

MILFORD CITY COUNCIL
MINUTES OF MEETING
September 24, 2018

The City Council of the City of Milford met in Workshop Session on Monday, September 24, 2018 in the Joseph Ronnie Rogers Council Chambers at Milford City Hall, 201 South Walnut Street, Milford, Delaware at 6:34 p.m.

PRESIDING: Mayor Archie Campbell

IN ATTENDANCE: Councilpersons Christopher Mergner, Mike Boyle, Todd Culotta, Lisa Ingram Peel, Owen Brooks Jr., Douglas Morrow, James Starling Sr. and Katrina Wilson

City Planning Director/Acting City Manager Rob Pierce, Police Chief Kenneth Brown and City Clerk Terri Hudson

COUNSEL: City Solicitor David Rutt, Esquire

Quarterly Update/Downtown Milford, Inc.

Board President Sara Pletcher and Executive Director Murrie Zlotziver were both in attendance.

Mr. Zlotziver discussed the Lady Bug Music Festival held in downtown Milford this past Saturday, September 22nd. He announced that over forty female musicians participated in sixteen venues. Of those venues, fourteen were in actual stores. There was an estimated 2,500 to 3,000 people that attended. With great weather and a big crowd, the event was a huge success for Milford's businesses, residents and sponsors.

He reported that \$25,000 was raised through sponsorships, in addition, to a \$5,000 grant received from Delaware Division of the Arts. More than \$17,500 of in-kind services also supported the festival.

Ten food vendors and fifteen arts and craft vendors also participated.

The Executive Director thanked Gable Music Ventures for their part in producing the event, and the assistance of the City of Milford.

They are extremely excited and look forward to the 2019 Music Festival.

Other activities included developing and implementing a new strategic plan this year. A new mission was developed:

“Partnering to build Milford’s historic downtown into a unique, vibrant and livable place for all.”

He also further discussed the following matters:

Volunteer hours estimated 604 hours valued at an estimated \$13,612

Volunteer Picnic on August 19 to honor all volunteers for the year - 35 attendees

New volunteer brochure

Economic Vitality:

New downtown brochure being handed out at local businesses and the Smyrna rest stop

Developing access to information site providing information on available building spaces in conjunction with the City Planning Office

Worked with Kent County Tourism and DE Turf to offer Milford Goody Bag and button/pin that will encourage shopping by DE Turf attendees and provide discounts

Farmers Market (concludes October 6th):

33 Vendors

3,162 estimated shoppers

\$46,243 estimated total sales

Fall Harvest-November 17th (Saturday before Thanksgiving)

Grand opening of the Bank House B&B following a \$277,000 community investment

New business brochure being finalized

Promotion Committee:

Ladybug Festival

16 Venues including 14 downtown businesses

40 Female musicians including female led bands

10 Food vendors and 15 art, craft and clothing vendors

Third Thursdays:

Artists & Artisans Light Up the River, Milford City Birthday Party

Preliminary meetings:

Holiday Stroll, Santa House, Shop Small Saturday

Event rack card update

Design Committee:

Maintaining Milford in Bloom

Sail Banner Project moving forward

30 Branded Bicycle Racks (6 installed)

Holiday Wreath Fundraiser

Miscellaneous:

Building and Ground Maintenance Continues

Councilmember Peel commented that the Ladybug Festival on Saturday was very successful. She liked the idea of new and different food trucks than have been at DMI events in the past.

She concluded by stating there were so many music opportunities throughout the downtown, that she was unable to get to all of them, which is a great example of the goal of having so many activities to choose from.

Mr. Zlotziver added there were a substantial number of new visitors to Milford which is something DMI always strives for with these events.

Quarterly Update/Milford Museum

The following report was read into record on behalf of Executive Director Claudia Leister, who was unable to attend the workshop:

- 1) Held annual "Roaring 20s Lawn Party" at Causey Mansion. We sold about 100 tickets despite the terrible weather.
- 2) Director Claudia Leister was interviewed at Seaford TV station to talk about the Museum.
- 3) Museum information booth set up on Walnut Street for Freedom Festival.

EXHIBITS

- 1) The new exhibit for 2018 is entitled "Made In Milford". It contains an abundance of items made in our City during the 20th & 21st centuries.
- 2) Partnered with Bayhealth to install "A Legacy of Caring: From Milford Emergency Hospital to Bayhealth Memorial Hospital". Grand Opening on July Third Thursday event saw over 80 people attend.

NOTE: Due to their specific nature, these exhibits will remain on display until 2020.

VISITATION

To Date the Museum has had over 1,700 visitors from 23 States and 5 Foreign Countries.

