD	75% of Year Expended YTD%
ACCOUNT				
Economic Development Fund	95,000	0	40,898	43.05%
General Fund Reserves	585,000	0	155,952	26.66%
Realty Transfer Tax-Police	500,000	41,667	375,000	75.00%
Real Estate Tax	3,850,560	22,305	3,896,139	101.18%
Business License	45,000	4,325	41,575	92.39%
Rental License	80,000	11,200	98,550	123.19%
Building Permits	80,000	18,519	147,567	184.46%
Planning & Zoning	15,000	7,894	24,940	166.27%
Grasscutting Revenue	16,000	2,000	10,000	62.50%
Police Revenues	446,750	12,288	355,246	79.52%
Misc. Revenues	286,065	47,234	251,797	88.02%
Transfers From	3,324,000	277,000	2,493,000	75.00%
<b>Total General Fund Revenues</b>	<b>\$9,323,375</b>	<b>\$444,432</b>	<b>\$7,890,664</b>	<b>84.63%</b>
Water Revenues	2,734,500	278,796	2,145,117	78.45%
Sewer Revenues	2,508,000	203,663	1,950,722	77.78%
Kent County Sewer	1,850,000	140,842	1,386,084	74.92%
Solid Waste Revenues	1,384,815	120,628	1,054,877	76.17%
Electric Revenues	25,016,000	1,933,154	19,441,749	77.72%
<b>TOTAL REVENUES</b>	<b>\$42,816,690</b>	<b>\$3,121,515</b>	<b>\$33,869,213</b>	<b>79.10%</b>
YTD Enterprise Expense		(68,818)		
YTD Enterprise Revenue		65,704		
LTD Carlisle Fire Company Building Permit Fund		135,138		

**EXPENDITURE REPORT**

**Page Three**

Date: March 2018

75% of Year Expended

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	YTD%	UNEXPENDED BALANCE
<b>City Manager</b>					
Personnel	508,603	\$40,563	370,547	72.86%	138,056
O&M	129,250	\$7,196	77,023	59.59%	52,227
Capital	0	\$0	0		0
<b>Total City Manager</b>	<b>\$637,853</b>	<b>\$47,759</b>	<b>\$447,570</b>	<b>70.17%</b>	<b>190,283</b>
<b>Planning &amp; Zoning</b>					
Personnel	141,578	\$11,261	101,254	71.52%	40,324
O&M	50,875	\$2,927	18,985	37.32%	31,890
Capital	0	\$0	0		0
<b>Total P, C &amp; I</b>	<b>\$192,453</b>	<b>\$14,188</b>	<b>\$120,239</b>	<b>62.48%</b>	<b>72,214</b>
<b>Code Enforcement &amp; Inspections</b>					
Personnel	131,736	\$10,371	93,146	70.71%	38,590
O&M	116,950	\$13,936	91,192	77.98%	25,758
Capital	0	\$0	0		0
<b>Total P, C &amp; I</b>	<b>\$248,686</b>	<b>\$24,307</b>	<b>\$184,338</b>	<b>74.12%</b>	<b>64,348</b>
<b>Council</b>					
Personnel	31,225	\$2,344	17,917	57.38%	13,308
O&M	41,200	\$3,770	24,688	59.92%	16,512
Council Expense	20,000	\$629	12,492	62.46%	7,508
Contributions	206,000	\$0	206,000	100.00%	0
Codification	10,000	\$0	8,311	83.11%	1,689
Employee Recognition	11,000	\$0	10,317	0.00%	683
Insurance	23,000	\$4,118	16,472	71.62%	6,528
Christmas Decorations	10,000	\$0	1,100	11.00%	8,900
Economic Development	5,000	\$95	993	19.86%	4,007
Strategic Plan	20,000	\$0	15,000	75.00%	5,000
Armory Expenses	12,000	\$3,665	11,740	97.83%	260
<b>Total Council</b>	<b>\$389,425</b>	<b>\$14,821</b>	<b>\$325,030</b>	<b>83.46%</b>	<b>64,395</b>
<b>Finance</b>					
Personnel	405,510	\$31,788	276,644	68.22%	128,866
O&M	84,650	\$2,401	51,727	61.11%	32,923
Capital	0	\$0	0		0
<b>Total Finance</b>	<b>\$490,160</b>	<b>\$34,189</b>	<b>\$328,371</b>	<b>66.99%</b>	<b>161,789</b>
<b>Information Technology</b>					
Personnel	157,195	\$11,993	112,857	71.79%	44,338
O&M	187,950	\$6,242	60,346	32.11%	127,604
Capital	63,000	\$0	60,300	95.71%	2,700
<b>Total Information Technology</b>	<b>\$408,145</b>	<b>\$18,235</b>	<b>\$233,503</b>	<b>57.21%</b>	<b>174,642</b>

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

Date: March 2018

75% of Year Expended

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	YTD%	UNEXPENDED BALANCE
<b>Police Department</b>					
Personnel	4,004,790	\$313,737	2,802,800	69.99%	1,201,990
O&M	497,700	\$46,356	352,376	70.80%	145,324
Capital	83,340	\$0	83,049	99.65%	291
<b>Total Police</b>	<b>\$4,585,830</b>	<b>\$360,093</b>	<b>\$3,238,225</b>	<b>70.61%</b>	<b>1,347,605</b>
<b>Streets &amp; Grounds Division</b>					
Personnel	384,196	\$31,636	276,082	71.86%	108,114
O&M	397,345	\$25,732	215,790	54.31%	181,555
Capital	538,000	\$0	204,712	38.05%	333,288
<b>Total Streets &amp; Grounds</b>	<b>\$1,319,541</b>	<b>\$57,368</b>	<b>\$696,584</b>	<b>52.79%</b>	<b>622,957</b>
<b>Parks &amp; Recreation</b>					
Personnel	651,382	\$51,705	469,999	72.15%	181,383
O&M	284,900	\$15,714	182,804	64.16%	102,096
Capital	115,000	\$48,021	62,677	54.50%	52,323
<b>Total Parks &amp; Recreation</b>	<b>\$1,051,282</b>	<b>\$115,440</b>	<b>\$715,480</b>	<b>68.06%</b>	<b>335,802</b>
<b>Total General Fund</b>					
<b>Operating Budget</b>	<b>\$9,323,375</b>	<b>\$686,400</b>	<b>\$6,289,340</b>	<b>67.46%</b>	<b>3,034,035</b>

**EXPENDITURE REPORT**

Page Five

Date: March 2018

75% of Year Expended

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	YTD%	UNEXPENDED BALANCE
<b>Water Division</b>					
Personnel	292,221	\$23,014	208,432	71.33%	83,789
O&M	1,186,575	\$89,280	774,139	65.24%	412,436
Capital	530,939	\$0	0	0.00%	530,939
Debt Service	724,765	\$439,772	565,311	78.00%	159,454
<b>Total Water</b>	<b>\$2,734,500</b>	<b>\$552,066</b>	<b>\$1,547,882</b>	<b>56.61%</b>	<b>1,186,618</b>
<b>Sewer Division</b>					
Personnel	292,221	\$23,012	206,205	70.56%	86,016
O&M	1,177,425	\$89,591	743,421	63.14%	434,004
Capital	379,634	\$32,265	91,692	0.00%	287,942
Debt Service	658,720	\$0	490,652	74.49%	168,068
<b>Sewer Sub Total</b>	<b>\$2,508,000</b>	<b>\$144,868</b>	<b>\$1,531,970</b>	<b>61.08%</b>	<b>978,030</b>
Kent County Sewer	1,850,000	\$137,564	1,386,085	74.92%	463,915
<b>Total Sewer</b>	<b>\$4,358,000</b>	<b>\$282,432</b>	<b>\$2,918,055</b>	<b>66.96%</b>	<b>1,439,945</b>
<b>Solid Waste Division</b>					
Personnel	344,810	\$18,978	222,824	64.62%	121,986
O&M	776,001	\$59,479	584,156	75.28%	191,845
Capital	264,004	\$0	254,653	96.46%	9,351
<b>Total Solid Waste</b>	<b>\$1,384,815</b>	<b>\$78,457</b>	<b>\$1,061,633</b>	<b>76.66%</b>	<b>323,182</b>
<b>Total Water, Sewer Solid Waste</b>					
	<b>\$8,477,315</b>	<b>\$912,955</b>	<b>\$5,527,570</b>	<b>65.20%</b>	<b>2,949,745</b>
<b>Electric Division</b>					
Personnel	1,260,412	\$101,546	931,055	73.87%	329,357
O&M	2,061,020	\$210,688	1,226,736	59.52%	834,284
Transfer to General Fund	2,500,000	\$208,333	1,875,000	75.00%	625,000
Capital	701,603	\$0	45,213	6.44%	656,390
Debt Service	192,965	\$0	139,408	72.25%	53,557
<b>Electric Sub Total</b>	<b>\$6,716,000</b>	<b>\$520,567</b>	<b>\$4,217,412</b>	<b>62.80%</b>	<b>2,498,588</b>
Power Purchased	18,300,000	\$1,431,123	13,340,602	72.90%	4,959,398
<b>Total Electric</b>	<b>\$25,016,000</b>	<b>\$1,951,690</b>	<b>\$17,558,014</b>	<b>70.19%</b>	<b>7,457,986</b>
<b>TOTAL OPERATING BUDGET</b>					
	<b>\$42,816,690</b>	<b>\$3,551,045</b>	<b>\$29,374,924</b>	<b>68.61%</b>	<b>13,441,766</b>

**INTERSERVICE DEPARTMENTS REPORT**

Page Six

Date: March 2018

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	75% of Year Expended YTD%	UNEXPENDED BALANCE
<b>Garage</b>					
Personnel	102,121	10,003	76,249	74.67%	25,872
O&M	77,855	8,614	55,023	70.67%	22,832
Capital	0		0		0
<b>Total Garage Expense</b>	<b>\$179,976</b>	<b>18,617</b>	<b>\$131,272</b>	<b>72.94%</b>	<b>48,704</b>
<b>Public Works</b>					
Personnel	428,039	30,065	268,820	62.80%	159,219
O&M	168,161	13,063	136,126	80.95%	32,035
Capital	11,100	0	10,122	91.19%	978
<b>Total Public Works Expense</b>	<b>\$607,300</b>	<b>43,128</b>	<b>\$415,068</b>	<b>68.35%</b>	<b>192,232</b>
<b>Billing &amp; Collections</b>					
Personnel	554,850	55,056	401,368	72.34%	153,482
O&M	221,975	27,138	164,347	74.04%	57,628
Capital	0		0		0
<b>Total Billing &amp; Collections</b>	<b>\$776,825</b>	<b>82,194</b>	<b>\$565,715</b>	<b>72.82%</b>	<b>211,110</b>
<b>City Hall Cost Allocation</b>					
Personnel	0		0		0
O&M	44,200	2,652	31,363	70.96%	12,837
Capital	0		0		0
<b>Total City Hall Cost Allocation</b>	<b>\$44,200</b>	<b>2,652</b>	<b>\$31,363</b>	<b>70.96%</b>	<b>12,837</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.



7850 Walker Drive, 2<sup>nd</sup> Floor  
Greenbelt, MD 20770

April 6th, 2018

Mr. Eric Norenberg  
City Manager, City of Milford  
201 S. Walnut Street  
Milford DE 19963

***Re: Channel Lineup Change***

Dear Mr. Eric Norenberg :

I am contacting you today regarding upcoming programming changes in Milford that will take place May 9, 2018.

A copy of the customer notice, which provides a list of affected channels is attached below:

***Xfinity TV Changes Effective May 9, 2018:*** *The Weather Channel will only be available on Expanded Basic, Family Tier and new Sports & News tier; Cartoon Network will only be available on Digital Preferred and new Kids & Family tier; Disney Channel will only be available on Expanded Basic, Family Tier and Kids & Family tier; TruTV will only be available on Expanded Basic; Food Network will only be available on Expanded Basic, Family Tier, and new Entertainment tier.*

*The following channels will be added to Digital Economy: BBC America, BBC World News, Bloomberg, Hallmark Movies & Mysteries and Smithsonian.*

*RFD TV will no longer be available.*

If you have any questions, please contact me at (301) 836-9436.

Sincerely,

Kevin Broadhurst  
Vice President of Government & Regulatory Affairs





April 25, 2018

Mr. Eric Norenberg  
City Manager  
City of Milford, 201 S. Walnut Street  
Milford, DE 19963

***Re: New Bill Design for Xfinity Services from Comcast***

Mr. Eric Norenberg:

As part of our commitment of keeping you informed of changes impacting Comcast customers, I am writing to share information related to the new design of our monthly bill statements.

Customers will start seeing the redesigned bill with statements received after May 28, 2018, which will include a new look and feel and will be branded under the XFINITY name. Some of the changes customers will notice include the following:

- A new section, summarizing their monthly bill, which indicates payments received, regular monthly charges, any one-time charges, as well as applicable taxes, surcharges, and fees;
- Detailed breakdown of charges will appear on following pages with new headings, sections, and totals to help customers better understand their bill and pricing;
- Redesigned presentation of one-time charges, equipment charges, and recurring charges;
- Explanations of pro-rated charges using personalized graphics and text;
- Descriptions of what is included in the customer's service package; and
- Helpful, easy to locate, information including how to contact Comcast and payment options.

Customers will learn of the new bill design through an insert in their bill statement the month prior. Additionally, we are sending information to customers via e-mail. Customers can obtain more information about the changes and view a sample bill by going to [www.xfinity.com/newsimplebill](http://www.xfinity.com/newsimplebill). A sample of the bill insert and email are enclosed along with a guide to the new bill design, which customers can download.

