



Milford City Hall Council Chambers 201 South Walnut Street Milford DE 19963

CITY COUNCIL AGENDA Monday, February 14, 2022

Per the Declaration of a Public Health Emergency issued by Governor Carney on July 13, 2021 and the virtual meeting provisions as provided in Senate Bill 94, Milford City Council meetings will be held virtually beginning in 2022. Public Comments are encouraged on the items that qualify and denoted with a ® on the agenda. Virtual attendees may alert the City Clerk that they wish to speak at the appropriate time by submitting their name, address, and the agenda item (®) on which they would like to comment via the Zoom Q&A function or by using the Raise Your Hand function during the meeting. Any written public comments received prior to the meeting will be read into the record.

*This meeting is available for viewing by the public by accessing the following link:
<https://zoom.us/j/99156131279>*

*Members of the public may also dial in by phone using the following number:
Call 301 715 8592 Webinar ID: 991 5613 1279*

6:30 P.M.

COUNCIL WORKSHOP

Council Liaisons/Three + Councilmembers
FOIA Requirements
Council Rules of Procedure

7:00 P.M.

COUNCIL MEETING

Call to Order – Mayor Arthur J. Campbell

Invocation

Pledge of Allegiance

Approval of Previous Minutes

Recognition

Introduction/New City Employees

Staff Reports

Monthly Police Report

Monthly City Manager Report:

Public Works Department

Planning & Zoning Department

Parks & Recreation Department

Human Resources

Economic Development & Community Engagement
IT Department
Finance Department

Ward Reports & Communications

Correspondence

Unfinished Business

Re-Introduction/Ordinance 2021-27/City Code Part II-General Legislative/Chapter 230 Zoning Code/
Article VII-Board of Adjustment ¹

Adoption/Ordinance 2022-10/Chapter 68/Voter Registration Code Update [Ⓟ]

Adoption/Resolution 2022-02/Amended Council Rules of Procedure [Ⓟ]

New Business

Authorization/Delaware Mosquito Control Spraying Policy

MOU/Tsionas & Emory Hill/Milford Industrial Park*

Introduction/Ordinance 2022-07

First Baptist Church for an Amended Conditional Use in an R1 Zoning District
Located along the west side of Old Shawnee Road, Milford, Delaware.

Present & Proposed Use: Church

Tax Map 3-30-3.06-127.00

Introduction/Ordinance 2022-08

William Allen Property Management, LLC – Conditional Use

2.59 +/- acres of land located along the east side of Silicato Parkway

Address: 104 Silicato Parkway

Comprehensive Plan Designation: Commercial

Zoning District: C-3 (Highway/Commercial District)

Present Use: Vacant Proposed Use: Restaurant and Retail

Tax Parcel: MD-16-174.15-01-01.03

Introduction/Ordinance 2022-09

Lands of Shelley Maloney – Conditional Use

0.754 +/- acres located on the south side of East Clarke Avenue approximately 260 feet east of
South Walnut Street

Address: 8 E. Clarke Avenue

Comprehensive Plan Designation: Low Density Residential

Zoning District: R-1 (Single-family Residential District)

Present Use: Single-family Detached Dwelling

Proposed Single-family Detached Dwelling with Professional Home Occupation

Tax Parcel: 3-30-10.08-004.00

Executive Session

Motion to Recess into Executive Session

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

Pursuant to 29 Del. C. §10004(b)(2) Preliminary discussions on-site Acquisitions for any Publicly Funded Capital Improvements, or Sales or Leases of real property

Return to Open Session

Potential Vote/Personnel Matter

Potential Vote/Property Matter

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.**

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

122021 123021 010422 012422 013122

'021922 Moved from Jan to Feb Agenda; Omitted in Error

020922 Item Removed

*021022 Late Addition

021122 Late Addition/Chief Brown request



ARTHUR J. CAMPBELL, MAYOR
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Council Liaisons

	Staff	Council
Public Works	Mike Svaby	Jason J, Dan M
Planning/Zoning/Code Enf	Rob Pierce	Mike B, Andy F
Police	Kenneth Brown	Mike B, Andy F
Finance & Budget	Lou Vitola	Jason J, Dan M
Community & Econ. Dev	Sara Pletcher	Brian B, Andy F
DMI & Chamber of Com.	Sara Pletcher	Todd C, Nirmala S
Parks & Recreation	Brad Dennehy	Brian B, Katrina W
Information Technology	Dale Matthews	Todd C, Nirmala S
Annexation Committee	Mark W & Rob P	Mike B, Katrina W, Todd C.
Executive	Mark W & Terri H	Archie C, Jason J
Cemetery	Mark W & Brad D	Archie C, Brian B

TITLE 29

State Government

General Regulations for State Agencies

CHAPTER 100. Freedom of Information Act

§ 10001. Declaration of policy.

It is vital in a democratic society that public business be performed in an open and public manner so that our citizens shall have the opportunity to observe the performance of public officials and to monitor the decisions that are made by such officials in formulating and executing public policy; and further, it is vital that citizens have easy access to public records in order that the society remain free and democratic. Toward these ends, and to further the accountability of government to the citizens of this State, this chapter is adopted, and shall be construed.

[60 Del. Laws, c. 641, § 1](#); [65 Del. Laws, c. 191, § 1](#);

§ 10002. Definitions.

(a) "Agenda" shall include but is not limited to a general statement of the major issues expected to be discussed at a public meeting, as well as a statement of intent to hold an executive session and the specific ground or grounds therefor under § 10004(b) of this title.

(b) "Anchor location" means the physical location within the geographic jurisdiction of the public body that is open to the public and at which 1 or more members of a public body attend a virtual meeting.

(c) "Caucus" means members of the House of Representatives or Senate, of the same political party, who assemble to discuss matters of public business.

(d) "Disability" means as defined in § 4502 of Title 6.

(e) "Electronic" means as defined in § 12A-102 of Title 6.

(f) "FOIA" means the Freedom of Information Act under this chapter.

(g) "FOIA coordinator" shall mean the person designated by the Cabinet Secretary, school district superintendent, local government head, Chair, or equivalent executive officer of the public body to receive and process FOIA requests.

(h) "FOIA request" or "request" means a request to inspect or copy public records pursuant to § 10003 of this title.

(i) "FOIA Request Form" means the form promulgated by the Office of the Attorney General upon which requests for public records may be made.

(j) "Meeting" means the formal or informal gathering of a quorum of the members of any public body for the purpose of discussing or taking action on public business.

(k) "Public body" means, unless specifically excluded, any regulatory, administrative, advisory, executive, appointive or legislative body of the State, or of any political subdivision of the State, including, but not limited to, any board, bureau, commission, department, agency, committee, ad hoc committee, special committee, temporary committee, advisory board and committee, subcommittee, legislative committee, association, group, panel, council or any other entity or body established by an act of the General Assembly of the State, or established by any body established by the General Assembly of the State, or appointed by any body or public official of the State or otherwise empowered by any state governmental entity, which:

(1) Is supported in whole or in part by any public funds; or

(2) Expends or disburses any public funds, including grants, gifts or other similar disbursements and distributions; or

(3) Is impliedly or specifically charged by any other public official, body, or agency to advise or to make reports, investigations or recommendations.

“Public body” shall not include any caucus of the House of Representatives or Senate of the State.

“Public body” shall include any authority created under Chapter 14 of Title 16.

(l) “Public body,” “public record” and “meeting” shall not include activities of the University of Delaware and Delaware State University, except that the Board of Trustees of both universities shall be “public bodies,” university documents relating to the expenditure of public funds shall be “public records,” and each meeting of the full Board of Trustees of either institution shall be a “meeting.” Additionally, any university request for proposal, request for quotation, or other such document soliciting competitive bids for any contract, agreement, capital improvement, capital acquisition or other expenditure proposed to involve any amount or percentage of public funds by or on behalf of the university shall indicate on the request for proposal or other such document that it relates to the expenditure of public funds.

(m) “Public business” means any matter over which the public body has supervision, control, jurisdiction or advisory power.

(n) “Public funds” are those funds derived from the State or any political subdivision of the State.

(o) “Public record” is information of any kind, owned, made, used, retained, received, produced, composed, drafted or otherwise compiled or collected, by any public body, relating in any way to public business, or in any way of public interest, or in any way related to public purposes, regardless of the physical form or characteristic by which such information is stored, recorded or reproduced. For purposes of this chapter, the following records shall not be deemed public:

(1) Any personnel, medical or pupil file, the disclosure of which would constitute an invasion of personal privacy, under this legislation or under any State or federal law as it relates to personal privacy;

(2) Trade secrets and commercial or financial information obtained from a person which is of a privileged or confidential nature;

(3) Investigatory files compiled for civil or criminal law-enforcement purposes including pending investigative files, pretrial and presentence investigations and child custody and adoption files where there is no criminal complaint at issue;

(4) Criminal files and criminal records, the disclosure of which would constitute an invasion of personal privacy. Any person may, upon proof of identity, obtain a copy of the person’s personal criminal record. All other criminal records and files are closed to public scrutiny. Agencies holding such criminal records may delete any information, before release, which would disclose the names of witnesses, intelligence personnel and aids or any other information of a privileged and confidential nature;

(5) Intelligence files compiled for law-enforcement purposes, the disclosure of which could constitute an endangerment to the local, state or national welfare and security;

(6) Any records specifically exempted from public disclosure by statute or common law;

(7) Any records which disclose the identity of the contributor of a bona fide and lawful charitable contribution to the public body whenever public anonymity has been requested of the public body with respect to said contribution by the contributor;

(8) Any records involving labor negotiations or collective bargaining;

(9) Any records pertaining to pending or potential litigation which are not records of any court;

(10) Subject to § 10004(f) of this title with respect to release of minutes of executive sessions, any record of discussions held in executive session pursuant to § 10004(b) and (c) of this title;

- (11) Any records which disclose the identity or address of any person holding a permit to carry a concealed deadly weapon; provided, however, all records relating to such permits shall be available to all bona fide law-enforcement officers;
- (12) Any records of a public library which contain the identity of a user and the books, documents, films, recordings or other property of the library which a patron has used;
- (13) Any records in the possession of the Department of Correction where disclosure is sought by an inmate in the Department's custody;
- (14) Investigative files compiled or maintained by the Victims' Compensation Assistance Program;
- (15) Any photographs, video recordings or audio recordings of a postmortem examination in the possession of the Division of Forensic Science;
- (16) Emails received or sent by members of the Delaware General Assembly or their staff;
- (17) a. The following records, which, if copied or inspected, could jeopardize the security of any structure owned by the State or any of its political subdivisions, or could facilitate the planning of a terrorist attack, or could endanger the life or physical safety of an individual:
1. Response procedures or plans prepared to prevent or respond to emergency situations, the disclosure of which would reveal vulnerability assessments, specific tactics, specific emergency procedures or specific security procedures.
 2. Building plans, blueprints, schematic drawings, diagrams, operational manuals or other records of mass transit facilities, bridges, tunnels, emergency response facilities or structures, buildings where hazardous materials are used or stored, arenas, stadiums, waste and water systems, electric transmission lines and substations, high-pressure natural gas pipelines and compressor stations, and telecommunications networks facilities and switching equipment, the disclosure of which would reveal the building's or structure's internal layout, specific location, life, safety and support systems, structural elements, surveillance techniques, alarm or security systems or technologies, operational and transportation plans or protocols, or personnel deployments. Records that disclose the substances being used or stored on a given piece of property are public records; however, records which disclose the specific location on that property of the substances being used or stored may be disclosed only if the chief administrative officer of the agency from which the record is requested determines that disclosure will not jeopardize the security of any structure owned by the State or any of its political subdivisions, or will not facilitate the planning of a terrorist attack, or will not endanger the life or physical safety of an individual.
 3. Records of any building or structure operated by the State or any of its political subdivisions, the disclosure of which would reveal the building's or structure's life, safety and support systems, surveillance techniques, alarm or security systems or technologies, operational and evacuation plans or protocols, or personnel deployments.
 4. Records prepared to prevent or respond to emergency situations identifying or describing the name, location, pharmaceutical cache, contents, capacity, equipment, physical features or capabilities of individual medical facilities, storage facilities, or laboratories established, maintained or regulated by the State or any of its political subdivisions.
 5. Those portions of records assembled, prepared or maintained to prevent, mitigate or respond to criminal acts, the public disclosure of which would have a substantial likelihood of threatening public safety. The only items that are protected from disclosure by this paragraph are:
 - A. Specific and unique vulnerability assessments or specific and unique response or deployment plans, including compiled underlying data collected in preparation of or essential to the assessments or to the response or deployment plans; and
 - B. Records not subject to public disclosure under federal law that are shared by federal or international agencies and information prepared from national security briefings provided to state or local government officials related to domestic preparedness for criminal acts against United States citizens or targets.

6. Nothing in this subsection shall be deemed to prohibit the disclosure of information necessary to comply with the requirements of Chapter 8 of Title 26, the Underground Utility Damage Prevention and Safety Act.