PROJECTS

- 1) Working with Xtreme Graphics to design artwork panel for the South side of the Museum using funds from Lions Club grant.
- 2) Completed 2019 Calendar of historic Milford photographs which is now on sale.
- 3) Designed (2nd in a series) Holiday Ornament highlighting the Causey Mansion. Last year's first one showed the Museum.
- 4) Quin Humes will begin work in the Museum basement for his Eagle Scout Project.

There being no further business, the Workshop concluded at 6:51 p.m.

Respectfully submitted,



Terri K. Hudson, MMC
City Clerk/Recorder

MILFORD CITY COUNCIL
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PRESIDING: Mayor Archie Campbell

IN ATTENDANCE: Councilpersons Christopher Mergner, Mike Boyle, Lisa Ingram Peel, Todd Culotta
Owen Brooks Jr., Douglas Morrow, James Starling Sr. and Katrina Wilson

City Planning Director/Acting City Manager Rob Pierce, Police Chief Kenneth Brown and
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CALL TO ORDER

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

INVOCATION AND PLEDGE

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

RECOGNITION

Mayor Campbell complimented Chief Brown on the reception he had at the request of resident Mike Moyer to recognize the officer who helped in his successful life saving efforts.

The Mayor reported that the department had also invited WRDE to attend.

COMMUNICATION & CORRESPONDENCE

City Planner Pierce invited Council to the following event:

Parking Study of Milford's Central Business District
Tuesday, September 25, 2018 from 4:00 to 7:00 p.m.
Milford City Hall

A brief presentation will be made at 4:15 p.m. and repeated each hour.

The event is sponsored by City with support from the Dover/Kent County Metropolitan Planning Organization.

UNFINISHED BUSINESS

Authorization/Riverwalk Improvement Project/Change Orders

Parks and Recreation Director Brad Dennehy provided an synopsis of the following request:

As you know, we have the Riverwalk deck replacement project underway and it is being funded by three different sources, capital reserves, a grant from DNREC and transportation funds from DeIDOT. In January of this year, the City signed a contract with Landscape Architectural Services to prepare plans, bidding documents and contract administration for \$24,755. The project was then put out to bid and came in higher (with the add alternates) than was anticipated mainly because of having to pay prevailing wages.

A DNREC grant and transportation funds were obtained to cover the base bid and the add alternates in the amount of \$294,000. That bid was then awarded to Gerardi Construction by City Council.

Finance Director Jeff Portmann advised that the Landscape Architect's contract of approximately \$24,000 was not covered by any funding sources and recommended the additional funding, not to exceed \$25,000, be paid from General Funds Reserves.

In addition, two minor change orders were added--one in the amount of \$4,202.45 and another for \$1,694.16. The first change order is to tighten the wooden posts on the Riverwalk and the other is to drill new holes to accommodate the removal and replacement of the light poles.

The total request from General Fund Reserves is \$30,896.61.

Councilmember Morrow moved to authorize \$30,896.61 from General Fund Reserves, seconded by Councilmember Wilson. Motion carried.

Authorization/Police Department/HVAC Engineering Proposal

Chief Brown shared that he just received the proposal from Gite Associates, Incorporated. After scanning through the four-page document, he found the proposal was \$6,900 for the engineering study. In addition, there are services not included in the total.

He will be presenting it to Council at a future Council meeting.

NEW BUSINESS

Adoption/Resolution 2018-17/Annexation Committee Investigation

Lands of Derek R. Parker & Shawn L. Bernhard, 7195 Cedar Creek Road, Lincoln

A request was received from Derek Parker and Shawn Bernhard to annex their property, with improvements, on Cedar Creek Road into the City of Milford.

Councilman Brooks moved to adopt Resolution 2018-17, seconded by Councilmember Morrow:

RESOLUTION 2018-17

Annexation/Lands belonging to Derek R. Parker & Shawn L. Bernhard

Tax Map 3-30-11.00-6.15

1.01 +/- Acres

Current Zone AR-1/Proposed Zone C-3

COMMITTEE DIRECTED TO INVESTIGATE ANNEXATION

Whereas, a Petition, signed by the legal property owners and duly witnessed, requesting annexation into the City of Milford, all that piece or parcel of land, hereinafter described, situate, lying and being on the northeasterly side of Business Route 1 and located in the City of Milford, Cedar Creek Hundred, Sussex County, Delaware; said piece or parcel of land being more particularly described as follows:

