

City of Milford



CITY COUNCIL AGENDA Monday, August 10, 2020

In accordance with the State of Emergency Declaration issued by Governor John Carney that became effective on March 13, 2020, all public meetings of the City of Milford shall be conducted electronically through Zoom until further notice to prevent unnecessary public gatherings.

This meeting is available to the public by accessing the following link:

<https://zoom.us/j/99922556082?pwd=eU5uNjMvamdKMxhLeG82STZsN20zdz09> Passcode: 080027; Or Telephone: 301 715 8592 Webinar ID: 999 2255 6082 Passcode: 080027

Public Comments are encouraged on the items as noted on the agenda and may be submitted via email to cityclerk@milford-de.gov no later than the start of the meeting. Attendees may also alert the City Clerk that they wish to speak at the appropriate time during the meeting by submitting their name, address, and agenda item on which they would like to comment via the Zoom Q&A function or using the Raise Your Hand function during the meeting. All public comments received will be read into the record at the meeting.

6:30 P.M.

COUNCIL WORKSHOP

Nemours duPont Pediatrics – Sussex Campus

7:00 P.M.

COUNCIL MEETING

Call to Order - Mayor Archie Campbell

Invocation

Pledge of Allegiance

Approval of Previous Minutes

Recognition

MPD Officer of the Quarter

Monthly Police Report

Monthly City Manager Report

Monthly City Finance Report

Committee & Ward Reports

Communication & Correspondence

Unfinished Business

New Business

Appointment/Reappointment of Board of Adjustment Members

Appointment/Reappointment of Planning Commission Members

Appointment/Reappointment of Parks & Recreation Advisory Board Members

Shawnee Farm LLC/Extension Request #1/Preliminary Major Subdivision to be known as Cypress Hall

Residential/608 NE Front Street/R3 Zoning/1-30-3.00-658.00

Authorization/Additional Water and Wastewater Technician

Resolution 2020-23/Public Works Fee Schedule Amends Billable Rates/Labor Rates ⑩

Change Order/Funding Source/City Hall Basement Project

Adjournment

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.**

⑩ *Public Comment, up to three minutes per person, will be accepted.*

011420 051120 071720 072220 072720 073120

¹ 080420 Requested by City Manager/Timely Action Required—Item Removed 081020

Nemours duPont Pediatrics Nemours SeniorCare



Nemours duPont Pediatrics, Milford
Sussex Campus
Colleen Davis, MSN, MBA, RN

Nemours Children's Health System Overview

- Established in 1936 as The Nemours Foundation/ philanthropy of Alfred I. duPont
- Two freestanding children's hospitals: [Nemours/Alfred I. duPont Hospital for Children in Wilmington, DE](#), and Nemours Children's Hospital in Orlando, FL (2012)
- Both are multi-specialty, tertiary, quaternary care hospitals
- Avg. 400,000 children seen each year at 80 locations in 6 states
- Nemours treats patients from more than 50+ countries.
- Nearly 900 specialists, 6,000-plus associates, more than 3,500 health care professionals and 1,500 doctors in training.
- Since 1940, Nemours has participated in pediatric research that helps advance breakthroughs and cures, and brings care from the bench to the bedside.



Nemours - Delaware Valley

- 20 [primary care](#) practices (DE and PA)
- 8 [specialty care](#) centers (DE, PA and NJ).
- Partnerships:
 - Academic partners-Thomas Jefferson University since 1989
 - Department of Pediatrics for Jefferson since 2000
 - [NICU, ED and hospitalist services academic/community based hospitals](#) (DE, NJ, PA,MD).
- Leader in top-box scores for [patient service experience and access to care](#)
- Creating a [Value-Based Services Organization](#) and is working on [Practice Transformation](#). Nemours understands developing strategic community partnerships and networks is critical for the transition to value-based care.
- [Nemours SeniorCare](#) - services for Delaware senior citizens since 1981

Nemours in Milford, Delaware

- Nemours is committed to expanding our service offerings in southern DE to **better meet the needs of more children and improve health outcomes**
- Nemours targeted Milford as a central location and will be located on **Bayhealth's new health campus** (just off of Route 1 along Wilkins and Cedar Creek Roads)
- Based on **significant input** from families, community leaders, community physicians, health care organizations and Nemours providers, services have been identified and will improve access for local families
- Nemours will **co-locate specialty, therapy and imaging services with primary care and SeniorCare.**
- Nemours will occupy approximately **41,000 SF** on first floor of Bayhealth's Medical Office Building
- Anticipated opening is **November 2020**



Nemours – Sussex Campus

- Nemours is committed to expanding our service offerings in southern DE to **better meet the needs of more children and improve health outcomes.**
- **Specialty Care** – allergy and immunology, behavioral health, cardiology, endocrinology, gastroenterology, neurology, orthopedics, otolaryngology (ENT), pulmonology, urology and weight management;
- **Therapy services** – physical, occupational and speech therapy and associated durable medical equipment (crutches, splints, boots)
- **Diagnostic services** – Audiology, EKG, ECHO, EEG, spirometry, x-ray, ultrasound
- **Nemours SeniorCare** – moving to new location to unify services

Notable amenities

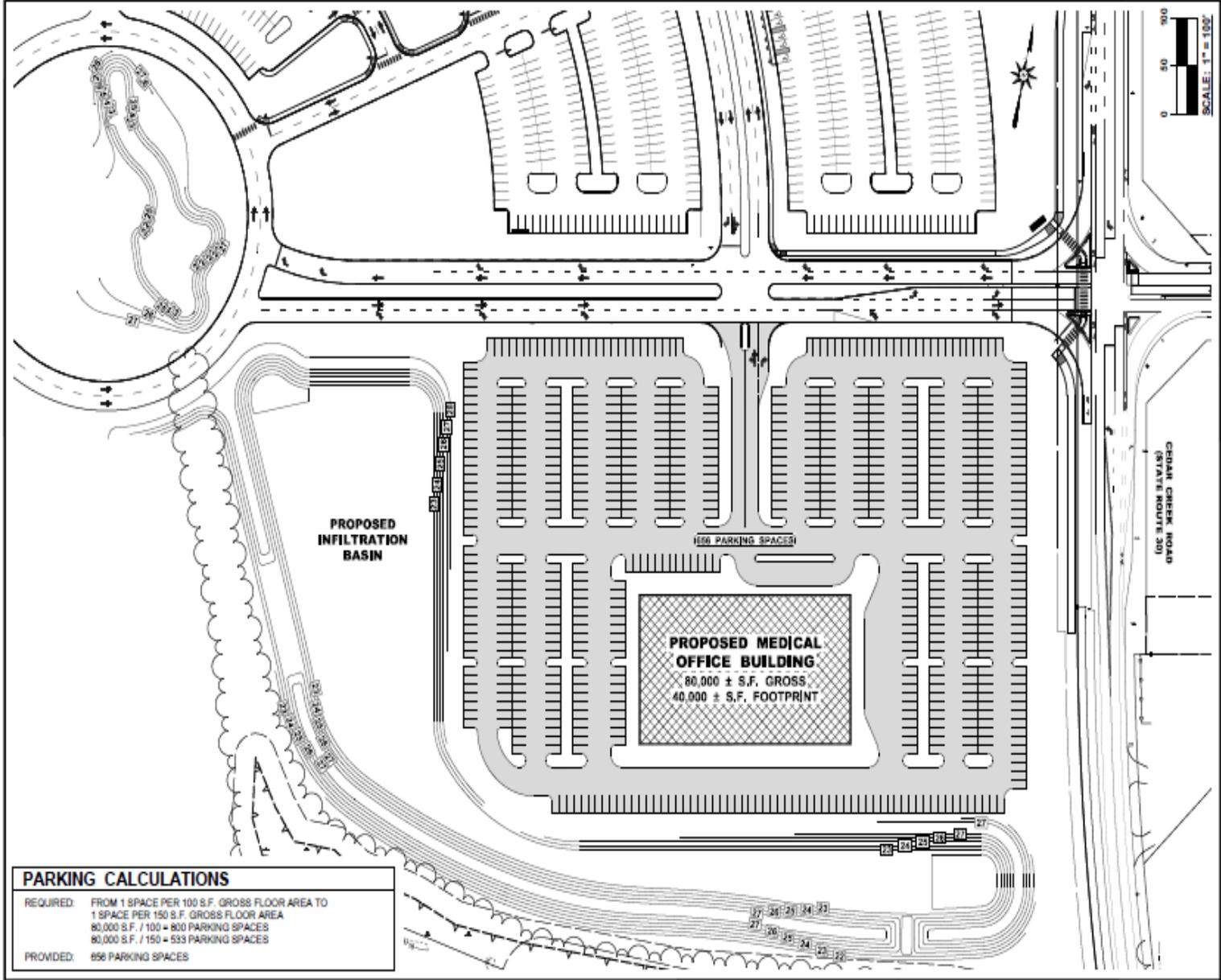
- # of exam rooms = 34
- Community meeting room
- Kasey's Delights café in lobby
- Audiology
- Imaging Services = xray and ultrasound
- Pediatric Urgent Care – Future offering



Bayhealth Sussex Campus **Medical Office Building**

Sussex Campus Partners, LLC





PARKING CALCULATIONS

REQUIRED: FROM 1 SPACE PER 100 S.F. GROSS FLOOR AREA TO
 1 SPACE PER 150 S.F. GROSS FLOOR AREA
 80,000 S.F. / 100 = 800 PARKING SPACES
 80,000 S.F. / 150 = 533 PARKING SPACES

PROVIDED: 656 PARKING SPACES

WALKER MURKIN

ARCHITECTURE ENGINEERING

**300 CHERRYWOOD DRIVE
 DEWESBORO, NH 03023
 PH. 603.734.7900
 FAX 603.734.7903**

CONCEPT B
A. I. DUPONT MEDICAL OFFICE BUILDING
 CITY OF MILFORD
 SUSSEX COUNTY / DELAWARE

NO. 20140203
 SCALE 1" = 100'
 DATE 02/20/16
 DRAWN BY S.T.F.
CONCEPT B



Concourse Entrance



Concourse Waiting



Concourse



Gym



Primary Care



Nemours SeniorCare

- Must be **at least 65 years old and a DE resident**
- Services in Wilmington and Milford
 - Ophthalmology and Optical
 - Dental
 - Audiology (hearing screenings only in Milford)
- Current **income limits**:
 - \$20,600 for a single person;
 - \$31,900 for a married person
- Enrollment questions - **302-651-4400**

Impact of the Nemours Sussex Campus

11% of Nemours associates live in Kent and Sussex counties

of existing jobs moving = 35

of new jobs created = 20+

of Existing Nemours patients = 10,000

Current pediatric population in Sussex county region = 46,325

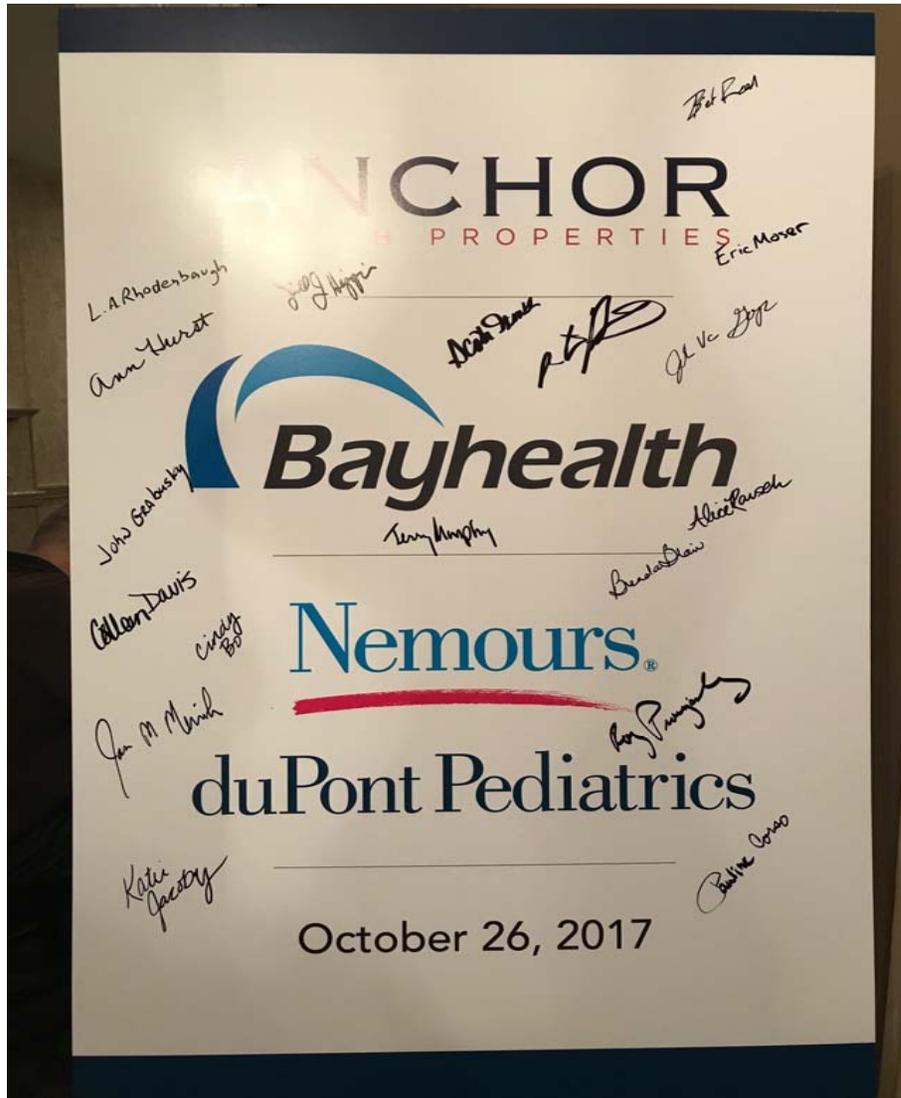
Based on **significant input** from families, community leaders, community physicians, health care organizations and Nemours providers, services have been identified and will improve access for local families

Nemours Sussex Campus Timeline

■ Milestones

- June 2019 – Topping Out ceremony as last piece of steel was placed
- October 2019 – Interior construction began
- September 2020 – Occupancy of building by Nemours
- October-November 2020 – Grand Opening for Community (Date TBD)
- November 2020 – Patients being seen at location

Questions



Colleen Davis, MSN, MBA, RN, FACHE
Administrator, Ambulatory Operations (int.)

Phone: 302.651.5152

Email: Colleen.Davis@nemours.org

MILFORD CITY COUNCIL
MINUTES OF MEETING
July 13, 2020

The City Council of the City of Milford convened in a Workshop Session by way of a video conferencing website on Monday, July 13, 2020 at 6:22 p.m.

PRESIDING: Mayor Arthur Campbell

IN ATTENDANCE: Councilmembers Daniel Marabello, Mike Boyle, Andrew Fulton, Todd Culotta, Brian Baer, Douglas Morrow and Jason James Sr.

STAFF: City Manager Mark Whitfield, Police Chief Kenneth Brown and City Clerk Terri Hudson

COUNSEL: Solicitor David Rutt, Esquire

ABSENT: Councilmember Katrina Wilson

In an effort to adhere to social distancing protocols and best practices imposed by Governor John Carney's State of Emergency Declaration effective March 13, 2020, the City of Milford has canceled all public gatherings until further notice. See July 27, 2020 Council Meeting agenda for additional information.

*Staffing Analysis Presentation
Pinnacle Change, Incorporated*

City Manager Whitfield recalled that last year, City Council was presented with a number of requests for additional staff in customer service, public works and parks and recreation. One of the questions asked was whether the City had a long-range plan in terms of staffing or if an analysis has been done to consider future needs.

As part of last year's budget, funding was allocated and a number of firms interviewed, with Pinnacle Change selected for this project. They spent a considerable amount of time with staff during their rigorous assessment of each City Department. The study included a comparison with other municipalities as well.

Mr. Whitfield confirmed this plan is not cast in stone, though it does provide a point of reference from where to start and where to move forward.

Jeff Smith from Pinnacle was in attendance.

Mr. Smith thanked Mr. Whitfield and HR Administrator Jamesha Eaddy for their assistance throughout the project. He explained the finished product is meant to be a roadmap that will provide guidance and ways for the City to continue to improve. They went into extensive detail with every department, with the exception of the police department, who opted not to participate.

Mr. Smith also noted that they met with 25 department heads and supervisors who were extremely collaborative, super transparent and responsive. That work resulted in a 70-page report, though he is only providing a brief synopsis.

The result is a good go-forward set of best practices and guidance, which will allow the city to continuously improve. They found the City to be very impressive, and when compared to similar ones, they put this municipality into the high performing government category.

Mr. Smith commented how the report is really broken down into the first dozen pages. The remaining information includes supporting detail that staff is able to use.

He then provided the following information:

The nature of what they did was to basically follow some really solid foundational steps that aligned with the community expectations found in the strategic plan surveys, which they found to be commendable and very practical.

There are always quantitative aspects--how many staff are needed, how many will be needed in a couple years, and if the department is over or under and are there enough resources.

It is difficult to comment on the adequacy of staffing levels, now or in the future, if you're not also taking into account the capabilities of the folks that are employed in those positions.

Secondly, how the leaders are allocating resources into the right avenues to get the most return with some very limited resources.

This provided a good view of how rigorous our model was because it goes into the major categories of structure, how well the City is aligned with the strategic plan and what is needed to guide the future over the next couple years. At that point, it will need to be revisited.

Processes in capabilities were also reviewed and whether the right employees were able to execute on things, which really drives such reports. If the staff wasn't as good as it is in those categories, the report would have been half the size because there is no point making recommendations if they are unable to come to fruition as some point in the future.

He then provided a quick summary of what they suggest could happen in the next couple of years.

Some serious thought was given to benchmarks and they were comfortable with the numbers and some of the ideas expressed by staff. Obviously, everything is dependent upon outliers, such as pandemics, resource allocations and budget nuances and constraints.

For the most part, there is a need to try and match staffing levels in comparison to the City's exponential community growth, which is way above all its local peers. As a result, additional capabilities and resources will be needed to support that growth.

This gives a pretty good feel for what follows in the rest of the executive summary including some of the more specific recommendations and observations of what could be considered.

The rest of the report takes each department and expands it into more detail than what is in the summary page.

His partner, John Davis, had planned to participate, and did most of the heavy lifting during the study. Unfortunately, he was having Zoom problems and at this time is unavailable.

Mr. Smith said that because of his work, Mr. Davis understands the City's operational and technological environment really well though he will talk about the two areas that really jumped out.

The most critical area to consider some substantial funding, would be in the IT area. The City is somewhat behind relatively speaking, compared to where they believe the City should be. Technology is always a two-edged sword that costs a lot of money and effort, but it is unparalleled in its ability to sustain productivity and growth.

That is the big area of need when compared to everything they observed.

The other need is to fill Mr. Whitfield's position in the public works department, though the process is underway.

Mr. Smith continued:

Senior Leadership seems to understand the number one principle and in performances, surrounds themselves with the very best people. That will allow the room to grow and will also empower them in a way that they enjoy their job and are passionate about what they do. They were very impressed by that.

He can't say enough about demonstrating conviction, a pro activity. Day jobs are day jobs but the City has a very passionate workforce, which is a huge asset that can be leveraged.

Succession planning is another area they would recommend paying more attention to. Although it is great to have talented people, it can be bad when the time comes for them to move on and retire. It is not easy to find really good people in a very short period of time in those situations.

Once technology begins to be beefed up, one of the other recommendations is the ability to make more objective and metric based decisions. Right now, that is difficult because there is not enough technology support in place to do that.

That will also take a lot of the bureaucracy and politics out of day-to-day decisions, while allowing what it can to be backed up with some objective substance.

Most governments in that situation, start by identifying those things they want to try and measure. Figure out ways to start to capture that data manually, get familiar with it, then work on it and improve. When technology gets added to the mix, there is a replacement of manual effort with technology logical efforts, which will allow the City to move forward faster.

Mr. Davis was then able to connect and provide additional feedback. He reported the following:

As far as prioritized recommendations, he wanted to frame it in with some overarching themes. One of the items that kind of appears in C, D, and E is technology. There were a lot of tech technology opportunities identified by City staff.

That provides efficiency optimization by allowing existing staff to do more with the current systems or can even free them up to do things they presently do not have to do.

That is an important piece, when coupled with looking at staffing changes. This may allow certain things to be addressed with technology, in addition to staffing optimization.

In a couple areas, such as planning development when a comparison was done with peer cities, it was determined that department may be short one full-time employee (FTE). When they discussed different options, the overarching theme is that regulations with permitting, licensing and more transactional activities need more support which will allow City Planning Director more free time to concentrate on developments, planning and outward facing.

The third thing referenced were the items listed individually by area. For example, customer service, has a single point that provides that citizen or resident experience, but there may be other things that could be co-located or provided together from public works or the planning and development office.

One of the concepts discussed was how to optimize administrative support that exists in various areas across the City, while coordinating when there is a need in one particular area. That can be supported, rather than going out and hiring temps or seasonal workers.

The prioritized recommendations are not necessarily stand-alone in a vacuum.

Mr. David and Mr. Smith then opened it up to questions.

In reference to the IT issue, a question was asked by Councilman Fulton about how the usage was tracked per department. He asked about that during his walk-thru though there wasn't a methodology that had been developed within the City to track the support of the IT department in each department.

Mr. Davis said that would be a second-tier assessment. Interviews were done with key individuals from each area to gather understanding and some background, though further analysis was needed to dig into those details.

Councilman Culotta pointed out that in his own observation of City operations, he feels our IT technology is a bit antiquated and needs a lot of improvement. He asked what made that obvious during the study.