7. Information technology (IT) infrastructure details, source code, logical and physical design of IT systems and interfaces, detailed hardware and software inventories, network architecture and schematics, vulnerability reports, and any other information that, if disclosed, could jeopardize the security or integrity of an information and technology system owned, operated or maintained by the State or any public body subject to the requirements of this chapter.

b. Nothing in this paragraph shall interfere with the right of any committee of the General Assembly to hear information in the committee at the request of the committee chair or, if appropriate, to hear information in an executive session of the committee, or to subpoena information pursuant to § 705 of this title;

(18) a. Any military service discharge document or documents, a discharge, separation notice, certificate of service, report of transfer or discharge, or any other notice or document which is evidence of severance or transfer from military service and which contains a service record from the armed forces of the United States, or any document that purports to represent a notice of separation from or service in any armed forces of the United States including but not limited to the United States Department of Defense, DD Form 214, of a veteran of the armed forces of the United States, which has been heretofore recorded at a county recorder of deeds. Such document or documents may only be disclosed in accordance with the provisions of paragraph (o)(17)b. of this section.

b. ***Access to authorized persons.*** — The following persons are permitted to view or reproduce recorded military service discharge documents:

1. The veteran subject of the discharge;
2. The spouse or child of a veteran, with consent of the veteran;
3. If the veteran is deceased, a survivor or heir of the veteran who may be eligible to claim any type of benefit by virtue of the veteran's service in the military;
4. A person with a signed and notarized authorization from the veteran;
5. A county, state or federal officer assisting the veteran or veteran's family with a veteran's benefit application;
6. Anyone authorized by an order from a Delaware court, to view or copy the document; or
7. Government agencies, including courts, that have an interest in assisting the veteran subject to the military service discharge record or in assisting the beneficiaries of the deceased veteran subject to the military service discharge record in obtaining a benefit.

c. Any document referenced in paragraph (o)(18)a. of this section shall be deemed a public record upon the passage of 70 years from the date of the subject veteran's separation or discharge from service; or

(19) Any communications between a member of the General Assembly and that General Assembly member's constituent, or communications by a member of the General Assembly on behalf of that General Assembly member's constituent, or communications between members of the General Assembly.

(p) "Requesting party" shall mean the person filing the FOIA request.

(q) "State of emergency" means as defined in § 3102 of Title 20.

(r) "Virtual meeting" means a meeting of a public body that 1 or more members attend through the use of an electronic means of communication.

[60 Del. Laws, c. 641, § 1](#); [61 Del. Laws, c. 55, § 1](#); [63 Del. Laws, c. 424, § 1](#); [64 Del. Laws, c. 113, § 1](#); [65 Del. Laws, c. 191, §§ 2-6](#); [66 Del. Laws, c. 143, § 1](#); [67 Del. Laws, c. 281, § 194](#); [69 Del.](#)

[Laws, c. 67, § 2](#); [69 Del. Laws, c. 250, § 2](#); [70 Del. Laws, c. 186, § 1](#); [73 Del. Laws, c. 260, §§ 1, 2, 3](#); [73 Del. Laws, c. 354, § 1](#); [75 Del. Laws, c. 235, §§ 3-5](#); [77 Del. Laws, c. 38, §§ 1-5, 8](#); [77 Del. Laws, c. 211, §§ 1, 2](#); [78 Del. Laws, c. 12, § 1](#); [78 Del. Laws, c. 382, § 1](#); [79 Del. Laws, c. 265, § 19](#); [79 Del. Laws, c. 272, § 1](#); [79 Del. Laws, c. 307, § 1](#); [79 Del. Laws, c. 334, § 1](#); [80 Del. Laws, c. 296, § 1](#); [82 Del. Laws, c. 265, § 2](#); [82 Del. Laws, c. 265, § 5](#); [83 Del. Laws, c. 65, § 1](#);

§ 10003. Examination and copying of public records.

(a) All public records shall be open to inspection and copying during regular business hours by the custodian of the records for the appropriate public body. Reasonable access to and reasonable facilities for copying of these records shall not be denied to any citizen.

(b) All state agencies and public bodies shall implement and promulgate a policy for addressing requests made under the Freedom of Information Act.

(c) All state agencies and public bodies shall develop a web portal for receiving FOIA requests through the internet. Such portals shall utilize the standard request form promulgated by the Attorney General.

(d) (1) All state agencies and public bodies are to provide reasonable assistance to the public in identifying and locating public records to which they are entitled access, and all records held by the agency are "public records" to which the public should have access unless they fall within the scope of enumerated exceptions in § 10002 of this title.

(2) All public bodies in the executive branch of state government that are subject to the provisions of this chapter and are required by statute, regulation, or other established policy to publish an annual or biennial report, shall electronically post copies of these reports to a single designated State website approved by the Secretary of State. Electronic notification of the availability of these reports on the designated State website shall fulfill a public body's duty to publish and provide these reports to the Governor, General Assembly, or other state agencies or state officials.

(e) All state agencies and public bodies shall provide a mailing address for receiving FOIA requests through the U.S. mail.

(f) *Form of request.* — (1) All FOIA requests shall be made in writing to the public body in person, by U.S. mail, by e-mail, by fax, or online in accordance with the provisions hereunder. FOIA requests may be submitted using the FOIA Request Form promulgated by the Office of the Attorney General provided, however, that any FOIA request that otherwise conforms with the policy hereunder shall not be denied solely because the request is not on the promulgated form. Copies of the FOIA request form may be obtained from the website of any state agency, school district, or other public body.

(2) All requests shall adequately describe the records sought in sufficient detail to enable the public body to locate such records with reasonable effort. The requesting party shall be as specific as possible when requesting records. To assist the public body in locating the requested records, the public body may request that the requesting party provide additional information known to the requesting party, such as the types of records, dates, parties to correspondence, and subject matter of the requested records.

(g) *FOIA coordinator.* — (1) Each public body shall designate a FOIA coordinator who shall serve as the point of contact for FOIA requests and coordinate the public body's responses thereto. The FOIA coordinator shall be identified on the public body's website and each public body shall provide the name and contact information for its FOIA coordinator to the Attorney General. The public body shall update this information on its website and with the Attorney General within 20 working days of any change in its FOIA coordinator or the FOIA coordinator's contact information. The FOIA coordinator may designate other employees to perform specific duties and functions hereunder.

(2) The FOIA coordinator and/or his or her designee, working in cooperation with other employees and representatives, shall make every reasonable effort to assist the requesting party in identifying the records being sought, and to assist the public body in locating and providing the requested records. The FOIA coordinator and/or his or her designee will also work to foster cooperation between the public body and the requesting party.

(3) In addition to the foregoing responsibilities, the FOIA coordinator shall maintain a document tracking all FOIA requests. For each FOIA request, the document shall include, at a minimum, the requesting party's contact information, the date the public body received the request, the public body's response deadline, the date of the public body's response (including the reasons for any extension), the names, contact information and dates of correspondence with individuals contacted in connection with requests, the dates of review by the public body, the names of individuals who conducted such reviews, whether documents were made available, the amount of copying and/or administrative fees assessed, and the date of final disposition.

(h) **Response to requests.** — (1) The public body shall respond to a FOIA request as soon as possible, but in any event within 15 business days after the receipt thereof, either by providing access to the requested records, denying access to the records or parts of them, or by advising that additional time is needed because the request is for voluminous records, requires legal advice, or a record is in storage or archived. If access cannot be provided within 15 business days, the public body shall cite 1 of the reasons hereunder why more time is needed and provide a good-faith estimate of how much additional time is required to fulfill the request.

(2) If the public body denies a request in whole or in part, the public body's response shall indicate the reasons for the denial. The public body shall not be required to provide an index, or any other compilation, as to each record or part of a record denied.

(i) **Requests for e-mail.** — (1) Requests for e-mail records shall be fulfilled by the public body from its own records, if doing so can be accomplished by the public body with reasonable effort. If the public body determines that it cannot fulfill all or any portion of such request, the public body shall promptly request that its information and technology personnel or custodians provide the e-mail records to the public body.

(2) Before requesting the information and technology personnel or custodians to provide e-mail records, the public body shall provide an itemized written cost estimate to the requesting party, listing all charges expected to be incurred in retrieving such records. Upon receipt of the estimate, the requesting party may decide whether to proceed with, cancel, or modify the request.

(j) **Requests for other noncustodial records.** — (1) If all or any portion of a FOIA request seeks records controlled by the public body but are not within its possession or cannot otherwise be fulfilled by the public body with reasonable effort from the records it possesses, then the public body shall promptly request that the relevant custodian provide the noncustodial records to the public body.

(2) Before requesting any noncustodial records, the public body shall provide an itemized written cost estimate to the requesting party, listing all charges expected to be incurred in retrieving such records. Upon receipt of the estimate, the requesting party may decide whether to proceed with, cancel, or modify the request.

(k) **Review by public body.** — Prior to disclosure, records may be reviewed by the public body to ensure that those records or portions of records deemed nonpublic may be removed pursuant to § 10002 of this title or any other applicable provision of law. In reviewing the records, all documents shall be considered public records unless subject to 1 of the exceptions set forth in § 10002 of this title or any other applicable provision of law.

(l) **Hours of review.** — The public body shall provide reasonable access for reviewing public records during regular business hours.

(m) **Fees.** — Unless otherwise set forth in the Delaware Code or any applicable code of a county or municipal public body, the following fees shall apply:

(1) **Photocopying fees.** — In instances in which paper records are provided to the requesting party, photocopying fees shall be as follows:

Standard-sized, black and white copies: The first 20 pages of standard-sized, black and white copies material shall be provided free of charge. The charge for copying standard sized, black and white public records for copies over and above 20 shall be \$0.10 per sheet (\$0.20 for a double-sided sheet). This charge applies to copies on the following standard paper sizes: 8.5" x 11", 8.5" x 14", and 11" x 17".

Oversized copies/printouts: The charge for copying oversized public records shall be as follows: 18" x 22", \$2.00 per sheet; 24" x 36", \$3.00 per sheet; documents larger than 24" x 36", \$1.00 per square foot.

Color copies/printouts: An additional charge of \$1.00 per sheet will be assessed for all color copies or printouts for standard-sized copies (8.5" x 11", 8.5" x 14", and 11" x 17") and \$1.50 per sheet for larger copies.

(2) **Administrative fees.** — Administrative fees shall be levied for requests requiring more than 1 hour of staff time to process. Charges for administrative fees may include staff time associated with processing FOIA requests, including, without limitation: identifying records; monitoring file reviews; and generating computer records (electronic or print-outs). Administrative fees shall not include any cost associated with the public body's legal review of whether any portion of the requested records is exempt from FOIA. The public body shall make every effort to ensure that administrative fees are minimized, and may only assess such charges as shall be reasonable required to process FOIA requests. In connection therewith, the public body shall minimize the use of nonadministrative personnel in processing FOIA requests, to the extent possible.

Prior to fulfilling any request that would require a requesting party to incur administrative fees, the public body shall provide an itemized written cost estimate of such fees to the requesting party, listing all charges expected to be incurred in retrieving such records. Upon receipt of the estimate, the requesting party may decide whether to proceed with, cancel, or modify the request.

Administrative fees will be billed to the requesting party per quarter hour. These charges will be billed at the current hourly pay grade (prorated for quarter hour increments) of the lowest-paid employee capable of performing the service. Administrative fees will be in addition to any other charges incurred under this section for copying fees.

When multiple FOIA requests are submitted by or on behalf of the requesting party in an effort to avoid incurring administrative charges, the public body may in its discretion aggregate staff time for all such requests when computing fees hereunder. Notwithstanding the foregoing, any Freedom of Information Act policy adopted by a public body pursuant to subsection (b) of this section hereunder may include provisions for the waiver of some or all of the above administrative fees; provided that such waiver shall apply equally to a particular class of persons (i.e., nonprofit organizations).

(3) **Microfilm and/or microfiche printouts.** — The first 20 pages of standard-sized, black and white material copied from microfilm and/or microfiche shall be provided free of charge. The charge for microfilm and/or microfiche printouts over and above 20 shall be \$0.15 per sheet.

(4) **Electronically generated records.** — Charges for copying records maintained in an electronic format will be calculated by the material costs involved in generating the copies (including but not limited to DVD, CD, or other electronic storage costs) and administrative costs.

(5) **Payment.** — The public body may require all or any portion of the fees due hereunder to be paid prior to any service being performed pursuant to this section.

[60 Del. Laws, c. 641, § 1](#); [70 Del. Laws, c. 186, § 1](#); [78 Del. Laws, c. 10, § 1](#); [78 Del. Laws, c. 202, § 1](#); [78 Del. Laws, c. 382, § 1](#); [79 Del. Laws, c. 272, § 1](#); [79 Del. Laws, c. 273, § 1](#); [79 Del. Laws, c. 274, § 1](#);

§ 10004. Open meetings.

(a) Every meeting of all public bodies shall be open to the public except those closed pursuant to subsections (b), (c), (d) and (h) of this section.

(b) A public body may call for an executive session closed to the public pursuant to subsections (c) and (e) of this section, but only for the following purposes:

(1) Discussion of an individual citizen's qualifications to hold a job or pursue training unless the citizen requests that such a meeting be open. This provision shall not apply to the discussion by a licensing board or commission which is subject to the provisions of § 8735 of this title, of an

individual citizen's qualifications to pursue any profession or occupation for which a license must be issued by the public body in accordance with Delaware law;

(2) Preliminary discussions on site acquisitions for any publicly funded capital improvements, or sales or leases of real property;

(3) Activities of any law-enforcement agency in its efforts to collect information leading to criminal apprehension;

(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;

(5) Discussions which would disclose the identity of the contributor of a bona fide and lawful charitable contribution to the public body whenever public anonymity has been requested of the public body with respect to said contribution by the contributor;

(6) Discussion of the content of documents, excluded from the definition of "public record" in § 10002 of this title where such discussion may disclose the contents of such documents;

(7) The hearing of student disciplinary cases unless the student requests a public hearing;

(8) The hearing of employee disciplinary or dismissal cases unless the employee requests a public hearing;

(9) Personnel matters in which the names, competency and abilities of individual employees or students are discussed, unless the employee or student requests that such a meeting be open.