If you have any questions about this change, please feel free to contact me at (301) 836-9436

Sincerely,

Kevin Broadhurst  
Vice President of Government & Regulatory Affairs

Enclosures



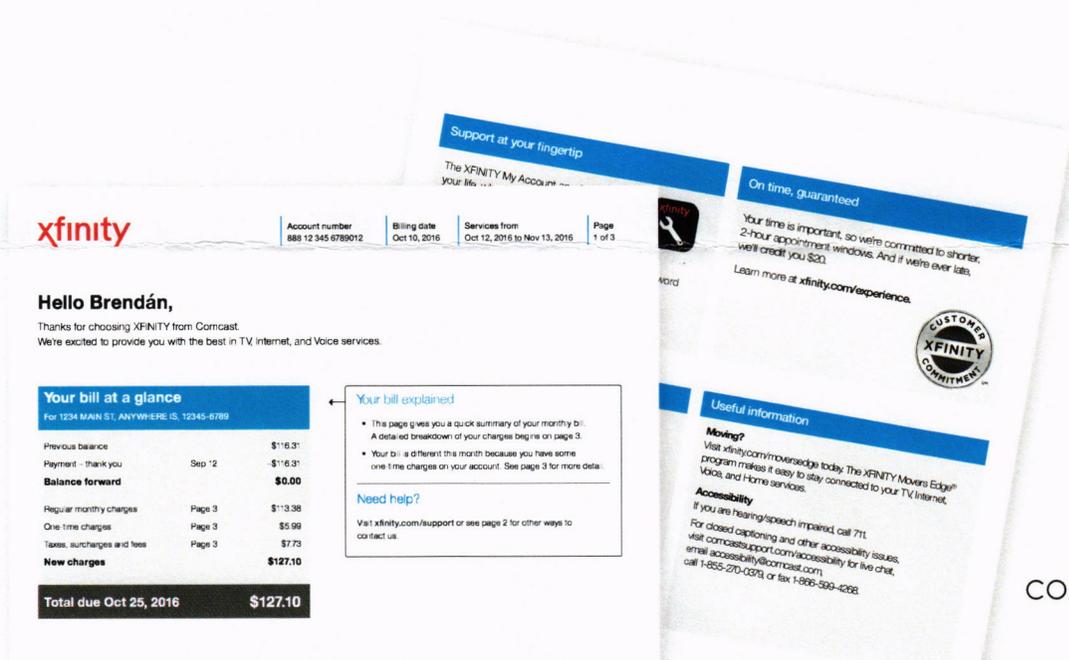
Coming soon:

# A simpler bill designed for you

We're adding new and helpful features:

- A simpler upfront summary of charges and credits
- One-time charges clearly identified
- Access to payment options at your fingertips
- Tips on getting more from your service
- Easy-to-spot contact information

For more information, visit [xfinity.com/newsimplebill](http://xfinity.com/newsimplebill)





# Coming Soon: A newly designed bill inspired by you

We're always looking for ways to make things easier for you. That's why we've made a few changes to our bill that we hope you'll like.

### Here's what's new:

- Simpler summary
- Helpful reminders
- Service tips
- Easy-to-spot contact and payment information



All part of our commitment to you



This is a service-related email. Comcast will occasionally send you service-related emails to inform you of service upgrades or new benefits.

Please do not reply to this email, it is not monitored. If you'd like to contact us, please visit our website [here](#).

Comcast respects your privacy. For a complete description of our privacy policy, [click here](#).

© 2017 Comcast. All rights reserved. All trademarks are the property of their respective owners.

Comcast Cable, One Comcast Center, 1701 JFK Boulevard Philadelphia, PA 19103  
Attn: Email Communications

# Guide to your new bill design

## What's new:

- Simpler summary
- Helpful reminders
- Easy-to-spot contact info
- Service tips

A summary of your account info

Helpful monthly notifications



Account number 888 12 345 6789012	Billing date Oct 10, 2016	Services from Oct 12, 2016 to Nov 13, 2016	Page 1 of 3
--------------------------------------	------------------------------	---	----------------

Hello Brendán,

Thanks for choosing XFINITY from Comcast.  
We're excited to provide you with the best in TV, Internet, and Voice services.

Your bill at a glance		
For 1234 MAIN ST, ANYWHERE IS, 12345-6789		
Previous balance		\$116.31
Payment – thank you	Sep 12	-\$116.31
<b>Balance forward</b>		<b>\$0.00</b>
Regular monthly charges	Page 3	\$113.38
One-time charges	Page 3	\$5.99
Taxes, surcharges and fees	Page 3	\$7.73
<b>New charges</b>		<b>\$127.10</b>
<b>Total due Oct 25, 2016</b>		<b>\$127.10</b>

Clearly marked payment received

All the important info right up front

### Your bill explained

- This page gives you a quick summary of your monthly bill. A detailed breakdown of your charges begins on page 3.
- Your bill is different this month because you have some one-time charges on your account. See page 3 for more detail.

### Need help?

Visit [xfinity.com/support](http://xfinity.com/support) or see page 2 for other ways to contact us.

Detach the bottom portion of this bill and enclose with your payment

Please write your account number on your check or money order



123 STATE ST  
ANYWHERE US 12345-6789

BRENDAN MURPHY  
1234 MAIN ST  
ANYWHERE US 12345-6789

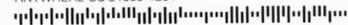


88881234567890120012710

Account number **8888 12 345 6789012**  
 Payment due **Oct 25, 2016**  
**Please pay \$127.10**  
 Amount enclosed **\$**

Make checks payable to Comcast  
Do not send cash

COMCAST  
PO BOX 12345  
ANYWHERE US 24680-1234



Example illustration may not reflect your package

For more information, visit [xfinity.com/newsimplebill](http://xfinity.com/newsimplebill)

# Itemized details

A simple description of your services



Account number  
888 12 345 6789012

Billing date  
Oct 10, 2016

Services from  
Oct 12, 2016 to Nov 13, 2016

Page  
3 of 3

## Regular monthly charges \$113.38

<b>Your XFINITY package</b>	<b>\$99.00</b>
<b>HD Preferred XF Bundle</b>	<b>\$99.00</b>
Includes Digital Preferred, HD Technology Fee, Digital Converter, Remote control, Blast! Internet and XFINITY Voice Unlimited	
<b>TV: STARZ</b>	<input checked="" type="checkbox"/>
<b>TV: HBO</b>	<input checked="" type="checkbox"/>

## Equipment and services \$10.00

Wireless Gateway	\$10.00
------------------	---------

## Other Charges \$4.28

Broadcast TV Fee	\$3.25
Regulatory Recovery Fee	\$1.13

## One-time charges \$5.99

<b>Entertainment extras</b>	<b>\$5.99</b>
<b>XFINITY On Demand rentals:</b>	
Money Monster HD	Sep 13 \$5.99

## Taxes, surcharges and fees \$7.73

<b>Taxes and surcharges</b>	<b>\$7.73</b>
Franchise Fee	\$3.27
FCC Fee	\$0.08
Public Access Fee	\$0.22
911 Fees	\$1.00
State and Local Taxes	\$3.16

### Additional information

The regulatory recovery fee is neither government mandated nor a tax, but is assessed by Comcast to recover the costs of certain federal, state and local impositions related to voice services.

The broadcast TV fee recovers a portion of the costs of retransmitting television broadcast signals.

Information on upcoming programmer contract expirations can be found at [xfinitytv.com/contractrenewals](http://xfinitytv.com/contractrenewals) or by calling 1-866-218-8634.

**What's included?**

- Internet:** Up to 150 Mbps
- TV:** 180+ channels
- Voice:** US calling  
For: 123-456-0000

This shows a service is included in your package:

Visit [xfinity.com/myaccount](http://xfinity.com/myaccount) for more details.

**You've saved \$55.95 this month with your promotional discount.**

One-time charges easily identified

Your XFINITY On Demand rentals and purchases

# Tips and tools to get more from your service

## Benefits you might not know about

### Support at your fingertip

The XFINITY My Account app fits into your life, wherever you go. You can:



- Manage appointments
- Troubleshoot your device
- View or edit your WiFi network name and password

Download the app today at [xfinity.com/apps](http://xfinity.com/apps).

### On time, guaranteed

Your time is important, so we're committed to shorter, 2-hour appointment windows. And if we're ever late, we'll credit you \$20.

Learn more at [xfinity.com/experience](http://xfinity.com/experience).



## Easy ways to reach us

### Contact

We're ready to help you when you need us.



**Online**  
Visit [xfinity.com/support](http://xfinity.com/support)



**By app**  
Use the My Account app. Download at [xfinity.com/apps](http://xfinity.com/apps)



**By phone**  
Call 1-800-934-6489 (1-800-XFINITY)  
7 am — 10 pm, Mon through Sat



**In store**  
At your nearest XFINITY store  
find one at [xfinity.com/storelocator](http://xfinity.com/storelocator)



**By chat**  
Visit [xfinity.com/chat](http://xfinity.com/chat)

### Useful information

#### Moving?

Visit [xfinity.com/moversedge](http://xfinity.com/moversedge) today. The XFINITY Movers Edge® program makes it easy to stay connected to your TV, Internet, Voice, and Home services.

#### Accessibility

If you are hearing/speech impaired, call 711.

For closed captioning and other accessibility issues, visit [comcastsupport.com/accessibility](http://comcastsupport.com/accessibility) for live chat, email [accessibility@comcast.com](mailto:accessibility@comcast.com), call 1-855-270-0379, or fax 1-866-599-4268.



## All your payment options in one place

### Ways to pay



#### Looking to shorten your to-do list?

Set up automatic monthly payments and never worry about remembering to pay your bill again. Enrolling is fast, easy, and free at [xfinity.com/autopay](http://xfinity.com/autopay).



#### Hello paperless billing, goodbye clutter

With paperless billing, you can pay and view your bill online. It's faster, easier and helps cut down the clutter, not the trees! Visit [xfinity.com/ecobill](http://xfinity.com/ecobill) to go green.

### Other ways to pay

Visit [xfinity.com/myaccount](http://xfinity.com/myaccount)  
Use the My Account app

To avoid a late fee of \$9.50, we have to receive payment of your balance before the due date. If your service is disconnected, a reactivation fee will be applied to reactivate your account.





# *The Delaware Municipal Electric Corporation*

## *Board of Directors*

*cordially invites you to their*

### *2018 Annual* *Joint Council Briefing*

#### PRESENTERS

*Patrick E. McCullar*

President & CEO, DEMEC  
*“Electric Industry  
Environment”*

*Dawn Lund*

VP of Utility Financial Solutions, LLC  
*“Rate Design Philosophy in the  
Current Environment”*

*Tuesday, May 22nd, 2018*

*4:00pm to 7:00pm*

*(Dinner to be provided)*

*Dover Downs Hotel & Conference Center*

Ballroom A

1131 North DuPont Highway

Dover, Delaware 19901

*R.S.V.P. to Kendra by May 10th, 2018 at (302) 653-2733 or [kfruel@demecinc.net](mailto:kfruel@demecinc.net)*

**"The Wright Way"**  
*Dinner and Tribute*  
*in honor of*  
**George C. Wright, Jr.**  
*on the Occasion of*  
**The Town of Smyrna, Delaware's**  
**250th Anniversary**



**When:** *Sunday, May 20, 2018 at 2:00 p.m.*  
**Where:** *The Historic Smyrna Opera House*  
*7 West South Street, Smyrna DE*  
**Tickets:** *\$15.00 per person by advanced*  
*reservation available at the Opera*  
*House before Wednesday, May 16,*  
*2018*

**Program**

*Welcome - Joanne Masten*

*Introductions:*

*The Wright Family*

*Invited Students*

**George's Favorite Dinner**

*Blessing*

*Fried Chicken Dinner with Sides and Dessert*  
*suggested by the Wright Family*

***Smyrna Premiere of the Acclaimed Film***  
***Voices of the Elders***

telling the story of George C. Wright, Jr., a prominent African American leader in Delaware, through a short documentary film produced by WITN-TV22, the Center for African-American Heritage and the Delaware Historical Society.

***Reflections and Dreams - Invited Students***

*Scholarship Recipients*

***George's Favorite Hymn***



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

\*\*\*\*\*

**THURSDAY, MAY 24, 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.

---

*PROGRAM:*

The Honorable Lt. Governor Bethany Hall-Long is keynote speaker for the May meeting. Bethany took office in January 2017 and is Delaware’s 26th Lt. Governor. For the prior 15 years, she was a State Senator and Representative. Bethany has an MSN in community health nursing and PhD in health policy and nursing administration.

The Lt. Governor is a huge proponent of maintaining and expanding strong relationships with local governments. She and her staff have sponsored and coordinated the DLLG Day in Legislative Hall. Among other issues, Bethany will address the drug and opioid addiction crisis and the new State economic development structure in her talk.

The DLLG wishes to thank Pennoni for sponsoring this month’s dinner meeting.

**PLEASE RSVP TO Christine NO LATER THAN 05/16/18**

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, June 21, 2018**

TO: Mayor and City Council  
FROM: Rob Pierce, Planning & Development Director  
DATE: May 14, 2018  
RE: Additional Code Enforcement Official

---

### **Purpose and Background**

The City has advertised and received applications for an additional Code Enforcement Official as directed by City Council earlier this year. We have received sufficient applications to proceed with interviewing and selection. However, before beginning interviews we need to confirm funding.

### **Discussion**

The additional Code Enforcement Official will be tasked with inspecting buildings for compliance with the adopted property maintenance code, zoning code and housing standards. Responsibilities will be shared with the existing Code Official and may be split by enforcement action type or geographic location. The additional code official will assist with the day-to-day operation of the Department and may be cross-trained to assist with building inspections. Priorities will include bringing blighted, condemned and vacant structures into compliance with City Codes through corrective actions (restoration or demolition), assist with the oversight of the rental inspection program, increased proactive property maintenance inspections, and response to citizen complaints.

### **Fiscal Impact**

The additional Code Enforcement Official will cost approximately \$83,290 in salary and benefits. Department budgets will be presented to the City Council during Workshop meetings on June 4 and 5. During the Planning Department presentations, you will hear that it is recommend to fill this position and refill the Building Official position in FY18-19.

However, the overall General Fund budget is not balanced yet for FY18-19. Accordingly, it is recommended that the City Council complete review of the full FY18-19 budget before committing to filling the proposed Code Enforcement Official position.

### **Options**

- A. Defer final approval until reviewing the full general fund budget on June 4 and 5. If City Council is comfortable funding the position in the FY18-19 budget, effective July 1, interviews could begin within a week.
- B. Commit to funding in FY18-19, approve supplemental funding for June and request staff fill the position as soon as possible. Interviews could begin within a week. If selection and background checks are completed quickly, it is possible that a new employee could start in June. If so, a supplemental appropriation from General Fund Reserves will be needed for the additional month.