Mr. Davis said the thing that jumped out with IT is the City has been operating with a bare bones staff. With looking at the RP system and other technology, there is definitely a need to do a further assessment. Items mentioned were administrative support for a help desk. That would provide a central point of contact that can gather information so the technical people can do what they need to do. He was astonished that less than two FTE's were supporting a City this size.

Councilman James asked if when evaluating IT, did the report consider the entire enterprise, because there is an RFP being prepared, to seek a consultant to guide us on a new financial management system, for example. He questioned if now is the time or should it be coupled with an entire enterprise to cover all functions of the City, whether that is HR or something similar.

Mr. Davis said it is important when looking at any assessment, to bring everything out on the table, to make sure that you know what's out there, whether you plan on actually acting on it, in order to prevent any surprises.

If the focus of the RFP is financial, operational and transactional, there may be other areas such as analytical or public works. Their need for scheduling and work orders and inventory management may not be part of that system. But it is important to be aware of all the pieces, whether it will be handled in the next year, or two or three.

Councilman James asked if they are saying there is a need for more staffing in the planning department to allow Mr. Pierce to function, or for everyone to function at the proper level. He thinks that when talking about the high performers' function, it is important they are at the correct pay grade and not a level below. He also asked if the consultants' felt having a planner and an economic development director should be two separate functions.

Mr. Davis said that in the comparisons, they reviewed annual reports and it would list the FTE structure and those titles. Often titles represent something different. Some had economic development, though some had deputy or assistant directors. But what is not getting done on the economic development side is the focus on serving the community in terms of the amount of growth, as far as building, and the support needed there. There is a need to be creative and who could be where and how to approach that.

Their main focus was on planning and development and there seems to be a lot being done with the current staff they have. When comparing to others, they were one to two less than every group.

Mr. Smith said there is a similar situation with Parks and Recreation. A lot of municipalities have to combine certain functions because of our lack of resources and the need to share resources.

He agrees there is a need to determine whether the City is better smaller and separated, or would it be beneficial to be combined. If the latter is the case, we need to figure out how to move that a little faster.

Mr. Davis said another question is if the City has the right people doing the right job with the right tools. For example, is there a leader of an area doing administrative work when that resource is really needed to help the overall system. In terms of what is being accomplished, he believes there is a need to look further at the resources, and whether technology or people will be the best solutions.

There being no further questions or comments, the Workshop Session concluded at 6:58 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

MILFORD CITY COUNCIL
MINUTES OF MEETING
July 13, 2020

The City Council of the City of Milford convened their regular meeting by way of a video conferencing website on Monday, July 13, 2020. The meeting was available for public view and participation as permitted.

PRESIDING: Mayor Archie Campbell

IN ATTENDANCE: Councilmembers Daniel Marabello, Mike Boyle, Andrew Fulton, Todd Culotta, Brian Baer, Douglas Morrow and Jason James Sr.

STAFF: City Manager Mark Whitfield, Police Chief Kenneth Brown and City Clerk Terri Hudson

COUNSEL: Solicitor David Rutt, Esquire

ABSENT: Councilmember Katrina Wilson

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CALLED TO ORDER

Mayor Campbell called the meeting to order at 7:00 p.m.

INVOCATION AND PLEDGE

The Pledge of Allegiance, followed the invocation was given by Councilmember James.

APPROVAL OF PREVIOUS MINUTES

Included in the packet were minutes from the June 8, 2020 and June 22, 2020 Council and Workshop Meetings. Motion made to approve, with a one amendment, by Councilmember Boyle, seconded by Councilmember James. Motion carried.

RECOGNITION

Proclamation 2020-12/Honoring Former Councilmember Lisa Ingram Peel

Mayor Campbell recognized Former Councilmember Peel by presenting her with the following proclamation, read into record by City Clerk Hudson:

PROCLAMATION 2020-12
Honoring Councilmember Lisa Ingram Peel

WHEREAS, Sworn in by the Honorable Mayor Bryan W. Shupe on September 14, 2015, Lisa Ingram Peel has served as a Councilmember for the City of Milford after being elected to fill the remaining term left vacant by the late S. Allen "Skip" Pikus; and

WHEREAS, Lisa Ingram Peel has served as a member of the Public Works, Finance, Economic Development, and Police Committees, during that time, as well as Chair of the Community Affairs Committee; and

WHEREAS, Major accomplishments have taken place during her tenure as a Councilmember of the City of Milford, including the planning and completion of the \$314 million Bayhealth Sussex Campus, Riverwalk and Greenway Expansions, formation of Private/Public Partnerships, initiation and implementation of Downtown Revitalization Efforts, Redevelopment of vacated Subdivisions, Approvals of Major Healthcare Projects, essential Transportation Improvements, many new Employee initiatives and the creation of updated and more sound legislation; and

WHEREAS, She took a strong leadership role with the City's first Strategic Plan, working collaboratively with residents and business owners on some of the most pressing and complicated issues facing our City, addressing them with open eyes, ears and heart; and

WHEREAS, Her active, personal involvement within the City of Milford, in both official and unofficial capacities, has had a profoundly positive influence on the lives of many in this community; and

WHEREAS, Lisa Ingram Peel has decided not to seek re-election to Council and her term expired on June 22, 2020.

NOW, THEREFORE, BE IT HEREBY PROCLAIMED BY THE MAYOR AND COUNCIL OF THE CITY OF MILFORD, IN COUNCIL MET:

1. The Mayor and Council express their extreme appreciation to Lisa Ingram Peel for devoting her undivided attention and rendering her guidance and leadership ability to the City of Milford over the past five years.
2. Lisa Ingram Peel is hereby recognized and commended for many successes during her tenure, made possible by her commitment, devotion, thoroughness, good judgment, integrity and concern, thus leaving the City with a much brighter future. Best wishes are extended to her in all future endeavors.

Ms. Peel expressed her appreciation adding that it has been her pleasure to serve the City and its citizens and to work alongside everyone. And that she looks forward to seeing everyone out and about, and especially in the downtown area.

Mayor Campbell and Councilmembers thanked her for her service.

MONTHLY POLICE REPORT

Chief Brown apologized because he did not have the report in front of him. He said the numbers are way down because of the coronavirus and other issues, but they should be back to normal in the near future.

He also reported that he will be on vacation beginning Wednesday through Sunday and will follow up with a letter as is required.

Councilman James commended Chief Brown stating that they had some issues in his ward, that involved a number of complaints, including gunshots and similar calls. The Chief arranged for a meeting with residents who lived where most of the activity was occurring and came up with a plan. The outcome was very positive and it has been peaceful since.

Another incident involved an officer Councilmember James observed playing basketball with a child who had been experiencing some problems. He thought that was a great example of community policing.

Chief Brown commented that while school is out, he is making sure the school resource officers are doing things like that. He has also directed them to walk a lot of foot patrol in the downtown.

Councilmember Fulton moved to accept the Monthly Police Report, seconded by Councilmember Culotta. Motion carried

Monthly Stats:

A total of 124 arrests were made by the Milford Police Department during June 2020. Of these arrests, 69 were for criminal offenses and 55 for traffic violations. Criminal offenses consisted of 15 felonies and 54 misdemeanors. Traffic violations consisted of 17 Special Duty Radar, 2 Drunk.- Driving charges, 36 other.

Police officers investigated 25 accidents during the month and issued 21 written reprimands. In addition, they responded to 988 various complaints including city requests and other agency assistance.

Due to COVID-19 Pandemic stats are extremely lower than normal.

Monthly Activities

Throughout the month of June, participated in numerous conference calls and virtual meetings in reference the COVID-19 and the Governor's Emergency Order for the State of Delaware. This includes weekly Fire and Police conference calls, calls with the Governor, monthly State and Sussex Chiefs meeting, COVID-19 JAG conference call, City budget

conference calls and Municipalities of Sussex Co. conference call and numerous call with City Government Officials, the City Manager and the public.

Interviewed four applicants for the Public Works Director Position throughout the month of June.

Participated, along with several members of the Police Department, in the Walk of Change protest on June 14, 2020.

Met with Councilman James, Councilwomen Wilson and a resident to discuss mitigation nuisance property located on North Street on June 24, 2020.

Training -

All Training outside the department was cancelled for the Month of June 2020 due to the COVID-19 Pandemic. Officer have been assigned required training via webinars throughout the month.

Motion carried.

MONTHLY CITY MANAGER REPORT

City Manager Whitfield referenced his report in the packet. Though there are not a lot of highlights this month, he did want to mention Parks and Recreation and their response to the cancellation of summer programs because of the COVID-19 situation.

He shared that P&R Director Denney and his team have done a lot of extra work, that do not normally fall within the duties of that department. They have been keeping very busy helping with a number of items in and around town related to its beautification. His staff has actually taken on some new landscaping projects that have either been completed or are slated to be done at the various municipal buildings, including City Hall and Finance. So even though the recreational programs were canceled, they have managed to find productive ways to refocus by going in a different direction.

Mr. Whitfield was also pleased to announce that with the many rain occurrences recently, and with flooding in some downtown areas, City Hall's basement has remained dry, with the sump pumps kicking on and everything working as it was designed.

Councilmember Fulton moved to accept the City Manager Report, seconded by Councilmember Culotta. Motion carried.

MONTHLY CITY FINANCE REPORT

Finance Chairman James reported that for the month of May, the total of all funds—cash, reserve, impact fees and all other type of funds were \$47,008,647, down \$151,0360 from April. There was a reduction in operating cash of which \$731,000 came out of the general fund, which was offset by some increases in other operating cash accounts.

Reserves were up slightly by \$6,000; there was an increase in the general fund reserve of \$200,000 and a decrease in the water fund reserve of \$72,000 for a budgeted capital project and an increase in impact fees of \$159,772. Major increases were reported of \$77,804 in water impact fees, \$39,554 in sewer impact fees and \$38,814 in police and general government facilities fund.

On a go forward basis, Finance Director Jeff Portmann will continue to provide the fund analysis on a monthly basis until he retires.

However, City Accountant Sandra Peck has taken the management of the revenues and expenses on the operating page.

Chairman James then spoke about available cash and restricted and unrestricted amounts. The unrestricted amount is that available cash and the restricted/obligated amounts are the total restricted funds amounts. Those amounts are earmarked for those particular projects. Some of the money for those projects has been spent out of the operating cash. Until those projects are complete, the money will not be moved from the reserves to replace operating cash. That will happen once the projects are complete.

There is one adjustment going to be made in the electric reserve funds of \$4.4 million, as has been previously discussed. Council authorized using \$3 million of operating cash to pay down debt and that change will be shown on the next report.

Chairman James reported that 92% of the year has elapsed with 90% of the year's revenues collected.

The expenditures have a current run rate of 80%, which may end up at 83% for the year. However, expenses lag behind revenues and presently, revenues are ahead of expenses by \$4.5 million, though that gap is expected to close. In prior years, City revenues end up out pacing expenses by the end of year, somewhere between \$3.5 and \$3.9 million.

It was also noted there is currently \$275,000 in delinquent utility accounts due to the Covid pandemic.

City Manager Whitfield announced that this past week, DEMEC representatives met with Congresswoman Lisa Blunt Rochester regarding utility losses and was public utilities be provided with some funding, or at least written into the next Covid-19 bill. She agreed to pursue that.

Governor Carney, as of July 1st, is now allowing utility disconnects for non-payment, but after a minimum of four months for repayment of past due bills. The City will be notifying our customers of the new criteria set forth by the Governor, to allow them to make their accounts current. Any extenuating circumstances will be reviewed and dealt with on a case-by-case situation.

Chairman James also informed Council that DMI returned the entire \$30,000 that was earmarked for the 2020 Ladybug Festival.

In addition, there is an RFP being prepared for a consulting firm who will guide the City on the selection of a financial management firm.

The City Manager then verified that the real estate property tax line item shown does not include any delinquent property taxes paid from previous years; instead they are shown in accounts receivable.

City Accountant Peck further clarified that process stating that the amount on the budget report only includes the current year taxes that are billed. Prior years collected are included in the receivables and part of the audit report.

She also noted that the current delinquent property tax balance is just below \$300,000, of which \$153,000 is in the current fiscal year.

Councilman Marabello moved to accept the May 2020 Finance Report, seconded by Councilmember Fulton. Motion carried.

COMMITTEE & WARD REPORTS

The following committee assignments were presented for 2020-2021:

COMMITTEE	CHAIR	MEMBERS
Annexation	Dan Marabello	Brian Baer, Katrina Wilson, PC Chair Sharp
Community & Economic Development	Katrina Wilson	Mike Boyle, Todd Culotta, Andy Fulton
Finance & Public Works	Jason James	Brian Baer, Dan Marabello, Doug Morrow
Police	Mike Boyle	Andy Fulton, Jason James, Doug Morrow
Community Cemetery Board		Todd Culotta
Kent Economic Partnership		Doug Morrow

Councilmember James asked that the calendar meeting dates align with those on the assignment list.

COMMUNICATIONS & CORRESPONDENCE

Mayor Campbell then spoke about the increasing number of emails and correspondence he is receiving related to the police shooting earlier this year. He has forwarded them to Chief Brown though the Mayor did contact the Attorney General's Office to encourage the conclusion of the investigation so that these records can be released when requested.

Councilmember James reminded Council of the Community Day of Prayer event on Tuesday, July 28, 2020 beginning at 6:00 p.m. at Bicentennial Park. Community and religious leaders from various denominations will be gathering for prayer and to enjoy some inspirational music.

UNFINISHED BUSINESS

No items.

NEW BUSINESS

Adoption/Resolution 2020-21/Designating Signers & Authorizing Electronic Signatures

City Manager Whitfield reported that Resolution 2020-21 authorizes the signatures, including electronic signatures, for all city checks. Presently, checks are electronically signed by the Mayor and Vice-Mayor and any check over \$10,000 require a live signature of either the Mayor, Vice-Mayor, Finance Chair or City Manager.

Over the past several months, staff, Council and the Mayor have tried to eliminate as much person-to-person contact as possible. Considering the small number of checks that are over the \$10,000 threshold, he is recommending all checks be electronically signed. In addition, a list of all checks over \$10,000 would be emailed weekly to the Mayor and Vice Mayor for review and approval. The resolution eliminates the need for live signatures.

Councilmember James pointed out this is more modern-day approach and has been in place at his employment for the last 25 years on his job with no associated problems.

Councilman Boyle said he has no problem with electronic signatures, but asked if the City locking ourselves into a position, where if for whatever reason, one of the principles are not available. His concern is there are no other alternatives.

Mr. Whitfield explained that currently, we have four check signers, and with Covid-19, we were trying to limit the amount of exposure, basically to the Mayor and City Manager signing the checks.

Councilman Boyle reiterated he has no problem with that, but is only concerned with the limitation that only the Mayor and Vice Mayor are included in this resolution.

A discussion followed regarding the current policy allowing the Mayor, Vice Mayor, Finance Committee Chair and the City Manager to sign checks. It was also noted that presently, the Vice Mayor and Finance Chair are the same person.

The Charter states that Council can designate a person, and Councilman Boyle's concern is the limitation to two positions on the resolution, with no other options. A different resolution, would be needed for the bank to accept another signature. If the desire is to have another position, the resolution should be amended prior to its adoption according to Solicitor Rutt.

City Manger Whitfield recommended adding 'any member of the finance committee'. He said the question involves section 3 which states:

'The Finance Director shall submit to the Mayor and Vice Mayor a weekly report, displaying all checks to be issued by the City in an amount over \$10,000, for their review and approval.'

Solicitor Rutt recommended adding a second sentence to section 3 stating 'that in the absence of the Mayor or Vice Mayor, any member of the Finance Committee is authorized to receive the report from the Finance Director'.

There was a question about when the file would be provided and if it was prior to the checks being dispersed; Mr. Whitfield confirmed it would be presented before the checks are issued.

Councilmember Fulton suggested the following language:

“The Finance Director shall submit to the Mayor and Vice Mayor a weekly report displaying all checks to be issued by the City in the amount of \$10,000 or more, for their review and approval. In the absence of the Mayor or Vice Mayor, any member of the Finance Committee can perform their duties.’

Motion made by Councilmember Boyle to adopt the resolution, with the additional sentence, seconded by Councilmember Morrow. Motion carried.

Mayor Campbell later in the evening asked if there were any public comments on Resolution 2020-21; no one responded.

Authorization/Police Department/Body Camera Equipment & Contract

Mayor Campbell deferred to Chief Brown for a synopsis.

Chief Brown commented by stating this was part of what had been put in the budget. But because of the amount, it needs approval by Council. He is upgrading all cameras, but more importantly, moving the storage to unlimited storage, because that's where he is having problems and he has found it is hard to budget. He is constantly having to review the amount of storage that needs to be purchased, because they have not yet gotten to the point where they can begin to purge videos because of the state retention laws.

Overall, he thinks it will be better to have this unlimited feature. He has tried to figure out when the footage is unnecessary, but at the same time, wants to make sure he gets everything recorded he can. It will be much easier if the officers do not have to worry about it. They can just record all the time from now on.

Chief Brown confirmed the exact amount was included in his budget. What he is presenting tonight for approval covers \$44,000 a year for the next four years, with a reduced amount the first year. That credit is the result of their current agreement which has not yet expired. He confirmed the total amount is \$191,904.32.

Councilmember Marabello moved to authorize the five-year contract to Axon Enterprises for a total of \$191,904.32, as was included in the FY20-21 budget, seconded by Councilmember James. Motion carried.

Adoption/Resolution 2020-22/Public Works Department Fee Schedule

Mr. Whitfield explained that with the adoption of the budget and increase in wages, there is a need to update the labor rate included the Public Works billable rates as shown in the packet.

Public Works Operation Supervisor Rhiannon Slater recalled that Council has previously put these fees into place. This is only an update based on the changes in salary.

Councilman Fulton noted there is a \$20 decrease to the engineering technician and questioned if that is correct.

Ms. Slater contacted City Accountant Peck by telephone for further clarification. While she was on the phone, Mayor Campbell opened the meeting for any public comment regarding Resolution 2020-22. No one responded and the public comment session was closed.

Councilman Culotta then questioned the rates related to the engineer and engineering techs and whether there are fixed costs. His concern is if someone doesn't go through a plan review, for example, they may not know what the rates will be. He has often heard that a developer receives their plan review bill from the city, it is much higher than they expected and they were unaware of all these costs going into the project. That often places a heavy burden on the developer or builder.

City Manager Whitfield said he prefers to let Mr. Pierce talk about it, because he has put together the rate schedule. Mr. Pierce said it will be ready for the meeting in August and are presently working with a consultant. The rates shown in the

resolution are much lower than what the City pays for a consultant who has additional overhead expenses. However, that is not reflected in our rate schedule.

Mr. Pierce said he is getting close and has drafted a fee schedule for the City Manager and City Engineer to review, in addition to his consultant, as he previously mentioned.

Currently, he is able to provide an upfront estimate to any applicant that comes in. In the meantime, the criteria and established rates will provide an even more accurate review before they start the plan review. They are also asked to authorize and put the money up front prior to the start of the plan review, as has been implemented over the last month.

Ms. Slater returned to the meeting stating that according to the City Accountant, it appears there was some typo of error on last year's rate. It should have been \$39.76 not \$61.50. As a result, there will be a slight increase to the new \$40.87 rate.

When asked if there was also a typo in the labor rate for the City Engineer, because that also show a decrease, Ms. Slater said that according to Ms. Peck, it should also be \$7 less. The City Engineer, for fiscal year 2020, should have been \$61.84 and a three-cent increase is being requested as a result of benefit changes.

Solicitor Rutt suggested that because of the errors discussed, and to protect the record, he suggested Mayor Campbell again ask for any public comments. Mayor Campbell again asked if anyone from the public wished to comment; no one responded and the comment session was closed.

Councilmember Fulton moved to adopt Resolution 2020-22 authorizing the updated Public Works Department Fee Schedule as has been presented, seconded by Councilmember Boyle. Motion carried.

Appointment/City Planning Commissioners

Mayor Campbell reported that we are in need of several vacancies on our Planning Commission. Tonight, he is asking Council to appoint two new commissioners.

After providing a brief background on each applicant, he asked that Shelby Nash DiCostanzo and Kathryn Stetson be appointed as Planning Commissioners.

Councilmember Boyle moved to confirm the appointment of Shelby Nash DiCostanzo to the Planning Commission, seconded by Councilmember Baer. Motion carried by a roll call vote of 5-2:

<u>Yes</u>	<u>No</u>
Boyle	Culotta
Marabello	Morrow
Fulton	
Baer	
James	

Councilman Marabello moved to confirm the appointment of Kathryn Stetson to the Planning Commission, seconded by Councilmember Boyle. Motion carried by a unanimous roll call vote.

It was noted another commissioner will be resigning after the July meeting, which will leave one more vacancy. The plan is to interview an applicant from Ward 4 who can hopefully be appointed in August.

Authorization/Contract Renewal/R&R Realty Listing Services Authorization/Contract Renewal/First State Inspections Services

Planning Director Pierce reminded Council that R&R Realty has a current contract listing the vacant lands owned by the City, primarily in Independence Commons and the Greater Milford Business Park. He is seeking another one-year extension which will allow them to market and promote the available parcels.

Mr. Pierce assured Mayor Campbell that R&R has generated more interest in the properties than previously.

Councilman Culotta said he has worked with R&R properties and is familiar with their ecosystem of clients and feels they are one of the top commercial realtors in the area.

The Planning Director confirmed the locations of the parcels in Independence Commons and the Business Park, and added that he believes the contract is structured so that additional City properties may be included during the term of the agreement. The sale prices of the business park lots shown were what City Council had previously authorized.