(c) A public body may hold an executive session closed to the public upon affirmative vote of a majority of members present at a meeting of the public body. The vote on the question of holding an executive session shall take place at a meeting of the public body which shall be open to the public, and the results of the vote shall be made public and shall be recorded in the minutes. The purpose of such executive sessions shall be set forth in the agenda and shall be limited to the purposes listed in subsection (b) of this section. Executive sessions may be held only for the discussion of public business, and all voting on public business must take place at a public meeting and the results of the vote made public.

(d) This section shall not prohibit the removal of any person from a public meeting who is wilfully and seriously disruptive of the conduct of such meeting.

(e) (1) This subsection concerning notice of meetings does not apply to any emergency meeting which is necessary for the immediate preservation of the public peace, health, or safety, or to the General Assembly.

(2) All public bodies shall give public notice of their regular meetings and of their intent to hold an executive session closed to the public, at least 7 days in advance of the meeting. The notice must include all of the following:

a. The agenda, if the agenda has been determined.

b. The date, time, and place of a meeting, including whether the meeting will be conducted under § 10006A of this title.

(3) An agenda provided under paragraph (e)(2) of this section is subject to change. Changes to an agenda may include any of the following:

a. Additional items, including an executive session, which arise at the time of the public body's meeting.

b. The deletion of items, including an executive session.

(4) All public bodies shall give public notice of the type set forth in paragraph (e)(2) of this section of any special or rescheduled meeting as soon as reasonably possible, but in any event no later than 24 hours before such meeting. A special or rescheduled meeting shall be defined as one to be held less than 7 days after the scheduling decision is made. The public notice of a special or

rescheduled meeting shall include an explanation as to why the notice required by paragraph (e)(2) of this section could not be given.

(5) Public notice required by this subsection shall include, but not be limited to, conspicuous posting of said notice at the principal office of the public body holding the meeting, or if no such office exists at the place where meetings of the public body are regularly held, and making a reasonable number of such notices available. In addition, for all noncounty and nonmunicipal public bodies, public notice required by this subsection shall include, but not be limited to, electronic posting on a designated State of Delaware website, approved by the Registrar of Regulations by May 1, 2013, which shall be accessible to the public. In addition, all public bodies in the executive branch of state government that are subject to the provisions of this chapter shall electronically post said notice to the designated State of Delaware website approved by the Secretary of State.

(6) When the agenda is not available as of the time of the initial posting of the public notice it shall be added to the notice at least 6 hours in advance of said meeting, and the reasons for the delay in posting shall be briefly set forth on the agenda.

(f) Each public body shall maintain minutes of all meetings, including executive sessions, conducted pursuant to this section, and shall make such minutes available for public inspection and copying as a public record. Such minutes shall include a record of those members present and a record, by individual members (except where the public body is a town assembly where all citizens are entitled to vote), of each vote taken and action agreed upon. Such minutes or portions thereof, and any public records pertaining to executive sessions conducted pursuant to this section, may be withheld from public disclosure so long as public disclosure would defeat the lawful purpose for the executive session, but no longer. All public bodies in the executive branch of state government that are subject to the provisions of this chapter and meet 4 or fewer times per year shall electronically post draft minutes of open public meetings, identified as "draft minutes," to the designated State website approved by the Secretary of State within 20 working days after the conclusion of the meeting. Prior to being posted, draft minutes may be distributed to members of the public body who were present at the open public meeting. Draft minutes may continue to be revised and corrected up until final minutes are approved by the public body at an open meeting. All public bodies in the executive branch of state government that are subject to the provisions of this chapter shall electronically post final approved minutes of open public meetings to the designated State of Delaware website approved by the Secretary of State within 5 working days of final approval of said minutes.

(g) Every regularly scheduled meeting of a public body shall be held within the geographic jurisdiction of that public body. All such other meetings shall be held as follows:

(1) A public body serving any political subdivision of the State, including, but not limited to, any city, town or school district, shall hold all such other meetings within its jurisdiction or the county in which its principal office is located, unless it is school board training that has been approved by the Secretary of Education as beneficial to school board development activities.

(2) For the purposes of this subsection, a "regularly scheduled meeting" shall mean any meeting of a public body held on a periodic basis.

(3) The provisions of this subsection, insofar as they are not practicable, shall not apply to any emergency meeting which is necessary for the immediate preservation of the public peace, health or safety, or to a meeting held by a public body outside of its jurisdiction which is necessary for the immediate preservation of the public financial welfare.

(h) This section shall not apply to the proceedings of:

(1) Grand juries;

(2) Petit juries;

(3) Special juries;

(4) The deliberations of any court;

(5) The Board of Pardons and Parole;

(6) Public bodies having only 1 member;

(7) Public bodies within the legislative branch of the state government other than the House of Representatives, the Senate, the Joint Finance Committee, the Joint Committee on Capital Improvement, the Joint Legislative Oversight and Sunset Committee, Legislative Council, committees, excluding ethics committees, specifically enumerated and created by Resolution of the House of Representatives or Senate or task forces specifically enumerated and created by Resolution of the House of Representatives or Senate;

(8) a. The Victims' Compensation Assistance Program Appeals Board may close any meeting to the public where:

1. The claim to be considered derives from any sexual offense within the definitions of a crime in § 9002 of Title 11.

2. The claim to be considered derives from any offense by or against a child, as defined in this section, unless such child has been deemed amenable to the jurisdiction of a criminal court as to the matter before the Board.

3. The claim to be considered derives from any matter not yet adjudicated.

4. The claim to be considered involves a "victim" who is a "child" as those terms are defined in Chapter 90 of Title 11.

b. The Board shall produce a complete record of any proceedings closed to the public which record may be denied to anyone seeking access for good cause shown; and

(9) The deliberations of the following agencies for any case decision governed by the Administrative Procedures Act in Chapter 101 of this title:

a. State Human Relations Commission;

b. Industrial Accident Board;

c. Tax Appeals Board; and

d. Victims' Compensation Assistance Program Appeals Board.

(i) In an enforcement action pursuant to § 10005 of this title, a citizen or the Attorney General, as the case may be, may seek the forfeiture of all or part of the compensation of members of a board, commission or other public body for any closed meeting which such board, commission or other public body closed knowing that such action violated this chapter. Such forfeiture may only be ordered by the Court if the Court makes a specific finding that the board, commission or public body had no good faith basis to believe that the meeting could be closed. It shall be an absolute defense that an individual never voted in favor of the closed meeting. If the board, commission or public body also met validity for other purposes on the same day as the meeting which violated the act, such valid action shall be considered by the Court in determining the extent of any forfeiture award.

60 Del. Laws, c. 641, § 1; 63 Del. Laws, c. 269, § 1; 65 Del. Laws, c. 191, §§ 7-12; 66 Del. Laws, c. 419, § 1; 67 Del. Laws, c. 367, §§ 1, 2; 71 Del. Laws, c. 38, § 1; 71 Del. Laws, c. 117, § 1; 71 Del. Laws, c. 191, § 1; 71 Del. Laws, c. 193, § 1; 72 Del. Laws, c. 459, § 1; 72 Del. Laws, c. 460, § 18; 75 Del. Laws, c. 178, §§ 1, 2; 77 Del. Laws, c. 38, §§ 6, 7; 77 Del. Laws, c. 211, § 3; 78 Del. Laws, c. 288, § 5; 79 Del. Laws, c. 125, § 4; 79 Del. Laws, c. 271, § 1; 79 Del. Laws, c. 393, § 1; 80 Del. Laws, c. 260, § 5; 82 Del. Laws, c. 265, § 3; 82 Del. Laws, c. 265, § 5; 83 Del. Laws, c. 65, § 2;

§ 10005. Enforcement.

(a) Any action taken at a meeting in violation of this chapter may be voidable by the Court of Chancery. Any citizen may challenge the validity under this chapter of any action of a public body by filing suit within 60 days of the citizen's learning of such action but in no event later than 6 months after the date of the action.

(b) Any citizen denied access to public records as provided in this chapter may bring suit within 60 days of such denial. Venue in such cases where access to public records is denied shall be placed in

a court of competent jurisdiction for the county or city in which the public body ordinarily meets or in which the plaintiff resides. Notwithstanding the foregoing, a person denied access to public records by an administrative office or officer, a department head, commission, or instrumentality of state government which the Attorney General is obliged to represent pursuant to § 2504 of this title must within 60 days of denial, present a petition and all supporting documentation to the Chief Deputy as described in subsection (e) of this section. Thereafter, the petitioner or public body the Attorney General is otherwise obligated to represent may appeal an adverse decision on the record to the Superior Court within 60 days of the Attorney General's decision.

(c) In any action brought under this section, the burden of proof shall be on the custodian of records to justify the denial of access to records, and shall be on the public body to justify a decision to meet in executive session or any failure to comply with this chapter.

(d) Remedies permitted by this section include an injunction, a declaratory judgment, writ of mandamus and/or other appropriate relief. The court may award attorney fees and costs to a successful plaintiff of any action brought under this section. The court may award attorney fees and costs to a successful defendant, but only if the court finds that the action was frivolous or was brought solely for the purpose of harassment.

(e) Any citizen may petition the Attorney General to determine whether a violation of this chapter has occurred or is about to occur. The petition shall set forth briefly the nature of the alleged violation. Upon receiving a petition, the Attorney General shall promptly determine whether the petition is against an administrative office or officer, agency, department, board, commission or instrumentality of state government which the Attorney General is obliged to represent pursuant to § 2504 of this title. Every petition against an administrative office or officer, agency, department, board, commission or instrumentality of state government which the Attorney General is obliged to represent pursuant to § 2504 of this title shall be referred to the Chief Deputy Attorney General who shall, within 20 days of receiving the petition, render a written determination to the petitioner and the public body involved declaring whether a violation has occurred or is about to occur. If the Chief Deputy finds that a violation of this chapter has occurred or is about to occur, the Attorney General shall not represent the public body in any appeal filed pursuant to this chapter for such violation if the public body the Attorney General is otherwise obligated to represent fails to comply with the Chief Deputy's determination. Regardless of the finding of the Chief Deputy, the petitioner or the public body may appeal the matter on the record to Superior Court. In every other case, the Attorney General shall, within 10 days, notify in writing the custodian of records or public body involved. Within 20 days of receiving the petition, the Attorney General shall make a written determination of whether a violation has occurred or is about to occur, and shall provide the citizen and any custodian of records or public body involved with a copy of the determination. If the Attorney General finds that a violation of this chapter has occurred or is about occur, the citizen may: (1) File suit as set forth in this chapter; or (2) request in writing that the Attorney General file suit on the citizen's behalf. If such request is made, the Attorney General may file suit, and shall within 15 days notify the citizen of the decision to file suit, unless the custodian of records or public body has agreed to comply with this chapter. The citizen shall have the absolute right to file suit regardless of the determination of the Attorney General, and may move to intervene as a party in any suit filed by the Attorney General.

(f) An administrative office or officer, agency, department, board, commission or instrumentality of state government which the Attorney General is obligated to represent pursuant to § 2504 of this title shall not require the approval of the Attorney General pursuant to § 2507 of this title to address claims of violation under this chapter.

[60 Del. Laws, c. 641, § 1](#); [65 Del. Laws, c. 191, § 13](#); [66 Del. Laws, c. 354, §§ 1, 2](#); [77 Del. Laws, c. 400, §§ 1-3](#);

§ 10006. Video-conferencing participation in open meetings [Repealed].

[77 Del. Laws, c. 211, § 4](#); [repealed by 83 Del. Laws, c. 65, § 3, effective June 30, 2021.](#);

§ 10006A. Open meetings; virtual meetings; reasonable accommodations for members with a disability.

(a) A public body shall allow a member of the public body with a disability to attend a meeting of the public body through the use of an electronic means of communication, instead of being required to

attend in-person at a physical location, as a reasonable accommodation under § 4504 of Title 6, unless it imposes an undue burden. A member attending a meeting through the use of an electronic means of communication as a reasonable accommodation is considered present for all purposes as if the member is physically attending, including for quorum and voting.

(b) At the discretion of the chair or presiding officer, a public body may allow the public to monitor or provide public comment through the use of an electronic means of communication at any meeting.

(c) A public body may hold a virtual meeting if all of the following occur:

(1) The meeting notice under § 10004 of this title includes information regarding how the public can monitor or participate in the meeting under paragraph (c)(6) of this section.

(2) The meeting has an anchor location.

(3) The identity of a member or witness is verified, and the actions of a member are authenticated, in a manner satisfactory to the presiding officer or chair.

(4) All participating members and witnesses can simultaneously do 1 of the following regarding each member or witness who is recognized by the presiding officer or chair:

a. Hear the comments of each member or witness.

b. Hear the comments of and view each member or witness.

(5) A document used during the meeting by a member or witness, and that is accepted by the presiding officer or chair, is immediately provided to each member or witness participating in the meeting and made available to the public under § 10003 of this title.

(6) Except during an executive session under § 10004 of this title, the public is able to do all of the following through an electronic means of communication:

a. Monitor the meeting.

b. Provide public comment, if the public body is required to accept, or provides an opportunity for, public comment.

(7) Minutes of the virtual meeting are maintained under § 10004 of this title.

(d) (1) All actions taken during a virtual meeting conducted under this section have the same legal effect as if the members were physically present at the same location.

(2) For the purposes of determining quorum for a virtual meeting, a member participating in a virtual meeting is considered present as if the member were physically present at the meeting.

(3) For the purposes of voting during a virtual meeting, a member participating in a virtual meeting is able to vote as if the member were physically present at the meeting.

(4) A technological problem that prevents or limits public access otherwise required under this chapter does not invalidate a virtual meeting or an action taken at a virtual meeting.

(e) During a state of emergency, a public body may hold a virtual meeting at which members participate through the use of an electronic means of communication without an anchor location if, in addition to the requirements under subsection (c) of this section, all of the following occur:

(1) The virtual meeting is preceded by the same public notice as required under § 10004 of this title, except that notice of the public meeting does not need to be conspicuously posted at the principal office of the public body holding the meeting or where meetings of the public body are regularly held.