April 3, 2018

Randy and Kathy Donze  
9 Marigold Lane  
Greenwood, De 19950

Dear Ms. White,

We are building a house at 452 Kings Highway and would like to request a waiver for the sidewalk based on the information below.

There are no sidewalks on either side of the property

There are no sidewalks across the street from the property

There are no sidewalks in the development around the corner from the property

The closest sidewalk is approximately a block and a half east of the property.

Kindly contact us if there are any questions or concerns. We appreciate your consideration and look forward to hearing from you soon.

Best regards,



Kathy Donze  
302-242-6365

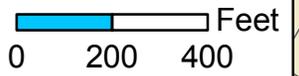


452 Kings Highway

Closest Sidewalk Facility

**Legend**

Existing Sidewalk



Sources: Esri, DeLorme, NAVTEQ, USGS, etc.

Property Owner: Randy & Kathy Donze  
Address of Property: 452 Kings Highway  
Milford, Delaware 19963  
Tax Map No: 1-30-1.19-023.00

**CITY OF MILFORD**  
***RESOLUTION 2018-07***  
***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 and conditioned by Milford City Council, on May 14, 2018 shall be reflected on the Site Plan.

---

Mayor Arthur J. Campbell

---

City Clerk Teresa Hudson

Date Adopted: May 14, 2018



# Land Use Application Cover Sheet

File Name: COM Electric Substation  
 File Number: 16-004

Date Stamp  
06-30-16  
CC

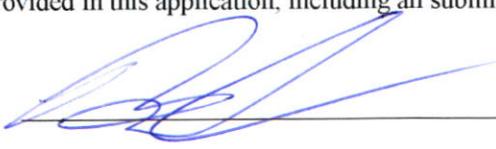
**Instructions for Applicants:**

Please read and follow all instructions on your application carefully. If you have any questions about the process or your project, it is strongly recommended that you speak with staff prior to submitting your application to help ensure that processing can advance in a timely manner. Every application must include this cover sheet, the application/checklist and all required items. No applications will be accepted/processed if violations exist or if any fees are owed to the City.

**Specify Type of Land Use Application to be submitted (check all that apply):**

- Preliminary Site Plan
- Preliminary Major Subdivision
- Final Minor Subdivision
- Final Site Plan
- Final Major Subdivision
- Variance/Appeal
- Change of Zone
- Conditional Use
- Annexation

**Please Type or Print Legibly**

<b>Property Owner(s):</b> <u>City of Milford</u>			Phone: <u>302 424 3712</u>
Address: <u>201 S. Walnut St</u>			Cell:
City: <u>Milford</u>	State: <u>DE</u>	Zip: <u>19963</u>	Fax:
E-Mail:			
<b>Applicant Name and Company:</b>			Phone:
Address:			Cell:
City:	State:	Zip:	Fax:
E-Mail:			
<b>Surveyor or Engineer:</b>			Phone:
Address:			Cell:
City:	State:	Zip:	Fax:
E-Mail:			
Site Address: <u>2016<sup>7</sup> Elks Lodge Road</u>		Zoning: <u>AP-1</u>	
Tax Map & Parcel Number(s): <u>3-30-15.00-58.02</u>		Acreage: <u>6.5</u>	
I/We certify that the information provided in this application, including all submittals and attachments, is true and correct to the best of my/our knowledge.			
Signature of Property Owner(s): 		Date: <u>06/27/2016</u>	
Signature of Applicant(s): _____		Date: _____	
<b>Office Use Only:</b>			
<input type="checkbox"/> Current on Utilities <u>N/A</u>	<input type="checkbox"/> Current on Taxes <u>N/A</u>	<input type="checkbox"/> No Outstanding Violations <u>N/A</u>	

REVISED: 05.2016



# Annexation Application

File Name: COM Electric Substation  
 File Number: 16-004

Date Stamp: 06.30.16  
cc

A Land Use Application for Annexation is deemed complete when it is accompanied by the required items identified below. Please be advised that additional information may be required during the review process in order to respond to or resolve particular issues. No application shall be considered complete if any of the required information is missing.

Current County Zoning: AR-1 Requested Zoning: IS Comprehensive Plan Designation: N/A # Employment Center

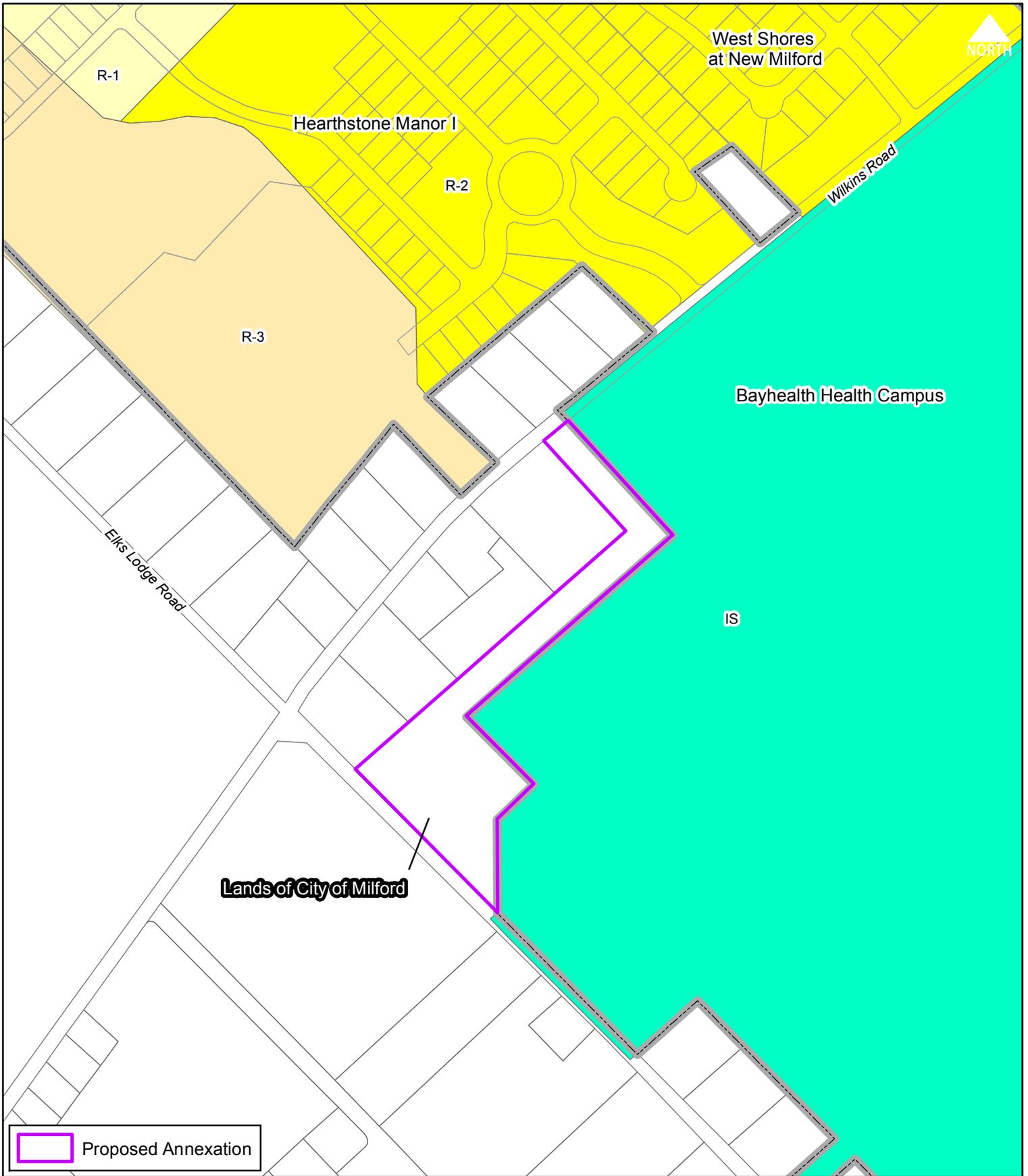
REQUIRED ITEMS		For Staff Use ONLY	
		Verified	Waived
<input checked="" type="checkbox"/>	1. Land Use Application Cover Sheet.	<input checked="" type="checkbox"/>	
<input type="checkbox"/>	2. Petition for annexation, signed by ALL property owners with signature of each petitioner duly witnessed; petition must contain:		
	A. Site address;		
	B. Tax map number (s);		
	C. Size of property in acres;		
	D. Reasons for request;		
	E. General location description (proximity to closest roadways, streets and intersections).		
<input checked="" type="checkbox"/>	3. A full legal description of the property in Word format.		
<input checked="" type="checkbox"/>	4. Current recorded deed showing legal description and ownership.		
<input type="checkbox"/>	5. Current sealed survey (no larger than 11" x 17"), drawn to scale, showing:		
	A. Property identified for annexation which clearly shows the parcel(s) and demonstrates contiguity to the City;		
	B. Date, scale and north arrow;		
	C. Existing right-of-ways and improvements;		
	D. Existing utilities;		
	E. Existing natural features;		
	F. Existing structures and other improvements;		
	G. All structures, natural features and other improvements on abutting property.		
<input type="checkbox"/>	6. Application fee (see page 2).		<input checked="" type="checkbox"/>

I/We certify that the information provided in this application, including all submittals are attachments, is true and correct to the best of my/our knowledge.

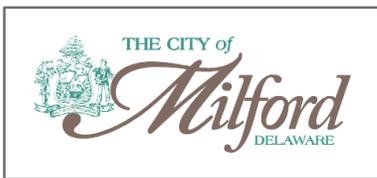
Signature of Property Owner: [Signature] Date: 06/27/2016  
 Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

FOR STAFF USE ONLY			
City Council	Annexation Committee	Planning Commission	City Council
Applicant			
Owner			

REvised: 01.2014



 Proposed Annexation

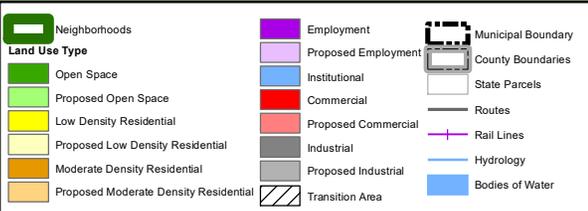
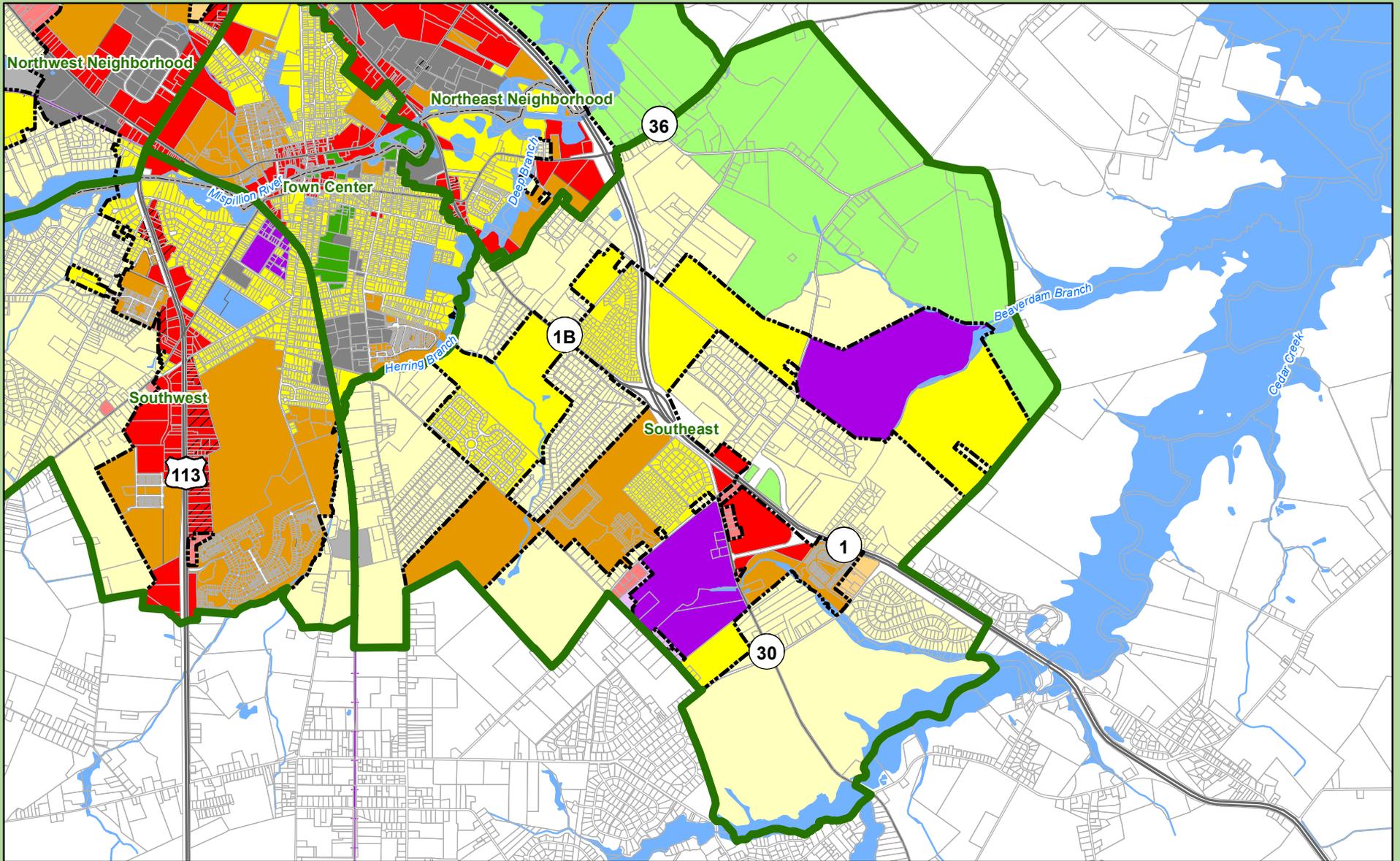


Scale:  Feet  
0 200 400

Drawn by: WRP      Date: 04/17/18

Title:  
**Proposed Annexation  
City of Milford  
Location & Zoning Map**

Filepath: Annexation\_CityofMilford.mxd

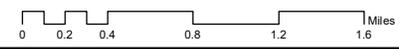


## City of Milford, Delaware

### Future Land Use

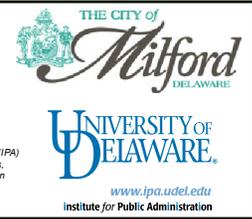
#### Southeast

Adopted Jan. 22, 2018, Certified TBD



**Sources:**  
 Municipal Boundaries - Delaware Office of State Planning Coordination, FirstMap 10/17.  
 DRAFT Future Landuse - City of Milford, Delaware 01/18.  
 Road and Rail Network - Delaware Department of Transportation, FirstMap 01/18.  
 Hydrology - USGS and EPA, FirstMap 01/18.