Councilmember Culotta moved to authorize the renewal of the R&R Realty contract, seconded by Councilmember Fulton. Motion carried.

Authorization/Contract Renewal/First State Inspections Services

Planning Director Pierce is asking to continue the relationship his department has First State Inspection Agency for on-call contractual building inspections and building plan review services. It is included in the budget in the amount of \$35,000.

He added that last year, he spent \$11,000 for on call services, \$49,000 in FY19 and \$91,000 in FY18.

The decrease is the result of moving inspections back in-house when an additional inspector was added to his department. First State is only used when the building official is unavailable or the work load gets to the degree his inspectors are unable to get the paperwork completed in a timely manner. Currently, he only has one certified inspector though his goal is to have the other certified and cross trained.

Councilmember Boyle moved to authorize the First State Inspection Agency services, as presented, seconded by Councilmember Marabello. Motion carried.

Introduction of Ordinances:

Mayor Campbell introduced the following three ordinances, followed by a brief synopsis by Planning Director Pierce:

Ordinance 2020-19

Jerry Embleton for a Conditional Use to allow a Mixed Use on 0.121 +/- acres in a C2 Zoning District. Property is located along the west side of N. Washington Street between NE Front Street and NE Second Street., addressed as 0 Washington Street, Milford, Delaware. Present Use: Vacant; Proposed Use: Two-story mixed-use structure containing first floor commercial space and a single second story apartment. Tax Map: MD-16-183.10-03-57.01

Ordinance 2020-20

R&S Construction LLC for a Conditional Use to allow a Single-Family Semidetached Dwelling on 0.19 +/- acres in an R2 Zoning District. Property is located along the south side of SE Second Street between Montgomery Street and Franklin Street, addressed as 212 & 214 SE Second Street, Milford, Delaware. Present Use: Vacant; Proposed Use: Single-Family Semidetached Dwelling. Tax Map: 3-30-7.17-275.00 & 3-30-7.17-276

Ordinance 2020-22

Cosmo Properties LLC for a Conditional Use to allow a Daycare to be known as Triumph Youth Center on 2.08 +/- acres in a C3 Zoning District. Property is located along the north side of Milford-Harrington Highway, approximately 2,200 feet west of the Route 113 intersection, addressed as 350 Milford-Harrington Highway, Milford, Delaware. Present Use: Shopping Center; Proposed Use: Same with Daycare. Tax Map: MD-16-173.00-01-08.00

Public hearings have been scheduled on all three applications for the City Council meeting on July 27th, following a review and recommendation by the Planning Commission.

EXECUTIVE SESSION

Councilmember Culotta moved to go into Executive Session reference the below statute, seconded by Councilmember Fulton:

Pursuant to §10004(b)(4) Strategy sessions, including those involving legal advice or opinion from an attorney-at-law, with respect to collective bargaining or pending or potential litigation, but only when an open meeting would have an adverse effect on the bargaining or litigation position of the public body.

Motion carried.

Mayor Campbell recessed the Council Meeting at 8:28 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 8:36 p.m.

Mayor Campbell announced that no action was needed as a result of the closed session discussion.

ADJOURNMENT

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

The Council Meeting adjourned at 8:38 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

MILFORD CITY COUNCIL
MINUTES OF MEETING
July 27, 2020

The City Council of the City of Milford convened in a Workshop Session by way of a video conferencing website on Monday, July 27, 2020 at 6:00 p.m.

PRESIDING: Mayor Archie Campbell

IN ATTENDANCE: Councilpersons Danial Marabello, Mike Boyle, Andrew Fulton, Todd Culotta, Brian Baer, Douglas Morrow, Jason James Sr. and Katrina Wilson

STAFF: City Manager Mark Whitfield, Police Chief Kenneth Brown and City Clerk Terri Hudson

COUNSEL: Assistant Solicitor James Sharp, Esquire

In an effort to adhere to social distancing protocols and best practices imposed by Governor John Carney's State of Emergency Declaration effective March 13, 2020, the City of Milford has canceled all public gatherings until further notice. See July 27, 2020 Council Meeting agenda for additional information.

*Roles and Responsibilities in the Council/Manager Form of Government
Larry Comunale and Steve Wiesner*

City Manager Whitfield recalled that during last year's retreat, one of the items recommended was a training session related to the roles of Councilmembers and the Mayor, as well as the City Manager, City Clerk and Police Chief, since those three officials also report to City Council.

Mr. Whitfield considered several options, which resulted in the selection of Mr. Comunale and Mr. Weisner after which he provided the following bios:

Mr. Comunale is from Chester Springs Pennsylvania has served three municipalities either as a township or borough manager over a 36-year time span from 1985 to date. He has developed classroom seminars for elected and appointed officials. Since 2004, he has served as an adjunct professor for the Department of Public Administration at Villanova University and is presently an adjunct professor of Graduate Studies, Masters of Public Policy at Delaware Valley University.

Mr. Weisner is from Newtown Square, Pennsylvania, and has served three municipalities over a 10-year time frame, both as a finance director and township manager. In 2001, he went into the consulting business, specializing in helping government organizations, as well as nonprofits, with personnel organizational procedural and fiscal management issues. He also developed curriculum for the newly elected officials' class of the Pennsylvania State Associations of Boroughs.

Mr. Wiesner began the presentation, pointing out the importance of the topic, and noting this is a subject that comes up frequently when consulting with municipalities.

He shared that the council/manager form of government works at its highest efficiency when all roles are clearly defined and everyone stays within their role. He will provide a sense as to how this form of government was created and some background from the National League of Cities, who first published the model city charter over one hundred years ago, who has given them permission to use the material.

Mr. Comunale provided a brief history stating it was a product of the prevailing modes of thought during the late 19th Century. It is similar to a publicly traded corporation in which an elected governing body is responsible for legislative functions such as establishing policy, passing local ordinances, voting appropriations, and developing an overall vision, similar to a corporate board of directors.

The legislative body appoints a professional manager to oversee the administrative operations, implement its policies and advise it. The manager position is similar to that of corporate chief executive officer, providing professional management to the board of directors.

He shared that the first managers were engineers who were needed to build streets, address pollution and so forth. As a result, Mr. Whitfield's background fits in well with the historical position of managers.

Today, the council/manager form is a predominant form of municipal government in 73% of the municipalities. An IBM report from 2011 states this form is 10% more efficient than other forms of government. In addition, 66% of municipalities with triple A bond ratings utilize the council/manager form.

Mr. Comunale pointed out there is a value set on professional nonpartisan management, which is widely recognized and respected. When reviewing Milford's Municipal Charter, as well as its strategic plan, the council/manager form was front and center in both documents.

From a metaphor overview, the city council members and mayor are at the 30,000-foot level. The manager is then at the 10,000-foot level, which he is referring to as the executive or execution level. At the ground level, are all other employees.

At the top level are the city council members and the mayor. On occasion, the manager may drift into that top level, when it comes to policy making. For example, when the manager is presenting policy alternatives to the council and mayor to solve problems.

Once that policy is set, that manager is responsible for executing the policies acted on by city council. This is important because the manager, along with the department heads, are responsible for the execution, along with those at the ground level.

He pointed out that despite the top level, all three levels are important as these policies are implemented.

Mr. Wiesner then spoke about the model city charter that was used to create many of the charters across the country. Looking at Milford's charter, they see a lot of similarities, as do many other municipal charters in Delaware.

The model city charter starts with all powers of the city shall be invested in the city council, except as otherwise provided by law or this charter, and the council shall provide an exercise thereof for the performance of all duties and obligations imposed on the city by law.

He emphasized that is the essence of where the power resides in the council/manager form of government and city council is the main entity. That dovetails well into Milford's City Charter and the general powers and duties under Section 3.09 that states all powers of the city shall be invested in the city council, except as otherwise provided by law.

Milford's Charter goes on to say in Section 4.01 the government of the city and the exercise of our powers conferred by this Charter, except as otherwise provided herein, shall be vested in an elective body called city council, consisting of a mayor and eight council members. When referencing this charter, whenever the word mayor is used, it solely refers only to the mayor. But the word city council refers to just the eight duly elected or appointed council members. It also makes a distinction and recognizes the mayor's role, but city council holds the balance power for legislative items.

He continued by stating the main goal of city council is to establish a vision for the City, as has been done in the Press Play: Vision 2023 that was mentioned earlier as the strategic plan. In that document, it reiterates this is the form of government.

Mr. Wiesner found one other thing in the document of great importance, is the reference that this document is a living document that can be changed over time, whether or not the specific vision is changed or a new one created. It recognizes that things change all the time. For example, Covid-19 is certainly going to change the landscape for all municipalities across the country. That flexibility, the consultants feel, is very, very important.

He continued by saying that city council also decides the services the municipality will provide and the tax rate necessary to provide those services. It also sets policy to address the issues of the city.

Mr. Comunale finds it interesting because both in the model city charter of the National League of Cities and the Charter of Milford, it's very important to mention that city council devolve authority to the manager. He had to look it up because he wanted to get it exactly right and the definition of devolve is to transfer or delegate.

He noted it is very important when talking about city council and the manager, that the manager's powers are derived directly from city council who empowers the city manager to conduct the day-to-day business of the city.

That is an important concept because, unlike the city clerk, who has specific powers in the Charter, the powers of the city manager are actually given to the manager by city council and are outlined very clearly in the charter.

Mr. Wiesner spoke about how the mayor is the public face of the community who presides at meetings, assigns agenda items, assigns committee members and facilitates communication and understanding between elected and appointed officials. It is a very important role as the 'ombudsman' for the city. The mayor is often the first person that residents will go to find out what's happening in the local government or if they have a problem. He is in a role of a communicator, which is very important in making sure everything happens according to how the city wants it to happen and according to what the plan for the city is. It is so widely known that the mayor has that role, and can be the determinant as to how well the City progresses through the vision for the future.

It was also stated by Mr. Comunale that the mayor is the only official elected citywide. That is also an indication the mayor is the focal point of City government and recognized as the city official that represents the entire city.

While the mayor is not an executive, as in the mayor/council form, they are uniquely positioned to be the political and policy leader of the city. Primarily, the mayor presides over meetings and appoints committees, which are two very important duties. The mayor keeps city council functioning at its highest capacity by facilitating that discussion and focusing attention on the city's most pressing issues.

The charter has some very specific and important duties the city clerk handles. The ones that really stick out are the maintenance of the city records, custodian of the city seal, the manager of city election and being responsible for posting meetings and notices to the city officials and the public.

She is the keeper of the records which is an extremely important function in the city. But again, city council has the ability to add other duties as desired. This position involves essential functions that are very clearly delineated in the charter.

They also acknowledged the city solicitor and chief of police who are both mentioned in the Milford City Charter, and like the city clerk, are appointed by the eight members of city council. Because they are appointed by council, they also report to city council.

Mr. Comunale also added that the International City Manager's Association Code of Ethics states that the manager must refrain from participation in the election of the members of the employing legislative body, including the mayor. As a professional manager, Mr. Whitfield lives by that code of ethics for this profession.

The city manager administers the day-to-day business of the city. As the leader of the management team, he enforces all municipal regulations, oversees all personnel matters and makes financial decisions and policy recommendations.

Mr. Comunale noticed that seven of the nine powers and duties listed in the Milford's Charter are either financial in nature or relate to personnel. It is very clear that the intent of the charter is to devolve/delegate the administration of personnel and financial decisions to the city manager.

The city manager serves at the pleasure of the elected officials and is charged with carrying out those policies adopted by the elected officials.

Mr. Wiesner then talked about the department heads and employees who report to the manager. That chain of command is very clearly defined in Milford's Charter, as well as in the model city charter. He feels it is extremely important to avoid sending mixed messages to the city's employees.

The manager is also in charge of carrying out legislative actions of the council. Regardless of whether or not the manager agrees with those legislative actions, they must be carried out with enthusiasm. The manager must convey that to the employees so that they can fulfill their duties and accomplish the objectives of council.

That is the reason for one chain of command that must go through the manager that includes all employees and department heads who report to the city manager. The only exception is those positions he mentioned earlier that are appointed by city council, such as the city clerk, chief of police and solicitor.

All other department heads must flow through the manager. They also reviewed the city's personnel policies that make that distinction. It allows a grievance procedure but the final say is with the manager and that is where it ends.

Mr. Wiesner said that is how it is supposed to be and how it is envisioned in the model city charter.

Next, they talked about pitfalls, and that miscommunications can sometimes be one. But in order for any city under the city manager form of government to function at their highest level, the department heads and employees must be managed by the city manager.

Mr. Comunale then referenced the manager's powers and duties. On the personnel side, the charter is also very clear that the manager has overall authority over personnel and words like direct supervisor, hiring, discipline is all part of the manager's powers as delegated by city council.

He believes that hiring is a key element of the manager authority. From his own personal experiences, if a city council member suggested someone for a position, his practice would be for that person to automatically get an interview, even if he or she was not qualified. But the final appointment has to rest with the manager for the council/manager system to work well.

Because the manager is not a hiring agent, it's obviously difficult for the manager to make sure that person is always doing their job. However, that does not relieve the manager of the responsibility for carrying out policy and instead, actually heightens that responsibility because that manager is now responsible for that employee as well.,

They agree that one of the important parts of the powers and duties of the city manager is to be able to put his/her staff together to carry out the policies of the city council and the mayor. That is reaffirmed in the charter that says the manager shall direct and supervise the administration of all departments.

Mr. Comunale shared that when he was a manager, a very important part of his authority was to be in charge of personnel. Though it was not an ego thing, it really goes with accountability. In order for the manager to be accountable, they must have the ability to put their team together. That doesn't mean if the policies are not being carried out, that city council don't have options because they do. This is another very important part of the manager's job to assign accountability for policy execution.

Mr. Wiesner also talked about some of the challenges to the council/manager plan. The one that is most often discussed is the unclear or undefined roles between the primary government functions—council, mayor and manager. By making those roles as clear as possible will allow the city to function in its highest capacity.

He recalled the earlier metaphor of 30,000 feet, 10,000 feet and down at the ground level, adding that unfortunately, there are no air traffic controllers in local government. There is a need in a municipality to watch itself and make sure everyone stays in their lanes. If everyone does that, the most will be accomplished.

The other challenge is remaining faithful to a long-range plan. They were impressed with the city's Vision 2023. The longer into the future that city council can look and grab hold of that vision, the easier it will be for the manager to manage to get there. If the plan includes specific steps over a longer period of time, the manager has the ability to rally the troops and get them behind that plan. The closer the plan is adhered to will create synergy and an atmosphere in which employees can truly thrive.

He recommends looking further and further and to modify the plan as needed. That will help the manager manage his employees and create that synergy by having employees that are enthusiastic about their roles.

They then presented several pitfalls, many of which they have seen and lived in their own careers. They felt it would be a good way to summarize some of these things discussed.

- The Manager believing that he/she is indispensable

No one is indispensable, certainly not managers and more times than not, there is a manager that thinks the city is going to fall apart if he/she leaves, but somehow the city always survives.

- The elected officials getting involved in hiring, directing or disciplining employees
- The Manager getting involved in the politics of City government

These go hand in hand and really go back to the need of staying and thriving in that role and staying in your lane. Elected officials should not be involved in the hiring, directing and/or disciplining of employees even though there is a strong desire to do so sometimes because the council and mayor want the best for the city as well,

The manager's role is to make sure those employees stay on track, while the manager stays out of the government side. When city council enacts legislation, the manager may not be 100% in harmony, but when the manager is out in the public role, he cannot express that displeasure and instead must express what was enacted in an appropriate and enthusiastic manner.

- Council members acting independently of the rest of Council

This is inevitable in every municipality, because there is never 100% harmony and council members are not going to agree with each other from time to time. It is okay to disagree and local government works best when there is disagreement at times because the issue may need to be fully discussed in order to come to a fair conclusion. But once council acts, it is set and each member must do their best to express that the legislation was enacted and what the plan was or overall objective was for council action.

- A Manager believing, he/she is accountable to the citizens and not the elected officials

It is important the manager recognize that he is responsible to the elected officials, which is self-explanatory.

- Individual elected officials setting the agenda for meetings

This is a common concern when they teach classes and setting that agenda is really important. All councilmembers should have the ability to provide input. But when that agenda is set, it is usually set by the manager, but capturing all of the city council members' desires and bringing forward those items ready for action, along with the input of the mayor. It is often a collaborative effort, between the presiding officer who in Milford is the mayor and the manager, to place items on the agenda.

- The Manager being disrespectful toward elected officials

This is something they have seen from time to time and can actually be observed more easily seen in today's Zoom meetings. In public meetings with video, that are available to the public, when something crazy happens, that video will be shared by many. Some of the managers they have encountered have somewhat of an adversarial relationship with their elected officials. That should not be, but as everyone knows, it happens so often there was a need to mention it though that does not appear to be a problem in Milford.

- The elected officials not respecting the Manager's position as the chief executive officer of the City

On the flip side, the elected official not respecting the manager's position. It's mutual respect that will get us through the day and get us to accomplish the most. There is a need to respect all your colleagues.

- Operating as independent actors rather than as a team

What authority does an individual councilmember have and the answer is none. The individual council member acts as part of a body and the entire council has to vote on items. In Milford, a vote of five is needed to adopt or authorize something. Individual members have to be very careful sometimes on their perception.

Mr. Comunale recalled serving as an interim manager, and a couple councilmembers wanted to go to an HOA meeting where some hot topics were being discussed. The city solicitor advised them not to go, feeling they would be encouraged to make statements that the HOA would end up thinking were the opinions of the entire city. He understands this is difficult, but something that is absolutely necessary to talk about. He emphasized that councilmembers must be aware of attending a meeting or becoming involved in a conversation they should not be part of. He asked council to keep that in mind and think about this type of how often this situation arises if you let it.

Upon conclusion, he asked if anyone has any questions.

Councilmember James thanked both of the presenters and Mr. Whitfield for putting this together. He recalled when this was discussed, he really stressed the need for it. The main reason was for the newer councilmembers, but feels it will be advantageous to councilmembers who have been in office for a while as well. Though anyone can read the charter, hearing it from an outside source, doesn't always align with your thoughts, or makes sense until you hear it from an impartial party. He is very grateful for the information.

Councilmember Fulton also thanked the presenters, noting that he is a newly elected councilperson. It was very helpful and he has been glancing through the Charter at the same time this was being discussed and appreciates the information.

After observing his military awards, Mr. Comunale thanked Councilmember Fulton for his service to this country and continuing desire to serve the public as an EMT.

They then thanked the City for having them adding they are very passionate about the council/manager form of government and appreciate the positive feedback.

When asked by Councilmember Culotta if council may contact them with any future questions, Mr. Comunale said he is bound by the Code of Ethics to contact City Manager Whitfield and let him know they were contacted. However, they are willing to take questions or comments though they prefer they go through Mr. Whitfield.

There being no further business, the Council Workshop concluded at 6:59 pm.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

MILFORD CITY COUNCIL
MINUTES OF MEETING
July 27, 2020

The City Council of the City of Milford convened their regular meeting by way of a video conferencing website on Monday, July 27, 2020. The meeting was available for public view and participation as permitted.

PRESIDING: Mayor Archie Campbell

IN ATTENDANCE: Councilmembers Danial Marabello, Mike Boyle, Andrew Fulton, Todd Culotta, Brian Baer, Douglas Morrow, Jason James Sr. and Katrina Wilson

STAFF: City Manager Mark Whitfield, Police Chief Kenneth Brown and City Clerk Terri Hudson

COUNSEL: Assistant Solicitor James Sharp, Esquire

In an effort to adhere to social distancing protocols and best practices imposed by Governor John Carney's State of Emergency Declaration effective March 13, 2020, the City of Milford has canceled all public gatherings until further notice. See July 27, 2020 Council Meeting Agenda for additional information.

CALLED TO ORDER

Mayor Campbell called the meeting to order at 7:05 p.m.

INVOCATION AND PLEDGE

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

RECOGNITION

Introduction/City Employee

City Manager Whitfield introduced Charles (Freddy) Ellerbusch who began his employment as an Engineering Technician on July 13th. He currently resides in Harrington and spent 14 years with the State of Delaware as an Engineering Planning Survey Technician.

Mayor and Council welcomed Mr. Ellerbusch.

PUBLIC HEARINGS

Ordinance 2020-19

Jerry Embleton for a Conditional Use to allow a Mixed Use on 0.121 +/- acres in a C2 Zoning District. Property is located along the west side of N. Washington Street between NE Front Street and NE Second Street, addressed as 0 Washington Street, Milford, Delaware. Present Use: Vacant; Proposed Use: Two-story mixed-use structure containing first floor commercial space and a single second story apartment on second floor.

Tax Map: MD-16-183.10-03-57.01

Planning Director Rob Pierce reviewed the application, adding that the notice was published in the Milford Beacon on June 24, 2020 and all properties within 200 feet of the subject parcel were mailed a copy of the notice.

He commented how the applicant proposes to construct a 28 x 40-foot two-story mixed-use structure with first floor commercial and a single second-story apartment. They anticipate between one to five employees within the commercial area and will operate during normal business hours of 8am to 5pm. Because this is in the C-2 zoning district, no parking is required though they plan to provide two parking spaces for the residents who will live there.

Chapter 230-13(C)(10) states “all dwellings other than single-family with a maximum density of 12 units per acre in conjunction with nonresidential use” may be permitted subject to receiving a conditional use permit by the City Council.

Included in the packet is a survey showing the placement of the proposed building and all street parking. Also provided is a floor plan showing the first-floor commercial use area.

The staff report includes an analysis of the conditional use criteria based on Chapter 230(48).