(2) If all of the members of the public body are elected by the public to serve on the public body, all of the following must occur:

a. A document that is used during the meeting by a member or witness, and that is accepted by the presiding officer or chair, is immediately transmitted to each member or witness participating in the meeting.

b. The public is able to review a recording of the meeting within a reasonable time after the meeting concludes.

(f) If necessary to prevent a public health emergency, as defined in § 3132 of Title 20, the Governor may issue an executive order allowing public bodies to hold virtual meetings at which all members may participate through the use of an electronic means of communication without an anchor location. A virtual meeting held under this subsection must comply with the requirements under subsection (e) of this section.

[82 Del. Laws, c. 265, §§ 4, 5](#); [83 Del. Laws, c. 65, § 4](#);

§ 10007. Education.

(a) The Attorney General shall publish biennially a manual for FOIA coordinators. The Attorney General shall send the manual to each FOIA coordinator electronically and shall make the manual available on the Attorney General's website. The Attorney General shall, at a minimum, include the following in the manual:

- (1) An explanation of the duties and responsibilities of the FOIA coordinator;
- (2) An explanation of the time frames included within this chapter, how to calculate these time frames, and the circumstances in which any of these time frames are tolled;
- (3) An explanation of the power of the public body to charge fees for requests for public records;
- (4) An explanation of the reasons for calling an executive session closed to the public pursuant to purposes listed in § 10004(b) of this title, including an explanation of the strategy session exception; and
- (5) A summary of Delaware judicial opinions, Attorney General opinions, and other legal opinions issued in the preceding 2 years related to this chapter.

(b) The Attorney General shall hold annually a training seminar for FOIA coordinators that shall be open to the public and noticed in accordance with this chapter. The Attorney General shall send notice of the training to each FOIA coordinator and shall post notice of the training on the Attorney General's website. The Attorney General shall, at a minimum, include the following in the training:

- (1) The topics included in the manual pursuant to subsection (a) of this section;
- (2) A discussion of best practices for responding to requests for public records; and
- (3) A question and answer session.

(c) The Attorney General shall, in addition to any other publication method deemed appropriate by the Attorney General, maintain a website containing Attorney General opinions related to this chapter. The Attorney General shall include on the website a summary of the holding of each Attorney General opinion.

(d) Nothing in this section shall be construed as legal advice in contravention of § 2504(2) or § 2515 of this title.

[79 Del. Laws, c. 272, § 1](#);



The background of the image is a stylized American flag with a dark blue field containing white stars and alternating red and white horizontal stripes. The flag is slightly wavy, giving it a sense of movement. The text is overlaid on this background in a white, gothic-style font.

The Pledge of Allegiance

I pledge allegiance to the flag
of the United States of America,
and to the republic for which it stands,
one nation under God,
indivisible, with liberty and justice for all.

CITY OF MILFORD FINANCE COMMITTEE
MEETING MINUTES
November 8, 2021

The City of Milford Finance Committee met on Monday, November 8, 2021, in the Joseph Ronnie Rogers Council Chambers at Milford City Hall, 201 South Walnut Street, Milford, Delaware.

PRESIDING: Chairman Jason James

IN ATTENDANCE: Mayor Arthur Campbell

Committee/Councilmembers Daniel Marabello and Brian Baer (virtual)

STAFF: City Manager Mark Whitfield

Per the Declaration of a Public Health Emergency issued by Governor Carney on July 13, 2021, and the virtual meeting provisions as provided in Senate Bill 94, Milford City Council met in a hybrid format.

CALL TO ORDER

Chairman James called the Committee Meeting to order at 6:32 p.m.

Finance Director Lou Vitola was in attendance.

Mr. Vitola shared the last update to the investment policy was in 2012. The requirement is to review the policy annually and make changes if necessary. The results of his first annual review were shared with the Finance Committee on September 13th.

As part of the review, most of the changes involved housekeeping or provided clarification as was discussed during that meeting. The most notable related to flexibility to react to changing market conditions if necessary, and expansion of eligible investments. No additional feedback was received from the Finance Committee in advance of tonight's meeting.

There were some additional revisions Director Vitola thought were necessary, and those involved the scope of the investment policy or the refinement of the scope in the investment policy. The two reasons to do that are first, they act as a control measure against the broadening that was done in that first round of changes. The second is that they were designed so that the investment policy could work hand in hand with the reserve policies.

Based on the scope as written, all permissible investments were applicable to all the City's funds. That can work, but the scoping was done here to prevent certain buckets of cash and investments from being invested in the wrong investment vehicle or for too long a duration. This will protect what we need in the form of equipment replacement funds that service capital items from being put at risk or from being invested too long.

At the same time, we provide for we need to operate upcoming debt service and capital and get additional yields without taking on additional risks.

One of the things he heard at the first meeting was that Council seemed to have an interest in not being too complacent and seeking additional yield with the volume of dollars we have here. But it would be irresponsible to do things like expanding the scope to include riskier investments with extended maturity dates.

While maturities were extended and credit ratings eligibility were broadened to include some of those lower tranches of investment grades, there really shouldn't be anything in the way of derivatives, equities, and that sort of thing. Additional risks should not be taken to get yield, but what can be done is properly segment the investments, based on what the cash is needed for. The reserve fund policies should state that.

That is why the first or second page related to scope, liquidity is identified. Intermediate and growth. Things like equipment replacement reserves, debt service, and the next year of capital is all very close to operating cash requirements and should be invested in ultra-high quality, very short duration vehicles so that some yield is acquired so that the money is there as needed. Otherwise, we'll have an intermediate bucket that's inside of one to three years and then a longer bucket after counting all those restricted projects. Getting to the non-operating cash component of the minimum cash reserve balance from the fund reserve policy, that amount is what we don't immediately need and that can be invested longer to increase yields. That will be the plan going forward.

This can be accomplished without the changes in the investment policy but am more comfortable having them in the investment policy to future proof against future administrations or investment advisors working on behalf of the City that may not have that level of detail or insight as to what we need the cash for. Based on that, Director Vitola recommends the Committee recommend this change to the full Council during the meeting later tonight.

It was confirmed that the Finance Director is considering the state investment pools as a possible investment in the future. However, the Director does not believe the State of Delaware has the investment pool live and up and running now. But in a call about ARPA with State Treasurer, she indicated she would like to bring that back and the reason for it to be kept in the policy.

When asked about the possibility of an advisory group, Director Vitola said it is still on the table. He could have done the two concurrently, but he wanted to focus on the adoption of the policy.

Councilman Marabello expressed concern about the internal control and custody and asked if there are enough people, with the newly hired person, to have a separation of duties to have the proper internal control of the staff for monitoring purposes. Director Vitola responded yes.

Director Vitola explained it is customary and common to hire an investment advisor to undertake the trading activities in an investment portfolio. That firm or individual would be required to report on trades basically as they happen. At a minimum, they would report monthly to show maturities, sales, purchases, and confirmation that each purchase conforms to the policy. Also, whether any existing securities after purchase, have fallen out of compliance with the policy.

There are several ways the investment advisor can prove they are meeting our internal controls. One important internal controlling their involves delivery versus payment with a custodian. If we decide to go with an investment advisor, we will have a custodian involved to ensure when an investment is bought, the funds are going into escrow and the securities must be delivered, received, and confirmed in the City's name before the seller receives the settlement. That is one of the most important internal controls in there and that's independent, not only of whether we have an advisor, but it's also independent of our staff if we are overseeing the delivery verse payment relationship.

Chairman James stated that between the outside advisor, city staff, and council, the internal controls can be satisfied.

Councilman Baer referred to the three categories—liquidity, intermediate, and growth, and asked why checking and savings are included in all three. Director Vitola stated that there is a need to make sure any funds where liquidity is of utmost priority and not put too much at risk or invested too long. Based on the market, there may be a reason why even the cash for which there is no immediate need, may have to be parked in a checking or savings account. It will flow, at times, between investment accounts, for example from growth to checking or savings and then into intermediate. Even the long items need to be allowed in the shortest, ultra-safe and liquid accounts as well.

Finance Report Update

Director Vitola does not have a lot of information on the monthly report. Overall, metrics look good through the first quarter. There are very minor additions to the report and some colored arrow indicators that are generally green/up is positive and yellow/sideways is neutral and red/down is negative.

On the P&L pages, an arrow signifies a substantial move away from any of comparable or last year's first quarter to date. Fiscal 21 through September versus Fiscal 22 through September, depending on the degree of movement will have an arrow indicator and is a key part of the report.

The goal is to condense six or seven pages of the report into those two pages and make it even easier to glean the important items. Ultimately, Director Vitola would like to move to a dashboard-type of introduction to the report. That would show graphically some of the most important things occurring the past month/year to date. Als it would replace or supplement their narrative so there is less writing, less commentary. and more pictures.

The Director expressed that the finances look strong everywhere except the electric utility seemed somewhat light. Again, it rebounded from the timing issue with the line losses in August. But in September, it was two-pronged with revenue shorter than the same quarter last year, while the cost of goods sold was higher. Typically, they do not move against each other in that direction, but it wasn't large enough of a variance to raise a flag or merit any additional commentary. Overall, it looks good through the first quarter and there are more changes to come with the format of the report.

The Director talked about the expected contributions and interest that were first added to the report early in his tenure here but only for municipal street aid and realty transfer taxes. It was unrealistic to show such a low balance there if we knew we had this MSA award we knew that RTT was continuing to be collected every month. That prompted Chairman James to suggest we do that for all the reserve accounts. In that manner, we do know there will be some deposits into those reserve accounts once we reconcile Fiscal 21.

When asked about below normal income in billing and the graph that referenced late billing of \$920,000, Director Vitola explained they attempted to adjust for that in the financials by capturing that segment of September revenue that wasn't billed out until early October. But it is imperfect and still may be understated so part of the revenue problem may be related to the billing.

When asked about the new property purchases, the Fry property will be paid from a loan from water reserves. The Sharp property will be paid from an advance from electric reserves.

Director Vitola will follow up to determine if they are listed in citywide projects.

Councilman Baer asked if the same report that Councilman Marabello was referring to under parking enhancements, if the parking lots were prioritized and which ones were planned first. Chairman James said they had a previous conversation when the CIP was being reviewed. His comment it is not a financial decision on the priority and is the decision of the City Engineer and Public Works Director.

If this committee wants to reconsider that, that will need to be revisited with the City Engineer and much longer than a short discussion.

Chairman James suggests that City Engineer Puddicombe attend the next Finance Committee meeting to discuss the project priorities in the CIP.

When asked about the \$200,000, Director Vitola said it is earmarked because he has not seen an invoice though that does not mean the work has started. To his knowledge, the Boys and Girls Club lot was being funded with CTF money and the lots will be done later this year.

City Engineer James Puddicombe was in attendance and agreed and stated he is aware of the prioritization preferences that Councilman Baer requested and is viable.

Chairman James stated that in full disclosure on page two restricted cash that has been referenced several times, he asked that the expected contributions be added in the other funds. But that was at the request of Councilman Marabello who wanted to see more of a cash flow that showed both the ins and outs.

The additional page 10, for the spending of the ARPA funds, shows the full amount that will be received in both years (half this year and the other half next year). He asked to show the balance or unspent amount which will be shown in the next finance report.

Director Vitola was asked to add the subtotals for the three months as well.

Councilman Baer stated that electric department vehicles, equipment, lighting, and system improvements are shown in the electric funds/capital reserves and asked if that can be more defined. Director Vitola will do that as a footnote in future reports.

There being no further business, Chairman James adjourned the Finance Committee meeting at 6:59 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

Milford City Council
MEETING MINUTES
November 8, 2021

The City Council of the City of Milford met in Regular Session on Monday, November 8, 2021, in the Joseph Ronnie Rogers Council Chambers at Milford City Hall, 201 South Walnut Street, Milford, Delaware.

PRESIDING: Mayor Archie Campbell

IN ATTENDANCE: Councilpersons Daniel Marabello, Mike Boyle, Andrew Fulton, Andrew Fulton, Todd Culotta, Brian Baer (virtual), Nirmala Samaroo, Jason James Sr., and Katrina Wilson

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

COUNSEL: Solicitor David Rutt, Esquire

Per the Declaration of a Public Health Emergency issued by Governor Carney on July 13, 2021, and the virtual meeting provisions as provided in Senate Bill 94, Milford City Council met in a hybrid format.

CALL TO ORDER

Mayor Campbell called the meeting to order at 7:02 p.m.

INVOCATION AND PLEDGE

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

SWEARING IN:

Third Ward Councilmember Nirmala Samaroo by Judge Noel Eason Primos

A Council vacancy was left by Former Third Ward Councilmember Douglas Morrow, who moved to New Castle County over the summer. The former Councilman was reelected (unopposed) and sworn into office in May 2021. Because that term did not expire until May 2023, a Special Election was needed to fill the seat. The vacancy was properly published with the following dates:

Election Date - Tuesday, November 9, 2021, from 7:00 am to 7:00 pm

City Council Filing Deadline - Wednesday, October 20, 2021, at 4:30 p.m.

Nirmala Samaroo was the only eligible candidate that filed for the vacancy, which resulted in an uncontested election. Consequently, the Special Third Ward Election was canceled.

Judge Primos of the Delaware Superior Court was in attendance to provide the Oath of Office to Newly Elected Samaroo, who was joined by her husband and two sons.

Mayor Campbell and Councilmembers then welcomed and congratulated Councilmember Samaroo, prior to her taking her seat at the dais.

Judge Eason was again thanked for providing this prestigious service to the City of Milford.