Note: This map is provided by the University of Delaware, Institute for Public Administration (IPA) solely for display and reference purposes and is subject to change without notice. No claims, either real or assumed, as to the absolute accuracy or precision of any data contained herein are made by IPA, nor will IPA be held responsible for any use of this document for purposes other than which it was intended.



**This Deed, Made this**

BOOK 1352 PAGE 337

17<sup>th</sup> day of July 19 85

BETWEEN.

JAMES H. VREELAND, MARY L. VREELAND, MARY LOU WEBB and KAY V. KLUTE, of Milford, Delaware, parties of the first part,

- AND -

THE CITY OF MILFORD, a Municipal Corporation of 201 South Walnut Street, Milford, Delaware, 19963, party of the second part,

**Witnesseth.** That the said party of the first part, for and in consideration of the sum of TWENTY SIX THOUSAND SEVENTY DOLLARS and EIGHTY CENTS----- (\$26,070.80)-----lawful money of the United States of America,

the receipt whereof is hereby acknowledged, hereby grants and conveys unto the said party of the second part,



**ALL**

that certain tract, piece and parcel of land, lying and being in Cedar Creek Hundred, Sussex County and State of Delaware, fronting on the northeasterly side of County Road 211 and on the southeasterly side of County Road 206, adjoining lands of Carl W. Grundman, lands of James H. Cannon, Jr. and other lands of grantor, and more particularly described as follows, to wit:

BEGINNING at a set iron pipe on aforementioned northeasterly right of way line of County Road 211, 25 feet from the centerline thereof, and at a corner for other lands of grantor; thence running with said right of way line of County Road 211 North 44 degrees 45 minutes 52 seconds West 625.00 feet to a set iron pipe at the southerly corner of lands of Carl W. Grundman; thence proceeding along said lands of Carl W. Grundman and lands of James H. Cannon Jr. North 49 degrees 45 minutes 54 seconds East 1083.33 feet to a found iron pipe at a corner for said Cannon lands; thence following line of said Cannon lands North 43 degrees 35 minutes 29 seconds West 386.42 feet, passing through an iron pipe found at 385.75 feet to a point on aforementioned southeasterly right of way line of County Road 206; thence following said right of way line of County Road 206, 25 feet from the centerline thereof, North 49 degrees 26 minutes 02 seconds East 100.14 feet to a set iron pipe at a corner for other lands of grantor; thence proceeding along said other lands of grantor the following 5 courses and distances: 1) South 43 degrees 35 minutes 29 seconds East 487.17 feet to a set iron pipe; 2) South 49 degrees 45 minutes 54 seconds West 831.44 feet to a set iron pipe; 3) South 44 degrees 45 minutes 52 seconds East 299.69 feet to a set iron pipe; 4) South 49 degrees 45 minutes 54 seconds West 150.00 feet to a set iron pipe; and finally 5) South 01 degrees 08 minutes 34 seconds East 288.99 feet to the place of beginning, containing 6.5177 acres of land, more or less, as filed in Plot Book 32, page 316.

BEING a portion of the lands devised to Mary L. Vreeland, James H. Vreeland, Mary Lou Webb and Kay V. Klute by the Last Will and Testament of Howard S. Vreeland as filed in the Office of the Register of Wills, Georgetown, Sussex County, Delaware.

FUQUA AND GRAVES  
THE CIRCLE  
GEORGETOWN, DELAWARE 19847

STATE OF DELAWARE

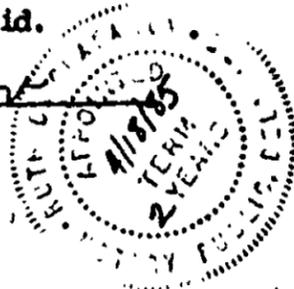
BOOK 1352 PAGE 338

COUNTY OF

BE IT REMEMBERED, That on this 17th day of July, 1985, personally came before me, the Subscriber, a Notary Public for the State and County aforesaid, JAMES H. VREELAND, party to this Indenture, known to me personally to be such, and he acknowledged this Indenture to be his Deed.

GIVEN under my Hand and Seal of office, the day and year aforesaid.

Burt D. Chasnov  
NOTARY PUBLIC



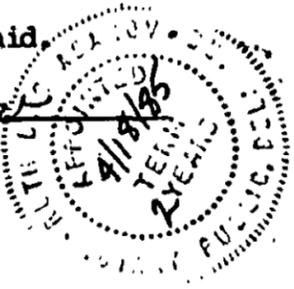
STATE OF DELAWARE:

COUNTY OF

BE IT REMEMBERED, That on this 17th day of July, 1985, personally came before me, the Subscriber, a Notary Public for the State and County aforesaid, MARY L. VREELAND, party to this Indenture, known to me personally to be such, and she acknowledged this Indenture to be her Deed.

GIVEN under my Hand and Seal of office, the day and year aforesaid.

Burt D. Chasnov  
NOTARY PUBLIC



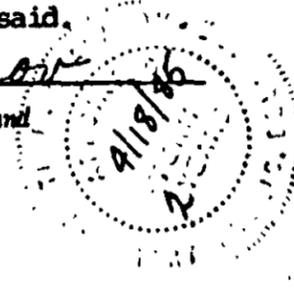
STATE OF DELAWARE:

COUNTY OF

BE IT REMEMBERED, That on this 17th day of July, 1985, personally came before me, the Subscriber, a Notary Public for the State and County aforesaid, MARY LOU WEBB, party to this Indenture, known to me personally to be such, and she acknowledged this Indenture to be her Deed.

GIVEN under my Hand and Seal of office, the day and year aforesaid.

Burt D. Chasnov  
NOTARY PUBLIC



In Witness Whereof, the said party of the first part has hereunto set hand and seal, the day and year aforesaid.

Signed, Sealed, Delivered and Witnessed in the Presence of

Kenneth A. Mills  
as to all

James H. Vreeland  
MARY L. VREELAND  
Mary Lou Webb  
KAY V. KLUTE



State of Delaware,  
County of Sussex

} ss.

this 17th day of July, 1985,  
personally came before me, the Subscriber,  
a Notary Public for the State and County aforesaid,

KAY V. KLUTE,

part Y to this Indenture, known to me personally to be such, and SHE  
acknowledged this Indenture to be HER Deed.

GIVEN under my Hand and Seal of office, the day and year aforesaid.

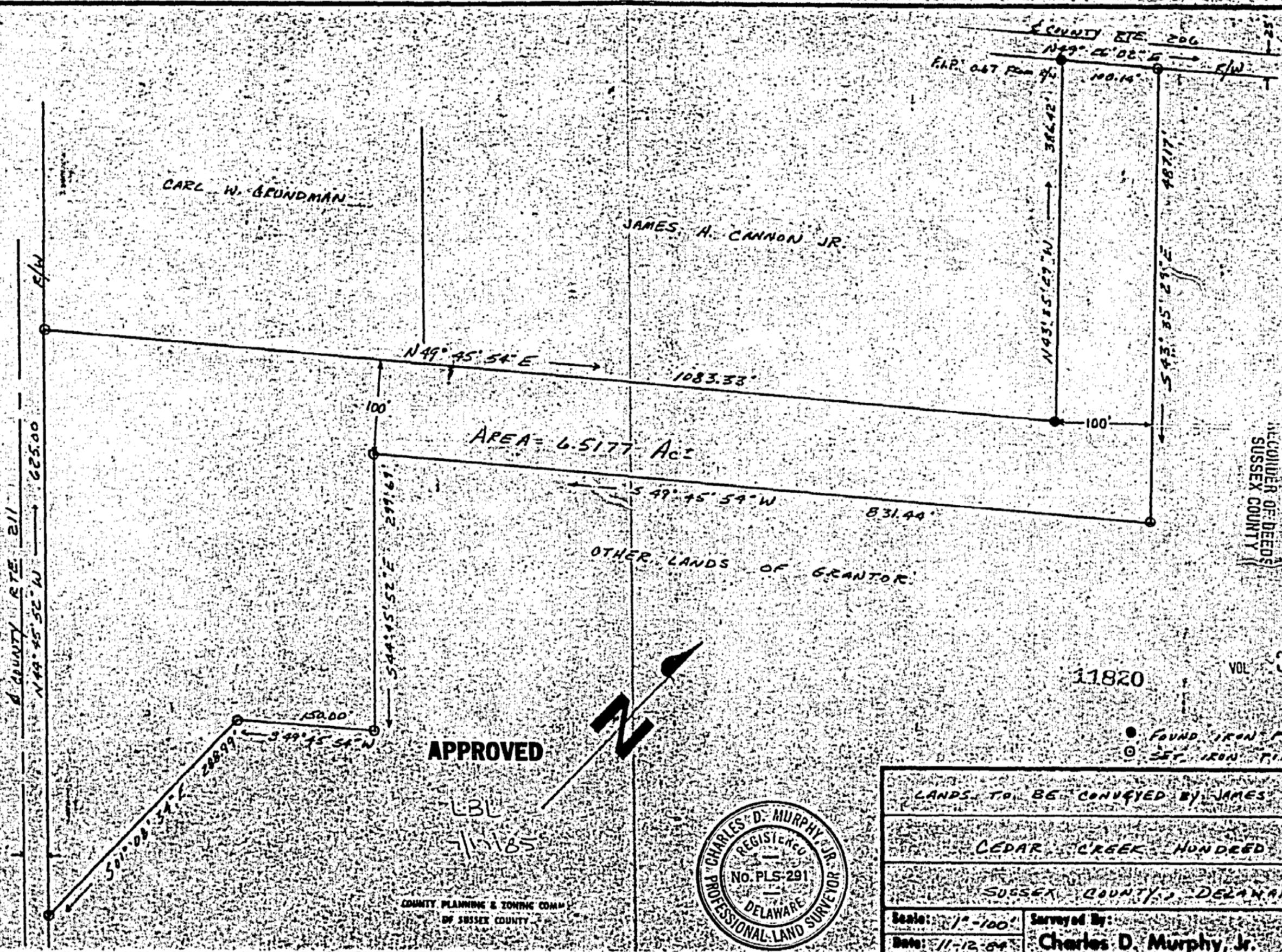
RECEIVED  
MARY L. VREELAND  
1985 JUL 18 PM 2:32  
RECORDED OF DEEDS  
SUSSEX COUNTY



Burt D. Chasnov  
Notary Public

19th DAY OF July 1985  
ASSESSMENT DIVISION SUSSEX COUNTY

Milgard, Del. 7-26-85



RECEIVED  
MAY ANTHONY  
1905 JUL 18 PM 2:31  
RECORDER OF DEEDS  
SUSSEX COUNTY

11820 VOL 32 PAGE 316

● FOUND IRON PIPE  
○ SET IRON PIPE

APPROVED

LBL  
7/11/85

COUNTY PLANNING & ZONING COMM.  
OF SUSSEX COUNTY



LANDS TO BE CONVEYED BY JAMES H. VREBLAND	
CEDAR CREEK HUNDRED	
SUSSEX COUNTY, DELAWARE	
Scale: 1" = 100'	Surveyed By: Charles D. Murphy, Jr.
Date: 11-12-84	P.L.S. 291

270198 (5) 7-00

City of Milford  
RESOLUTION 2018-09

Annexation/Lands belonging to the City of Milford  
Tax Map 3-30-15.00-058.02  
6.5 +/- Acres  
Current Zone AR-1/Proposed Zone I-S

COMMITTEE DIRECTED TO INVESTIGATE ANNEXATION

Whereas, a Petition, signed by the legal property owner and duly witnessed, requesting annexation into the City of Milford, lying and being in Cedar Creek Hundred, Sussex County and State of Delaware, fronting on the northeasterly side of County Road 211 and on the southeasterly side of County Road 206, adjoining lands of Carl W. Grundman, lands of James H. Cannon, Jr. and other lands of grantor, and more particularly described as follows, to wit

BEGINNING at a set iron pipe on aforementioned northeasterly right of way line of County Road 211, 25 feet from the centerline thereof, and at a corner for other lands of grantor; thence running with said right of way line of County Road 211 North 44 degrees 45 minutes 52 seconds West 625.00 feet to a set iron pipe at the southerly corner of lands of Carl W. Grundman; thence proceeding along said lands of Carl W. Grundman and lands of James H. Cannon Jr. North 49 degrees 45 minutes 54 seconds East 1083.33 feet to a found iron pipe at a corner for said Cannon lands: thence following line of said Cannon lands North 43 degrees 35 minutes 29 seconds West 386.42 feet, passing through an iron pipe found at 385.75 feet to a point on aforementioned southeasterly right of way line of County Road 206; thence following said right of way line of County Road 206, 25 feet from the centerline thereof, North 49 degrees 26 minutes 02 seconds East 100.14 feet to a set iron pipe at a corner for other lands of grantor; thence proceeding along said other lands of grantor the following 5 courses and distances: 1) South 43 degrees 35 minutes 29 seconds East 487.17 feet to a set iron pipe; 2) South 49 degrees 45 minutes 54 seconds West 831.44 feet to a set iron pipe; 3) South 44 degrees 45 minutes 52 seconds East 299.69 feet to a set iron pipe: 4) South 49 degrees 45 minutes 54 seconds west 150.00 feet to a set iron pipe; and finally 5) South 01 degrees 08 minutes 34 seconds East 288.99 feet to the place of beginning, containing 6. 5 +/- acres of land, more or less, as filed in Plot Book 32, page 316.