DEREK R. PARKER & SHAWN L. BERNHARD

7195 Cedar Creek Road, Lincoln, DE 19960

TAX PARCEL 3-30-11.00-6.15

BEING all that piece or parcel of land, hereinafter described, situate, lying and being located in Cedar Creek Hundred, Sussex County, Delaware; as shown on a plot entitled, "Boundary Survey of lands of Derek R. Parker & Shawn L. Bernhard" prepared by Davis, Bowen & Friedel, Inc., dated August 2018, said piece or parcel of land being more particularly described

as follows:

BEGINNING at an iron rod with cap found at a point on the easterly right-of-way line of Cedar Creek Road, said beginning point being formed by the intersection of the southerly line of lands of, now or formerly, Bayhealth Medical Center, Inc., as recorded in the Office of the Recorder of Deeds in and for Sussex County and the State of Delaware in Deed Book 4890, Page 125, with the easterly right-of-way line of Cedar Creek Road; thence,

1) leaving said right-of-way line of Cedar Creek Road and running by and with said Bayhealth lands, the following 2 courses and distances, North 75 degrees 14 minutes 26 seconds East 290.00 feet to a point; thence,

2) South 13 degrees 31 minutes 22 seconds East 153.24 feet to a point on the northerly line of lands of, now or formerly, Albert T. & Beverly J Coverdale, Trustee, as recorded in said Office of the Recorder of Deeds in Deed Book 2421, Page 89; thence,

3) leaving said Bayhealth lands and running by and with said Coverdale lands, South 75 degrees 51 minutes 31 seconds West 287.52 feet to a point on the aforementioned right-of-way line of Cedar Creek Road; thence,

4) leaving said Coverdale lands and running by and with said right-of-way line of Cedar Creek Road, along a curve to the left, having a radius of 13917.52 feet, an arc length of 150.11 feet and a chord bearing and distance of North 14 degrees 27 minutes 00 seconds West 150.11 feet to the point and place of beginning;

CONTAINING 1.01 acres of land, more or less.

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.

Motion carried.

No one from the public wished to comment on the resolution.

Authorization/Funding Transfer/General Fund Reserves to City Hall Building Maintenance Account

Mr. Pierce referenced the following memo, submitted by City Manager Norenberg:

On Tuesday, September 11, over four inches of rain fell in Milford in a short period of time on already saturated ground. During that hour and a half downpour, water entered the basement of City Hall from a number of different points. Though we have seen rainwater intrusion in the basement on several occasions this year, water was entering through cracks, crevices, etc. that had never resulted in intrusion before. The purpose of this memo is to provide updated information to City Council and to request appropriation of additional funds for the initial stages of response.

When City Hall was remodeled in 2008, some work was done to seal the basement. However, that was unsuccessful. Since 2010, we have had 14 instances of water intrusion into the basement that required contracting with ServPro to bring in dehumidifiers, fans, extractors, etc. costing nearly \$15,000. (This does not include minor instances that did not require ServPro, the ongoing operation of the industrial dehumidifier in the basement, or the September 11 incident.) In some cases, the fans and dehumidifiers had to remain for several days, disrupting our staff and adversely impacting our customers.

Until this month, the worst storm incident was last summer when rainwater rushed into the basement via overtaxed drains at the exterior stairwells. Since then, we have kept sandbags at those doorways to be ready when heavy rain was predicted. Other staff and I have come into City Hall on a number of occasions on evenings and weekends to move sandbags into position when heavy rains occurred that were not forecast or to check on possible damage so that response and recovery could begin sooner than Monday.

In the aftermath of prior storms, file boxes, computer hardware, and some furniture had been placed on pallets or blocks to elevate above the usual level of intrusion. We were fortunate that we only had 3-4 inches of water in the basement during this storm. Had those other measures not been taken or the water levels been higher, the damage would have been worse. Nevertheless, the damage from this storm and the likelihood of worse storms in the future do require alternatives be considered. My highest priority is the safety of our staff. Close behind that is the priority of keeping our IT systems up and running and serving our customers. As a result of the quickly-rising stormwaters, our staff were in wet waters near live electrical services and equipment. IT staff had to quickly shut down IT equipment to prevent significant damage. I am glad no employees were injured and that no major IT equipment was damaged. Fortunately, utility customers were only inconvenienced for few hours until systems could be restored.

ServPro arrived the evening after the storm to begin work so that our IT systems could be restored. As a result of the storm and requirements of the State Archives Office, all paper records were removed from the basement within 72 hours. Decisions were made to evacuate staff to safe quarters, away from developing mold and so they could work near the records that were required to be removed. Other furnishings that could be damaged from continued presence in the basement were removed and environmental testing was completed.