PUBLIC HEARING

Community Development Block Grant Program
Kent & Sussex County Presentation
Adoption of Resolutions 2021-15, 2021-16, 2021-17, 2021-18, 2021-19

The City of Milford, Delaware, in cooperation with the Sussex County Council, the Levy Court of Kent County, Delaware, and the Delaware State Housing Authority (DSHA), will hold a public hearing on Monday, November 8, 2021, at 7:00 p.m. at the City Hall, 201 South Walnut St., Milford, Delaware for the purpose of providing any interested citizens the opportunity to comment on the municipality's application for funds under the Delaware Community Development Block Grant (CDBG) Program. In accordance with the Section 106 Review Process established by the National Historic Preservation Act of 1966, as amended, comments are especially encouraged from interested agencies and individuals with respect to undertakings that may affect historic properties of significance to such agencies and individuals.

This Federally funded program will provide grants amounting to \$2,000,000, (funding level subject to change), to support Community Development Activities in eligible local governments in Kent and Sussex Counties. The public hearing will also include a status report for Milford's FY-21 projects.

In attendance from Sussex County Community Development were Director Brandy Nauman, Rehabilitation Program Coordinator Mike Jones, and Kent County Community Development Supervisor Mike Miles.

Director Nauman shared that their office applies for and administers the Community Development Block Grant, typically referred to as CDBG in Sussex County, on behalf of municipalities and rural communities. The funding comes from the US Department of Housing and Urban Development or HUD and is allocated to Sussex through the Delaware State Housing Authority. This year there is approximately \$2 million will be awarded to Kent and Sussex County on a competitive basis.

One requirement of the CDBG program is to hold a public hearing which provides the opportunity to explain the program and provide an update. Most importantly, it gives citizens and local leaders a chance to have input on the upcoming application.

Director Nauman further stated that the Delaware State Housing Authority governs this grant process and through their consolidated plan, lists the activities that are eligible for receipt of funding. Such activities include housing rehabilitation, sewer and water hookups, demolition, and infrastructure projects.

All projects must benefit low to moderate-income households. Those households are defined as having 80% of the area median income for Sussex County, as established by HUD. For example, a four-person household can make \$60,100 or less to qualify for the program. For infrastructure projects, the project or street that benefits must be predominantly low to a moderate-income household by 51% or more, and this is determined using a door-to-door survey. Also, there is a required match from the City when applying for an infrastructure project.

Historically, most of the funding is used for owner-occupied housing rehabilitation. This is ideal because it helps to maintain the existing housing stock. Housing rehabs include roofing, doors, windows, electrical, and plumbing upgrades, as well as energy upgrades.

The home must be owner-occupied, the primary resident low or moderate income, insured and county taxes and utilities current.

When a home is rehabbed, a lien is placed on the property to protect the funding for homeowners regardless of age. If \$15,000 or less is spent on the house, there is a 5% or a five-year zero percent interest prorated lien required. A rehab of 15,000 to \$40,000 requires a ten-year zero percent interest prorated lien.

This is to protect the funding, so a homeowner doesn't flip the home after it is rehabbed to earn a profit. With the lien protection, any sale or transfer that takes place before the lien expires simply results in the reuse of that funding for another homeowner.

Program Coordinator Jones then spoke, stating he is the person that comes to the town to check out the various homes to see if they qualify. He has been in Milford a lot lately checking on different things in hopes of getting more qualified jobs. Last year, the Sussex side of Milford received \$105,000 which will be spent this year. They are hoping to get at least four to five households out of that depending on how much each project costs.

Over the last five years, Milford has received over \$315,000 though more than \$525,000 was requested. They have helped at least fifteen households are more up to this date. They are going to have some leftover money to finish this year out.

Currently, there are ten people on a waiting list for the town but are always looking for more applications.

Mr. Jones said he left some pamphlets and other paperwork with the City Clerk if anyone is interested in the qualifications or should anyone come in and ask for an application. Interested parties can also call their office and arrange for an application or take the information over the telephone.

He also reported that a lot of information is received from constables as they travel throughout the town and observe these needs. When a home is rehabbed, it often has a domino effect and soon the neighbors are applying for funding to fix their homes up. Homeowners will also take the initiative to fix their house up on their own, so it is not always the funding that makes the rehab happen. This is a very common situation particularly in a town the size of Milford. He said Milford has a lot of great stock with many older homes that need some minor repairs but have good bones.

Kent County Supervisor Miles thanked his colleagues for breaking down the guidelines of how the programs operate. They are basically identical as far as being task-driven. The main difference is the income levels with a slight variation between the two counties.

Sussex used the four-person household in Sussex County where the 80% median is \$60,100. In Kent County, it is slightly lower at \$55,200 which makes it a little tougher for people to qualify. Their program currently has about fifteen people on the waiting list on the Kent County side of Milford.

Some of those residents have been through the program before and some are brand new. They want to try to take care of the folks that have not received assistance in the past, before helping the same person a second time, if possible.

He said they applied for \$80,000 for Milford last year and had four qualified homes on the waiting list. Unfortunately, the Kent County side was not funded by the Delaware State Housing Authority, and it is their intention to apply again this year. They will probably try to ask for a little more funding because there are additional people on the waiting list which can be an advantage sometimes.

Mr. Jones concluded by stating he also left some flyers that can be distributed. Anyone with any questions can call the Kent County Office at 302.744.2480.

Mr. Jones also explained the process and need for additional work in many cases. These homes need to be brought up to code, which often involves multiple projects. The State Housing Authority oversees the threshold and presently the max is \$40,000 on a stick-built home, \$30,000 on a mobile home, etc.

Councilwoman Wilson complimented the help provided to many of the senior residents in Milford which is greatly appreciated by all.

Mayor Campbell then asked if there were anyone from the public that wished to comment. No one responded and the public session closed.

Councilman Boyle then moved to adopt Resolution 2021-15, seconded by Councilman Marabello:

RESOLUTION 2021-15
Sussex County

Councilmember Boyle submitted to the Council the following Proposed Resolution:

ENDORISING PROJECT TO BE SUBMITTED TO THE DELAWARE STATE HOUSING AUTHORITY FOR FUNDING FROM THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AUTHORIZING TODD F. LAWSON, SUSSEX COUNTY ADMINISTRATOR TO SUBMIT APPLICATION.

WHEREAS, the City of Milford resolves to apply for Community Development funds from the Delaware State Housing Authority in accordance with appropriate regulations governing Community Development Block Grants State of Delaware Program for Block Grants as contained in Sections 570.488-499 24 CFR U.S. Department of Housing and Urban Development; and

WHEREAS, the City of Milford has met the application requirements of (Attachment E Delaware Community Block Grant Program Policies and Procedures) Citizen Participation requirements; and

WHEREAS, Sussex County plans on accomplishing the requested projects with CDBG funds; and

WHEREAS, the City of Milford hereby agrees to allow Sussex County to accomplish the projects in the targeted areas of Milford; and

WHEREAS, the City of Milford and Sussex County are in agreement with this activity.

NOW, THEREFORE, BE IT RESOLVED by the City of Milford and Sussex County that they endorse and grant permission for the following activity:

APPLICATION: Rehabilitation/Infrastructure/Demolition

Total Infrastructure project cost is \$ _____ , total CDBG grant request is \$ _____.
Matching funds in the amount of \$ _____ will be provided by the City of Milford general funds.

NOTE: To be used for Infrastructure projects only.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF A RESOLUTION PASSED BY THE CITY OF MILFORD, SUSSEX COUNTY, ON THE 8th DAY OF NOVEMBER 2021.

WE GIVE MAYOR AUTHORIZATION TO SIGN RESOLUTION:

Councilmembers

Daniel Marabello	Brian Baer	
Mike Boyle	Nirmala Samaroo	s/Mayor Arthur J. Campbell
Andrew Fulton	Jason James Sr.	
Todd Culotta	Katrina Wilson	

I DO HEREBY CERTIFY THAT THE FOREGOING TITLE OF RESOLUTION ADOPTED BY THE CITY OF MILFORD IS THE SAME TITLE OF RESOLUTION NO. _____ ADOPTED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE _____ DAY OF _____ .

s/Clerk of Sussex County Council

Motion carried.

Councilman Boyle moved to adopt Resolution 2021-16, seconded by Councilman Fulton:

Resolution 2021-16
CITIZEN PARTICIPATION
CERTIFICATE OF ASSURANCE
Sussex County

It is hereby assured and certified to the Delaware State Housing Authority that Sussex County, Delaware, has met application requirements of (Attachment E Delaware Community Development Block Grant Program Policies and procedures) citizen participation requirements, and that Sussex County has:

- 1) made available information concerning the amount of funds that may be applied for;
- 2) made known the range of activities that may be undertaken with these funds;
- 3) made known the fact that more applications will be submitted to the State of Delaware than can be funded;
- 4) outlined the processes to be followed in soliciting and responding to the views and proposals of citizens, communities, nonprofit agencies and others in a timely manner; and
- 5) provided a summary of other important program requirements.

The City of Milford has held a Public Hearing on November 8, 2021, with required notice for all citizens, including low- and moderate-income persons, to have an opportunity to present their views and proposals.

The City of Milford has by resolution and following a Public Hearing, endorsed this application.

Adopted: November 8, 2021

Motion carried.

Councilman Boyle moved to adopt Resolution 2021-17, seconded by Councilman Fulton:

RESOLUTION 2021-17
AFFIRMATIVELY FURTHERING FAIR HOUSING
Sussex County

WHEREAS, City of Milford recognizes the importance of fair housing for the citizens of Milford; and

WHEREAS, the City of Milford supports the goals of the Federal Fair Housing Law.

NOW THEREFORE, BE IT RESOLVED, that the City of Milford heartily encourages all parties involved in the renting, selling or financing of housing in the City of Milford to ensure that no person shall, on the grounds of race, color, national origin, religion, creed, sex, marital status, familial status, age, sexual orientation or disability be discriminated against or denied a fair and equal opportunity to housing.

AND BE IT FURTHER RESOLVED, that the City of Milford take meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially or ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws.

AND BE IT FURTHER RESOLVED, that the City of Milford, when acting as administrator of a Community Block Grant, is hereby authorized to take such actions as deemed necessary to affirmatively further fair housing in connection with the said Community Development Block Grant.

The Resolution was adopted by a vote of the Councilmembers of the City of Milford on November 8, 2021.

Motion carried.

Councilman Boyle moved to adopt Resolution 2021-18, seconded by Councilman Fulton:

RESOLUTION 2021-18

Authorizes Levy Court of Kent County to Submit Application

The City Council of Milford, Delaware, hereby authorizes Mayor Arthur J. Campbell, to submit the Fiscal Year 2022 Community Development Block Grant (CDBG) application and all understandings and assurances therein contained, and furthermore authorizes the Levy Court of Kent County to Act as the official representative of the City of Milford in connection with the submission of the Fiscal Year 2022 CDBG applicant and to provide such additional information as may be required. In the event the City of Milford's application is funded, the Levy Court of Kent County is hereby authorized to administer the funded application on behalf of the City of Milford.

This resolution was adopted by a majority of the Council of the City of Milford on November 8, 2021.

Motion carried.

Councilman Boyle moved to adopt Resolution 2021-19, seconded by Councilman Fulton:

RESOLUTION 2021-19
AFFIRMATIVELY FURTHERING FAIR HOUSING
Kent County

WHEREAS, City of Milford recognizes the importance of fair housing for the citizens of Milford; and

WHEREAS, the City of Milford supports the goals of the Federal Fair Housing Law.

NOW THEREFORE, BE IT RESOLVED, that the City of Milford heartily encourages all parties involved in the renting, selling or financing of housing in the City of Milford to ensure that no person shall, on the grounds of race, color, national origin, religion, creed, sex, marital status, familial status, age, sexual orientation or disability be discriminated against or denied a fair and equal opportunity to housing.

AND BE IT FURTHER RESOLVED, that the City of Milford take meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially or ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws; and

AND BE IT FURTHER RESOLVED, that the City of Milford, when acting as administrator of a Community Block Grant, is hereby authorized to take such actions as deemed necessary to affirmatively further fair housing in connection with the said Community Development Block Grant.

The Resolution was passed by a vote of the Councilmembers of the City of Milford on November 8, 2021.

Motion carried.

APPROVAL OF PREVIOUS MINUTES

Councilmember Marabello moved to approve the minutes from the May 24, 2021 Council Workshop, seconded by Councilmember Wilson. Motion carried.

RECOGNITION

Proclamation 2021-22/Small Business Saturday

Mayor Campbell proclaimed November 27th as Small Business Saturday in Milford:

PROCLAMATION 2021-22
Small Business Saturday

WHEREAS, the government of the City of Milford, Delaware, celebrates our local small businesses and the contributions they make to our local economy and community; according to the United States Small Business Administration, there are 31.7 million small businesses in the United States, they represent 99.7% of firms with paid employees, and they are responsible for 65.1% of net new jobs created from 2000 to 2019; and

WHEREAS, small businesses employ 47.1% of the employees in the private sector in the United States, 88% of U.S. consumers feel a personal commitment to support small businesses in the wake of the pandemic, and 92% of small business owners have pivoted the way they do business to stay open during the pandemic; and

WHEREAS, 97% of Small Business Saturday® shoppers recognize the impact they can make by shopping small, 85% of them also encouraged friends and family to do so, too; and

WHEREAS, 56% of shoppers reported they shopped online with a small business on Small Business Saturday in 2020; and more than 50% of consumers who reported shopping small endorsed a local business on social media or shopped at a local business because of a social media recommendation; and

WHEREAS, the City of Milford, Delaware supports our local businesses that create jobs, boost our local economy, and preserve our communities; and

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

NOW, THEREFORE, I, Arthur J. Campbell, by virtue of the authority vested in me as Mayor of the City of Milford, do hereby declare November 27, 2021, as SMALL BUSINESS SATURDAY and urge the residents of our community, and communities across the country, to support small businesses and merchants on Small Business Saturday and throughout the year.