BEING a portion of the lands devised to Mary L. Vreeland, James H. Vreeland, Mary Lou Webb and Kay V. Klute by the Last Will and Testament of Howard s. Vreeland as filed in the Office of the Register of Wills, Georgetown, Sussex County, Delaware.

has been submitted to the City Council of the City of Milford.

Now, Therefore, a Committee, composed of three (3) elected members of City Council and one (1) member of the Planning Commission has been appointed by the Mayor to investigate the possibility of annexing said property, said Committee to be comprised of Chair Owen Brooks, Councilmembers Christopher Mergner and James Starling Sr. along with Planning Commission Chairman Marvin Sharp.

Be It Further Resolved, that said Committee shall submit a written report containing its findings and conclusions, including the advantages and disadvantages of the proposed annexation both to the City and to the property proposed to be annexed and said report shall further contain the committees' recommendations whether or not to proceed with the proposed annexation and the reasons therefor.

---

City Clerk

Adopted: May 14, 2018

NOTICE OF PUBLIC HEARINGS  
PLANNING COMMISSION PUBLIC HEARING: April 17, 2018  
CITY COUNCIL PUBLIC HEARING: May 29, 2018

NOTICE IS HEREBY GIVEN the City of Milford Planning Commission will hold a Public Hearing on **Tuesday, April 17, 2018** at 7:00 pm to hear evidence from interested parties and make a recommendation to City Council regarding the ordinance. The City of Milford City Council will hold a Public Hearing on **Tuesday, May 29, 2018** at 7:00 pm to hear evidence from interested parties and make a final determination regarding the ordinance.

All Public Hearings are held in the Joseph Ronnie Rogers Council Chambers, Milford City Hall, 201 South Walnut Street, Milford, Delaware.

**ORDINANCE 2018-13**

Gator & Associates Inc for an Amended Conditional Use  
in a C3 Zoning District; Located on north side of Milford-Harrington Hwy, approximately 3,600  
feet west of S DuPont Blvd intersection, Milford, Delaware.  
Present Use: Brew Pub with Distillery/Retail.  
Proposed Use: Same with amended hours of Brew Pub.  
Tax Map MD-16-173.00-01-12.00

WHEREAS, the City of Milford Planning Commission considered the ordinance, as described, at a duly noticed Public Hearing on April 17, 2018 and recommended its adoption to City Council; and

WHEREAS, Milford City Council conducted a duly noticed Public Hearing on May 29, 2018 to consider all information presented by City Staff, the Applicant, 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 that amends a previously-approved Conditional Use as herein described.

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

*Section 1.* Upon the adoption of this ordinance by City Council, Gator & Associates Inc is hereby granted a Conditional Use Permit to amend the original Conditional Use, 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: April 17, 2018

City Council Introduction: May 14, 2018

City Council Public Hearing: May 29, 2018

Projected Adoption: May 29, 2018

Projected Effective: June 8, 2018

For additional information, please contact Rob Pierce in the Planning Department at Milford City Hall either by e-mail at [RPierce@milford-de.gov](mailto:RPierce@milford-de.gov) or by calling 302.424.8396.

*Advertised: Beacon 03/28/18*

# NOTICE OF PUBLIC HEARINGS

PLANNING COMMISSION PUBLIC HEARING: TUESDAY, MAY 15, 2018  
CITY COUNCIL PUBLIC HEARING: TUESDAY, MAY 29, 2018

NOTICE IS HEREBY GIVEN the Planning Commission of the City of Milford will hold a Public Hearing on Tuesday, May 15, 2018 at 7:00 p.m. or as soon thereafter as possible.

A FINAL PUBLIC HEARING is scheduled on Tuesday, May 29, 2018 at 7:00 p.m. before Milford City Council. Following the hearing, the ordinance may be adopted, with or without amendments.

## ORDINANCE 2018-14

CODE OF THE CITY OF MILFORD  
PART II-GENERAL LEGISLATION  
CHAPTER 230  
ZONING  
ARTICLE III-USE AND AREA REGULATIONS  
§230-19.3-IM INSTITUTIONAL MEDICAL DISTRICT

WHEREAS, the City of Milford enacted a Zoning Code, Chapter 230, to protect the health, safety, morals and general welfare of its citizens and to protect and preserve places and areas of historical, cultural or architectural importance and significance; and

WHEREAS, from time to time, City Council determines the need for amendments and additions to the Zoning Code of the City of Milford; and

WHEREAS, City Council has determined all uses permitted in the R-8 Zoning District and residential housing owned, maintained and operated by a health-care organization for the primary benefit of its patients, patient families, and/or health-care employers and their employees as well as overnight accommodations for patient families and individuals that are receiving treatment from a hospital or other health-care facility are appropriate conditional uses in the IM-Institutional Medical Zoning District.

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

*Section 1. Chapter 230 is hereby amended by making deletions as shown by strike through and insertions as shown by underline as follows:*

§ 230-19.3. - IM Institutional Medical District.

A. Purpose. The Institutional Medical District is intended to achieve the following:

- (1) To encourage a harmonious pattern of institutional development which can mutually benefit the City of Milford and the institutions themselves.
- (2) To encourage the development of institutional medical uses in accordance with approved standards and to promote the planning for the location of future health institutional uses serving a regional population.

B. District area. The minimum area to request an Institutional Medical Zoning District shall be 20 acres.

C. Permitted uses.

- (1) Outpatient health-care clinics.
- (2) Professional offices, medical offices, and medical laboratories involving the diagnosis, treatment and care of humans, including any and all support services related thereto.

- ~~(3)~~ Any residential housing owned, maintained and operated by a health care organization for the primary benefit of its patients, patient families, and/or health care employers and their employees as well as overnight accommodations for patient families and individuals that are receiving treatment from a hospital or other health care facility.
- (4) **(3)** Private education institutions **and** training centers related to health care (but not including other trade schools).
- ~~(5)~~ **(4)** Nursing facilities and/or convalescent homes.
- ~~(6)~~ **(5)** Child or adult day-care facilities (including both day-care homes and day-care centers) to accommodate patients, patient families, health-care employers and their employees, and the public.
- ~~(7)~~ **(6)** Data and computer processing, and similar uses and structures which reflect and incorporate technological advancements.
- ~~(8)~~ **(7)** Parking areas, including parking facilities.
- ~~(9)~~ **(8)** Rehabilitation facilities and fitness centers related to health-care fitness and wellness.
- ~~(10)~~ **(9)** Any and all uses and/or structures which are of the same general character as those listed above.
- ~~(11)~~ **(10)** Any and all uses which are customarily accessory and incidental to any of the above permitted uses.
- ~~(12)~~ **(11)** Government offices, municipal and public services and facilities, including city hall, water storage towers, water reservoirs, pumping stations, water treatment plants, sewerage pumping stations, sewers (storm and sanitary), street rights-of-way, utility transmission and distribution lines, police and fire stations and substations for electric, gas and telephone facilities.
- ~~(13)~~ **(12)** Public and private elementary, junior or senior high schools and colleges.
- ~~(14)~~ All uses permitted in the R-8 Zoning District.
- (13)** Cafeteria facilities, snack and gift shops, banking facilities, restaurants, retail, personal service shops, and laundry facilities primarily for the use of health-care employees, patients and visitors.
- (14)** Pharmacies.
- (15)** Hospitals and all other health-care facilities, including any and all support services related thereto.

**D. Conditional uses subject to special regulations. The following uses may be permitted with the approval of a conditional use permit by the Milford City Council in accordance with the provisions in Article IX of this chapter:**

- (1) All uses permitted in the R-8 Zoning District.**
- (2) Any residential housing owned, maintained and operated by a health-care organization for the primary benefit of its patients, patient families, and/or health-care employers and their employees as well as overnight accommodations for patient families and individuals that are receiving treatment from a hospital or other health-care facility.**

**E.** Uses prohibited. Outside storage or warehousing of materials, except storage which is incidental and/or customary to the permitted uses, excluding temporary activities such as new construction activities. Incinerators shall not be a permitted use. Autoclaves, sterilization equipment and similar devices are not classified as incinerators for purposes of this prohibition.

**F.** Height regulations.

- (1) The height of all buildings utilized or intended to be utilized for residential purposes shall not be greater than four stories measured from ground level in conformity with the provisions concerning yard regulations set forth below.
- (2) The height of all buildings utilized for nonresidential purposes shall not be greater than 50 feet measured from ground level at the building's main entrance, excluding rooftop ancillary services (such as heating and air conditioning equipment, staircases or walkways, elevator shafts, and similar appurtenances).

~~F.~~ **G.** Yard regulations. In the Institutional Medical District, a lot shall have front, side and rear yards of not less than the depth or width indicated below for any land development which involves the construction of a permanent structure:

- (1) Front yard and side yard depth. Any building constructed in the Institutional Medical District shall be in conformity with a 60° lineal plane measured at the bottom of such plane at the applicable front and/or side property line. No portion of the building shall be permitted to break such lineal plane excepting such portions of the building which constitute gables, gabled dormers, rooftop ancillary services (such as heating and air conditioning equipment, staircases, fire escapes or walkways, elevator shafts, and similar appurtenances), signage, and/or facades. The requirement for side yard setbacks shall be decreased to the interior of the lots when lots have been combined into common ownership for a project which includes two or more lots.
- (2) Rear yard width: 25 feet.

~~G.~~ **H.** Lot coverage. The lot coverage, excluding areas paved and parking facilities, shall be no more than 60% of the area of the lot.

~~H.~~ **I.** Off-street parking. Parking shall be provided in accordance with the provisions of the City of Milford Zoning Ordinance.

~~I.~~ **J.** Signs in the Institutional Medical District.

- (1) In those instances involving a single building with a single business use occupying a single lot, the total allowable sign area shall be 18 square feet, exclusive of the necessary architectural supports or columns. The reference to sign area is reference to size of structure without reference to size of actual advertising area.
- (2) In those instances involving a single building but with multiple business uses, there may be erected a single advertising sign on which there shall be listed all of the occupants of the building, in which case the total allowable sign area, determined as provided in Subsection ~~I~~ **J** (1) above, may be up to but not in excess of 36 square feet. The only other allowable signage for the lot shall be name identification signs for each individual business, which shall not exceed two square feet for each and shall be limited solely to the name of the business being identified and shall be attached to the building.
- (3) In those instances involving a single lot comprised of a building with multiple occupants as well as a detached building with a single occupant or detached building with multiple occupants, the allowable signage for the lot shall be as provided in Subsection ~~I~~ **J** (2) ~~next~~ above.
- (4) Illumination. Any lighting used to illuminate advertising signs shall be arranged so that the direct rays from the lights will not fall on any adjoining property. Signs in the Institutional Medical District or lighting for signs shall not be placed in such a position that is will cause danger to traffic or create a traffic hazard by obscuring the view or in any way interfering with driver vision.

#### *Section 2. Dates.*

Planning Commission Review & Public Hearing: May 15, 2018

City Council Introduction: May 14, 2018

City Council Public Hearing: May 29, 2018

Adoption (Proposed): May 29, 2018

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

A complete copy of the Code of the City of Milford is available by request through the City Clerk's office or by accessing the city website at [www.cityofmilford.com](http://www.cityofmilford.com).

*Advertised: Beacon 04/25/18*

## EXISTING CITY CODE

### § 230-19.3. - IM Institutional Medical District.

- A. Purpose. The Institutional Medical District is intended to achieve the following:
- (1) To encourage a harmonious pattern of institutional development which can mutually benefit the City of Milford and the institutions themselves.
  - (2) To encourage the development of institutional medical uses in accordance with approved standards and to promote the planning for the location of future health institutional uses serving a regional population.
- B. District area. The minimum area to request an Institutional Medical Zoning District shall be 20 acres.
- C. Permitted uses.
- (1) Outpatient health-care clinics.
  - (2) Professional offices, medical offices, and medical laboratories involving the diagnosis, treatment and care of humans, including any and all support services related thereto.
  - (3) Any residential housing owned, maintained and operated by a health-care organization for the primary benefit of its patients, patient families, and/or health-care employers and their employees as well as overnight accommodations for patient families and individuals that are receiving treatment from a hospital or other health-care facility.
  - (4) Private education institutions, training centers related to health care (but not including other trade schools).
  - (5) Nursing facilities and/or convalescent homes.
  - (6) Child or adult day-care facilities (including both day-care homes and day-care centers) to accommodate patients, patient families, health-care employers and their employees, and the public.
  - (7) Data and computer processing, and similar uses and structures which reflect and incorporate technological advancements.
  - (8) Parking areas, including parking facilities.
  - (9) Rehabilitation facilities and fitness centers related to health-care fitness and wellness.
  - (10) Any and all uses and/or structures which are of the same general character as those listed above.
  - (11) Any and all uses which are customarily accessory and incidental to any of the above permitted uses.
  - (12) Government offices, municipal and public services and facilities, including city hall, water storage towers, water reservoirs, pumping stations, water treatment plants, sewerage pumping stations, sewers (storm and sanitary), street rights-of-way, utility transmission and distribution lines, police and fire stations and substations for electric, gas and telephone facilities.
  - (13) Public and private elementary, junior or senior high schools and colleges.
  - (14) All uses permitted in the R-8 Zoning District.
- D. Uses prohibited. Outside storage or warehousing of materials, except storage which is incidental and/or customary to the permitted uses, excluding temporary activities such as new construction activities. Incinerators shall not be a permitted use. Autoclaves, sterilization equipment and similar devices are not classified as incinerators for purposes of this prohibition.
- E. Height regulations.