The application was reviewed by the Planning Commission at their July 21st meeting during which time they recommended approval upon a unanimous vote with two conditions. The first condition in the commercial use is a limitation of five employees and the second condition is the hours of operation will be limited between 8am and 5pm.

Mr. Pierce concluded by stating that Applicant Jerry Embleton is on the line to provide additional information about his proposal.

When asked why there was no assigned street number on the address, Mr. Pierce explained that the number will be assigned once the building permit is pulled.

Mr. Embleton stated that what Mr. Pierce presented a good description of his plans for the site. If approved, the building will fit nicely within the character of the neighborhood and should actually enhance it.

He shared that the commercial space will be used as a light office type use such as a realtors or insurance office, or something of that nature.

Mr. Embleton concluded by pointing out this property will also bring in additional revenue to the City of Milford.

Councilmember Marabello then asked if limiting the hours of the business from 8am to 5pm is consistent with other commercial uses; Planning Director Pierce explained that is simply a recommendation of the planning commission that was part of their motion.

Councilmember Culotta then asked the purpose of the limitation and what happens if this ends up being a retail store, and whether they could be open later. He feels that is a consistent problem with Downtown Milford businesses because most residents prefer stores stay open longer.

Councilmember Fulton commented that the original application was submitted with the 8am to 5pm hours constraint and that the Planning Commission simply concurred with the request. As a result, it appears to him that the Planning Commission did not come up with the restrictions and instead agreed to what was submitted by the applicant.

Assistant Solicitor Sharp asked Mr. Embleton if he had an issue with those hours, or if he could provide some additional insight.

Mr. Embleton said he presently has no problem with that, however, it that was something his Engineer Michael Cotten had included in the original letter, that he had unfortunately, overlooked it at the time.

After some consideration, Mr. Embleton felt that the hours of 8am to 9pm would probably be more appropriate and would allow more opportunities. The question was asked what would be needed to change the recommendation of the Planning Commission, whether it would need to be again reviewed by the Commission, or if a super majority vote was required by Council to overturn the Planning Commission’s recommendation. Assistant Solicitor Sharp pointed out the super majority vote is needed to overturn a recommendation for denial at the Commission level, or to overrule a change to a zoning regulation. However, removing the conditions that were added is a unique situation.

Assistant Solicitor Sharp then asked Mr. Embleton if he heard and understood the comments of the Planning Director; he stated yes. Mr. Sharp asked if he had the opportunity to read the staff comments that were provided in the Council; he stated no.

Mr. Embleton then confirmed that the comments made by the Planning Director were, in fact, true and correct.

Assistant Solicitor Sharp then referenced the two conditions that were added and the hours of operation as had been discussed. The other condition was the limitation for up to five employees. He is of the impression that is something that was captured from the engineer's letter to the Planning Commission. He asked if Mr. Embleton had any comments regarding the limitation of five employees. Mr. Embleton believes that five is appropriate for that size building.

Assistant Solicitor Sharp also questioned, and Mr. Embleton confirmed, that two parking spaces will be provided for the residents of the apartment.

Mayor Campbell then opened the floor to public comments. No one responded and the floor was closed.

Councilmember Marabello expressed additional concerns related to the maximum number of five employees and any potential restriction for an insurance office or realty firm. Mr. Embleton then asked if he can request the removal of the five-employee restriction.

Councilmember Marabello has no problem with removing that restriction, adding that a real estate office can easily have many realtors, most of whom are working in the field throughout the day. Councilmember Culotta agreed the limitation came from his own engineer and that language is not needed.

Planning Director Pierce reiterated that because this is in the C2 zoning district, off-street parking is not required. However, two spaces are being provided for the residents, though normally that would be 2.5 spaces per unit.

An office building typically requires anywhere from one space for 100 to 150 square feet of office space. But the intent with this proposal would be for employees to use the city parking lot on the corner of Washington and Walnut or the former M&T Bank parking lot the city purchased a couple years ago.

Councilmember Boyle has concerns with telling somebody they cannot employ more than five people, even if they are not on site; Assistant Solicitor Sharp said he does not have the exact verbiage of what the condition imposed, but would seem to be a limit as to how many employees could be on site at one time.

Assistant Solicitor Sharp recommended if Council were so inclined to impose an employee number limitation, perhaps it would apply to the number of employees on site at any given time.

Councilmember Boyle said when he was on the Planning Commission, with the exception of employees dictating parking numbers, there was never any limit placed on the number of employees for any organization occupying or renting a space.

Councilmember James emphasized that it appears as those limitations were self-imposed by the applicant's engineer. As was spoken earlier, the Planning Commission simply concurred with what was written. His question remains that based on the size building, and available parking, is there a maximum number of employees that can be on site or can it be unlimited.

He then asked if Council can approve it without any restrictions without creating a parking requirement.

Councilmember Fulton again pointed out the C2 zoning district does not require parking for employees. The only limitation he is aware of would fall under the maximum occupancy allowed by the Fire Marshal's office.

Mr. Pierce stated that paragraph F of the conditional use evaluation allows the Planning Commission and Council to impose reasonable restrictions to safeguard from things such as traffic control parking screening and setbacks, even if it is beyond a code requirement.

Councilmember James asked if we have a guide for what is 'reasonable' because in his opinion, there is available and sufficient parking in the area.

Councilmember Culotta does not want to limit the developer to either condition and prefers to go with what the Fire Marshal says. Councilmember Morrow agrees with Councilmember Culotta, adding this is very unusual and needs to be removed.

A discussion followed with all of Council appearing to concur with the removal of the two conditions, and that they were only added because it was stated as part of the original application.

Councilmember Fulton also pointed out that the downtown area is what Council wants to thrive and not to be choked, which is the appearance in this situation.

The applicant confirmed he is in agreement with the direction Council is moving toward.

Councilmember Culotta moved to adopt Ordinance 2020-19, as recommended by the Planning Commission and to remove the restriction of five employees maximum and business hours limited from 8am to 5 pm, seconded by Councilmember Wilson.

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

Marabello: Yes, to the amended approval based on the fact the two conditions were not reasonable or necessary.

Boyle: Yes, with Councilmember Culotta's recommendation. Overall, it complies with the comprehensive plan, mixed use development and the central business district.

Fulton: Yes, it addresses our need for businesses to thrive in the central business district without placing undue burden upon those businesses.

Baer: Yes, I vote yes and believe it should not require any restrictions, including the number of employees or the hours, especially because we are trying to encourage people to go downtown for Third Thursdays and similar events.

Morrow: I also vote yes and think that the two add-ons were unnecessary burdens.

Wilson: Yes, we want to be business friendly as much as possible. And it was good observation of Council who recognized the restrictions and we definitely don't want to limit anyone from doing business downtown.

James: I vote yes with the amendment as stated by Councilmember Culotta, removing the unnecessary restrictions of the number of employees and hours and I concur with Councilmember Boyle that the building size itself will dictate the occupancy, which I think will be sufficient.

Culotta: yes, based on removing the things we talked about and I also want to congratulate Mr. Embleton for making the investment in our downtown. It takes a lot of risk and speculation and it will enhance our downtown with more business, which means more activity.

Ordinance 2020-20

R&S Construction LLC for a Conditional Use to allow a Single-Family Semidetached Dwelling on 0.19 +/- acres in an R2 Zoning District. Property is located along the south side of SE Second Street between Montgomery Street and Franklin Street, addressed as 212 & 214 SE Second Street, Milford, Delaware. Present Use: Vacant; Proposed Use: Single-Family Semidetached Dwelling. Tax Map: 3-30-7.17-275.00 & 3-30-7.17-276

Planning Director Pierce reviewed the application submitted for a single-family semi-detached dwelling (duplex) on a vacant lot. The applicant purchased and condemned the property at 212 SE Second Street and demolished the structure in May. A vacant parcel adjacent to the property was also purchased. The applicant proposes to replace the previous single-family detached dwelling with a semi-detached dwelling, as shown on the survey included in the packet.

According to Chapter 230-10(c), single-family semi-detached dwellings are considered a conditional use within the R2 zoning district and are subject to approval by City Council.

The packet includes the staff analysis, location and zoning map, along with a house placement survey and floor plans.

The public notice was published in the Milford Beacon on June 24, 2020 and all properties within 200 feet of the subject parcel were mailed a copy.

The Planning Commission reviewed this application at their July 21st meeting and recommended approval upon unanimous vote.

Arden Johnson representing R&S Construction LLC was in attendance. He shared their plans to put in a semi-detached home with a rated wall between the two units, similar to a townhouse. They are doing that because the narrowness of the lot allows this to be separated a little more from the adjacent existing properties.

He feels it will work well with the four-plex or four-unit apartment building across the street and is consistent with the neighborhood and looks forward to be part of it.

When asked about the parking situation, Mr. Johnson explained there are two parking spaces as required by the code in front of each unit as, as are shown on the drawings.

The proposed completion date will depend on the date of the approvals. He anticipates approximately 120 days to complete, once the permits are pulled. They will also need county permits, as well as the DelDOT approval due to the curb cuts, etc. He anticipates less than six months and plans to start as quickly as possible.

Assistant Solicitor Sharp then asked Mr. Johnson if he heard and understand the statements and comments made by Mr. Pierce and believed them to be true and correct; Mr. Johnson stated absolutely.

When asked if he read the staff comments in the packet, Mr. Johnson said he did not have a chance to read them.

The floor was then opened to public comment. No one responded by phone or video conferencing and no related emails had been submitted. The comment session was then closed.

Councilmember Fulton moved to adopt Ordinance 2020-20 authorizing the conditional use permit, seconded by Councilmember Boyle. Motion carried by a unanimous 8-0 roll call vote:

Marabello: Yes, I approve and agree with the Planning Commission and believe it will enhance the downtown area and provide additional housing that is needed.

Boyle: Yes, the application is permitted under conditional use within the area zoned R2, and I find it is an appropriate use and to be in compliance with the comp plan.

Fulton: Yes, it's in compliance with comprehensive plan and it also provides affordable housing.

Culotta: Yes, this was a spot where there was a fire sometime back, and I think the improvement with the new houses will be great for the community.

Baer: Yes, and I think it will be a great improvement for the community of Milford

Morrow: I also vote yes based on Planning Commission's recommendations.

James: Yes, it is consistent with the code and consistent with the surrounding dwellings.

Wilson: Yes, based on the recommendation of Planning Commission.

Ordinance 2020-22

Cosmo Properties LLC for a Conditional Use to allow a Daycare to be known as Triumph Youth Center on 2.08 +/- acres in a C3 Zoning District. Property is located along the north side of Milford-Harrington Highway, approximately 2,200 feet west of the Route 113 intersection, addressed as 350 Milford-Harrington Highway, Milford, Delaware. Present Use: Shopping Center; Proposed Use: Same with Daycare.

Tax Map: MD-16-173.00-01-08.00

Planning Director Pierce reviewed the application, stating this is a property that is currently improved with a strip shopping center, in an area zoned C3 highway commercial. The applicant proposes to convert a portion of the shopping center, approximately 2,400 square feet, into a daycare facility and will provide an outdoor fenced-in play area to the rear of the principal structure behind the parking lot.

He stated that Chapter 230-14(c)(12) states a daycare center is a conditional use within the C3 zoning district, and is subject to city council approval.

The packet includes a staff report, a location and zoning map showing the property in relation to areas, within the city and county surrounding it and aerial photograph showing the existing improvements on the site.

The location is the end unit, southeast of the building, which is the former location of a gas station/convenience store. Pumps, canopy, gas tank and similar items have been removed and the parking lot repaired within the last couple of years. The daycare will fill a vacant space within the shopping center.

Also provided by the applicant is a rough draft of some restriping that will occur and a more formal drawing that was submitted for the planning department to review after the submission deadline. Mr. Pierce plans to work through the details to make sure it complies with the drive aisle requirements and other items discussed at the Planning Commission meeting.

Also included is a copy of the area that will be leased out and used for the playground.

All properties within 200 feet were mailed a copy of the public notice and the notice was properly published in the Milford Beacon on June 24, 2020.

The Planning Commission reviewed the application at their July 21st meeting and recommended approval by a vote of 5-1 vote.

When asked the reason for the one dissenting vote, Mr. Pierce said that the commissioner was concerned about the proximity of an existing use within the strip center, being a liquor store, and felt the daycare was too close.

Councilmember Fulton referenced prohibitions, and specifically 230(44)(d) that states:

All establishments involving the sale of alcoholic beverages, either on or off premises, which are located within 1,000 feet of any public or private school, day-care or child care center or church, unless food is prepared and served for consumption on site or for takeout, or alcoholic beverages are produced in said location.

He then asked how that comes into play in relation to the liquor store and the child care child development center.

Mr. Pierce explained that provision of the ordinance was put in place to keep stores or others that sell alcoholic beverages, without serving food or producing them on site, from going into certain locations of the community that may detract from a school, church, daycare or similar facilities. It does not, however, prohibit or restrict a school church or daycare from going within a certain distance of an existing liquor store or existing alcohol establishment.

He believes the intent was to protect the existing uses from something coming in, but in this case, the daycare is well aware of the adjoining uses.

Councilmember Morrow asked if they have received all their approvals from the State of Delaware; Planning Director Pierce said they will be required to get those approvals from the state licensing office for the daycare, before they can open and operate.

It was confirmed that if the daycare currently existed and the liquor store wanted to open, that would not be allowed. Mr. Pierce added that a statement was made at the Planning Commission meeting, more for the applicant's knowledge, and to put it on the record, that if this gets approved and the liquor store closed for twelve months, it would become a non-conforming status according to our zoning code, and would not be permitted to reopen unless they sought a waiver under 230 (44)(d).

When asked if this is an inconsistency that is not reasonable, Mr. Pierce said that section of the City code is to protect existing uses from being encroached upon by an establishment that sells alcohol. It is not to prevent another establishment from coming into that area.

Councilmember Marabello asked the intent that prohibits a liquor store from opening in such a situation, Mr. Pierce said he can only go by the zoning code and he is unsure as he was here when that was added.

Councilmember Marabello believes it is an inconsistency.

Assistant Solicitor Sharp noted there is a provision in Delaware Code Title 4, Alcoholic Liquors, that allows the 'Commissioner to refuse a license to sell alcoholic liquor to any new establishment that will be located in the vicinity of a church, school or college. The Commissioner may issue a license to any establishment located in the vicinity of a church, school or college when such establishment has been located in a place prior to the time any church, school or college may thereafter be located in the vicinity of such establishment.'

He believes the code provision is somewhat consistent with what is seen in the State code. If you are going to put it there, Mr. Sharp said there is a heightened restriction, but we are not going to restrict what your neighbors can do on their lands.

The Assistant Solicitor does not know the intent either, though that is how the code says in regards to someone applying for that type of license.

Planning Director Pierce believes they were worried about it detracting from existing uses in the area. The daycare owner might have an issue with that use within a certain distance of their business. But in this case, the business owner is making a decision to go in a certain location. In that manner, it does not really detract from the business itself.

Mr. Pierce believes it is more to protect existing property uses and rights, versus anything else.

Councilmember James asked how close is the liquor store will be to the daycare; Mr. Pierce clarified it would be the adjacent suite.

Councilmember James said his initial thought is the spirit of the code is to keep liquor stores away from daycares, churches and schools. But after listening to the testimony, it sounds as though it could be interpreted as protecting existing property owners or businesses.

Planning Director Pierce feels the criteria that should be used, based on the zoning code, is found within Chapter 230-48 and is also outlined in the staff report. A lot of it deals with the proposed use detracting from existing uses and not existing uses detracting from the proposed use.

Councilmember Boyle asked Chief Brown to comment and if this liquor store area been a problem; Chief Brown stated no.

Councilmember Culotta appreciates the note from Planning and Zoning, from the idea that a liquor store is not ideal to have next to a school or in this case, a daycare center. But if you can't have one, then you can't have the other. Then if anytime a liquor store opens, nothing will be allowed around it. In this case, the applicant understands the location and has no problem with it.

Councilmember Fulton asked Assistant Solicitor Sharp if the Delaware code that was read states that the licensing would be looked at differently for a liquor store near a child care facility; Assistant Solicitor Sharp referenced Delaware Title 4, Section 543(c). In his opinion, it appears the Commissioner has the ability to refuse to grant a license for a liquor store within the vicinity of a church, school or college. The Commissioner, can also issue an updated license if the liquor store exists and something opens closer.

Again, he pointed out that is a similar situation to what Mr. Pierce is saying about Milford's code, is that you cannot put it there, if these other uses are nearby. But if you're already there, and other uses want to come near you, they are not going to tell them they are prohibited.

Councilmember Fulton asked if it would be a limitation or if it may impact Mike's Liquor Store, by a child care facility being right next door to them. Assistant Solicitor Sharp pointed out he has not reached out directly to the Commissioner's Office on this, but that language seems to imply that the Commissioner would look at it with a different lens, than he would if this liquor store was coming near an existing facility.

Councilmember Culotta pointed out that Romano's Pizza is the third and only other business in that shopping center. This portion of the shopping center has been empty for a long time, and previously was always a convenient store. This could remain an empty building if that is desired, and though he does not want to make it that complicated, this is another opportunity for a new business, which also fills a need for the community.

Councilmember Wilson reported she received two phone calls opposing this application. Their sole reason was because of the close proximity to the liquor store and specifically, they had concerns with individuals going in and out of the liquor store at the same time parents were going into the childcare center.

Assistant Solicitor Sharp stated that with all due respect, there is a need to ensure that any decisions that are made are based on the record of those people in attendance tonight and those that wish to speak. However, a decision cannot be determined by comments that are not in the record and he encourages those people to speak.

Councilmember Wilson said she informed them she would state their opposition. She is uncertain if they are on the phone or available, but did receive those calls over the weekend and wants them to know she listened to them.

Assistant Solicitor Sharp recommends Council disregard those comments, unless they wish to make those statements on the record tonight.

Mayor Campbell then called on the applicant to speak.

Phil McGinnis said he is representing Cosmo Properties LLC, who would be the landlord and Miss Hattie Harris is the person that picked out this location for her daycare knowing the liquor store was there. He also noted there is a hair salon in this shopping center, so there are actually four tenants.

He explained they all met together with the Planning Commission last week who gave them a couple of requirements, which were agreed to. One is they put a hatched crosswalk on the back of the property to where the playground will be. For those who are concerned about the proximity to the liquor store, he reminded Council, these are small children and not teenagers or drinking-age children. Instead they are small children, whose parents will drop them off and pick them up. The access to the daycare will be from the back and the children will be dropped off in the back, picked up in the back, and the parking lot will be in the back.

Mr. McGinnis pointed out they will not cross paths at any point with any patron of the liquor store. The liquor store business is completely through the front door and it appears to him, that they take deliveries in the front doors as well. These children will also be supervised at all times.

He thinks that if a daycare is located in close proximity to a liquor store, or any other objectionable use, then the parent would have the option and make the decision, of whether or not to choose to utilize this daycare facility. He thinks the applicant has conformed to the requirements of the city. In addition, they agreed to the requirements of the Planning Commission last week.

Councilmember James had Mr. McGinnis confirm, that the drop off for the kids will be in the rear and the playground is in the rear. Thereby, the exposure of the children to the liquor store patrons will be all but eliminated. Mr. McGinnis stated yes sir, he believes so.

Mayor Campbell then opened the floor for public comment. No one responded after several minutes and the comment session was closed.

Councilmember Boyle then stated that earlier this evening, he was handed a copy of what looks like an email to the city of someone from the public who was in opposition and asked if he could read his comments into the record.

Assistant Solicitor Sharp confirmed through Councilmember Boyle it is copy of an email that is simply addressed to the City of Milford and the person who wrote it, delivered it to him, at his door and asked that it be read into the record.

Councilmember Boyle believes he received it around four o'clock today, though he is unsure of the exact time and the copy is not date stamped.

Planning Director Pierce referenced the public notices that requires any written comments be submitted to the City Clerk's Office or the Planning Office, up until the start of the meeting, and would then be read into the record.

Assistant Solicitor Sharp understands the manner by which it should be submitted, though he knows we are being more flexible in light of Covid-19 and may not be stated in the normal fashion.

City Clerk Hudson confirmed that she did not receive any written comments or requests to speak. She also checked the email site people are directed to send comments and nothing had been submitted. Planning Director Pierce said he has not received any phone calls or comments at his office either.

Mayor Campbell confirmed that he received three phone calls from people with concerns as well.

Councilmember James said regardless of whether the comments were submitted or made verbally, because of Covid-19, they were not submitted to the City Clerk or Planning Director. He loves public comments, but wants to make sure it is done properly and in fairness to all parties, regardless of if they are verbal or written.

Assistant Solicitor Sharp believes the manner by which we've advertised for comments to be submitted has not been met so he is inclined to say no, though he will continue to research Milford's rules and regulations.

Councilmember Fulton asked if the site plan modification would be considered a complete site plan because of the late modifications. Planning Director Pierce explained the applicant submitted a cleaner version of the parking lot restriping plan for consideration which can be reviewed at the staff level to make sure it complies with the drive aisle requirements.

He explained it is not uncommon to review restriping plans from time to time without taking it before Planning Commission or City Council.

Councilmember Fulton asked if it is a requirement of the conditional to submit the complete site plan; Planning Director Pierce clarified that because this is in an existing strip center, he prefers to be flexible and work with applicant. This does not involve new or additional entrance improvements or utility modifications. Instead, they are essentially flipping the drive aisles and updating the restriping plan.

Planning Director Pierce agrees that is a section of the ordinance that may need to be modified in the near future.

After further review, Assistant Solicitor Sharp advised Council the reading of the email should be disallowed. He referenced a copy of the notice that provides the manner by which these comments shall be submitted, and in particular it is very clear how public comments must be submitted via email to the City Clerk. Therefore, they should be disallowed.