When planning for and managing any disaster, there are a number of stages:

- *Mitigation –Preparing to minimizing the effects of disaster.
- *Preparedness - Planning how to respond.
- *Response - Efforts to minimize the hazards created by a disaster.
- *Recovery - Returning to normal.

We are still in the response phase of this event, but are starting to plan for recovery and to mitigate from future events disrupting operations and possibly harming staff.

Response costs to date:

- *ServPro (extraction of water, preliminary drying of basement): \$2,000 (estimate)
- *Sussex Environmental (air and mold sampling and testing): \$885
- *Movers: \$1,600 (estimate)
- *Boxes: \$288

In the coming weeks we anticipate the following expenses to complete response and begin recover:

- *Final remediation (removal of remaining wet insulation, drywall, etc. removal of damaged carpet, and elimination/treatment of mold, etc.): Estimated cost: \$12,500
- *Future costs: I intend to present a plan to City Council during the October 8 City Council meeting that will address short term (1-3 months) recovery and mitigation measures, including additional staff relocation plans and options for additional repairs to the basement. Key priorities as we develop these plans are:
 - *Preserve the health and safety of City employees and the public
 - *Provide excellent, convenient customer service
 - *Maintain centrally-located services in the downtown area
 - *Take cost-effective, responsible measures that appropriately address current needs and prepare for the future, including mitigating future risks.

In addition, we will identify any longer-term mitigation measures that may be necessary.

Councilmember Wilson moved to authorize an appropriation from General Fund Reserves in the amount of \$17,500 to cover

the initial work that was needed as a result of the September 11, 2018 storm, seconded by Councilmember Starling. Motion carried.

Mr. Pierce announced that the Public Works team is working on evaluating additional space for his department to locate within existing buildings. When asked if the basement would eventually be empty, Mr. Pierce stated for the short term while his department works out of the Council Chambers as work is being done.

Councilmember Boyle confirmed the long term goal is to make the basement safe, dry and to reoccupy it. Mr. Pierce said that is yet to be determined.

Councilmember Boyle also asked if the City is able to purchase flood insurance; Mr. Pierce said anyone is able to purchase that type of insurance. Councilman Boyle suggested that be considered for the future. He asked if this is a recurring situation or did it just happen as a result of the last storm. Mr. Pierce stated that since he has been employed here, approximately ten to fifteen feet of the carpet in the back of the basement would get wet during a heavy rain event if it was blowing from a certain direction. He is aware there have been several attempts to make repairs, but none were successful. He recalled another time when the code officials' offices were wet and they are on the opposite side of the basement.

Mr. Pierce said he was not present during the last event, though he thinks the entire downstairs had a couple inches of water and was the worst he had seen.

Councilmember Culotta said he was informed that this had been addressed several years ago before Mr. Norenberg was hired. Mr. Pierce explained the building plans show a drainage system was installed around the perimeter of the building, but unfortunately it is unable to handle an extremely heavy rain.

Currently there are some basement contractors reviewing the facility to provide some proposals on more permanent fixes of the water issues.

Short term, it is important to get his department out of the Council Chambers and into more of an office setting because their working conditions are not ideal.

Mayor Campbell asked how bad the flooding was at the public works facility; Public Works Director Whitfield stated that some rain blew in. In addition, some stormwater pipes failed, but it was nothing compared to the flooding that occurred in the basement of City Hall. They were able to dry out the water issues at public works within a few hours.

Councilmember Brooks reported that someone on Washington Street had eight inches of water in his basement and another person is still pumping out water today. He also noted that the area where he lives on Tenth Street also flooded.

Councilmember Wilson is aware of several residents in her area that had a significant amount of flooding in their basements as well.

Councilmember Brooks reported that when North Washington Street is flooded, cars speed even more than normal which causes the water to be thrown up against the houses on that street which causes even more flooding in the basements.

EXECUTIVE SESSION

Councilmember Morrow moved to go into Executive Session reference the below statute, seconded by Councilmember Brooks:

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

Motion carried.

Mayor Campbell recessed the Council Meeting at 7:25 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 7:42 p.m.

MPD Teamsters Negotiations

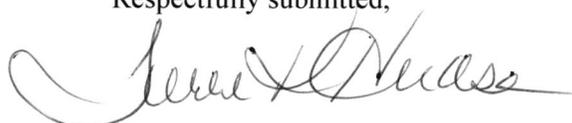
Mayor Campbell announced that no action was required.

ADJOURNMENT

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

The Council Meeting adjourned at 7:43 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Terri K. Hudson". The signature is fluid and cursive, with a large initial "T" and "H".

Terri K. Hudson, MMC
City Clerk/Recorder