- (1) The height of all buildings utilized or intended to be utilized for residential purposes shall not be greater than four stories measured from ground level in conformity with the provisions concerning yard regulations set forth below.
  - (2) The height of all buildings utilized for nonresidential purposes shall not be greater than 50 feet measured from ground level at the building's main entrance, excluding rooftop ancillary services (such as heating and air conditioning equipment, staircases or walkways, elevator shafts, and similar appurtenances).
- F. Yard regulations. In the Institutional Medical District, a lot shall have front, side and rear yards of not less than the depth or width indicated below for any land development which involves the construction of a permanent structure:
- (1) Front yard and side yard depth. Any building constructed in the Institutional Medical District shall be in conformity with a 60° lineal plane measured at the bottom of such plane at the applicable front and/or side property line. No portion of the building shall be permitted to break such lineal plane excepting such portions of the building which constitute gables, gabled dormers, rooftop ancillary services (such as heating and air conditioning equipment, staircases, fire escapes or walkways, elevator shafts, and similar appurtenances), signage, and/or facades. The requirement for side yard setbacks shall be decreased to the interior of the lots when lots have been combined into common ownership for a project which includes two or more lots.
  - (2) Rear yard width: 25 feet.
- G. Lot coverage. The lot coverage, excluding areas paved and parking facilities, shall be no more than 60% of the area of the lot.
- H. Off-street parking. Parking shall be provided in accordance with the provisions of the City of Milford Zoning Ordinance.
- I. Signs in the Institutional Medical District.
- (1) In those instances involving a single building with a single business use occupying a single lot, the total allowable sign area shall be 18 square feet, exclusive of the necessary architectural supports or columns. The reference to sign area is reference to size of structure without reference to size of actual advertising area.
  - (2) In those instances involving a single building but with multiple business uses, there may be erected a single advertising sign on which there shall be listed all of the occupants of the building, in which case the total allowable sign area, determined as provided in Subsection I(1) next above, may be up to but not in excess of 36 square feet. The only other allowable signage for the lot shall be name identification signs for each individual business, which shall not exceed two square feet for each and shall be limited solely to the name of the business being identified and shall be attached to the building.
  - (3) In those instances involving a single lot comprised of a building with multiple occupants as well as a detached building with a single occupant or detached building with multiple occupants, the allowable signage for the lot shall be as provided in Subsection I(2) next above.
  - (4) Illumination. Any lighting used to illuminate advertising signs shall be arranged so that the direct rays from the lights will not fall on any adjoining property. Signs in the Institutional Medical District or lighting for signs shall not be placed in such a position that it will cause danger to traffic or create a traffic hazard by obscuring the view or in any way interfering with driver vision.

City of Milford  
Ordinance Review

NOTICE IS HEREBY GIVEN that the following Ordinance is under review by Milford City Council:

**ORDINANCE 2018-15**

CODE OF THE CITY OF MILFORD  
PART I-ADMINISTRATIVE LEGISLATION  
CHAPTER 19  
ECONOMIC DEVELOPMENT AND REDEVELOPMENT  
ARTICLE III-SPECIFIC ECONOMIC DEVELOPMENT INCENTIVE PROGRAMS  
§19-9-DOWNTOWN DEVELOPMENT DISTRICT INCENTIVE PROGRAM

WHEREAS, the City of Milford enacted an Economic Development and Redevelopment Code, Chapter 19, to promote economic development and redevelopment within the City of Milford; and

WHEREAS, from time to time, City Council determines the need for amendments and additions to the Economic Development and Redevelopment Code of the City of Milford; and

WHEREAS, City Council has determined in order to be eligible for a tax abatement through the development incentives provided in the Downtown Development District, the property must have been registered with the City as a rental property as of August 10, 2016, which is when the State of Delaware designated downtown as a Downtown Development District.

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

*Section 1. Chapter 19 is hereby amended by making insertions as shown by underline as follows:*

§ 19-9. - Downtown Development District Incentive Program.

C. Development Incentives.

(4) Abatement of Property Taxes.

(a) Incentive Beneficiaries shall qualify to receive City of Milford property tax abatements for a period not to exceed ten (10) years. The abatement period shall commence from the date of final certificate of occupancy.

(b) Rehabilitation Projects.

i. If the incentive beneficiary improves the assessed value, as determined by the City Tax Assessor, by more than 50% of the original assessed value, the incentive beneficiary shall receive a full abatement of City property taxes for ten (10) years.

ii. If the incentive beneficiary improves the assessed value, as determined by the City tax assessor, by less than 50% of the original assessed value, the incentive beneficiary shall receive a partial abatement of City property taxes on the value of the improvements for ten (10) years.

(c) New residential or commercial construction shall receive a full tax abatement for five (5) years.

(d) Properties converted from rental units to owner occupied housing shall receive a full tax abatement for ten (10) years, subject to continued occupancy by the property owner. In order to be eligible for the tax abatement, properties must have been registered as a rental property with the City of Milford at the time of Downtown Development District Designation by the State of Delaware, which was August 10, 2016.

*Section 2. Dates.*

City Council Introduction: 05/14/18

City Adoption: 05/29/18

Effective: 06/08/18

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

A complete copy of the Code of the City of Milford is available by request through the City Clerk's office or by accessing the city website at [www.cityofmilford.com](http://www.cityofmilford.com).

City of Milford  
201 S. Walnut Street  
Milford, DE 19963



Request for Qualifications  
For  
Design Services for New Milford Police Station

May \_\_\_, 2018

City of Milford  
Request for Qualifications  
2018 Milford Police Station Design/Engineering/Architectural Services

Public Notice is hereby given that the City of Milford will accept Statements for Qualifications from design/engineering/architectural firms. **Interested firms shall submit three (3) copies of their submittals on or before 3:00 p.m., Friday April 27, 2018** to the Clerk's Office, Attention Terri Hudson, City Hall, 201 S. Walnut Street, Milford, Delaware 19963. Envelopes shall be marked "RFQ: Police Station Design Services." Any submittals received after the stated time will be returned unopened.

Following receipt of the proposals, the City will select the individual or firm it deems most qualified to address the needs and conditions of this project and whose proposal is most advantageous to the City. The City reserves the right to request an interview prior to the selection of the individual or firm. The City reserves the right to award a contract/agreement that is in the best interest of the City and may award to multiple firms or none. The resulting contract/agreement period will be for a two-stage process, Phase 1 before a public referendum vote on the Police Station project and, Phase 2, after the successful vote. The award will be made by the City Council at a Council meeting open to the public. The City Council may accept or reject any or all proposals or hold all proposals for a period of ninety (90) days from the date of proposal opening prior to making a decision.

Eric Norenberg  
City of Milford, City Manager

City of Milford  
Request for Qualifications  
2018 Milford Police Station Design/Engineering/Architectural Services

**REQUEST FOR QUALIFICATIONS  
DESIGN SERVICES**

**1. General Overview**

The City of Milford invites submission of proposals for design/engineering/architectural services as detailed in this Request for Qualifications (RFQ). For purposes of this RFQ and the selection process, the term “firm” shall mean a qualified individual, organization or team of individuals and/or organizations.

Professional services will include, but are not limited to, architectural, design, project management, engineering, construction management services related to the design, permitting and inspection for a new police station for the Milford Police Department on a site that has already been selected. Award of any contract/agreement will be based on competitive, qualification-based ranking.

**2. Background**

The Milford Police Facility, located at 400 NE Front Street, is operating in a 14,000 square foot building constructed in 1978 of concrete and steel and operates as an essential facility for the City of Milford. At that time the building housed 15 sworn officers and civilians and served a population of approximately 5,000. Currently, this City-owned facility houses 32 police officers, 10 civilian personnel and is in full operation 24 hours per day, seven days per week. The building serves as the main administrative office for police services and the City’s reporting center. The building houses chemical and special weapons, tactical equipment, criminal records, crime scene evidence, and is used as the City’s main Emergency Operations Center.

In 2011 a visual building condition analysis was conducted of the existing Milford Police Building, which as originally built in 1978. The analysis confirmed what the police department and the members of the Milford Police Commission already knew, namely, that the building is inadequate in a number of areas, including:

- The building lies in a floodplain. Essential Buildings, such as a police department and dispatch center, should not be located in areas that might jeopardize its operability.
- There is minimal security within the building. Prisoners are walked across the main parking lot into the building through the same entrance utilized by all police department personnel. Prisoner holding cells are located off main hallway also utilized by all department personnel.
- Male, female, and juvenile prisoners are not able to be housed separately by sight and sound which is required by law.
- Evidence Storage, limited by the existing building’s lack of space, is extremely overcrowded. Chain of Evidence security issues suffer due to the limited space and general overcrowding in the building.
- Staff Facilities, from locker rooms to training rooms, are obsolete, inadequate and undersized.
- There is no space for roll call and report writing.

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- The Public Lobby is not open or inviting to citizens. It is too small and there are no areas where citizens can speak to officers in private without entering the “police” side of the building. Family members and/or associates of victims and suspects cannot be separated within the lobby area which makes for very uncomfortable and tense conditions.
- There is no community/meeting room space for the police department to promote community policing concepts.

**Scope of Services**

- A. **Objective:** The City of Milford, in accordance with Delaware Code and the Milford Charter, is requesting a Statement of Qualifications from qualified firms who are interested and capable of providing professional architectural, design, project management, engineering, construction management services for the City of Milford for the development of a new police station on a site that has already been selected.
- B. **Site Evaluation:** Evaluation of site conditions shall be the responsibility of the professional selected to provide engineering/architectural services. The selected professional will be required to perform all functions necessary to properly design the facility in accordance with approvals by the City of Milford and the State of Delaware. (Please be aware that a Phase I and Phase II evaluation has been completed – please refer to Appendix D.)
- C. **Phases of Work:** The City of Milford intends to retain qualified firm to conduct the outlined work in two phases, one before a referendum vote on the Police Station project and the second phase, after the vote, if approval is granted, as follows:

Contract A- Using the space needs and programming analysis prepared by Redstone and Associates:

- Confirm / update cost estimates for all phases of the project.
- Prepare a preliminary site plan for the project, in consultation with City departments, for review by City Council.
- Prepare preliminary elevations, renderings, and floor plans, in consultation with City departments, for review by City Council and for use with public education efforts related to the project.

Contract B – If voter approval is received for the site purchase and building development:

- Complete site planning work up to and including City Council approval.
- Prepare and complete building plans and secure all necessary permits.
- Bid the project, in conjunction with the City.
- Analyze bids and assist City with selection for award.

- D. See Appendix A for exhibits showing deficiencies of the current facility.
- E. See Appendix B for exhibits showing the space needs analysis prepared in 2016.

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2018 Milford Police Station Design/Engineering/Architectural Services

F. See Appendix C for site information.

G. See Appendix D for Phase I and Phase II findings.

H. See Appendix E for Anticipated Election Cycle

### 3. Statement of Qualifications Content and Format

A. Firms shall submit three (3) printed copies of their Statement of Qualifications and one electronic version on CD or flash drive. The Statement of Qualifications must be printed on 8 ½ by 11-inch paper. Foldout charts, tables, spreadsheets, and single-line diagrams are acceptable. The **Statement of Qualifications is limited to 35 pages** and shall include:

- 1) Demonstrated capability, capacity, experience and expertise of the firm
  - a. Previous public safety building history,
  - b. Capability / capacity to take on a project of this scope
  - c. References from at least three clients with relevant, similar projects in Kent or Sussex Counties
- 2) Staff expertise in architecture, design, project management, engineering, construction management, including:
  - a. Qualifications of all staff who will be assigned directly to the work.
    - i. List the professional and support positions and number of personnel in each position
    - ii. Provide an organization chart, including resumes of all personnel who will be committed to this project.
    - iii. For the project manager and project architects identified as part of the project team, provide specific information as to their experience on projects similar to this one.
    - iv. List professional consultants outside your firm you propose to provide services not available in your firm.
  - b. Provide a current workload list of current projects
- 3) Location of office(s)
- 4) Construction Costs
  - a. Describe how you establish cost estimates (include information on determining costs associated with construction public safety facilities).
  - b. Describe your cost control methods.
  - c. List the steps in your standard change order procedure.
- 5) Special Concerns
  - a. Explain how your firm ensures compliance with the Americans with Disabilities Act (ADA) and other federal and state regulations for public facilities. Provide examples.
  - b. Safety of the public and our officers is important. Describe how your firm will approach designing a safe police station.

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- c. Describe how your firm incorporates energy efficiency into its projects. Provide examples.
- 6) Legal Concerns
  - a. Explain the circumstances and outcome of any litigation, arbitration, or claims filed against your company.
- 7) Draft approach
  - a. Draft approach for the project that demonstrates an understanding of the scope and need for the project.
  - b. Outline the design schedule that you will implement to meet the expected election dates (Phase 1) and, if approved, describe the schedule for Phase 2. Describe the methods you will use to maintain this schedule.
  - c. Describe the types of problems that you have encountered on similar projects and explain what you did to resolve the problems and what you would do differently to avoid such problems on future projects.
- 8) Fees
  - a. Provide information on your billing practices (i.e., lump sum, hourly rate, other), including reimbursable cost categories.

#### 4. Selection Process

- A. The City of Milford is using a qualification-based selection process to comply with Delaware Code and City of Milford procurement policies. This procedure provides for an orderly process of solicitation of professional qualifications; evaluation and ranking of qualifications; establishment of a ranked list of service providers; interview selected service providers if required; and negotiation of the scope of services and fees.
- B. The City will conduct a site visit for all interested parties April \_\_, 2018 at 1:00 pm. to answer questions. Attendance is not mandatory; however, no other site visits will be arranged.
- C. Statements of Qualifications will be evaluated on the content provided and the City of Milford may choose to interview one or more of the responding firms. However, at its discretion, the City of Milford may dispense with interviews and select a firm or firms to perform the work. A selection committee appointed by the City Manager and the Police Chief will assist with screening and evaluation of submittals. Selected references will be contacted. The City reserves the right to award a contract in the best interest of the City and may award to multiple firms or none.
- D. The City reserves the right to investigate and confirm the candidate's financial responsibility. This may include financial statements, bank references, and interviews with past consultants, employees, or creditors. Unfavorable responses to these investigations are grounds for rejection.
- E. The City of Milford expects to evaluate proposals and provide written notification of the short-listed firms within 90 days of receipt of submittals. The City of Milford will seek to negotiate a contract/agreement, a detailed scope of work, fee schedule, etc. with the highest ranked firm.