Councilmember Culotta then moved to adopt Ordinance 2020-22, based on the recommendation of the Planning Commission, seconded by Councilmember Morrow.

Motion carried by the following roll call vote:

Marabello: I vote no for the following reasons. I think the spirit of this decision is inconsistent with the intent of the original law, and the code regarding the proximity of a liquor store to schools or anything like that. I think that word the spirit has been violated so I vote no.

Boyle: Reluctantly, I'm going to vote yes. I think that the selection of this site probably wasn't the best decision made, although it's attractive. I, like Councilmember Marabello, question the real intent behind the restriction of keeping churches and schools away from liquor stores.

Fulton: I vote no because I don't believe it meets the intent of Chapter 230 Article 8, 230(44)(d). I also don't believe it meets Chapter 230 requirements for the conditional use because the site plan is incomplete. Those are my reasons for voting no.

Culotta: Yes, because daycares are something that are needed in this community. It has also come to my attention, actually now that I think about it, Air Park Plaza, which is the shopping center to the left of the entrance to Walmart, has a liquor store and a daycare.

Assistant Solicitor Sharp stated that what Councilmember Culotta is mentioning is not part of the record and cannot be considered as part of his decision.

Councilman Culotta reaffirmed his vote is yes.

Baer: I think I am going to vote no on this one, based on the comments that I have heard tonight.

Morrow: I vote yes, even though this is beside a liquor store, and affordable daycare is definitely needed in the City of Milford. What convinced me is the entrance and pick up and drop off will be in the rear of the building and everything is fenced in outside and they're inside the building. I think they should have a go at it, so I vote yes.

James: I reluctantly vote yes for this project, after hearing from the applicant explain that the drop off of the children and playground for the children will be adequately segregated or shielded from the patrons of the liquor store and the entrance to the liquor store. I vote yes because I do not think that it should be our position to impede a business owner to make decisions where they want to place their business. The economics and the patrons that would use the business will make that decision on their own.

Wilson: I, as well, am a little bit reluctant, but I vote yes. It did ease my mind a bit hearing about the entrance and exit being in the back of the building as well as the playground. And the delivery not being in the back of the building also made me feel better. But I want to make sure that happens. I agree with Councilman Morrow that there are not enough daycare centers, and we should always welcome more. We also welcome new businesses all the time so I'm happy about that. But I also am a tad bit concerned with it being next to a liquor store, but will vote yes.

Communication & Correspondence

Community Prayer Day

Councilmember Wilson reminded Council that at Bicentennial Park tomorrow evening at 6pm, several local ministers and residents have partnered to host a Prayer Day. She reminded everyone that all Covid-19 mandates will apply, including the wearing of face masks and social distancing.

City Clerk Hudson will email the flyer to Councilmembers this evening.

Employee Thanks

Councilmember Morrow wanted to publicly thank both Planning Director Pierce and City Manager Whitfield for their quick response to an electrical issue he had at Seawatch. He said this is a reflection on how they assist business owners in Milford, both small and large.

He also thanked Electric Superintendent Will Gallagher who actually resolved the matter on their behalf.

Even though he understands this is often done at the request of Milford funeral directors, Councilmember James thanked Chief Brown for providing several police officers to assist with traffic control for a family funeral that concluded at Barrett's Chapel Cemetery. His family members were very grateful.

Covid-19 Testing

Mayor Campbell gave a shoutout to Lieutenant/Governor Bethany Hall-Long who arranged for Covid testing at Milford High School within a few days after his phone call. Prior to that, Milford's residents had to travel to other towns for the testing. Even with the short notice, the event was extremely successful with almost 600 people tested.

Milford Post Office

Councilmember Morrow also expressed his appreciation to Mayor Campbell for his efforts in resolving the mail delivery issue. He reported that his mail had been delivered once this past week, though none was received the week prior.

Mayor Campbell said he has reached out to US Representative Lisa Blunt Rochester, US Senators Chris Coons and Tom Carper. He also noted this is occurring throughout the country and is not only a local problem.

Councilmember James shared that the USP workers were granted permission to work overtime beginning this past Friday. As a result, he has finally received all his mail as well.

UNFINISHED BUSINESS

No items.

NEW BUSINESS

Adoption/City of Milford Tax Warrant FY2020-2021

City Manager Whitfield announced the tax warrant this is part of the tax billing process. The City Charter charges City Council to direct the City Manager to collect taxes in order to offset the expenses anticipated within the budget.

Councilmember James moved to adopt the Fiscal Year 2020-2021 Tax Warrant, seconded by Councilmember Fulton:

Greetings:

The Charter of the City of Milford provides the following:

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

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

<i>Property Assessment Values Per Billing Register</i>	\$ 1,279,583,352
<i>Exemptions</i>	[\$ 355,126,000]
<i>Total Assessed Values</i>	\$ 924,457,352
<i>Tax Rate</i>	x \$0.0046
<i>Estimated Tax Collection</i>	\$ 4,252,503
<i>Senior Citizen Discount</i>	[\$ 30,728]
TOTAL TAX COLLECTION (Fiscal Year 2020-2021)	\$ 4,221,775

Tax Due Date: September 30, 2020

Motion carried.

Approval/Milford Public Library Agreement

City Manager Whitfield presented the new agreement between the City and Milford Public Library. It is very similar agreement to the previous agreement, however, he and the City Clerk rewrote various parts of the agreement. Under the terms and reporting, the agreement can now be extended by one-year increments, unless terminated by either party with notice given within thirty days.

Additionally, he recommends the reporting requirements be reduced to once per year to align with their funding request. Included they are asked to provide a report of how those funds were used in the previous year.

Councilmember Wilson moved to authorize the City and Milford Public Library agreement as submitted, seconded by Councilmember Fulton. Motion carried.

Approval/Friends of the Milford Museum Agreement

City Manager Whitfield then presented the agreement between the City and the Friends of the Milford Museum. This is similar, as far as terms and report, to that of the Milford Library. It can also be extended by one-year increments, unless terminated, as outlined in the termination clause. The museum will provide an annual report to the City, at the time they submit their funding request. Funding will be based on Council's decision with regard to the current financial situation as decided during the budget preparation period.

Councilmember Boyle moved to authorize the City and the Friends of Milford Museum Agreement, seconded by Councilmember Fulton. Motion carried.

EXECUTIVE SESSION

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

Pursuant to 29 Del. C. §10004(b)(9) Personnel matters in which the names, competency, and abilities of individual employees or students are discussed.

Motion carried.

Mayor Campbell recessed the Council Meeting at 8:35 p.m. for the purpose as is permitted by the Delaware Freedom of Information Act.

Return to Open Session

Council returned to the public meeting at 8:46 p.m.

Council Appointee Evaluations

Chief of Police

Councilmember Fulton stated that based on his performance evaluation, he moved to authorize a 3% merit and 1.5% COLA increase, effective July 1st, for Chief Brown, seconded by Councilmember James. Motion carried by unanimous roll call vote.

City Clerk

Councilmember Wilson stated that based on the City Clerk's performance evaluation, she moved to authorize a 3.5% merit and 1.5% COLA increase, effective January 1st, seconded by Councilmember Culotta. Motion carried by unanimous roll call vote.

ADJOURNMENT

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

The Council Meeting adjourned at 8:50 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: August 4, 2020
RE: Activity Report/July 2020

Monthly Stats:

A total of 164 arrests were made by the Milford Police Department during July 2020. Of these arrests, 52 were for criminal offenses and 112 for traffic violations. Criminal offenses consisted of 9 felonies and 43 misdemeanors. Traffic violations consisted of 28 Special Duty Radar, 9 Drunk-Driving charges, 75 other.

Police officers investigated 37 accidents during the month and issued 38 written reprimands. In addition, they responded to 1057 various complaints including city requests and other agency assistance.

Due to COVID-19 Pandemic stats are extremely lower than normal.

Monthly Activities:

Throughout the month of July, participated in numerous conference calls and virtual meetings in reference the COVID-19 and the Governor's Emergency Order for the State of Delaware. This includes weekly Fire and Police conference calls, calls with the Governor, monthly State and Sussex Chiefs meeting, and Municipalities of Sussex Co. conference call and numerous call with City Government Officials, the City Manager and the public.

Met with Chris Devaney, Executive Director of Banyan Treatment Center in reference to the program and what they have to offer the community in there new Milford location on July 8, 2020.

Met with Councilman Baer to discuss issues in reference to the Police Department and also took Councilman Bear on a tour though the department on July 10, 2020.

Met with concerned resident to discuss the release of body camera footage of an on-going investigation on July 21, 2020.

Held a conference call with Councilman Boyle, newly appointed Police Committee member, in reference to the Police Department on July 24, 2020.

Attended the Milford Community Day of Prayer Ceremony held at Bicentennial Park on July 28, 2020.

Met with Lt Huey, Rob Pierce, Wes Banasan and Secretary Sessoms, to discuss issues concerning the new City of Milford Business Permits and False Alarm Billing on July 30, 2020.

Training –

One officer attended DUI Refresher training held at the Delaware State Police Academy on July 9, 2020.

One officer attended Motorcycle Certification training held at Dover Police Department on July 20, 2020, through July 31, 2020.

One officer attended Advanced Collision Investigations training held at the Delaware State Police Academy on July 27, 2020 through July 31, 2020.

Most Training outside the department was cancelled for the Month of July 2020 due to the COVID-19 Pandemic. Officer have been assigned required training via webinars throughout the month.

SRO –

During the month of July Sgt. Masten, S/Cpl. Bloodsworth, and Cpl. Stanton continued foot patrols in areas of the City.

S/Cpl. Bloodsworth, and Cpl. Stanton attended an annual community basketball event held in the 4th Ward.

Sgt. Masten continues to stay in touch with neighborhood contacts we have as well as apartment complex managers to address quality of life issues. In many cases in the apartment complexes we're assisting them with enforcing the lists they have established of persons barred from the properties.

Sgt. Masten has reached out to the apartment complexes about assisting with community events since our annual Milford's Night Out was cancelled. Mispillion Apartments and Milford Crossing both plan to have events in August that our Community Policing Unit will provide assistance to.

K9 Unit –

For the month of June 2020 the Milford Police Department K9 unit had the following stats:

K9-1 (Mason)

- Foot Patrols 2
- Building Search 2
- Demo 1
- Area Search 1
- Drug Sniff 1
- Assist Other Agency 2
- No Bite Apprehension 1

K9-2 (Audie)

- Foot Patrols 2
- Building Search 6
- Disorderly Group 2
- Track 1
- Assist Other Agency 1

Seized Items

Amount

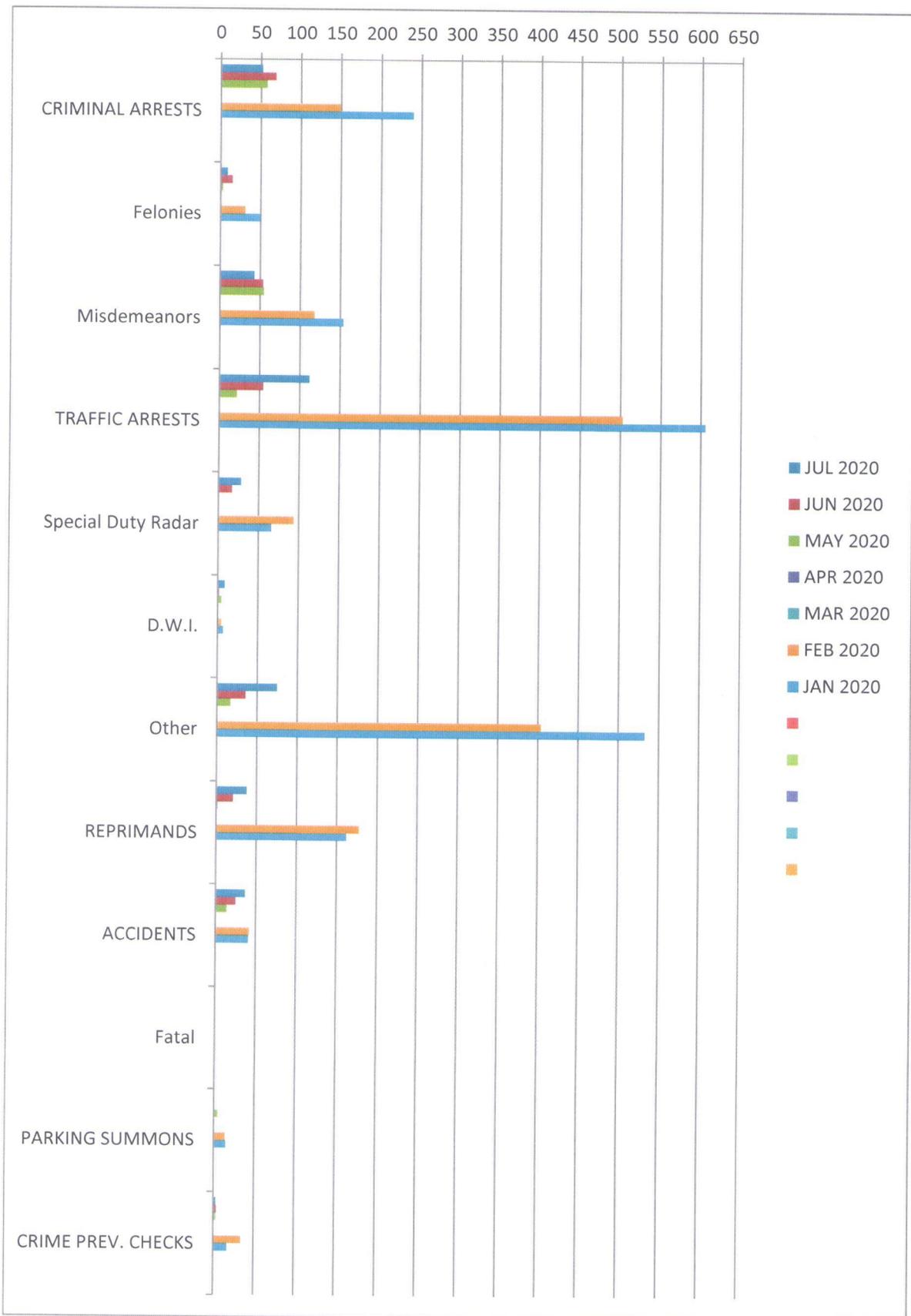
Value

- Other Drug Paraphernalia

Due to the COVID-19 Pandemic stats for the K9 Unit are lower than usual for the Month of July 2020.

JUL 2020 ACTIVITY REPORT

	JUL 2020	TOTAL 2020	JUL 2019	TOTAL 2019
COMPLAINTS	1057	5570	1239	8522
CRIMINAL ARRESTS	52	568	147	923
Felonies	9	108	34	138
Misdemeanors	43	424	113	785
TRAFFIC ARRESTS	112	1298	395	2881
Special Duty Radar	28	205	13	459
D.W.I.	9	28	9	50
Other	75	1065	373	2372
REPRIMANDS	38	401	118	833
ACCIDENTS	37	159	65	408
Fatal	0	0	0	0
PARKING SUMMONS	0	34	10	76
CRIME PREV. CHECKS	3	61	24	118
FINES RECEIVED	\$3,099.29	\$ 45,555.33	\$7,552.59	\$ 58,003.11



City Manager's Monthly Update Report

Human Resources Office	July 2019	July 2020	FY20 YTD <i>(07/01/19-07/31/19)</i>	FY21 YTD <i>(07/01/20-Present)</i>
Full Time Employees	123	121	123	122
Part Time/Seasonal Employees	16	4	16	4
Vacant Positions	5	2	4	2
Promotions	2	0	2	0
Information Technology Office	July 2019	July 2020	FY20 YTD <i>(07/01/19-07/31/19)</i>	FY21 YTD <i>(07/01/20-Present)</i>
IT Assistance Offered	No Information Provided			
Finance Department	July 2019	July 2020	FY20 YTD <i>(07/01/19-07/31/19)</i>	FY21 YTD <i>(07/01/20-Present)</i>
Utility Accounts Billed	No Information Provided			
Utility Payments Processed	No Information Provided			
Parks & Recreation Department	July 2019	July 2020	FY20 YTD <i>(07/01/19-07/31/19)</i>	FY21 YTD <i>(07/01/20-Present)</i>
Program Participants	172	0	1,432	790
Programs Offered	2	0	18	10
Special Events Assisted	1	0	4	4
Planning & Economic Development Department	July 2019	July 2020	FY20 YTD <i>(07/01/19-07/31/19)</i>	FY21 YTD <i>(07/01/20-Present)</i>
<i>Building Inspections & Permitting</i>				
Total Residential Permits Issued	37	60	37	60
Residential Inspections Performed	167	52	167	52
Total Commercial Permits Issued	6	17	6	17
Commercial Inspections Performed	6	16	6	16
<i>Code Enforcement & Licensing</i>				
Code Enforcement Cases Opened	20	85	20	85
Code Enforcement Cases Closed	18	23	18	23
Contractor & Vendor Licenses Issued	22	36	22	36
Rental Licenses Issued	7	173	7	173
Rental Inspections Performed	250	5	250	5
<i>Economic Development</i>				
Economic Development Incentive Applications Received	0	0	0	0
Downtown Development District Applications Received		0	67	0
- Private Investment		\$ -	\$ 22,012,532.00	\$ -
- State Rebate		\$ -	\$ 2,662,516.00	\$ -
- County Rebate		\$ -	\$ 21,500.00	\$ -
- Milford Waivers		\$ -	\$ 335,447.58	\$ -

Public Works Department -July 2020	July 2019	July 2020	FY20 YTD (07/01/19-07/31/19)	FY21 YTD (07/01/20-07/31/20)
Electric Division				
Trouble Service Call	19	23	19	23
Work Orders Completed	53	31	53	31
Outages	13	8	13	8
Poles Replaced	11	4	11	4
After Hours Calls	15		15	0
Trees Trimmed	4	3	4	3
Technical Services Division				
New Electric Service Installed/Meter Set	18	15	18	15
New Water Service Installed/Meter Set	17	13	17	13
Electric Meter Replacement	19	7	19	7
Water Meter Replacement	54	26	54	26
Work Orders Completed	784	584	784	584
After Hours Calls	4		4	0
Streets/Utility Division				
Signs Installed/Replaced	8	15	8	15
Curb Miles Swept	136	212	136	212
Sewer Lines Flushed (in feet)	14,394	1,180	14,394	1,180
Sewer Back-up Response	8	2	8	2
Sewer Line Repaired	0	1	0	1
Water Hydrants Flushed	96	50	96	50
Fire Hydrants Replaced/Installed	2	0	2	0
Water Line Repair	3	5	3	5
Water Valves Exercised	0	28	0	28
De-icing Salt Used (tons)	0		0	0
Potholes Filled - Cold Patch	30	30	30	30
Potholes Filled/Spray Patch - Gallons Emulsion Used	8	40	8	40
Leaves Collected (Tons)	0		0	0
After Hours Calls	5		5	0
Crack Sealing (pounds of sealant used)	120	0	120	0
Work Orders Completed	0		0	0
Storm Sewer Inlets Cleaned	20	35	20	35
Street Closures/Festivals	1	6	1	6
Engineering Division				
Utility Locates Completed	301	220	301	220
Operations Division				
Fleet Work Orders Completed	31	43	31	43
Fuel Use-Diesel (Gallons)	2691	3,011	2691	3,011
Fuel Use-Gas (Gallons)	4,347	4,922	4,347	4,922
Solid Waste & Facilities Division				
Refuse Collected (Tons)	266	317	3,219	3,400
Recycle Collected (Tons)	59	75	703	781
Yard Waste Collected (Tons)	64	78	597	679
Diversion Percentage (%)	26	33	29	30
Bulk/Brush Collection Requests Completed	67	114	677	791
Containers Delivered	63	65	563	711
Conatiners Serviced (Swap, Replacement, Removed)	38	42	523	329
Water & Waste Water Facilities Division				
Water Treated (Millions of Gallons) 2 Months	89,775,100	97,700,500	582,442,600	584,945,500
Waste Water Transferred (Millions of Gallons) 1 Month	84,086,000	96,084,000	529,978,000	477,662,620
Work Orders Completed		69		
Pump Stations Cleaned		7 in July		
After Hours Calls				