Proclamation 2021-24/World Pancreatic Cancer Day

Mayor Campbell proclaimed the 18th day of November 2021 as World Pancreatic Cancer Day in the City of Milford:

PROCLAMATION 2021-24
DECLARING November 18, 2021 as World Pancreatic Cancer Day

WHEREAS, in 2021, an estimated 60,430 people in the United States will be diagnosed with pancreatic cancer, one of the deadliest cancers, and 48,220 will die from the disease;

WHEREAS, Pancreatic cancer is the 11th most commonly diagnosed cancer and the third leading cause of cancer-related death in the United States;

WHEREAS, Pancreatic cancer is the world's toughest cancer, with a five-year survival rate of just 10%;

WHEREAS, the good health and well-being of the residents of the City of Milford are enhanced as a direct result of increased awareness about pancreatic cancer and research into early detection, causes and effective treatments.

NOW, THEREFORE, BE IT RESOLVED, that I, Arthur J. Campbell, Mayor of the City of Milford, on behalf of the residents and City Council, do hereby proclaim the 18th day of November 2021 as "World Pancreatic Cancer Day" in the City of Milford and take this opportunity to shine a light on this disease, to elevate our voices to raise awareness and invite others to answer our call-to-action.

Proclamation 2021-25/Native American Indian Heritage Month

Mayor Campbell proclaimed the month of November 2021 as Native American Indian Heritage Month in Milford:

PROCLAMATION 2021-25
DECLARING November 2021 as
NATIVE AMERICAN INDIAN HERITAGE MONTH

WHEREAS, The United States of America was founded on the idea that all of us are created equal and deserve equal treatment, equal dignity, and equal opportunity throughout our lives; and

WHEREAS, the history and culture of our Nation has been strongly influenced by the Native American Indians who are descendants of the original, indigenous inhabitants of what is now the United States; and

WHEREAS, Native Americans have moving stories of tragedy, triumph, and perseverance that need to be shared with future generations; and

WHEREAS, their customs and traditions are respected and celebrated as a part of a rich legacy throughout the United States that must be protected and preserved; and

WHEREAS Native American Awareness Week began in 1976 and recognition was expanded by Congress and approved by President George H. W. Bush in August 1990 when the month of November was designated as National American Indian Heritage Month; and

WHEREAS, in honor of National American Indian Heritage Month, cultural, artistic, educational and historical activities have been planned; and

WHEREAS, these observances should be honored by all residents with suitable ceremony and fellowship.

NOW, THEREFORE, I, Arthur J. Campbell, Mayor of the City of Milford, do hereby proclaim the month of November 2021 as Native American Indian Heritage Month in this community and urge residents to join in celebrating the rich tapestry of our Native Americans and to honor their sacrifices which we recognize as inextricably woven into the history of this country.

Proclamation 2021-26/US Veterans Recognition

Mayor Campbell and City Council proclaimed November 11th as Veterans Day and extended profound appreciation for their services to our country:

PROCLAMATION 2021-26
Recognition of United States Veterans

WHEREAS, throughout the history of our nation, the brave women and men of our Army, Navy, Air Force, Marine Corps, and Coast Guard have risked their lives to protect our country; and

WHEREAS, their contributions and sacrifices are a reminder that freedom is not free, and we are forever indebted to the millions of service members who fought and died in the line of duty; and

WHEREAS, these sacrifices are also made by the family members who support the men and women that have fought to preserve our liberties; and

WHEREAS, within the City of Milford there are more than 1,000 veterans who have served in the U.S. Armed Forces; and

WHEREAS, it is most appropriate that we honor and recognize the dedication and valor that veterans have displayed to protect our freedom and democracy.

NOW, THEREFORE BE IT PROCLAIMED that the Mayor and Council of the City of Milford, with gratitude and respect of the more than 20 million veterans who have faithfully served our country in the Armed Services, hereby proclaim November 11, 2021 as Veterans Day, and further extend our profound appreciation for their service to this great country.

STAFF REPORTS

Monthly Police Chief Report

On behalf of Chief Brown, Police Chairman Boyle read portions of the report into the record (see associated packet).

Chief Brown reported that the Department is still down several officers. The newest officer who is currently testing at another department has been offered another position within the Department in hopes he will remain at Milford. He is awaiting his response.

They tested this past weekend and had eleven candidates compared to 100 to 130 over the past several years.

Councilmember Wilson moved to accept the police report, seconded by Councilmember Fulton. Motion carried.

Mental Health Unit

Councilman James commented on the busy schedule the new Mental Health Unit is. He is especially pleased that adding these mental health professionals has freed up a lot of time for the officers who no longer respond to these-type complaints, nor do they have to sit in the hospital for hours, in addition to the de-escalation of many incidents because an officer is no answering the call.

The Councilman commented how he wanted to see this exact type of benefit that now allows the officers to focus on other matters and is very pleased with the result.

Monthly City Manager Report

City Manager Whitfield submitted the following report:

- A new utility pole installed at Jefferson and South Walnut and we plan on removing the existing pole in the middle of the intersection. We are awaiting Verizon and Comcast to relocate their facilities onto the new pole, at which time the pole in the middle of the intersection will be removed. Presently the pole is being braced with 2" X 4"s.
- Brad, Sara, Rob and I met with Sussex County Administrator Todd Lawson, Sussex County Councilperson Mark Schaeffer, and Sussex County Land Trust representatives Mark Chura and Casey Kenton on potential funding for parks and green space within the City. The Sussex County and Land Trust folks were very enthusiastic about the City's plan of creating a greenway.
- I attended the final meeting of the Bicycle Advisory Committee.
- Rob and I met with a potential developer on a property downtown.
- Jamesha and I met with our labor attorney on a worker's compensation claim.
- I met with Bill McGown and Carolann Wicks regarding the retreat on October 16.
- Christie Murphy has resigned her position at Solid Waste and Facilities Supervisor.
- I have updated our Covid policy to allow for folks to return after 10 days of having a positive test. Prior policy required a negative test, which exceeds CDC guidelines.
- The Mayor, Councilperson Marabello and I attended the SCAT dinner in Seaford on Wednesday.
- I received complaints regarding homeless near Masten Circle and Rogers Drive. Chief Brown has been working on the issue as well.
- I met with representatives of Penntex and Senator Pettyjohn about commercial development opportunities in Milford.
- Staff and Council had FOIA training that was given by Max Walton.
- The Mayor, Solicitor and I met regarding a personnel issue.
- I participated in zoom call with Senator Carper regarding the infrastructure bill.
- The Chief, Jamesha and I participated in Police Union negotiations.
- Jamesha and I met regarding the pay study.
- I was informed that Janell Powell resigned as president of DMI. James Robb, DMI vice-president will be addressing Council on Monday night in place of Yanell.
- The Milford Community Parade was truly a huge success! Our public works crews, parks crews, and our police department truly made the City "shine". A sincere thank you to all those who were involved.
- The Mayor, Brad and I attended the quarterly Milford Community Cemetery Board meeting.
- The Mayor, Brad and I attended the monthly WIIN (Water Infrastructure and Investment Network) meeting on Monday.

- Rob, Sara and I met to review a proposed MOU for the Industrial Park. We hope to bring it to Council soon.
- Rob and I met to review the various Code changes proposed to be reviewed with Council.
- Jamesha and I met with our labor attorney regarding a pending lawsuit.
- Rhiannon and I met to review various maintenance issues at City Hall.
- Lou and I attended the monthly board of director's meeting at DEMEC.
- I completed my sexual harassment training as per state law.
- Councilperson James, Rob and I met with Sylvia Carson of the Positive Points program regarding the potential placement of "tiny houses" in Milford.
- Brad, Mike, Jamesha and I met regarding possible staff reorganization to address Facilities and Grounds, given we have a staff vacancy.
- Rob and I met with Mike and Elmer Fannin regarding the Potter Farm as well as the Regional Sewer Pump Station east of Route 1.
- Brad, Rob, and I met with a landscape architect regarding the Riverwalk concept plan for pickleball courts and playground. We also discussed a concept plan for the Deep Branch Greenway.
- Melody Barger, James Puddicombe, Mike Svaby, Suzannah Fredericks, Lou Vitola and I met regarding the sidewalk program, and changes to be made moving forward.

Public Works Department

In addition to the monthly stats, Director Public Works Svaby reviewed highlights of his monthly report:

Director's Office

- Met with DMI to agree on Christmas decoration/lighting layout for tree lighting and Christmas Vendor market
- Joined Sara Pletcher, Rob Pierce Shannon Heal (Choose Central Delaware) and officials from the DPP in meeting with entrepreneurs from J.E. Salazar and Associates on Project Zorro, a prospective occupant of 1 or more parcels at the Fry Farm.
- Toured the City and reviewed possible locations for gateway entrance signs
- Met with Solid Waste carrier GFL in an effort to determine current market pricing and challenges for collection of the City's Solid Waste, Recycling and Yard Waste.
- Attended training in CPR, FOIA and Mandatory Sexual Harassment Prevention
- Supported two PD Building Design charettes covering overall space, layout, furniture, fixtures and equipment
- Attended APWA meeting

Engineering Division

- Completed the bid process for 2020 Streets and Utilities
- Submitted council support for the speeding on Kings Hwy
- Ordered the altitude valve and materials for Caulk Tower
- Completed additional work on NE Front Street for water main installation
- Met with the State regarding our water allocation permit

Public Services Division

Streets/ Utilities Section

- Supported continuity of Solid Waste Collection section that is staffed at 50%
- Filled potholes filled & replaced street signs
- Managed street closure for Halloween Parade

- Began hydrant flushing process

Water/Wastewater Section

- Tenth Street Water Tower pressure washing was completed.
- Cleaned and performed maintenance on Fisher Avenue pump station wet well.
- Pulled pump and performed maintenance at Truitt Avenue pump station.
- Pressure washed and made repairs to several pump station fences.

Electric/Tech Services Division

- Took inventory of Street Lights in place and began investigation of Street Light rightness/fixture issue
- Moved City utilities off of pole located in the middle of the intersection of Jefferson and Walnut. Now awaiting Comcast to removed remaining lines off of pole, then the Electric Division will remove it from the roadway. intersection.
- Responded to multiple system outages due to auto accidents and restored full electric service within 2 hours.

Planning and Zoning Department

In additional to the monthly stats, Director Pierce provided the following report:

- Through the first ten months of the 2021 calendar year, the City has issued 109 new residential construction permits and five permits for 120 apartment units. The total construction investment in Milford from January through the end of October based on issued building permits was \$37,208,758.
- The City of Milford has seen 108 projects with a committed investment of over \$24.2 million within the Downtown Development District (DDD) area since September 2016 (based on permit valuations from submitted applications). The State of Delaware has committed or awarded over \$2.62 million in grant funds for both large and small commercial and residential projects in Milford. The City has waived over \$484,000 in permit fees and taxes associated with these projects in accordance with Chapter 19 Economic Development and Redevelopment and DDD program guidelines.
- The Planning Commission will review a conditional use application for a new duplex on N. Washington Street and a minor subdivision in the West Milford Industrial Park at the November Planning Commission meeting.
- The Board of Adjustment will review three applications in November. Two of the applications involve the construction of new single-family detached dwellings on infill lots. The third application is a lot coverage exceedance for a funeral home on North Street.
- Century Engineering, DelDOT and City planning staff will present the final draft bicycle master plan update to City Council on November 22, 2021 for adoption.
- The City provided plan review comments for Cypress Hall Phase I & II Final Major Subdivision application to the applicant and is awaiting response.
- The City provided plan review comments for Cypress Hall Phase III Preliminary Major Subdivision and revised Planned Unit Development applications to the applicant and is awaiting response.
- The City provided plan review comments for the Helmick Milford, LLC Preliminary Site Plan to the applicant for a commercial building at the site of the former Wendy's on N. Dupont Boulevard.
- The City received a preliminary site plan application for the renovation of the Buccaneer Carwash site on N. Dupont Boulevard.
- The City received a preliminary site plan application for Pest Pro for the construction of a contractor's office in the Greater Milford Business Complex.
- The City received a parking lot expansion plan for the First Baptist Church of Milford located on Old Shawnee Road.

- Staff has begun research into updating the City's building code from the 2012 International Residential Code and 2012 International Building Code to the 2018 version. The Planning Department intends to present items to City Council in the upcoming months regarding potential revisions.
- Staff has been working to simplify the building permit application forms and developing supplemental information for residents and contractors performing work within City limits. Staff would like to switch to the new forms beginning January 1st.
- Code Enforcement Officials have completed several foot inspections of the town center area with more dates scheduled in November. These inspections are used to identify exterior property maintenance violations.
- Interviews were conducted for the vacant Permit Technician II position. A candidate was selected who is scheduled to begin work on November 15, 2021.
- Staff continues to work towards implementing the goals and objects of the 2018 Comprehensive Plan, SE Master Plan, Downtown Development District (DDD) application, Rivertown Rebirth Master Plan and Strategic Plan.