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- F. Written questions about the project shall be sent to Christine Crouch, Deputy City Clerk via email at [ccrouch@milford-de.gov](mailto:ccrouch@milford-de.gov) at least ten (10) days prior to the submission deadline.
- G. The formal selection process may be obtained by contacting City Hall at 302-422-1111.

**5. Insurance**

- A. As a condition of the contract, the awarded firm shall be required to provide proof that they are fully licensed, bonded and insured with the following minimum coverages:
  - General Liability, \$1 million per occurrence, \$3 million aggregate. City of Milford shall be named as an Additional Insured for On-going operations and Completed operations. firm's general liability insurance shall be Primary and Non-Contributory.
  - Auto Liability, \$ 1 million per occurrence. City of Milford shall be named as an Additional Insured.
  - Workers Compensation, with Employers Liability limits of \$1 million/\$1 million/\$1 million. Policy should include a Waiver of Subrogation.
  - Professional Liability, \$1 million per claim or per occurrence.

All insurance companies shall have an A.M. Best financial rating of A or better.

The selected firm shall provide an acceptable Certificate of Insurance to the City of Milford, consistent with these requirements.

**6. Submittal Guidelines**

- A. All submittals of Statements of Qualifications must be received on or before 3:00 p.m., Friday, April 27, 2018 to the City of Milford Clerk's Office, Attention Terri Hudson, City Hall, 201 S. Walnut Street, Milford, Delaware 19963. Envelopes shall be marked "RFQ: Police Station Design Services." Any submittals received after the stated time will be returned unopened.
- B. The City will not be liable for any costs incurred in the preparation and production of a submittal, proposal, or any work performed to the execution of a contract. All submittals, proposals and other materials will become the property of the City of Milford.
- C. All information contained in this Request for Qualifications and acceptable provisions of the selected firm's response will be made part of the executed agreement for services.
- D. Upon request, the submitting firm shall submit additional information as requested by the City of Milford.

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- E. The City reserves the right to waive any informalities or irregularities and/or reject and or all proposals received as a result of this Request for Qualifications; negotiate changes in the scope of work or services to be provided; conduct investigations required to determine the submitting firm's performance record and ability to perform the assignments specified as a part of this Request For Qualifications; negotiate separately with any source in a manner deemed to be in the best interest of the City.
  
- F. If, through any cause, the contracted firm shall fail to fulfill in a timely and proper manner its obligations under this agreement, or if the firm shall violate any covenants, terms, or conditions of the agreement, then the City of Milford can cancel the contract without prejudice by giving at least five (5) days prior written notice to the firm of such termination.

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**APPENDIX A**  
**Current Facility Information**

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Request for Qualifications  
2018 Milford Police Station Design/Engineering/Architectural Services



**Exhibits showing deficiencies of the current facility**

**View from visitor parking to main door for personnel and prisoners.**



**View from parking lot entrance to main door for personnel and prisoners.**

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**Extended view from main entrance looking out to visitor parking lot and police personnel parking lot entrance. Notice how close the public parking lot is to personnel and prisoner entrance.**



**Inside main entrance for personnel and prisoners. No separation from prisoners when personnel are entering or leaving the building.**

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Main hallway with cells and processing area are located on left and Sergeant's offices are across hall on right. No separation.



Prisoner processing area and video arraignment area. This area was initially a holding cell but was converted due to lack of space.

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Shift change room utilized by 32 officers.



Different view of Shift Change room. Space is very limited.

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Stairwell landing being use as storage area.

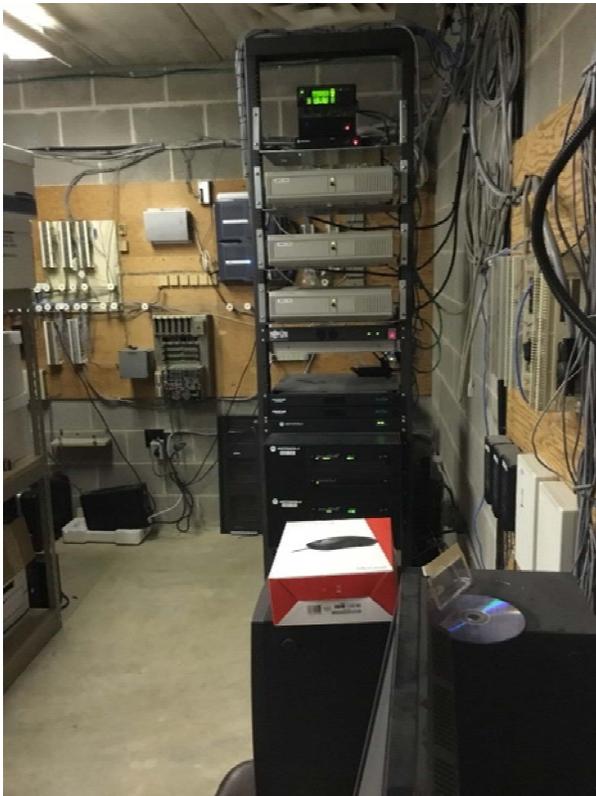


Downstairs hallway leading to custodian, drug unit, and Evidence Tech. offices. Hallway is utilized to store big items due to lack of storage closets.

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**Downstairs back hallway utilized for evidence processing. This processing center is set up outside the evidence/gun cleaning room due to lack of space inside room.**



**Radio & telephone system area shared with records retention area.**

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**Record retention/storage area over crowded. Room is shared with radio, telephone system area.**



**Boiler Room.**

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2018 Milford Police Station Design/Engineering/Architectural Services



**Men's Locker Room. Lockers are pack in so tight no extra space for additional lockers.**

**Front lobby. Doors had to be removed to be handicap compliant. Lobby remains cold in winter and hot in summer because doors were removed. Area is too small and there are no areas where citizens can speak to officers in private. No separation for victims and suspects. Lobby window is small and not accommodating to visitors.**



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**APPENDIX B**  
**Space Needs Analysis for New Facility**

City of Milford  
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2018 Milford Police Station Design/Engineering/Architectural Services

**APPENDIX C**  
**Site Information**

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**APPENDIX D**  
**Phase I and Phase II Information**

## APPENDIX E

### Anticipated Election Cycle

May 3, 2018: Police Committee reviews draft RFQ and considers recommendation for City Council to authorize release of RFQ.

May 14, 2018: City Council reviews draft RFQ and considers authorizing release of RFQ.

(Assuming approval)

May 20, 2018: RFQ is advertised in the *Delaware State News* and on the City website.

June 20, 2018: Responses due to the City Clerk's Office by 3 p.m.

June 25, 2018: Police Committee reviews responses, selects firms for interviews.

Week of July 9: Interviews are held. Preferred firm selected. Contract negotiations begin.

July 23 or August 13: Police Committee prior to City Council meeting to review contract / make recommendation. City Council approves contract.

August – September: Firm prepares updated project budget, revised site plan, elevations, etc. for City Council to review and for public outreach effort.

September 24: Police Committee prior to City Council meeting to review budget, plans, etc. / make recommendation. City Council considers approving project moving forward as presented.

Once approved by City Council, City Clerk advertises the Resolution to approve project borrowing at least 30 days prior to Public Hearing.

November 12, 2018: Public Hearing and City Council considers Resolution to approve borrowing. City Council considers Resolution calling an Election on the Referendum for the financing of the land and Police Station project and funding for five additional officers for December 15.

December 15, 2018: Referendum on Police Station and Funding five additional officers.

**DRAFT**  
05/07/2018

Redstone Architects			WORK EFFORT CONCEPTUAL DESIGN, INCLUDING FLOOR PLANS, SITE PLAN, ELEVATIONS AND MODELING	REDSTONE TRIPS TO MILFORD, DE
Principal	Project Architect / Designer	Local Architect- Patrick Ryan		
Redstone. FAIA				
\$ 200.00	\$ 110.00	\$ 170.00	Standard Hourly Rates	
1	1		<b>Kick-off Meeting -Via video-conference</b>	
2	32		Develop Initial Block Diagrams- building and site	
1.5	1.5	2	<b>Client Meeting -Via video-conference</b>	
2	16		Revise Block Diagrams per meeting comments	
1.5	1.5	2	<b>CLIENT Meeting TO REVIEW CONCEPTS -Video Conference</b>	
2	60		Begin CONCEPTUAL floor and Site plans	
12		2	<b>Client Meeting</b>	TRIP
2	24		Continue to Develop plans	
2	40		Begin Elevation Studies	
1.5	1.5	2	<b>Client Meeting -Via video-conference</b>	
2	40		Finalize conceptual Plans and Elevations	
	32		Develop Revit Models of Building	
2		4	Prepare initial Cost Estimate- Outside Estimator- See Reimbursables	
1.5	1.5	2	<b>Client Meeting -Via video-conference</b>	
	8		Prepare Report for Submission to City Council	
12		4	<b>Final presentation</b>	TRIP
		12	<b>Public Presentations to Citizens Forums (allowance- 3 at 4 hours each)</b>	
45	259	30	ESTIMATED HOURS	
\$ 9,000.00	\$ 28,490.00	\$ 5,100.00		
			<b>SUBTOTAL- PROFESSIONAL FEE ESTIMATE-</b>	<b>\$ 42,590.00</b>
			<b>Reimbursable Expenses (estimated):</b>	
			TRIPS: Airfare (2), lodging (2) night and related expenses- car and parking	\$ 2,000.00
			Cost Estimating Consultant-allowance	\$ 2,500.00
			Printing	\$ 200.00
			<b>Subtotal- Reimbursable Expenses</b>	<b>\$ 4,700.00</b>
			<b>TOTAL PROPOSED BUDGET- CONCEPTUAL DESIGN PHASE</b>	<b>\$ 47,290.00</b>

NOT TO EXCEED

## Anticipated Election Cycle - A

May 14, 2018: City Council reviews draft RFQ and considers authorizing release of RFQ.

May 20, 2018: RFQ is advertised in the Delaware State News and on the City website.

June 20, 2018: Responses due to the City Clerk's Office by 3 p.m.

June 25, 2018: Police Committee reviews responses, selects firms for interviews.

Week of July 9: Interviews are held. Preferred firm selected. Contract negotiations begin.

July 23 or August 13: Police Committee prior to City Council meeting to review contract / make recommendation. City Council approves contract.

August – October: Firm prepares updated project budget, revised site plan, elevations, etc. for City Council to review and for public outreach effort.

October 22: Police Committee prior to City Council meeting to review budget, plans, etc. / make recommendation. City Council considers approving project moving forward as presented.

Once approved by City Council, City Clerk advertises the Resolution to approve project borrowing at least 30 days prior to Public Hearing.

November 26, 2018: Public Hearing and City Council considers Resolution to approve borrowing. City Council considers Resolution calling an Election on the Referendum for the financing of the land and Police Station project and funding for five additional officers for January 12.

January 12, 2018: Referendum on Police Station and Funding five additional officers.

## Anticipated Election Cycle - B

May 14, 2018: City Council reviews options and authorizes contract with Redstone / funding.

May – July: Firm prepares updated project budget, revised site plan, elevations, etc. for City Council to review and for public outreach effort.

July 23: Police Committee prior to City Council meeting to review budget, plans, etc. / make recommendation. City Council considers approving project moving forward as presented.

Once approved by City Council, City Clerk advertises the Resolution to approve project borrowing at least 30 days prior to Public Hearing.

August 27: Public Hearing and City Council considers Resolution to approve borrowing. City Council considers Resolution calling an Election on the Referendum for the financing of the land and Police Station project and funding for five additional officers for September 29.

September 29, 2018: Referendum on Police Station and Funding five additional officers.

**CITY MILFORD POLICE DEPARTMENT/MILFORD SCHOOL DISTRICT  
SCHOOL RESOURCE OFFICER MOU AGREEMENT**

---

This Agreement is made, this [redacted] day of [redacted], 2018, by and between the SCHOOL DISTRICT OF MILFORD (hereinafter "School District"), and the CITY OF MILFORD POLICE DEPARTMENT (hereinafter "Police Department") as follows:

WITNESSETH:

WHEREAS, the Police Department agrees to provide the School District a School Resources Officer (SRO) Program in the School District; and

WHEREAS, the School District and the Police Department desire to set forth in this SRO Agreement the specific terms and conditions of the services to be performed and provided by the SROs in the School District;

NOW, THEREFORE, THE PARTIES MUTUALLY AGREE AS FOLLOWS:

**1. Cost of the SRO Program.**

The cost of the SRO Program shall be paid by the parties as set forth herein. It is agreed that the Milford School District will remit to the City of Milford \$150,000 per year to support three School Resource Officers assigned to Milford Schools each year for two years. (Refer to Terms of Agreement.)

**2. Employment of School Resource Officers.**

- A. The SROs shall be employees of the Police Department and shall be subject to the administration, supervision and control of the Police Department.
- B. The SROs shall be subject to all personnel policies and practices of the Police Department except as such policies or practices may be modified by the terms and conditions of this Agreement.
- C. The Police Department, in its sole discretion, shall have the power and authority to hire, discharge, and discipline SROs.
- D. A joint committee composed of representatives of the Police Department and the School District shall make recommendations for the SRO positions to the Chief of Police who shall assign such officers. If a principal is dissatisfied with an SRO who has been assigned to that principal's school, then that principal may request to the Superintendent that a new SRO be assigned. The Superintendent will then consult with the Chief of Police to discuss the request.
- E. The Police Department will provide three (3) SRO's to the School District.

**3. Assignment of School Resource Officer.**

The Milford Police Department agrees to provide three (3) School Resource Officers to the Milford School District to be assigned throughout the district based on need.

4. **Duty Hours.**

- A. Whenever possible, it is the intent of the parties that the SRO's duty hours shall conform to the school day.
- B. It is understood and agreed that time spent by SROs attending municipal court, juvenile court, and/or criminal cases arising from and/or out of their employment as an SRO shall be considered as hours worked under this Agreement.
- C. In the event of an emergency, SROs may be ordered by the Police Department to leave their school during normal duty hours as described above and to perform other services for the Police Department
- D. In the event an SRO is absent from work, the SRO shall notify his or her supervisor in the Police Department and the principal of the school to which the SRO is assigned. Remaining SRO's in the School District will provide coverage as needed to the school.