Public Works Projects - July 2020	Planning Stage	Bid/PO Award	In Progress	Complete
Electric				
DEL1 Substation Testing			x	
DEL2 Substation Testing			x	
Traffic Signal Head Refurbish. - Church/Walnut/Washngtn	X			
GIS/Mapping - Smart Metering			X	
DEL2 Relay Replacement				X
Riverwalk Light Pole Powdercoat/Retrofit Phase II				X
Wilbur Street Line Reconductor				X
RP3 Application				X
Water				
Install Automated Blow-off Valves	X		X	
Protection Upgrades Caulk & 10th Street Towers	STEVE		X	
Water Tower Altitude Valve at Caulk Tower	JAMES	JAMES	X	
Tenth St Water Treatment Facility Test Well, etc.	KCI	KCI	X	
Water Trtmt Monitoring & Process Control Upgrades (4&5)	STEVE / STEVE Z		X	
City-wide Valve & Hydrant Replacement/Improvements				
Standardized Water Treatment Facility Controls	STEVE / STEVE Z		X	
SE 2nd Street Lead Service Line Replacement	x	x	x	
NE Front Street Water Lines	x	x		
DNREC Water Allocation Permit	DBF / JAMES			
Washington Street WTF Lot Consolidation	CITY			
Sewer				
Truitt Avenue PS Groundwater Investigation & Repair	KCI	KCI	X	
SCADA Instrumentation Upgrades & Integration	STEVE / STEVE Z		X	
Targeted Inflow and Infiltration Investigation & Repair	KCI		X	
SE 2nd Street Sewer Line Replacement	x	x	x	
Silicato Grinder Pump Installation	KUHN'S	X	X	x
North Shore Pump Station Hatch Replacement				
Shawnee Acre Pump Station	KUHN'S	X	X	x
Streets				
Mispiration, McColley, Marshall Streets Reconstruct/Paving				
Roosa, Masten, SE 5th St Repaving	x	x	x	x
Plum Street Reconstruct				
SE 2nd Street Curb	x	x	x	
Fisher Ave				
West Street Curb and Sidewalk Project				
Financing for Private Sidewalk Improvements	x			
Street Resurfacing and Rehabilitation, ADA Ramps				
Installation of ADA Compliant Ramps				
Walnut Street Pedestrian Crossing (Landscaping)				
Pennsylvania Street Gutter/Drainage Improvement	x			
Truck Turning Study				
US 113 Welcome Sign Relocation/Replacement (south end)				
Sidewalk Project	x	x	x	
Buildings				
Council Chambers Recording System Upgrade	X			
Monitors in Council Chambers	X			
City Hall Video Monitoring System Replacement				X
City Hall Basement Renovation				X
PW Breakroom/Lockerroom Renovations				X
PW-Warehouse Door Security	X			
PW-Panic Alarms	X			
City Wide - LED Replacement Project	X	X	X	
City Hall Exterior Step Repair				X
City Hall -IT Room Fit-out	X	X	X	
Customer Service Video Monitoring System Replacement	X	X		

Public Works Equipment & Vehicles - July 2020

	Planning Stage	Bid/PO Award	In Progress	Complete
Electric				
SCADA/Smart Metering Wall Monitor				x
Replace Fork Lift (WH-1)	x	x	x	x
Replace 2005 Excursion with similar 4x4 vehicle (E-106)	x	x	x	x
Replace 2000 International Line Truck (E-110)				
Repalce 2005 Ford F-250 Pickup (E-115)	x	x	x	
Replace 2003 International Material Handler (E-103)	x	x	x	
Technical Services				
Water				
Replace W-16 IR Compressor				
Replace W-8 Ford F450				
Replace W-10 FN 150 Pump & MGS Trailer				
Replace S-5 Kod C70 Dump Truck	x	x	x	x
Replace S-9 GMC Dump with Hook truck	x	x	x	x
Replace W-14 Chevy Astro Van	x	x	x	x
Sewer				
Replace SE-2 Ford F250 Pickup				
Replace S-4 with Hook Truck with Dump/Flatbed & Plow	x	x	x	x
Streets				
Solid Waste				
Replace Refuse Truck SW-12 with Split Body Collection Truck	x	x	x	x
Garage				

Active Developments -July 2020	Plan Review	Utility Mains Installation	Utility Service Line Inspection	Complete
Fork Landing	x	x	x	
Hearthstone Manor I	x	x	x	
Lighthouse Estates	x	x	x	
Willows Phase II	x	x		
Brookstone Trace	x	x	x	
Orchard Hill	x	x	x	
West Shores at New Milford	x	x	x	
Watergate	x			
Walnut Village	x	x	x	
Milford Ponds Phase I	x	x	x	
Hearthstone Manor II				
Milford Ponds Phase II				
Simpson's Crossing	x			
Cypress Hall Phase I	x	x		
Wichersham	x			
Misphillion Landing	x			
Riverwalk Villas	x			
Windward on the River	x			
Cypress Hall Phase II	x			
Milford Ponds Phase III	x			
Marina Del				
200 NW Front	x			
Hickory Glen	x			
Knights Crossing	x			
Commercial Developments -July 2020	Plan Review	Utility Mains Installation	Utility Service Line Inspection	Complete
Nemours	x	x	x	
Nutrien Ag	x	x	x	x
Surf & Turf				
Delaware Veterans Home				
Delaware Rural Water	x	x	x	x
Gator & Associates				
Microtel	x			
DNREC Mosquito Control				
Growmark FS - Redevelopment of Warehouse	x	x		
Misphillion River Brewery				
Milford Wellness Village				
Touch of Italy Business Park				
10th Street Medical Office	x	x		
Beach Babies	x	x		
Bright Nest LLC				
Milford Transfer Station DSWA				
Mavis Discount Tires				
Mid-Delaware Professional				
Milford Ponds Clubhouse	x	x	x	
Kidz Ink	x	x	x	
Windward on the River Commercial				

**CITY OF MILFORD
FUND BALANCES REPORT**

Date: June 2020

Cash Balance - General Fund Bank Balance	2,016,121
Cash Balance - Electric Fund Bank Balance	5,010,455
Cash Balance - Water Fund Bank Balance	533,209
Cash Balance - Sewer Fund Bank Balance	393,369
Cash Balance - Trash Fund Bank Balance	356,286

	General <u>Improvement</u>	Municipal <u>Street Aid</u>	Real Estate <u>Transfer Tax</u>	Economic Development <u>Fund</u>
Beginning Cash Balance	458,909	386,953	3,243,552	\$73,149
Deposits			125,872	\$30,000
Interest Earned this Month	211	176	1,544	
Disbursements this Month	(5,632)	(8,940)	(60,250)	
Ending Cash Balance	\$453,488	\$378,189	\$3,310,718	\$103,149

	GF Capital <u>Reserves</u>	Water Capital <u>Reserves</u>	Sewer Capital <u>Reserves</u>	Electric <u>Reserves</u>
Beginning Cash Balance	2,932,382	9,452,796	4,358,893	10,739,651
Deposits		450,137		840,919
Interest Earned this Month	5,564	21,993	9,677	25,702
Disbursements this Month	(426,946)	(4,491)	(6,409)	(1,670)
Ending Cash Balance	\$2,511,000	\$9,920,435	\$4,362,161	\$11,604,602

	Water <u>Impact Fee</u>	Sewer <u>Impact Fee</u>	Electric <u>Impact Fee</u>	Police & General <u>Government Facilities</u>
Beginning Cash Balance	3,004,884	\$1,799,253	\$838,740	\$218,163
Deposits	30,131	\$19,044	\$5,400	\$15,865
Interest Earned this Month				
Disbursements this Month				
Ending Cash Balance	\$3,035,015	\$1,818,297	\$844,140	\$234,028

INTEREST THROUGH THE TWELTH MONTH OF THE FISCAL YEAR:

General Fund	41,866	Water Fund	6,725
GF Capital Reserves	58,047	Water Capital Reserves	205,016
Municipal Street Aid	6,724	Sewer Fund	6,372
Real Estate Transfer Tax	43,592	Sewer Capital Reserves	86,619
Electric Fund	61,387	Trash Fund	3,660
Electric Reserves	214,296		

TOTAL INTEREST EARNED TO DATE \$734,304

CITY OF MILFORD
RESTRICTED CASH RESERVES REPORT

Date: JUNE 2020

General Fund Reserve Funds

Cash Balance 6/30/20 \$2,511,000

Restricted Funds

FY 18 Approved with Budget (\$129,645)
 FY 19 Approved with Budget (\$108,788)
 FY 19 Capital -Council Approved (\$114,089)
 FY 20 Approved with Budget (\$265,170)
 FY 20 Approved after Budget (14,953)
 Year 2 Funding 5 Police Officers (\$415,117)
 Year 3 Funding 5 Police Officers (\$450,000)

Cost of Asset Replacement ?????????

Available Cash Balance \$1,013,238

Sewer Reserve Funds

Cash Balance 6/30/20 \$4,362,161

Restricted Funds

Lighthouse Fencing (\$20,000)
 PW-HVAC & Breakroom (\$6,113)
 F250 Pickup Truck (\$35,000)
 Hook/ Dump Truck W/Plow (\$211,791)
 I&I Engineering Study (\$14,138)
 SE 2ND Street-Sewer Main (\$150,000)
 DNREC Surface Water Grant (\$50,000)
 Mill Street Line Rerouting (13,733)

**Cost Of Service Minimum Cash (\$3,562,637)
 Cost of Asset Replacement ?????????**

Available Cash Balance \$298,749

Water Reserve Funds

Cash Balance 6/30/20 \$9,920,435

Restricted Funds

NW & NE Front St Waterline (\$135,285)
 Smart Metering (\$11,162)
 FY 18 Budgeted Capital (\$45,000)
 PW-HVAC & Breakroom (\$6,601)
 FY 19 Budgeted Capital (\$30,133)
 SE Second Lead Gooseneck (\$495,776)
 Two test wells 10TH Street (80,000)
 FY 20 Budgeted Capital (48,628)
 Front Street water lines (\$1,500,000)

**Cost of Service Minimum Cash (\$2,433,832)
 Cost of Asset Replacement ?????????**

Available Cash Balance \$5,134,018

Electric Reserve Funds

Cash Balance 6/30/20 \$11,604,602

Restricted Funds

FY 18 Budgeted Capital (\$380,739)
 FY 19 Budgeted Capital (\$206,823)
 FY 19 Budgeted From Res. (\$318,717)
 FY 20 Budgeted Capital (466,400)

**Bond Early Redemption After 1/1/22 (\$1,060,000)
 Total Redemption \$4,060,000 With
 \$3,000,000 from Operating Cash**

**Cost of Service Minimum Cash (\$4,816,739)
 Cost of Asset Replacement ?????????**

Available Cash Balance \$4,355,184

REVENUE REPORT

Page Two

Date: June 2020	AMOUNT BUDGETED	MTD	YTD	100% of Year Expended YTD%
ACCOUNT				
Economic Development Fund	171,360	(30,000)	132,703	77.44%
General Fund Reserves	595,775	85,769	330,605	55.49%
General Fund Reserves-New Police	425,000	30,117	415,117	97.67%
Realty Transfer Tax-Police	723,000	60,250	723,000	100.00%
Real Estate Tax	4,154,385	30,116	4,195,984	101.00%
Business License	50,000	4,800	58,645	117.29%
Rental License	95,000	7,200	92,350	97.21%
Building Permits	200,000	41,795	301,637	150.82%
Planning & Zoning	35,000	8,020	64,866	185.33%
Grasscutting Revenue	16,000	2,000	16,000	100.00%
Police Revenues	502,750	102,085	503,931	100.23%
Misc. Revenues	388,398	20,195	436,562	112.40%
Transfers From	3,396,842	283,069	3,396,842	100.00%
Total General Fund Revenues	\$10,753,510	\$645,416	\$10,668,242	99.21%
Water Revenues	2,859,500	242,639	2,923,486	102.24%
Sewer Revenues	2,610,000	202,085	2,453,999	94.02%
Kent County Sewer	2,035,000	152,817	1,859,037	91.35%
Solid Waste Revenues	1,184,965	107,845	1,275,438	107.64%
Electric Revenues	25,815,000	1,779,431	25,040,546	97.00%
TOTAL REVENUES	\$45,257,975	\$3,130,233	\$44,220,748	97.71%
YTD Enterprise Expense		(44,886)		
YTD Enterprise Revenue		40,885		
LTD Carlisle Fire Company Building Permit Fund		486,792		

EXPENDITURE REPORT

Page Three

Date: June 2020

100% of Year Expended

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	YTD%	UNEXPENDED BALANCE
City Manager					
Personnel	651,490	\$49,255	691,796	106.19%	(40,306)
O&M	168,430	\$15,772	136,413	80.99%	32,017
Capital	0	\$0	0		0
Total City Manager	\$819,920	\$65,027	\$828,209	101.01%	(8,289)
Planning & Zoning					
Personnel	150,020	\$14,978	149,391	99.58%	629
O&M	74,387	\$6,120	47,597	63.99%	26,790
Capital	0	\$0	0		0
Total P, C & I	\$224,407	\$21,098	\$196,988	87.78%	27,419
Code Enforcement & Inspections					
Personnel	286,330	\$27,202	277,383	96.88%	8,947
O&M	85,357	\$2,270	52,680	61.72%	32,677
Capital	32,000	\$1,543	30,320	94.75%	1,680
Total P, C & I	\$403,687	\$31,015	\$360,383	89.27%	43,304
Council					
Personnel	33,380	\$3,391	25,890	77.56%	7,490
Contract Service-ADA Transition PI	50,000	\$0	200	0.40%	49,800
Legal	45,000	\$2,440	39,119	86.93%	5,881
City Hall Building Expense	19,250	(\$125)	17,521	91.02%	1,729
Insurance	18,270	\$0	18,235	99.81%	35
Christmas Decorations	7,000	\$0	0	0.00%	7,000
Computer Expense	8,450	\$0	8,245	97.57%	205
Council Expense	23,950	\$352	18,335	76.56%	5,615
Employee Recognition	21,000	\$650	20,167	0.00%	833
Codification	15,000	\$275	15,070	100.47%	(70)
Carlisle Fire Company	140,000	\$140,000	140,000	100.00%	0
Museum	30,500	\$0	30,000	98.36%	500
Downtown Milford Inc.	45,860	\$0	45,860	100.00%	0
Milford Public Library	25,000	\$0	25,000	100.00%	0
Economic Development	2,000	\$0	1,843	92.15%	157
Armory Expenses	10,000	\$0	6,859	68.59%	3,141
Kent Economic Partnership	30,000	\$0	30,000	100.00%	0
Election-Wages	6,000	\$1,467	1,467	24.45%	4,533
Election-Supplies	3,000	\$1,016	2,022	67.40%	978
Police Facility Promotion	7,000	\$0	7,000	100.00%	0
Ladybug Festival	30,000	(\$30,000)	0	0.00%	30,000
Chamber of Commerce	25,000	\$0	0	0.00%	25,000
Capital-Council Chambers Recordii	8,795	\$0	0	0.00%	8,795
Capital-Council Chambers Monitors	25,000	\$3,080	13,010	52.04%	11,990
Capital-Video Monitoring system	25,000	\$0	0	0.00%	25,000
Total Council	\$654,455	\$122,546	\$465,643	71.15%	188,812

EXPENDITURE REPORT

Page Four

Date: June 2020

100% of Year Expended

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	YTD%	UNEXPENDED BALANCE
Finance					
Personnel	420,713	\$42,362	422,458	100.41%	(1,745)
O&M	105,875	\$5,465	78,880	74.50%	26,995
Capital	0	\$0	0		0
Total Finance	\$526,588	\$47,827	\$501,338	95.20%	25,250
Information Technology					
Personnel	164,130	\$16,481	165,855	101.05%	(1,725)
O&M	181,950	\$3,839	180,089	98.98%	1,861
Capital	48,500	\$0	45,796	94.42%	2,704
Total Information Technology	\$394,580	\$20,320	\$391,740	99.28%	2,840
Police Department					
Personnel	4,972,163	\$457,647	4,807,917	96.70%	164,246
O&M	688,970	\$61,878	564,499	81.93%	124,471
Capital	106,185	\$914	89,456	84.25%	16,729
Total Police	\$5,767,318	\$520,439	\$5,461,872	94.70%	305,446
Streets & Grounds Division					
Personnel	336,000	\$32,102	332,975	99.10%	3,025
O&M	418,745	(\$1,773)	333,026	79.53%	85,719
Capital	60,000	\$0	32,223	53.71%	27,777
Total Streets & Grounds	\$814,745	\$30,329	\$698,224	85.70%	116,521
Parks & Recreation					
Personnel	692,200	\$60,787	608,609	87.92%	83,591
O&M	263,610	\$24,304	225,724	85.63%	37,886
Capital	192,000	\$0	7,800	4.06%	184,200
Total Parks & Recreation	\$1,147,810	\$85,091	\$842,133	73.37%	305,677
Total General Fund					
Operating Budget	\$10,753,510	\$943,692	\$9,746,530	90.64%	1,006,980

EXPENDITURE REPORT

Page Five

Date: June 2020

100% of Year Expended

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	YTD%	UNEXPENDED BALANCE
Water Division					
Personnel	317,548	\$31,462	289,555	91.18%	27,993
O&M	1,500,438	\$10,352	1,306,887	87.10%	193,551
Capital	657,509	\$602,041	629,161	95.69%	28,348
Debt Service	384,005	\$46,500	365,274	95.12%	18,731
Total Water	\$2,859,500	\$690,355	\$2,590,877	90.61%	268,623
Sewer Division					
Personnel	316,248	\$30,435	279,571	88.40%	36,677
O&M	1,799,212	\$9,531	1,559,093	86.65%	240,119
Capital	90,000	\$0	83,260	92.51%	6,740
Debt Service	404,540	\$59,244	366,733	90.65%	37,807
Sewer Sub Total	\$2,610,000	\$99,210	\$2,288,657	87.69%	321,343
Kent County Sewer	2,035,000	\$289,968	1,859,037	91.35%	175,963
Total Sewer	\$4,645,000	\$389,178	\$4,147,694	89.29%	497,306
Solid Waste Division					
Personnel	350,737	\$33,413	349,547	99.66%	1,190
O&M	834,228	\$28,679	813,203	97.48%	21,025
Capital	0	\$0	0		0
Total Solid Waste	\$1,184,965	\$62,092	\$1,162,750	98.13%	22,215
Total Water, Sewer Solid Waste	\$8,689,465	\$1,141,625	\$7,901,321	90.93%	788,144
Electric Division					
Personnel	1,039,091	\$110,628	1,137,374	109.46%	(98,283)
O&M	2,717,254	(\$18,611)	2,302,405	84.73%	414,849
Transfer to General Fund	2,500,000	\$208,333	2,500,000	100.00%	0
Capital	1,038,040	\$832,980	1,029,712	99.20%	8,328
Debt Service	320,615	\$49,207	320,615	100.00%	0
Electric Sub Total	\$7,615,000	\$1,182,537	\$7,290,106	95.73%	324,894
Power Purchased	18,200,000	\$1,359,139	16,194,126	88.98%	2,005,874
Total Electric	\$25,815,000	\$2,541,676	\$23,484,232	90.97%	2,330,768
TOTAL OPERATING BUDGET	\$45,257,975	\$4,626,993	\$41,132,083	90.88%	4,125,892

INTERSERVICE DEPARTMENTS REPORT

Page Six

Date: June 2020

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	100% of Year Expended	UNEXPENDED BALANCE
				YTD%	
Garage					
Personnel	92,725	8,773	93,539	100.88%	(814)
O&M	113,887	310	96,599	84.82%	17,288
Capital	0				
Total Garage Expense	\$206,612	\$9,083	\$190,138	92.03%	16,474
Public Works					
Personnel	720,729	61,918	607,304	84.26%	113,425
O&M	208,665	(22,726)	170,947	81.92%	37,718
Capital	132,000	0	0	0.00%	132,000
Total Public Works Expense	\$1,061,394	\$39,192	\$778,251	73.32%	283,143
Tech Services					
Personnel	239,513	23,580	241,188	100.70%	(1,675)
O&M	430,711	2,235	264,239	61.35%	166,472
Capital	64,000	1,543	63,088	98.58%	912
Total Tech Services Expense	\$734,224	27,358	\$568,515	77.43%	165,709
Billing & Collections					
Personnel	770,096	67,042	681,859	88.54%	88,237
O&M	252,343	17,064	221,093	87.62%	31,250
Capital	47,000	0	14,205	30.22%	32,795
Total Billing & Collections	\$1,069,439	84,106	\$917,157	85.76%	152,282
City Hall Cost Allocation					
Personnel	0				0
O&M	53,066	190	49,142	92.61%	3,924
Capital	208,411	0	125,811	60.37%	82,600
Total City Hall Cost Allocation	\$261,477	190	\$174,953	66.91%	86,524

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.