Parks & Recreation Department

P&R Director Brad Dennehy provided a brief synopsis of his monthly report:

- October continues to a challenging month with staffing due to personnel either testing positive for Covid-19 or being exposed to the virus. This effected the primarily in Park operations.
- Grass cutting on all city owned facilities continued throughout October.
- Beautification efforts included continued watering of hanging baskets and flower beds, planting of additional trees (for a total of 52 trees), planting of beach grass on the Riverwalk, and installing red river rock stone.
- Maintenance of park facilities included such items as fixing miscellaneous playground equipment, broken flagpole ropes, to broken gate latches, to miscellaneous tree trimming on Front street, and removal of dead tree limbs to name a few.
- Parks and Rec. continues to work with the Economic Development and Community Engagement Administrator to utilize social media to highlight beautification efforts throughout the City, and to highlight our recreation activities. For October on Facebook P&R had 37 "new" likes (2,449 total likes), reached 5,393 and had 1,418 post engagements.
- Maintenance of mowers included replacement of several belts and sharpening of blades.
- A new pickup truck for the park crew was ordered off the state contract, which had been approved in the CIP plan.
- Park technicians began removing seasonal flowers/plantings at the end of the month from various flowerbeds. The remainder of flowers will be removed in November in preparation for the seasonal holiday greenery.
- Park crews assisted the Milford Community Parade with delivering them a portable stage, lending them some table and chairs and doing a trash run on the parade route both before and after the event.
- Recreation activities included the conclusion of Fall Soccer, Field Hockey and Flag Football. Staff were busy with a full schedule each week which included weeknight practices, maintaining fields and equipment, supervising coaches and practices, and to help officiate the games.
- Our new Recreation coordinator Krista Stott-Deveau (who began in September) became fully immersed in our process of putting on our programs and is now actively planning new programs and activities.
- On October 23rd we added a special event just for our 9-10-year-old girls soccer players. Kent County Recreation brought a team of all girls to play Milford Parks and Recreation girls for a game. We have co-ed teams, but for this week we split the teams up into girls and boys. 14 of Parks and Rec. girls played the Kent County team and it went well. The girls had a fun experience which was unique to most of them. We intend to try this again and possibly expand to other age groups.
- Recreation staff began preparing for the winter activities and active registration will begin in November.
- Park Superintendent attended the monthly safety meeting in October and the Awards and Recognition committee meeting.
- Director and Park Superintendent accompanied other department staff members on a tour of the entrance ways into the City to brainstorm ideas on how to make improvements into the entrance ways into Milford.
- Staff attended the employee service awards at the Public Works facility.
- Staff completed the mandatory sexual harassment prevention training and cybersecurity training.
- Director met with City Manager and the City planner and a Landscape design professional regarding land acquisition and developing a master greenway plan.

- Director met with the IT Director to discuss the implementation of a new recreation software program. This was followed up with a demonstration of an upgrade to our existing software and a new form of payment software.
- Director continued to participate in the weekly and monthly WIIN coalition meetings.
- Director met with the City Manager, Human Resources Administrator and the Public Works Director to discuss open positions and organizational layout.
- Director continued to work on Capital improvement projects including working with DNREC on grant funding for the playground/pickleball project and enlisting the expertise of a design professional for that project and the lighted handrail project.
- Director updated required information for the strategic plan.

Human Resources Office

HR Administrator Jamesha Eaddy presented her monthly review:

- Interviews were conducted for the positions of Permit Technician II, Accountant III and Electric Line Technician.
- Job offers were extended and accepted for the positions of Permit Technician II, Customer Service Clerk, Electric Line Technician, Second Class and Electric Line Technician, First Class.
- Onboarded new hires for the positions of Police Dispatcher (Part-Time) and Audio-Visual Telecommunications Specialist.
- The 2021 Pay & Job Classification Study was completed and will be presented to City Council by Evergreen Solutions on November 22, 2021.
- Employee Recognition:
 1. Excellence Award Winner: Denham Dodd, Network Technician. Recognized twice for exhibiting characteristics of performance excellence, teamwork, productivity and efficiency and customer service.
 2. Rooster: Rhiannon Slater, Public Works Operations Supervisor. Recognized for going above and beyond and being a team player.
 3. Where Am I Challenge Winner: Shelly Muise, Administrative Assistant, Public Works
 4. Officer of the Quarter (July 1, 2021-September 30, 2021): Kyle Breckner

Economic Development & Community Engagement

In addition to the City newsletter, Economic Development & Community Engagement Administrator Sara Pletch submitted the following report:

Economic Development

- UD DATI office visited Wellness Village again to view gift shop space; signing lease in November
- UD's Associate Arts Program looking for 20,000 sq ft
- Connected commercial developer with Bayhealth regarding their commercial space
- Met with entrepreneur interested in farm tourism
- Connected healthcare provider with Wellness Village for the walk-in clinic space
- Attended Hunter Emory State Farm Agency ribbon cutting
- Attended SBDC Webinar: How to Start a Business and let attendees know Milford is open for their business ideas
- Attended Little Bucs Learning Center ribbon cutting
- Met with Planning Director and restaurant owner about commercial highway space
- Met with City Manager, Planning Director and engineering firm to begin industrial park master plan discussions
- Met with potential industrial park investor, DPP, KEP, Planning Director, Public Works Director and City Engineer
- Attended Bayside Gymnastics ribbon cutting

Community Engagement

- Posted photos on social sites of 2021 employee recognition awards
- Identified Downtown banner program needs, coordinated with DMI & designed holiday banners
- Confirmed one-year no cost contract for SeeClickFix app and website ChatBot

- Posted and shared information regarding annual Community Parade
- Met with Food Bank of DE to review City ARPA Grant guidelines
- Toured Milford entryways with Public Works & P&R staff & directors to look for possible improvements to signage & landscaping
- Met with City Engineer and Public Works Director to discuss sidewalk message to the public

Meetings/Trainings

- Met with Sussex County Land Trust representatives, City Manager, Planning Director and Parks & Recreation Director regarding future park land
- Kicked off Accrisoft Economic Development Website training and development (multiple meetings throughout month)
- Attended Staff and Council FOIA training
- Attended Kent County Reassessment Meeting
- Attended Recover Delaware Roundtable #6: Infrastructure Resilience
- Attended DPP Partners quarterly meeting
- Attended AMP Economic Development Training Webinar - Business Retention and Expansion
- Reviewed GIS tools for Economic Development with City Engineer and GIS Technician
- Attended WIIN monthly meeting
- Attended DMI Economic Vitality Committee monthly meeting
- Attended HBA Nuts & Bolts Meeting
- Attended Kent County Tourism Board Meeting
- Attended monthly SEDAC meeting
- Met with Laura Wisler, Kent County Director of the DE Division of Small Business
- Attended annual Sussex Today & Tomorrow Conference
- Met with Tim Millman, Napa Auto owner, to discuss business retention and expansion plans

Social Media/Website

- October 2021 Insights:
 - o City of Milford Facebook: 52 new likes (total: 2,309); 8,271 reached; 3,303 post engagement
 - o Parks & Rec Facebook: 37 new likes (total: 2,499); 5,398 reached; 1,418 post engagement
 - o Instagram: 37 new likes (total: 754); 825 accounts reached; 184 accounts engaged
 - o Twitter: 9 tweets, 1,194 impressions, 356 profile visits, 5 mentions, 1,331 followers
 - o Website: 16,256 visits (17,540 last month); 27,427 pageviews (30,670 last month)

Email Campaigns

- Oct. utility newsletter to customers who receive e-bills (3,692): 35.1% open
- Oct. business newsletter (audience: business license holders, 633): 29.7% open

Press Releases & Coverage

- NOTICE OF SOLICITATION OF CANDIDATES (Oct. 1)
 - o DE State News: Councilman's move requires special election in Milford (Oct. 1)
 - o Milford LIVE: NOTICE OF SOLICITATION OF CANDIDATES (Oct. 4)
- City of Milford announces September utility bill delay (Oct. 5)
 - o Milford LIVE: City of Milford announces September utility bill delay (Oct. 6)
- City of Milford Celebrates Public Power, Customer Service Week (Oct. 7)
 - o Cape Gazette: City of Milford celebrates Public Power, Customer Service weeks (Oct. 19)
- City of Milford HR Administrator, Williams, wins DFIT Leadership Award (Oct. 15)
 - o Milford LIVE: Milford HR administrator wins leadership award (Oct. 15)
- Notice Of Special Election Cancellation - Third Ward Vacancy (Oct. 21)
- City of Milford Looking for Commissioners (Oct. 26)
 - o Milford LIVE: City of Milford Looking for Commissioners (Nov. 1)

Informational Technology Department

IT Director Dale Matthews presented the following report:

- Security:
 - o All staff are expected to complete Cybersecurity training by 11/15/21.
 - o We are still on track to implement improved authentication and access control practices and policies by the end of December.
- M365 and Cloud:
 - o All shared files will be moved to the cloud by 11/19.
 - o The staff training portal has been set up and can be accessed here. Please contact me directly if you have any issues accessing the site.
- Council Chambers Upgrade:
 - o We are still on track to complete the upgrade by November 30.
- Policies and Procedures:
 - o We are still on track for December 2021 completion.
- Police:
 - o We are working with the Police Department to establish IT support for their existing hardware and software while planning for the new facility's infrastructure.
- Network:
 - o We are revamping our network and upgrading network switches, cabling, and wireless access points for all buildings. We expect to complete all upgrades sometime in the first quarter of 2022. Parts shortages continue to affect our timelines.

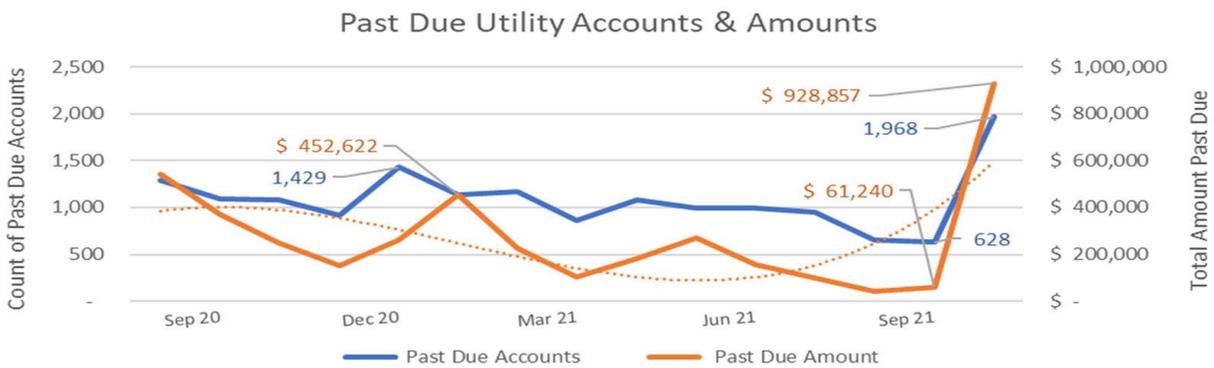
Finance Department

Finance Director Lou Vitola provided the following staff report:

- Monthly Financial Reporting
 - o The Q1 FY22 Finance Report for the period ended 9/30/21 was distributed to Council
 - o Additional changes made for readability and convenience are highlighted in the report
- Training (over 50 hours) and Improvement Efforts
 - o Sandra Peck continued her weekly participation in the Supervisors Academy
 - o Six employees from Finance and Customer Service participated in the CPR / AED Training Seminar
 - o Two Customer Service employees participated in Key Accounts Training
- Staffing
 - o Jamesha Eaddy, Sandra Peck and I interviewed seven competitive Accountant III candidates
 - o Until we identify a replacement, Sandra Peck will continue to execute payroll processes
 - o The prolonged recruitment has significantly impacted the FY21 audit progress
 - o A candidate was identified to fill the final open position in the Customer Service division; we expect to reach full staffing on the November 22, 2021 hire date
- Enterprise Resource Planning (ERP) Selection Process and Project Kickoff
 - o The Tyler Technologies team, Dale Matthews and I will meet early in November to plan the ERP project kickoff later in November
- Police Facility Project – Financing
 - o We negotiated favorable terms with PNC Bank for the Bond Anticipation Note (BAN), which was approved by Council on October 25, 2021
 - o Application materials and the term sheet were returned to PNC in expectation of closing in the middle of November 2021
- FY21 Audit Process
 - o Given the challenges in the Finance Department resulting from the loss of just one staff member (25% of full-time team of four), we have fallen behind on the audit process and expect to present the City's financials at the end of December this year.
 - o Progress on cash, accounts payable and accounts receivable testing was made during October, and Sandra and I are in the final stages of adjustments to the trial balance
- Billing & Customer Service Department

The City's third-party print and mail service has recovered from two months of operation-crippling challenges that forced the City to intake the printing, folding, stuffing, and mailing of thousands of utility bills and inserts.

Resulting delays and foregone penalties have caused the past due accounts and balances to balloon, which is evident in the graph below.



Mr. Vitola confirmed we have over 11,000 utility customers, but only slightly more than 1,000, or 10%, take advantage of the automatic payment system. Customer Service will be working on that in the upcoming months.

Councilmember Boyle made a motion to accept the City Manager Department reports, seconded by Councilmember Marabello. Motion carried.

MONTHLY FINANCE REPORT

Finance Director Vitola then reviewed the monthly report for September 2021:

The Financial Reporting Package for September 2021 (FY22 Q1 / YTD) is enclosed for your review. The following executive summary highlights this month’s notable developments and recaps any changes to the report. The Appendix on page 10 was added to show planned use of ARPA funding by category with actual spending updates; the Appendix will remain as part of the regular monthly reporting until the funds are exhausted. In addition, the new “Quick Reference” section of this memo will recap important financial highlights and summarize modifications made during FY22 to help shorten the executive summaries.

The September YTD results largely exceed budget expectations, though operating results in the electric and water funds are short of the first quarter last year. Cash balances have increased about \$2 million in total this month, driven almost entirely by the increase in general fund cash as the annual property tax bills were due on September 30. Capital spending has picked up pace with activity underway on NE & NW Front St, Second St, and the conclusion of the Boys & Girls Club paving, City Hall lower level retrofit and Mispillion St group of road and utility upgrade projects. Operating expenditures remain below even the seasonalized budget across funds for the third consecutive month, which is not surprising given our well-documented and indiscriminating staffing challenges, whose only silver lining is manifested in the reported savings versus the budget.