5. **Term of Agreement.**

The initial term of this Agreement is two (2) years commencing on the 1st day of July, 2018 and ending on the 30th day of June, 2020. Following the initial two-year term, this agreement shall be automatically renewed for successive one-year periods unless either party requests termination or modification of this agreement. Any such request shall be made in writing with a minimum of six months' notice. If both parties agree, amendments may be made to the agreement in writing.

6. **Duties of School Resource Officers.**

The SRO's duties will include, but not be limited to, the following:

- A. To be an extension of the principal's office for assignments consistent with this Agreement.
- B. To be a visible, active law enforcement figure on campus dealing with law enforcement matters and school code violations originating on the assigned campus.
- C. To act as the designee of the campus administrator in maintaining the physical plant of the assigned campus to provide a safe environment as to law enforcement matters and school code violations. This includes building(s), grounds, parking lot(s), lockers and other public school property.
- D. To provide a classroom resource for law education using approved materials.
- E. To be a resource for students which will enable them to be associated with a law enforcement figure in the students' environment.
- F. To be a resource for teachers, parents and students for conferences on an individual basis dealing with individual problems or questions, particularly in the area of substance control.

- G. To make appearances before site councils, parent groups, and other groups associated with the campus and as a speaker on a variety of requested topics, particularly drug and alcohol abuse.
- H. To document activities of all SROs on and off campus and as a compiler of a monthly report to be provided to the Police Department.
- I. The SRO will be involved in school discipline, when it pertains to preventing a potential disruption that would, if ignored, place students, faculty and staff at risk of harm, the SRO will resolve the problem to preserve the school climate.
- J. IN ALL OTHER CASES, disciplining students is a School District responsibility, and the SRO will take students who violate the code of conduct to the principal where school discipline can be meted out.
- K. It will be the responsibility of the SRO to report all crimes originating on campus. Information on cases that are worked off-campus by the Police Department or other agencies involving students on a campus served by an SRO will be provided to the SRO, but the SRO will not normally be actively involved in off-campus investigation(s).
- L. The SRO will coordinate his/her actions with the administrator for law enforcement cases.
- M. All local law enforcement and state agencies requesting to conduct formal police interviews, interrogations, and arrests of any student should be referred to the campus SRO.
- N. The SRO will be familiar with helpful community agencies, such as mental health clinics, drug treatment centers, etc., that offer assistance to dependency- and delinquency-prone youths and their families. Referrals will be made when necessary.
- O. The SRO and the principal will develop plans and strategies to prevent and/or minimize dangerous situations which might result in student unrest.
- P. The SRO will coordinate all of his/her activities with the principal and staff members concerned and will seek permission, guidance, and advice prior to enacting any programs within the school.
- Q. The SRO may be asked to provide community wide crime prevention presentations that include, but are not limited to:
  - 1. Drugs and the law – Adult and juvenile;
  - 2. Alcohol and the law – Adult and juvenile;
  - 3. Sexual assault prevention;
  - 4. Safety programs – Adult and juvenile;
  - 5. Assistance in other crime prevention programs as assigned.
- R. The SROs will wear approved department uniform, formal business attire or business casual with appropriate logos and name badges depending on the time of school year, the type of school activity or program, and the requests of the

school and/or police department. The Chief of Police and the principal shall jointly set expectations and resolve any disputes in this area.

- S. The SROs will wear their department authorized duty weapons in accordance with department policy.
- T. It is understood that at the end of the calendar school year, and until the start of the next school year, SRO's are assigned to the Community Policing Unit and will perform duties within the City of Milford under the direction of their Sergeant.

7. **Chain of Command.**

- A. As employees of the Police Department, SROs will be subject to the chain of command of the Police Department.
- B. In the performance of their duties, SROs shall coordinate and communicate with the principal or the principals' designee of the school to which they are assigned.

8. **Transporting Students.**

- A. SROs shall not transport students in Police Department vehicles except:
  - 1. When the students are victims of a crime, under arrest, or some other emergency circumstances exist; and
  - 2. When students are suspended and/or sent home from school pursuant to school disciplinary actions, if the student's parent or guardian has refused or is unable to pick up the child within a reasonable time period and the student is disruptive/disorderly and his/her continued presence on campus is a threat to the safety and welfare of other students and school personnel. The SRO will require a member of school staff to ride to the destination.
- B. Students shall not be transported to any location unless it is determined that the student's parent, guardian or custodian is at the destination to which the student is being transported. SROs shall not transport students in their personal vehicles.
- C. SROs shall notify school personnel upon removing a student from campus.

9. **Access to Education Records.**

- A. School officials shall allow SROs to inspect and copy any public records maintained by the school to the extent allowed by law.
- B. If some information in a student's record is needed in an emergency to protect the health or safety of the student or other individuals, school officials may disclose to the SRO that information which is needed to respond to the emergency situation based on the seriousness of the threat to someone's health or safety; the need of the information to meet the emergency situation and the extent to which time is of the essence.

- C. If confidential student records information is needed by an SRO, but no emergency situation exists, the information may be released only as allowed by law.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed the day and year first written above.

By: \_\_\_\_\_  
Bryan W. Shupe  
Mayor  
City of Milford

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

By: \_\_\_\_\_  
Kevin A. Dickerson, Ed.D.  
Superintendent  
Milford School District

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

**SECTION 00020**

**INVITATION TO BIDDERS**

Sealed BIDS, in duplication, for the general construction of the **MATLINDS ESTATES PAVEMENT REPAIR PROJECT, CONTRACT No. 2018-St-001**, will be received by the City of Milford at Milford City Hall, 201 South Walnut Street, Milford, Delaware 19963, until **2:00 PM LOCAL TIME on MAY 7, 2018**. The work includes the reconstruction of approximately 3,700 SF of road, pavement overlay of up to approximately 99,000 SF of roadway and associated work.

BIDS will be opened publicly and read aloud in the Council Chambers at Milford City Hall at the time designated in this notice. The main purpose of the BID opening is to reveal the name(s) of the bidder(s), and not to serve as a forum for determining the low bidder(s). Any BIDS not in the possession of the City of Milford after that time will be returned unopened. It is the responsibility of the bidder to ensure their BID is received prior to the closing date and time.

**ENVELOPES MUST BE CLEARLY MARKED "MATLINDS ESTATES PAVEMENT REPAIR PROJECT, CONTRACT No. 2018-St-001, BID OPENING MAY 7, 2018-2:00 P.M" and sent to the "Attention of the City Clerk's Office"**. No faxed or electronic BIDS will be accepted.

CONTRACT DOCUMENTS may be examined and/or obtained at the City of Milford Public Works Facility, 180 Vickers Drive, Milford, Delaware 19963, upon payment of \$50.00 for each set, non-refundable. Checks shall be made payable to the City of Milford.

Responsible bidders will be required to provide bid security in the amount of 10% of the bid sum. The successful bidder must post Performance and Payment Bonds equal to 100% of the contract price upon execution of the contract.

A Pre-Bid Meeting will be held at **10:00 AM LOCAL TIME ON APRIL 30, 2018** at the Public Works Facility.

The City reserves the right, as the interest of the City of Milford may appear, to reject any and all BIDS, to waive any informality or irregularity in the BIDS received, and to accept or reject any items of any BID.

**CITY OF MILFORD**  
By: Eric Norenberg  
City Manager

END OF SECTION

**PAVEMENT REPAIR PROJECT**  
**MATLINDS ESTATES**  
**CITY OF MILFORD**  
**SUSSEX COUNTY, DELAWARE**  
**CONTRACT NO. 2018-ST-001**

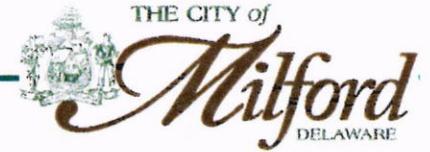
**ADDENDUM NO. 1**  
**MAY 4, 2018**

The following items are hereby made part of the Contract Documents.

1. The BID DATE has been pushed back until Thursday, May 10, 2018.
  - A. Sealed BIDS, in duplication, for the general construction of the **MATLINDS ESTATES PAVEMENT REPAIR PROJECT, CONTRACT NO. 2018-ST-001**, will be received by the City of Milford at Milford City Hall, 201 South Walnut Street, Milford, Delaware 19963, until **2:00 P.M. LOCAL TIME ON THURSDAY, MAY 10, 2018**.
  - B. Each BID must be submitted in a sealed envelope, addressed to the **"ATTENTION OF THE CITY CLERK'S OFFICE", CITY OF MILFORD, 201 SOUTH WALNUT STREET, MILFORD, DELAWARE 19963**. Each sealed envelope containing a BID must be plainly marked on the outside as **BID FOR THE PAVEMENT REPAIR PROJECT-MATLINDS ESTATES, CONTRACT NO. 2018-ST-001, BID OPENING MAY 10, 2018, 2:00 P.M.** and the envelope should bear on the outside the BIDDER'S name, address, license number, if applicable, and the name of the PROJECT for which the BID is submitted. If forwarded by mail, the sealed envelope containing the BID must be enclosed in another envelope addressed to the **CITY OF MILFORD, 201 SOUTH WALNUT STREET, MILFORD, DELAWARE 19963**.
2. The deadline for questions regarding the project will be **5:00 P.M., MAY 4, 2018**. Any questions shall be directed to the City Engineer, Erik F. Retzlaff, P.E., P: (302) 422-1106, E: [eretzlaff@milford-de.gov](mailto:eretzlaff@milford-de.gov).

END OF SECTION

**CITY OF MILFORD**  
PAVEMENT REPAIR PROJECT  
MATLINDS ESTATES



**Contract:** 2018-St-001  
**Bid Date:** May 10, 2018  
**Location:** City Hall

**CERTIFIED BID OPENING RESULTS**

BIDDER	BID BOND (Y/N)	Subcontractor & Supplier List (Y/N)	TOTAL BID AMOUNT (ITEM A1)	TOTAL BID AMOUNT (ITEM A1) A2	TOTAL BID AMOUNT (ITEM A1) B1	TOTAL BID AMOUNT (ITEM A1) B2
Ralph Cahall	y	y	167,862	143,825 <sup>15</sup>	144,936 <sup>74</sup>	142,598 <sup>22</sup>
George Lynch	y	y	209,460	192,820	188,820	175,310
Allan Myers	y	y	183,000	160,000	167,000	147,000
Jerry's Paving Inc	y	y	113,277	90,736	92,483	78,584

**CERTIFIED BY:** Meresa K. Nease  
City Clerk



PUBLIC WORKS DEPARTMENT  
180 Vickers Drive  
Milford, DE 19963

PHONE 302.422.1110  
FAX 302.422.1117  
www.cityofmilford.com

To: Eric Norenberg, City Manager  
From: Mark A. Whitfield, Public Works Director  
Subject: Award Bid for Resurfacing of Matlinds Estates Streets  
Date: November 16, 2017

The City received an offer of Community Transportation Funds for the resurfacing of streets within Matlinds Estates. As per City ordinance, the City Engineer designed the project for public bids. Bids were received for four (4) alternatives. Alternative A included select base repair, driveway apron repair, and resurfacing of all streets. Alternate B included select base repair, driveway apron repair and resurfacing all streets, but excluded portions of Joshua Drive and Lindsay Lane. Options 1 and 3 were for a 2" overlay and Options 2 and 4 were for a 1-1/2" overlay.

Public bids were opened and received May 10, 2018 at 2:00 pm at City Hall. A copy of the bid tabulation is attached.

All work on the project is to be completed within 30 days of the execution of the contract.

**Recommendation:** I recommend Council award the Bid Item A2 for resurfacing of streets in Matlinds Estates to Jerry's Paving in the amount of \$90,736, provided funding for the project is approved through the Community Transportation Fund.

# City of Milford



## RESOLUTION 2018-11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILFORD, DELAWARE (“City Council”) DECLARING A VACANCY FOR THE OFFICE OF CITY COUNCIL MEMBER AND CALLING A SPECIAL ELECTION TO FILL SUCH VACANCY FOR THE UNEXPIRED TERM; ORDERING DATE AND TIME TO BE SCHEDULED FOR CANDIDATE FILING DEADLINE AND VOTER REGISTRATION DEADLINE.

WHEREAS, Article IV Council Government-Composition, Qualifications, Vacancies and Procedure, of the Charter (“Charter”) of the City of Milford and specifically § 4.05(A)(2) states that the Office of a Councilperson shall become vacant upon death, resignation or removal from office in any manner authorized by law, or ceases to be a lawfully registered voter of the City and a resident of the Ward in which he/she resided at the time of the election and the vacancy is confirmed by City Council; and

WHEREAS, Article IV § 4.05(C) of the Charter further states that if a vacancy occurs in the City Council and the remainder of the unexpired term is more than twelve months, the vacancy shall be filled by a special election. The special election shall be held in accordance with State election laws following the occurrence of the vacancy.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILFORD:

### SECTION 1-VACANCY

Due to the recent resignation of Councilman James Frederick Burk of 129 School Place, Milford, Delaware, effective May 3, 2018, the City Council does hereby declare a vacancy in the Office of City Council Second Ward.

### SECTION 2-SPECIAL ELECTION

The City Council orders a Special Election in the City of Milford, to be scheduled at Milford City Hall, 201 South Walnut Street, Milford, Delaware, for the purpose of electing a Second Ward Council Member to serve for the remainder of the unexpired term of that office. The candidate receiving a majority of the votes cast shall be declared elected to such office.

### SECTION 3-DATE AND TIME

Delaware Code Title 15 Chapter 75, entitled Municipal Elections, and Article IV of the Charter, establishes the procedures for Special Elections of Candidates.

### SECTION 4-ANNOUNCEMENT

The City Council hereby directs the City Clerk to post and publish a Notice of Solicitation of Candidates to Fill a Vacancy of the Second Ward Seat.

### SECTION 5-DATE AND TIME

The City Council does hereby order a Special Election to fill the Second Ward Vacancy, such date and time to be in compliance with the aforementioned laws.

Mayor Arthur J. Campbell

Adopted May 14, 2018

City Clerk \_\_\_\_\_