CITY OF MILFORD
RESTRICTED CASH RESERVES REPORT

Submitted by Councilman Jason James
Finance Committee Chairman

June 2020 Change From Prior Month

GENERAL FUND RESERVES

Cash Balance 5/31/2020	(421,382)
Restricted Funds:	
FY 18 Approved with Budget	161,198
FY 18 Capital-Council Approved	29,759
FY 19 Approved with Budget	21,463
FY 19 Capital-Council Approved	55,128
FY 20 Approved with Budget	218,605
FY 20 Approved after Budget	207,534
Year 2 Funding 5 Police Officers	34,883
Year 3 Funding 5 Police Officers	<u>87,359</u>
Net Fund Restrictions	815,929
Cost of Asset Replacement	<u>-</u>
Available Cash Balance	<u>394,547</u>

SEWER FUND RESERVES

Cash Balance 5/31/2020	3,268
Restricted Funds:	
Lighthouse Fencing	-
PW-HVAC & Breakroom	106,387
UFS-Cost of Service Study	14,250
F250 Pickup Truck	-
Hook/Dump Truck W/Plow	-
I&I Engineering Study	35,862
SE 2ND Street-utilities,curb,sidewalk	5,000
SE 2ND Street-Sewer Main	-
25% Mobile Lift System	15,115
DNREC Surface Water Grant	-
Mill Street Line Rerouting	<u>-</u>
Net Fund Restrictions	176,614
Cost of Service Minimum Cash	-
Cost of Asset Replacement	<u>-</u>
Available Cash Balance	<u>179,882</u>

WATER FUND RESERVES

Cash Balance 5/31/2020	467,639
Restricted Funds:	
NW & NE Front St Waterline	14,270
Smart Metering	228,128
FY 18 Budgeted Capital	-
PW-HVAC & Breakroom	105,899
UFS-Cost of Service Study	14,250
FY 19 Budgeted Capital	183,867
SE 2ND Street-utilities, curb&sidewalk	25,000
SE Second Lead Gooseneck	318,624
25% Mobile Lift System	15,115
Two test wells 10th Street	-
FY 20 Budgeted Capital	(48,628)
Front Street waterlines	<u>-</u>
Net Fund Restrictions	856,525
Cost of Service Minimum Cash	-
Cost of Asset Replacement	<u>-</u>
Available Cash Balance	<u>1,324,164</u>

ELECTRIC FUND RESERVES

Cash Balance 5/31/2020	864,951
Restricted Funds:	
FY 17 Smart Meter Project	26,426
FY 18 Budgeted Capital	-
FY 19 Budgeted Capital	48,177
FY 19 Budgeted From Res.	-
PW-HVAC & Breakroom	121,324
25% Mobile Lift System	30,231
FY 20 Budgeted Capital	<u>(466,400)</u>
Net Fund Restrictions	(240,242)
Bond Early Redemption After 1/1/22	3,000,000
Cost of Service Minimum Cash	-
Cost of Asset Replacement	<u>-</u>
Available Cash Balance	<u>3,624,709</u>

Changes from Prior Month:

Total All Funds Cash Balance	914,476
Total Restricted Cash	<u>1,608,826</u>
Available Cash before Bond Redemption and Cost of Service Minimum Cash	2,523,302
Bond Early Redemption After 1/1/22	3,000,000
Cost of Service Minimum Cash	<u>-</u>
Net Available Cash	<u>5,523,302</u>

**CITY OF MILFORD, DELAWARE
BOARD OF ADJUSTMENT MEMBERS**

LAST NAME	FIRST NAME	TERM EXPIRES
CHAIR		
Warfel	Brendon	8/31/22
MEMBERS		
Wilkinson	David	8/31/20
Zychal, Vice Chair	Nadia	8/31/21

ATTENDANCE

LAST NAME	FIRST NAME	2019 AUG	2019 SEP	2019 OCT	2019 NOV	2019 DEC	2020 JAN	2020 FEB	2020 MAR	2020 APR	2020 MAY	2020 JUN	2020 JUL
Warfel	Brendon	A					N/A				N/A		
Wilkinson	David						N/A				N/A		
Zychal	Nadia						N/A				N/A		

Application for Boards and Commissions

Applications for Boards and Commissions are always accepted. Should a vacancy occur, the City will review all applications on file.

Which Board or Commission are you applying for?	Planning Commission
Applicant Name:	Robert D Patillo Sr
Street Address:	109 North Landing Drive
How long have you been a resident of Milford?	16 years
Are you registered to vote in the City of Milford?	Yes
Are you a plot owner in the Milford Community Cemetery?	No
Occupation and Employer:	Retired
Describe any special knowledge, education, experience, qualities or talents you have that are relevant to the Board or Commission on which you are interested in serving:	I am a retired First Sgt. from the United Army; I am professional and proficient in quite a few areas and I have a will to make our City of Milford Greater and Compliant. I also retired from the Philadelphia Police Department Serving 32 1/2 years of Service.
Community and/or civic groups of which you are a member:	I am a Life member of the Veterans Of Foreign Wars and the American Legion also A Member of the National Rifle Association and the Fraternal of Police.
Please describe why you wish to serve on this Board or Commission:	I do believe that I will be a willing and a faithful member of the team, willing to learn all aspects of the position.
Do you, your spouse or any immediate family members have any potential conflicts of interest (personal or financial) that could require you to recuse yourself from votes of the board/commission for which you are applying?	No
If yes, please describe:	<i>Field not completed.</i>

**CITY OF MILFORD, DELAWARE
PARKS & RECREATION ADVISORY BOARD**

LAST NAME	FIRST NAME	TERM EXPIRES
CHAIR		
VACANT		8/31/2022
MEMBERS		
Evans	Edward	8/31/2021
Howard	Eli	8/31/2020
Mergner	Christopher	8/31/2021
Villalobos	Anne	8/31/2020

ATTENDANCE

LAST NAME	FIRST NAME	2019 SEP	2019 NOV	2019 DEC	2020 JAN	2020 MAR	2020 JUN
Evans	Edward	N/A		A		N/A	N/A
Howard	Eli	N/A				N/A	N/A
Mergner	Christopher	N/A	A	A		N/A	N/A
Villalobos	Anne	N/A			A	N/A	N/A
VACANT							

Application for Boards and Commissions

Applications for Boards and Commissions are always accepted. Should a vacancy occur, the City will review all applications on file.

Which Board or Commission are you applying for?	Parks and Recreation Advisory Board
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Applicant Name:	Rony Baltazar-Lopez
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Street Address:	7134 Marshall St Lincoln, DE 19960
-----------------	------------------------------------

How long have you been a resident of Milford?	0
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Are you registered to vote in the City of Milford?	No
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Are you a plot owner in the Milford Community Cemetery?	No
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Occupation and Employer:	Outreach and Program Coordinator, NAMI Delaware
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Describe any special knowledge, education, experience, qualities or talents you have that are relevant to the Board or Commission on which you are interested in serving:	I am currently pursuing my Master's in Public Administration degree from the University of Delaware. I received my undergraduate degree from the University of Delaware. I worked in the United States Senate for U.S. Senator Tom Carper as a staff assistant and then legislative aide. I also serve on multiple boards in Sussex County.
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Community and/or civic groups of which you are a member:	Board member, Milford School District; Board member, La Colectiva Steering Committee; Member, The Hispanic Student Parent Mentor Association.
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Please describe why you wish to serve on this Board or Commission:	I wish to serve on the Parks and Recreation Advisory Board because I care passionately about our youth and finding ways to provide activities and programs that help foster their development. My brothers have and currently play soccer with Milford Parks and Recreation, and I myself am a former participant. I believe my experience, dedication, and ability to speak Spanish could really benefit this board in terms of participation and outreach efforts. Using my experience on multiple boards, I would also bring other skills necessary to continue and improve the programs at Milford Parks and Recreation.
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Do you, your spouse or any immediate family members have any potential conflicts of interest (personal or financial) that could require you to recuse yourself from votes of the board/commission for which you are applying?	No
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DATA SHEET FOR CYPRESS HALL - RESIDENTIAL

Planning Commission Meeting: July 21, 2020

Application Number / Name	:	18-011 / Cypress Hall Residential
Applicant	:	Shawnee Farm, LLC 105 Foulk Road Wilmington, DE 19803
Owner	:	Same
Application Type	:	Planned Unit Development & Revised Preliminary Major Subdivision & Site Plan Extension #1
Comprehensive Plan Designation	:	Moderate Density Residential
Zoning District	:	R-3
Present Use	:	Vacant
Proposed Use	:	Planned Unit Development
Area and Location	:	91.69 +/- acres of land located on the west side of Route 113 approximately 3,100 feet south of the Shawnee Road intersection.
Property Identification Numbers	:	1-30-3.00-261.01, 1-30-3.00-562.00 thru 659.00

ENC: Staff Analysis Report
Exhibit A - Location & Zoning Map
Exhibit B - Preliminary Major Subdivision & Site Plans



STAFF ANALYSIS REPORT
July 1, 2020

Application Number / Name	:	18-011 / Cypress Hall - Residential
Application Type	:	Preliminary Major Subdivision, Preliminary Site Plan & Planned Unit Development
Comprehensive Plan Designation	:	Moderate Density Residential
Zoning District	:	R-3
Present Use	:	Vacant
Proposed Use	:	Planned Unit Development
Property Identification Numbers	:	1-30-3.00-261.01, 1-30-3.00-562.00 thru 659.00
Area and Location	:	91.69 +/- acres of land located on the west side of Route 113 approximately 3,100 feet south of the Shawnee Road intersection.

I. BACKGROUND INFORMATION:

- The applicant received Preliminary Site Plan approval from the Planning Commission on April 16, 2019 and PUD/Preliminary Major Subdivision approval from City Council on March 25, 2019.

II. AGENCY & DEPARTMENT COMMENTS:

- **DelDOT Planning, Development Coordination**
No revised approvals received to date.
- **Delaware Health and Social Services – Division of Public Health**
No revised approvals received to date.
- **Sussex Conservation District**
No revised approvals received to date.
- **Delaware State Fire Marshal’s Office**
No revised approvals received to date.
- **City of Milford Public Works Department, City Engineer**
See attached for Engineering Construction Plan Review comments issued April 21, 2020.

April 22, 2019

Ring Lardner, P.E.
Davis, Bowen & Friedel
1 Park Avenue
Milford, DE 19963

RE: Application Number: 18-011
Application Name: Cypress Hall Residential
Application Type: Planned Unit Development, revised Preliminary Major Subdivision and revised Preliminary Site Plan
Tax Parcel Number(s): 1-30-3.00-261.01, 261.02, 562.00 thru 659.00

Mr. Lardner,

According to our records, the City Council granted approval of the Planned Unit Development application for the Cypress Hall Residential project on March 25, 2019 with the following conditions;

- The applicant may reduce the number of parking spaces in the multi-family area based on 2 parking spaces per dwelling unit instead of the 2.5 parking spaces per dwelling unit required by City Code;
- The applicant may increase the number of units per multi-family building from 12 units to 24 units;
- The road width within the single-family detached housing area shall meet City Code and be a minimum of 25 feet in width;
- The road width within the townhouse area and the area surrounding the multi-family housing units shall meet City Code and be a minimum of 30 feet in width;
- The applicant is allowed to use one of the road frontages for single-family detached lots as a side yard setback;
- A 50' wide wooded buffer shall remain within a common open space along the entire southern property line shared with the Delaware Solid Waste Authority.

In addition, the City Council granted approval of the revised Preliminary Major Subdivision for Phase I of Cypress Hall Residential on March 25, 2019. Per the Code of the City of Milford, Chapter 200-4, Subdivision of Land, A (5), "*Preliminary approval from City Council shall be void after one year, unless an extension is requested by the owner and approved by City Council prior to the expiration.*" Final Major Subdivision Approval or an extension must be obtained prior to March 25, 2020 in order to avoid expiration of the preliminary approval.

In addition, the Planning Commission approved the revised Preliminary Site Plan application on April 16, 2019 based on the approved PUD. Per the Code of the City of Milford, Chapter 230-52, Zoning, A(4), "*Preliminary approval from the Planning Commission shall be void after one year, unless an*

extension is requested by the owner and approved for good cause by the Planning Commission prior to the expiration.” Final Site Plan approval or an extension must be obtained prior to April 16, 2020 in order to avoid expiration of the preliminary approval.

Feel free to contact me at 302-424-8396 or via email at rpierce@milford-de.gov should you have any questions.

Sincerely,

William R. Pierce II

Rob Pierce
Planning & Development Director

cc: *Mark Whitfield, Public Works Director*

June 15, 2020

Michael R. Wigley, AIA, LEED AP
W. Zachary Crouch, P.E.
Michael E. Wheedleton, AIA
Jason P. Loan, P.E.
Ring W. Lardner, P.E.
Jamie L. Sechler, P.E.

City of Milford
Department of Planning and Zoning
201 S. Walnut Street
Milford, DE 19963

ATTN: Rob Pierce
Planning and Economic Activities Coordinator

RE: **Cypress Hall Residential
Preliminary Plan Approval & PUD / Subdivision Extension Request**
Tax Map #: 1-30-3.00-658.00
DBF #1423A004.A01

Mr. Pierce,

On behalf of the Owner, Shawnee Farm, LLC, we hereby request an extension of the Preliminary Plan approval granted by the Planning Commission on March 25, 2019 (*expired March 24, 2020*) and the PUD / Preliminary Subdivision on April 16, 2019 (*expired April 15, 2020*). The delay in our request for an extension was a clerical oversight due to COVID-19 restrictions and responses. We are in the process of addressing KCI comments (received April 21, 2020) and plan revisions for SCD review.

We respectfully request to be placed on the next available City of Milford Planning and Zoning Commission Agenda. If you have any questions or require additional information, please do not hesitate to contact me at (302) 424-1441 or via email at rwf@dbfinc.com.

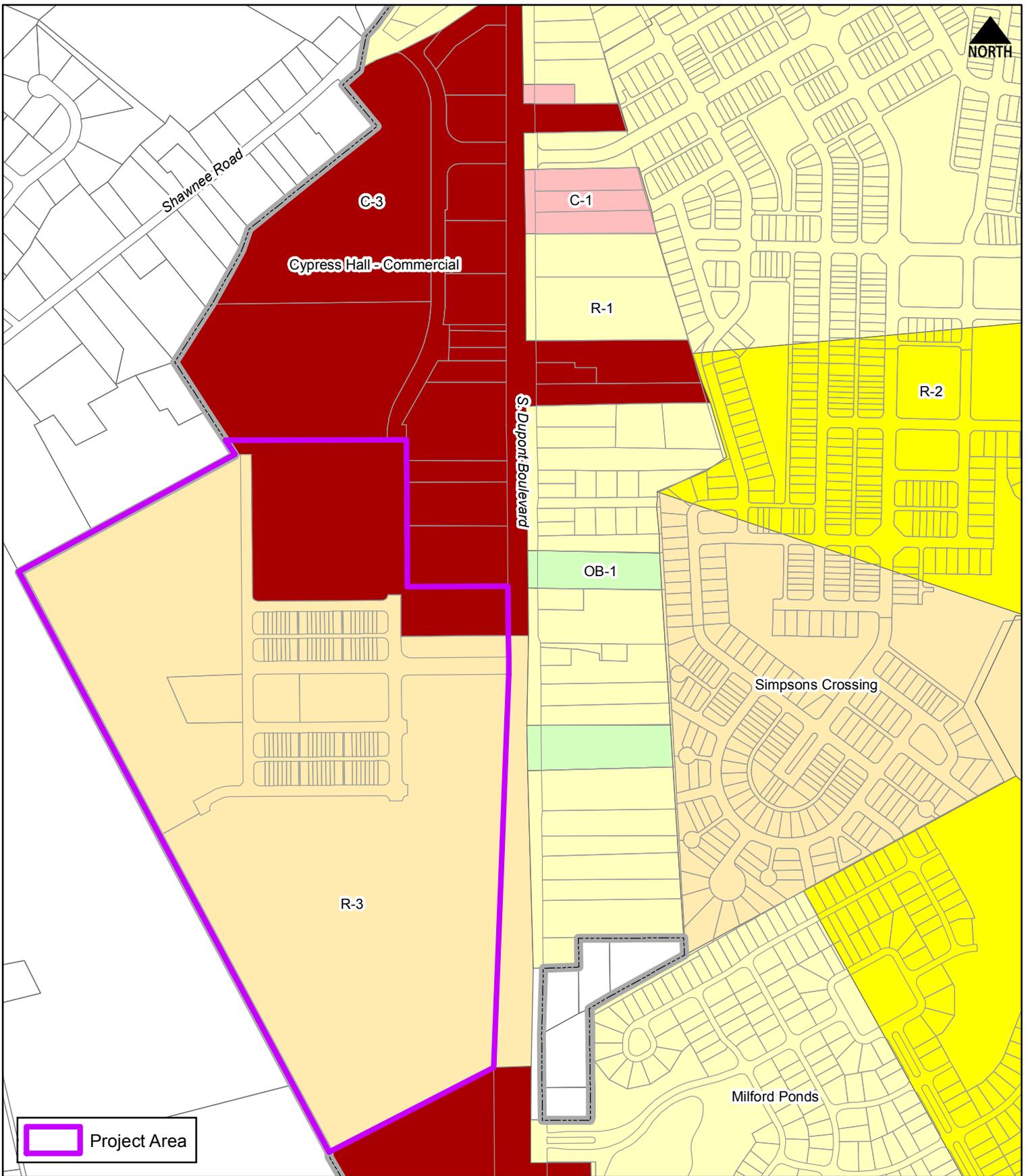
Sincerely,
DAVIS, BOWEN & FRIEDEL, INC.



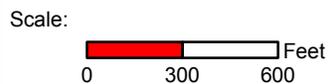
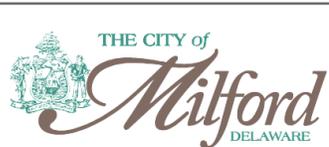
Ring W. Lardner, P.E.
Principal

P:\Cypress Hall\1423A004 - Cypress Hall Residential Phase 1 Re-Approval\Documents\2020-06-15 PUD - Prelim Plan Extension Request\Request Letter.docx

cc: Bill Krapf, Shawnee Farm, LLC



 Project Area



Drawn by: WRP Date: 02/14/19

Title: **Revised Planned Unit Development
Preliminary Major Subdivision and Site Plan
Cypress Hall - Residential
Location & Zoning Map**

Filepath: RevisedPreliminary_CypressHallResidential.mxd

DATA COLUMN

TAX MAP ID	: 1-30-03.00-261.01	OWNERS/DEVELOPERS	SHAWNEE FARM LLC
EXISTING ZONING	: R-3	105 FOULK RD.	WILMINGTON, DELAWARE 19803
PROPOSED USE	: PLANNED UNIT DEVELOPMENT	(302) 422-0945	
TOTAL SITE AREA	: 91.69 AC	ENGINEER/SURVEYOR	DAVIS, BOWEN & FRIEDEL, INC.
NET DEVELOPMENT AREA	: 68.77 AC	1 PARK AVENUE	MILFORD, DELAWARE 19963
		(302) 424-1441	
PROPOSED SINGLE FAMILY LOTS	: 162		
PROPOSED NUMBER OF TOWNHOUSES UNITS	: 96		
PROPOSED NUMBER OF MULTI-FAMILY UNITS	: 0		
ONE BEDROOM (TYPE C BLDG)	: 60 UNITS (5 BUILDINGS)		
TWO BEDROOM (TYPE A BLDG)	: 180 UNITS (15 BUILDINGS)		
THREE BEDROOM (TYPE B BLDG)	: 48 UNITS (4 BUILDINGS)		
TOTAL	: 288 GARDEN APARTMENTS		
TOTAL DWELLING UNITS PROVIDED	: 546		
TOTAL DENSITY (546 DU + 68.77 AC)	: 7.94 DU/AC		
R-3 ZONING REQUIREMENTS SINGLE FAMILY			
MINIMUM LOT SIZE ALLOWED	: 7,500 S.F.		
MINIMUM LOT WIDTH	: 60'		
FRONT YARD SETBACK	: 8'		
SIDE YARD SETBACK	: 8'		
REAR YARD SETBACK	: 15'		
MAXIMUM LOT COVERAGE	: 45%		
MAXIMUM HEIGHT	: 35' OR 3 STORIES		
OPEN SPACE REQUIRED	: 400 S.F. PER DWELLING UNIT		
R-3 ZONING REQUIREMENTS TOWNHOUSES			
MINIMUM LOT SIZE ALLOWED	: 2,000 S.F.		
MINIMUM LOT WIDTH	: 20'		
FRONT YARD SETBACK	: 30'		
SIDE YARD SETBACK	: 8'		
REAR YARD SETBACK	: 15'		
MAXIMUM LOT COVERAGE	: 60%		
MAXIMUM HEIGHT	: 35' OR 3 STORIES		
OPEN SPACE REQUIRED	: 400 S.F. PER DWELLING UNIT		
MAXIMUM DENSITY	: 12 DU PER AC		
R-3 ZONING REQUIREMENTS GARDEN APARTMENTS			
MINIMUM LOT SIZE ALLOWED	: 2,500 S.F.		
MINIMUM LOT WIDTH	: 30'		
FRONT YARD SETBACK	: 30'		
SIDE YARD SETBACK	: 8'		
REAR YARD SETBACK	: 15'		
MAXIMUM LOT COVERAGE	: 20%		
MAXIMUM HEIGHT	: 35' OR 3 STORIES		
OPEN SPACE REQUIRED	: 400 S.F. PER DWELLING UNIT		
MAXIMUM DENSITY	: 16 DU PER AC		
MINIMUM PROJECT SIZE	: 1 AC		
TOTAL OPEN SPACE REQUIRED	: 400 S.F. X 546 UNITS = 218,400 S.F. (5.01 AC.)		
TOTAL OPEN SPACE PROVIDED	: 1,034,783 S.F. (23.75 AC.)		
RECREATIONAL SPACE REQUIRED	: 109,200 S.F. (2.50 AC.)		
RECREATIONAL SPACE PROVIDED	: 78,365 S.F. (1.80 AC.) CLUBHOUSE POOL AREA 30,492 S.F. (0.70 AC.) PICNIC AREA 108,857 S.F. (2.50 AC.) TOTAL		
TOTAL AMOUNT OF STORMWATER	: 8.44 AC		
TOTAL AMOUNT OF PROPOSED RIGHT-OF-WAY	: 17.8 AC		
TOTAL AREA OF LOTS	: 38.22 AC		
CLUBHOUSE SPACES REQUIRED	: 5200 S.F. + 150 = 35 SPACES		
PARKING SPACES REQUIRED	: 2.5 SPACES/UNIT + 35 CLUBHOUSE SPACES = 995 SPACES		
PARKING SPACES PROVIDED	: 618 MULTI-FAMILY + 240 TOWNHOUSE + 35 CLUBHOUSE = 893 SPACES		
SEWER PROVIDER	: CITY OF MILFORD		
WATER PROVIDER	: CITY OF MILFORD		
ELECTRIC PROVIDER	: CITY OF MILFORD		
WETLANDS	: NONE ARE PRESENT ON SITE		
SOURCE WATER PROTECTION AREAS	: NONE ARE PRESENT ON SITE		
FLOOD ZONE	: ZONE X AREA OF MINIMAL FLOOD HAZARD PANEL 10005C00391 EFF. 01/06/2005		
FIRE DISTRICT	: CARLISLE		
SCHOOL DISTRICT	: MILFORD		
ELECTION DISTRICT	: 2ND		
PERMANENT MONUMENTS FOUND	: 16		
PERMANENT MONUMENTS PLACED	: 14		
HORIZONTAL DATUM	: NAD83		
VERTICAL DATUM	: NAVD88		

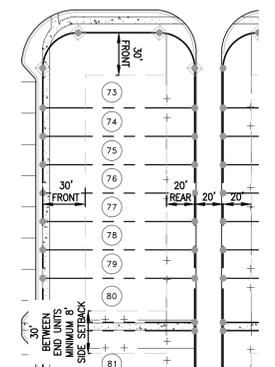
REQUIREMENTS	SINGLE FAMILY DWELLINGS		GARDEN OR LOW RISE APARTMENTS		TOWNHOUSES OR ROW DWELLINGS	
	REQUIRED	PROVIDED	REQUIRED	PROVIDED	REQUIRED	PROVIDED
MAX DWELLING UNIT PER BUILDING	1	1	12	24	≥ 3 AND ≤ 8	8
PARKING SPACES	2.5 PER DU	2.5 PER DU	720	618	2.5 PER DU	2.5 PER DU
PUBLIC ROAD WIDTH	25'	22'	30'	28'	30'	28'

- DEVIATION FROM R-3 ZONING CODE**
- FOR SINGLE FAMILY CORNER LOTS ALLOW ONE EDGE OF THE CORNER TO USE A SIDE BUILDING SETBACK RATHER THAN TWO FRONT SETBACKS
 - MULTI-FAMILY PARKING REQUIREMENT REDUCED FROM 2.5 SPACES PER DWELLING UNIT TO 2 SPACES PER DWELLING UNIT.
 - PUBLIC ROAD WIDTHS FOR SINGLE FAMILY DWELLINGS ARE 22' RATHER THAN 25'.
 - PUBLIC ROAD WIDTHS FOR APARTMENTS AND TOWNHOUSES CAN BE 28' RATHER THAN 30'.

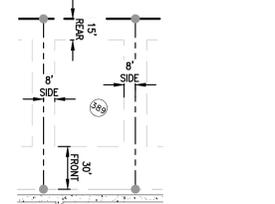
NOTE: THIS PLAN IS NOT A RECORD DRAWING AND THE PLAN DOES NOT REPRESENT A PRELIMINARY OR FINAL APPROVAL OF ANY SUBDIVISION OR SITE PLAN.

LEGEND:

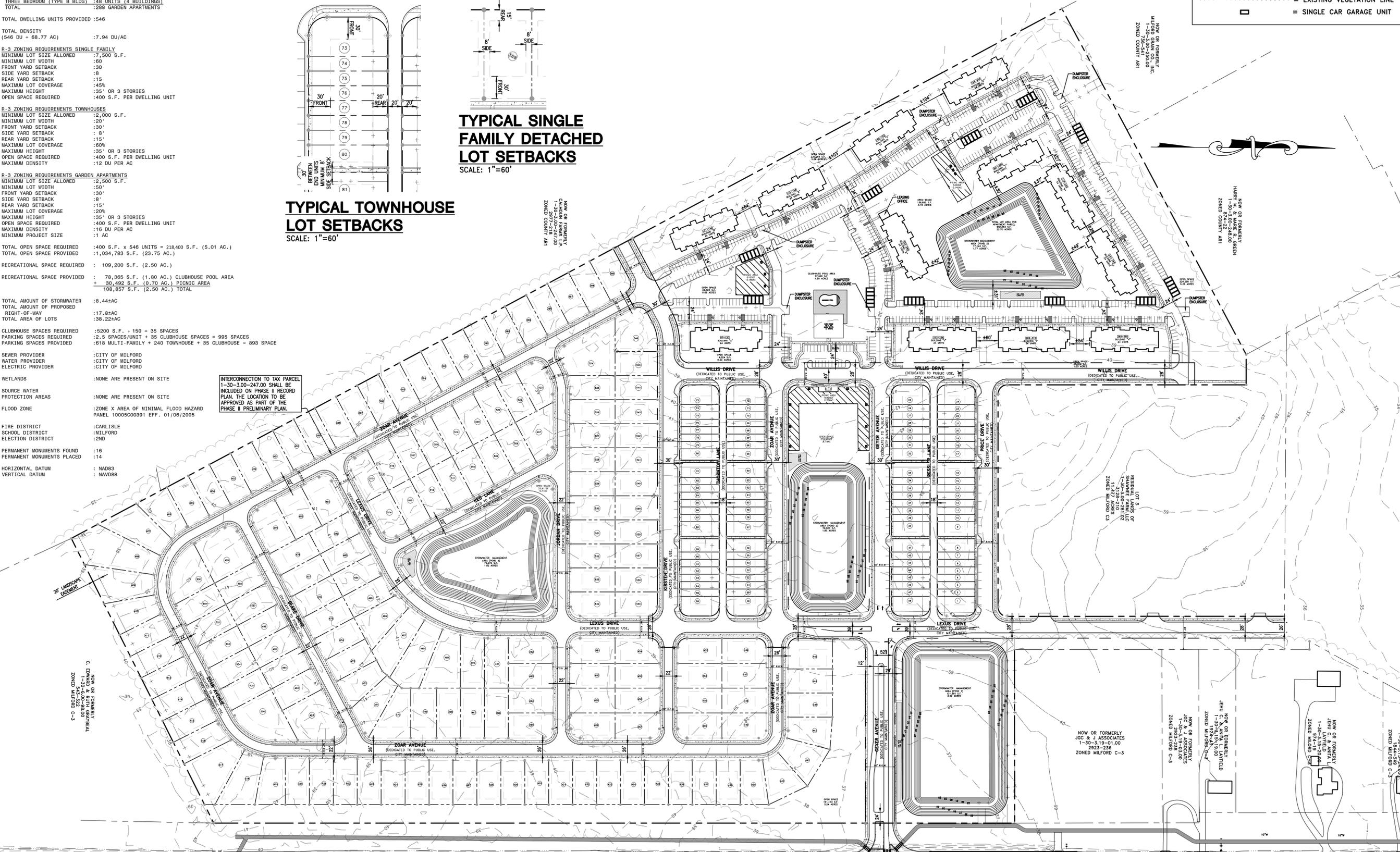
- = BOUNDARY LINE
- - - - = RIGHT-OF-WAY
- = LOT LINE
- - - - = BUILDING SETBACK
- Ⓟ = LOT DELINEATION
- - - - = EXISTING TOPOGRAPHIC LINE
- - - - = EXISTING VEGETATION LINE
- = SINGLE CAR GARAGE UNIT



TYPICAL TOWNHOUSE LOT SETBACKS
SCALE: 1"=60'



TYPICAL SINGLE FAMILY DETACHED LOT SETBACKS
SCALE: 1"=60'



US RT. 113, S. DUPONT BLVD.
(200' R.O.W. STATE MAINTAINED)



DAVIS, BOWEN & FRIEDEL, INC.
ARCHITECTS, ENGINEERS & SURVEYORS

SAUSBURY, MARYLAND (410) 543-9691
MILFORD, DELAWARE (302) 424-1441

PUD MASTER PLAN

CYPRESS HALL - RESIDENTIAL
CEDAR CREEK HUNDRED, CITY OF MILFORD
SUSSEX COUNTY, DELAWARE

REVISED:

Date: MAY 2018
Scale: 1"=120'
Dwn.By: ADM
Proj.No.: 1423A004
Dwg.No.:

PUD

P:\1423\1423A004\DESIGN\1423A004-PUD MASTER PLAN.dwg Feb 19, 2019 - 1:53pm mick



ISO 9001:2015 CERTIFIED

ENGINEERS • PLANNERS • SCIENTISTS • CONSTRUCTION MANAGERS

1352 Marrows Road, Suite 100 • Newark, DE 19711 • Phone 302-731-9176 • Fax 302-731-7807

April 21, 2020

City of Milford
201 South Walnut Street
Milford, Delaware 19963

Attention: Rob Pierce
Subject: Cypress Hall – Plan Review Summary
KCI Job No. 131803632 – Task 11

Dear Mr. Pierce,

As requested, a KCI Technologies performed a review of the Cypress Hall Residential Construction Plans dated revised June 2019. This review was performed on the basis of the City's Standard Specifications and general engineering best practices. Our review has generated the following comments:

1. (General) Update the plan set to reflect the PUD waivers approved and denied by City Council at the March 25, 2019 meeting. Attached is a copy of the Notice of Adoption for Ordinance 2019-09. City Council denied the waiver request for reduced right-of-way widths and pavement widths. **Comment Remains – Update the PUD table found on the Record Plan cover sheet to reflect the PUD approvals. City Council did not approve the reduced pavement widths throughout the development as indicated on the PUD table.**
2. (General) Please make sure all major subdivision notes and site plan notes are present on the notes sheet. **Comment Remains – Revise General Site Plan Note 17 to actually state a FEMA Flood Map.**
3. (General) The City would like to see automatic flushers with Bluetooth blow offs at water line ends and throughout the subdivision that will drain to nearby storm water basins. **Comment Remains – Add a blowoff at the end of the capped watermain just southeast of MH14 on Sheet C7.03.**
4. (General) Provide a lighting plan of the multi-family area for review. **Comment Remains.**

Employee-Owned Since 1988

5. (General) The single car garage structures in this series are bold and prominent in the utility series of sheets. **Comment remains – Call out the garage structures on any applicable sheets (they currently just appear as rectangles on the plan). In addition, it appears that utility easements are running through the garages. The garages shall be located outside of all easements.**
6. (General) **Coordinate with the electric department for the overall electric design for the subdivision.**
7. (General) **Add all road names to all applicable sheets. The road names are missing from many sheets.**
8. (General) **Verify that ADA handicap ramps are provided where sidewalks meet the pavement.**
9. (Cover Sheets) **Revise the certifications on the Cover Sheets of the Construction and Record Plans to be the City’s Certification Blocks (attached).**
10. (Cover Sheets) **Add a north arrow to the Site Map.**
11. (Cover Sheets) **Revise the FEMA Flood Map to be 10005C0039J on the cover sheet.**
12. (Cover Sheets) **Verify the number of EDUs listed on the cover sheet. Per Kent County Code, 1 EDU shall be provided for each house, apartment, etc.**
13. (Road Plan) **Label the typical dimensions of all parking spaces (parallel, handicap, regular apartment parking spaces, etc.) and verify that they meet the requirements of the Town’s Zoning Code.**
14. C2.10) **Label the curb width and widths of grass strips for the road section details.**
15. (Grading Plan General) **Many of the flow arrows, pipe numbers and catch basin structure numbers are difficult to read due to spot grades, contours, etc. overlapping. Revise the plan accordingly so that all flow arrows, pipe numbers and structure numbers are legible.**
16. (Grading Plan General) **Pipes 129 and 130 are in the schedule but not shown on the plan. This may be due to the fact that they are overlapped by a label as noted in comment 16 of this letter. Revise the plan accordingly so that all pipes/structures in the schedule are shown on the plan.**
17. (Grading Plan General) **There appears to be spot grades within the apartment buildings. There shall be a constant finished floor elevation within the building foot print.**

18. **(Grading Plan General)** There appears to be proposed contours going through the apartment buildings. Revise the plan accordingly so that there are no contours within the buildings.
19. **(Grading Plan General)** Revise the grading accordingly to show a 0.5' fall within 10' of each corner of the buildings (use spot grades).
20. **(Grading Plan General)** Revise the plan accordingly so that there is fall away from the apartment buildings where the handicap access aisles meet the entrances of the apartment buildings.
21. **(C3.00)** For the road section details, add the street and corresponding road stationing for all roads using each road section detail. In addition, verify that all pavement widths are correct on sheet C2.10. Many of these roads have 30' wide pavement but none of the details on sheet C3.00 show a 30' pavement width.
22. **C3.00)** Remove Phase II from the view or gray out similar to the previous sheets.
23. **(C3.01)** Add the catch basin number to the catch basin that pipe 132 connects to at the southeast corner of this sheet.
24. **(C3.01)** Add a flow arrow to pipe 127.
25. **(C3.03)** Pipe P-240 has a 0% slope. Revise the plan accordingly so that all pipes have positive slopes.
26. **(C3.03)** Provide the size of the manholes.
27. **(Utility Plan General)** There shall be a water valve located at each leg of each intersection (3 at tee and 4 at fourway intersection).
28. **(Utility Plan General)** Clarify the type of pipe for the water mains per the City's Standard Specifications.
29. **(Utility Plan General)** Currently, it appears that the sanitary sewer system for this project discharges to the sanitary sewer main along US 113. However, the sanitary sewer main along US 113 leads to a terminal structure with no discharge to a forcemain, pumping station, continued gravity system etc. Show the existing sanitary sewer main on the plan so that it doesn't appear to end at a terminal structure.
30. **(Utility Plan General)** Add a profile for the sanitary sewer main from MH3 to MH 19.
31. **(Utility Plan General)** Cleanouts and curb stops must be provided at the end of all easements, marking the end of City ownership. Cleanouts must be provided a minimum of every 75' (refer to Building L as an example).

32. **(Utility Plan General) The utilities along Lexus Drive that extend north off the sheet do not show the tie in to the existing system. Clarify where these utilities are extending to and show the tie-ins on the plan.**
33. **(C7.01) Clarify on the plan how the contractor will tie into the existing sanitary sewer manhole (SMH #1). This is typically done by core drill.**
34. **(C7.01) The existing/proposed connection detail shows a 10" x 10" x 6" x 6" cross and an existing 10" pipe. This is inconsistent with the plan, which looks to show an existing tee instead of a cross. Verify the detail and the plan are accurate and consistent. The existing 6" line to be abandoned must be mechanically plugged and permanently capped, a valve cannot be utilized to abandon the line.**
35. **(C7.01) Add the easements to the plan for all of the pipes entering the stormwater management pond. Only one is currently shown within an easement despite the easement dimension being labeled.**
36. **(C7.08) Existing SMH #1 to MH10 and TCO#1 is considered a gravity interceptor and should be constructed at maximum depth and minimum slope. Based on City GIS data, existing SMH #1 has an invert of 24.63. **Comment Remains –The section between MH 5 and MH10 should be constructed at a slope of 0.22% instead of 0.25%. The gravity section between MH10 and TCO1 should be constructed at a slope of 0.22% instead of 0.25%.****
37. **(C7.02) Verify if the water main shall be extended into phase 2 and capped/blowoff at the end of Lexus Drive.**
38. **(C7.02) Verify that there is 10' of horizontal separation between the sanitary and water mains along Lexus Drive. There does not appear to be adequate horizontal separation by SMH 22.**
39. **(C7.02) Currently, there is a 10' Permanent Utility Easement label (Just northwest of MH 25) for a fire hydrant assembly that is connected from the water main on Kristen Drive. It appears that this easement is not dimensioned correctly and should be a 20' easement instead of 10'.**
40. **(C7.03) There is a lateral tying into MH 24. Revise this lateral to tie into the main instead of the manhole.**
41. **(C7.03) Currently, there is a "10" Pug and 2" automatic blowoff for future connection" label at the end of Kristen Drive. However, based on the valves provided at the nearest intersection, this is an 8" pipe. Revise this to state Plug instead of Pug and verify the size of this plug.**

42. **(C7.04) There appears to be tee, reducer and valve labels on the sanitary sewer lateral that services Building E. Revise the plan accordingly so that all labels are correct.**
43. **(C7.04) Currently, there appears to be a watermain and easement running underneath a dumpster pad. Dumpster pads shall not be located within an easement and should be relocated.**
44. **(C7.05) There appears to be a fire hydrant assembly at the northwest corner of the site that is not labeled. Revise the plan accordingly so that all fire hydrants are labeled.**
45. **(C7.07) Currently, the rim of MH 16 is slightly above the proposed grade. Revise the profile accordingly so that MH 16 is at the proposed grade.**
46. **(C7.07) Add all of the inverts to the profile for MH 3. There are 3 inverts but only two are shown on the profile.**
47. **(C7.07) The profile names for EX MH/MH-13 should be “EX-MH#1/MH-12” and MH-6/MH-18 should be “MH-7/MH-18”**
48. **(Sanitary Profiles) The slopes of the following pipes are incorrect based on the inverts and pipe lengths labeled in the profile. Revise the slopes to be correct.**
 - a. **MH-21/Stub**
 - b. **MS-22/Stub**
 - c. **Pipe between MH 6 and MH 7**
 - d. **Pipe between MH 7 and MH 8**
49. **(Record Plan Cover) Add and update the subdivision and site plan notes on the Record Plan.**
50. **(Record Plan Cover) Add the approval dates to the wavier approvals when/if approved.**
51. **(Record Plan Cover) There are many site features missing from the plan view on the cover sheet, primarily in the areas designated as R1.03 and R1.04.**
52. **(Record Plan Cover) The Town Engineer should be listed as Jason McClafferty and the Town Manager should be listed as Mark Whitfield in the certifications.**

53. **(R1.01) There is a label “Property line to be abandoned per this plat” to the east of lots 1 and 48. However, the leader is not pointing to a property line.**

54. **Submit the following approvals:**

- a. **DelDOT**
- b. **Sussex Conservation District**
- c. **DHSS**
- d. **Fire Marshal**

If you have any questions or comments regarding this letter, please do not hesitate to contact me any time at (302) 318-1087

Sincerely,



Eric T. Gibson,
Engineer in Training



Jason McClafferty, P.E.
Project Manager

Date: August 5, 2020
To: Mayor and City Council
Through: Mark A. Whitfield, City Manager
From: Steve Ellingsworth, Water Plant and Wastewater Operations Supervisor
Re: Water & Wastewater Technician Authorization

The purpose of this memorandum is to seek authorization for an additional Water & Wastewater Technician position. The Water and Sewer Division has been operating with two full-time Water and Wastewater Technicians under the supervision of the Water Plant and Wastewater Operations Supervisor. Due to the growth experienced by the City, further demands have been placed on the current staff and operations. In 2019, new sewer pump stations were added at Milford Ponds and SE Regional. Hickory Glen and Winward on the River sewer plants are projected to be set by the end of 2020. The new additions will increase our overall responsibility from 19 to 21 active pump stations.

Some of specific functions of this role include:

- Maintaining and operating five water treatment facilities, 12 active wells, four water towers, and 21 pump stations.
- Regulating chlorine machines and fluoride barrels for proper dosing.
- Performing well and sewer readings.
- Collecting water samples for testing.
- Assisting with the management of the SCADA system.

The shortage of one staff person for the division was also identified in the recent Staffing Analysis assessment from Pinnacle Change.

Presently, one staff member that works in the Street & Utilities Division spends about 50% of his time in Water & Wastewater Division. This also creates a shortage of manpower in the Streets & Utilities Division when the person is pulled to assist, which has an effect on street maintenance and water/wastewater line maintenance.

In addition, the State of Delaware has recently released preliminary information that revealed that there will be new guidelines required for operating, monitoring, and sampling wells after the 2020 Census data is finalized which further supports the need for an additional Water and Wastewater Technician position.

In order to address the facilities added over the last four years, and the projected added facilities over the next two years, staff recommends the authorization to add a Water & Wastewater Technician position. The added position will result in an annual expense of \$50,000 for salary and benefits, which will be divided evenly (\$25,000 each) between Water and Wastewater. Costs for 2021 will be \$18,750 each for Water and Wastewater for nine months. No additional funding is requested at this time for the Water and Wastewater budgets.

Recommendation: Staff recommends Council authorize an additional Water & Wastewater Technician position for the Water & Wastewater Division of the Public Works Department.

**CITY OF MILFORD
RESOLUTION 2020-23
PUBLIC WORKS DEPARTMENT FEE SCHEDULE**

Now, Therefore, be it Resolved by the City of Milford:

STREETS AND UTILITIES DIVISION FEES	
<i>Description</i>	<i>Fee Per Hour</i>
Labor Rate	\$70.19
Pick-Up Truck	\$20.00
Service Truck	\$25.00
Backhoe	\$30.00
Excavator	\$20.00
Jetter/Vac	\$100.00
Loader	\$45.00
Jetter/Vac Trailer*	\$45.00
Sweeper Truck	\$75.00
Dump Truck	\$55.00
Chipper*	\$35.00

ELECTRIC DIVISION FEES	
<i>Description</i>	<i>Fee Per Hour</i>
Labor Rate	\$79.37
Pick-Up Truck	\$20.00
Service Truck	\$25.00
Bucket Truck	\$55.00
Digger Derrick	\$65.00
Trencher*	\$55.00
Chipper*	\$35.00

ENGINEERING DIVISION FEES	
<i>Description</i>	<i>Fee Per Hour</i>
Labor Rate-Engineer	\$61.87
Labor Rate-Engineering Tech*	\$40.84 \$60.87

*Includes Pick-Up Truck to transport.

Adopted: August 10, 2020
Effective: August 10, 2020

Mayor Arthur J. Campbell

Attest:

City Clerk Teresa K. Hudson

PUBLIC WORKS DEPARTMENT
180 Vickers Drive
Milford, DE 19963



PHONE 302.422.1110
FAX 302.422.1117
www.cityofmilford.com

Date: August 6, 2020
To: Mayor and City Council
Through: Mark A. Whitfield, City Manager
From: Christie Murphy, Solid Waste and Facilities Supervisor
Re: City Hall Basement Project

Staff requests City Council consider a recommendation for funding a change order for the City Hall basement Information Technology Office Fit-Out project in the amount of \$4,500. This re-design allows for opening up the IT room for more space as well as moving the current data and electrical outlets to standard height.

The original amount approved by City Council on February 24, 2020 to complete the project was \$45,300 coming from the General Fund Reserves.

Recommendation: Staff recommends City Council authorize a change order for the Information Technology Office Fit-Out project, not to exceed \$4,500, with funds coming from General Fund Reserves.