Quick Reference for FY22 Financial Developments and Report Upgrades

Recap FY22 Financial Highlights



Elec Margin light // Cash ▲
 on line loss timing; with tax receipts;
 reversed in Aug

Summary of Modifications

- P.1 – Cash Rollforward
 - o New Solid Waste Reserves Acct created by FY22 Water Fund interfund loan forgiveness; new variance indicators

- P.2 – Restricted Cash Reserves Report
 - o The MSA and RTT reserves were combined into one shared summary to make room for Solid Waste Fund
 - o Lines 3 & 17 added to show additions & interest earnings in the capital reserve accounts
 - o Lines 12, 13, 24 & 25 feature updated MCR & ERR calculations for FY22 pursuant to cash reserve policy
- P.3 – The Enterprise Funds “P&L Style” Report features a new comparative column and four new rows
 - o The rightmost column compares current vs prior FYTD periods by revenue and expense lines and subtotals
 - o Rows 16 & 17 compare current & prior FYTD periods net surplus by fund
 - o Rows 18 & 19 compare actual surplus vs seasonalized budget surplus for the current FYTD period
 - o Variance indicators added for quick reference to both P&L reports
- P.4 – The General Fund “P&L Style” Report was created to complement the existing Enterprise

Funds P&L Report

- o The new statement presents the same general fund financial performance available in the legacy Revenue and Expenditure Reports in a one-page consolidated executive summary
- o The scaled, common-size columns at right match the prior year comparability goals featured in the Enterprise Fund version of the report, while also putting general fund revenues and expenses in context for the first time in the monthly financial reporting package
- o Rows 19 & 20 allow for a comparison of the current and prior year FYTD periods by major function
- o Rows 21-22 show comparison of actual surplus vs seasonalized budget surplus for the current FYTD period
 - P.5-8 – Revenue Report (p.5) & Expenditure Report (p.6-8) will continue to be produced indefinitely as “legacy” reports
- P.10 – Planned Use of ARPA Funding by Category compared to Actual Spending in this Sept upgrade to the report

Mr. Vitola said he had questions about whether the Sharp Property purchase was included in the restricted funds and some additional detail was requested in the Electric Department. The findings are both will be included in future reports.

An expansion of the expected contributions and interest in the Municipal Street Aid and Realty Transfer Tax in previous years was added to assist in the review of project recommendations and funding considerations.

Planned ARPA spending, as amended, will be included in the report until those funds are exhausted.

Councilmember James said the Finance Committee also reviewed the Investment Policy and Council will see that later in the Council Meeting. There is approximately \$2.8 million remaining.

Councilmember James moved to accept the September 2021 Finance Report, seconded by Councilmember Fulton. Motion carried.

COMMITTEE & WARD REPORTS

At the recent Delaware League Meeting, Mayor Campbell reported the DeLea Founders Insurance Trust (DFIT) recognized Jamesha Williams, Milford’s Human Resources Administrator, who was previously awarded the new annual 2021 PMA Risk Management Leadership Award for her exemplary contributions, participation, and partnership in the goals of the trust’s Safety Committee.

Councilman Fulton reported the passing of the district referendum related to the Milford Middle School which the residents in Ward 2 are very happy. He has worked with the School District for a long time and is also pleased with the outcome which will ease some of the school’s burden.

Other Councilmembers expressed their gratitude as well. Councilman James said that MSD Superintendent and the CFO listened to some advice he provided about the City’s recent referendum, as far as spending and payments, went a long way. He agrees it is a win for every school.

Councilmember Fulton added the only school not included was Milford High School and that will need to be addressed soon.

Mayor Campbell said the residents were very supportive and Milford residents will be facing the police building tax increase, the school building increase, and the operations increase.

Councilmember James emphasized that Milford School District's taxes are billed through each County—not the City.

UNFINISHED BUSINESS

Authorization/Participation/Opioid Settlement Agreement

City Manager Whitfield that he was contacted and asked if the City would like to participate in this matter. As part of the settlement agreement with pharmaceutical distributors of opioids, the State of Delaware agreed to participate in the settlement. The settlement will realize about \$100 million to the State. The money must be used for activities and costs associated with the opioid use epidemic.

The settlement also identifies 10 political subdivisions in the state that are eligible to participate, including the City of Milford. Mayor Campbell and I have already expressed the City's interest in participating. The City of Milford will be eligible for 2.1% of the settlement amount, or approximately \$2.1 million.

Councilmember James moved to authorize the Mayor and/or City Manager to execute all agreements and documents pertaining to the Opioid Settlement Agreement, seconded by Councilmember Culotta. Motion carried.

Authorization/Proposal for Departmental Take Home Vehicle Program/Funding Source

Chief Brown submitted the following memo:

I am requesting the Milford City Council authorize the purchase of 15 Ford Hybrid Police Interceptors including equipment which is listed on the attached spreadsheet. In addition, I am also requesting to include \$13,704.12 for additional equipment needed for the two new police vehicles already approved in the Police Department's FY22 Budget.

The total for this project would equal \$883,551.27 and I understand this proposal is eligible through the American Rescue Plan Act (ARPA).

The only other expense in the Take-Home Car Program would be an additional \$26,154.60 per year to the existing Axon Camera Annual Contract for 4 years. He expects to see overall significant savings in the long run.

Councilmember Marabello pointed out how this will impact the current budget. Councilmember James said the police department is \$459,000 below budget. That will relieve some of the added expenses related to public safety and critical ops possibly. Between those two lines items, there is \$612,000. Some of the behavioral health costs could be covered by other areas. If there are any savings in the administrative covid response, he believes it can get close to the approximate \$800,000. There are ways to find the money, but that will be a decision of the Council to make recommendations, though the Finance Director and City Manager will have some input as far as what funding can be used.

Chief Brown stated it may be nine months before the vehicles are received. Councilman Fulton said it could be longer than that due to the delay in the manufacturer. His employer recently ordered new vehicles in six months, and just contacted them with an additional six months.

Councilmember Culotta also added that the flexibility and availability of officers that come with the vehicles, in particular the fact that these officers are on the clock as soon as they leave their homes in the vehicles. It also extends the life of the vehicle to eight years. In addition, the health of the officers will improve because they are no longer sharing vehicles that the previous officer may be coming down with something. That will eliminate a lot of the sick time making these officers available more time throughout the year.

Finance Director Vitola stated that reading the Q&A and the initial guidelines for ARPA funding, as he stated in his memo, he believes that 100% will be eligible for initial ARPA funding. There is a new liaison through the treasurer's

office who will make these final decisions. However, he believes it is eligible due to the contact avoidance issue among the officers.

See below study and statistics prepared by Chief Brown:

Existing cars	Assigned to											
5101	Maloney											
5104	det spare (crown Vic)											
5108	det spare (crown Vic)											
5109	Jefferson											
5112	k9 spare (crown Vic)											
5114	senior (Crown Vic)											
5115	Stanton											
5118	Chief											
5119	patrol (SRO)											
5120	Huey											
5121	Wells											
5122	evd											
5123	Bailey											
5124	K9											
5125	K9											
5127	Training (chrysler Sebring)											
5128	Drug Unit											
5172	patrol											
5173	patrol											
5174	patrol											
5175	patrol											
5176	patrol											
5177	patrol											
5178	patrol											
5179	patrol											
5180	patrol											
5181	patrol											Patrol equip needed for each car
NEW CARS	Car price		lights/siren etc	Markings	Axon**	Radio*	Equip install	patrol equipment	Total each car			
ordered from current budget	Paid from current budget		Paid from Current budget	Current budget	\$ 1,538.50	Current Budget	Current Budget	\$ 5,313.56	\$ 6,852.06			Computer - Dell latitude series
ordered from current budget	Paid from current budget		Paid from Current Budget	Current Budget	\$ 1,538.50	Current Budget	Current Budget	\$ 5,313.56	\$ 6,852.06			DC Power for Computer
new	\$ 38,963.00		\$ 5,437.75	\$ 850.00	\$ 1,538.50	\$ 4,987.00	\$ 900.00	\$ 5,313.56	\$ 57,989.81			Printer- Brother PJ 723
new	\$ 38,963.00		\$ 5,437.75	\$ 850.00	\$ 1,538.50	\$ 4,987.00	\$ 900.00	\$ 5,313.56	\$ 57,989.81			Power cord and com cable for printer
new	\$ 38,963.00		\$ 5,437.75	\$ 850.00	\$ 1,538.50	\$ 4,987.00	\$ 900.00	\$ 5,313.56	\$ 57,989.81			Patrol rifle with sights and light
new	\$ 38,963.00		\$ 5,437.75	\$ 850.00	\$ 1,538.50	\$ 4,987.00	\$ 900.00	\$ 5,313.56	\$ 57,989.81			Fire Extinguisher- ABC 5LBS
new	\$ 38,963.00		\$ 5,437.75	\$ 850.00	\$ 1,538.50	\$ 4,987.00	\$ 900.00	\$ 5,313.56	\$ 57,989.81			Door unlock Kit with case
new	\$ 38,963.00		\$ 5,437.75	\$ 850.00	\$ 1,538.50	\$ 4,987.00	\$ 900.00	\$ 5,313.56	\$ 57,989.81			Active Shooter kit (includes level 3 armour)
new	\$ 38,963.00		\$ 5,437.75	\$ 850.00	\$ 1,538.50	\$ 4,987.00	\$ 900.00	\$ 5,313.56	\$ 57,989.81			Forcible Entry kit (Rescue)
new	\$ 38,963.00		\$ 5,437.75	\$ 850.00	\$ 1,538.50	\$ 4,987.00	\$ 900.00	\$ 5,313.56	\$ 57,989.81			First Aid Kit
new	\$ 38,963.00		\$ 5,437.75	\$ 850.00	\$ 1,538.50	\$ 4,987.00	\$ 900.00	\$ 5,313.56	\$ 57,989.81			Water Rescue Rope
new	\$ 38,963.00		\$ 5,437.75	\$ 850.00	\$ 1,538.50	\$ 4,987.00	\$ 900.00	\$ 5,313.56	\$ 57,989.81			Storage Box
new	\$ 38,963.00		\$ 5,437.75	\$ 850.00	\$ 1,538.50	\$ 4,987.00	\$ 900.00	\$ 5,313.56	\$ 57,989.81			regular Flares
new	\$ 38,963.00		\$ 5,437.75	\$ 850.00	\$ 1,538.50	\$ 4,987.00	\$ 900.00	\$ 5,313.56	\$ 57,989.81			Leg Irons
new	\$ 38,963.00		\$ 5,437.75	\$ 850.00	\$ 1,538.50	\$ 4,987.00	\$ 900.00	\$ 5,313.56	\$ 57,989.81			extra Cuff's (one)
new	\$ 38,963.00		\$ 5,437.75	\$ 850.00	\$ 1,538.50	\$ 4,987.00	\$ 900.00	\$ 5,313.56	\$ 57,989.81			evidence collection Kit
new	\$ 38,963.00		\$ 5,437.75	\$ 850.00	\$ 1,538.50	\$ 4,987.00	\$ 900.00	\$ 5,313.56	\$ 57,989.81			5 traffic cones (full size)
new	\$ 38,963.00		\$ 5,437.75	\$ 850.00	\$ 1,538.50	\$ 4,987.00	\$ 900.00	\$ 5,313.56	\$ 57,989.81			
15 cars creates one spare									\$883,551.27	Total		
Total	\$584,445.00		\$81,566.25	\$12,750.00	\$26,154.50	\$74,805.00	\$13,500.00	\$90,330.52	\$883,551.27	Total cross check		
Recurring monthly fee for Modem			\$764.25									
Recurring AXON Annual FEE			\$26,154.50 each year x 4 yrs									
Axon costs spread over 4 yrs per proposal. This is in addition to the current recurring costs with two years remaining on that contract.												

Councilmember Fulton moved to authorize the proposal for the Take Home Vehicle funding, seconded by Councilmember James. Motion carried.

Chief Brown said this will really work in keeping officers in Milford in future years.

NEW BUSINESS

Mayor Campbell introduced the following two ordinances:0

Introduction/Ordinance 2021-23

KD Properties, LLC for a Conditional Use

0.27 +/- acres of land located along the West side of N. Washington Street between NE Sixth Street and NE Seventh Street

Comprehensive Plan Designation: Low Density Residential

Zoning District: R-2 (Residential District)

Present Use: Vacant

Proposed Use: Single-family Semi-detached

Tax Parcel: MD-16-183.06-03-31.02

Solicitor Rutt provided a brief review of the ordinance including the request, zoning, location and proposed use.

Introduction/Ordinance 2021-24

Application of Atlantic Self Storage Associates, LLC for the Final Minor Subdivision/Lot Line Adjustment of 5.4 +/- acres of land located in an I-1 (Limited Industrial) District, along the south and west side of E. Masten Circle.

Address: 851 & 861 E. Masten Circle

Present and Proposed Land Use is Self-Storage & Vacant Land

Tax Map & Parcel MD-16-183.00-01-07.00 (2.6 acres) and MD-16-183.00-01-08.00 (2.8 acres)

Solicitor Rutt then gave a quick synopsis of the ordinance noting its purpose, location, acreage, zoning, address and site location.

Both ordinances are scheduled for a public hearing and final determination by City Council on November 22, 2021.

Adoption/Resolution 2021-14/ORPT Grant/Matching Funds

P&R Director Dennehy explained they want to build a playground and some pickleball courts. The city received some funding from the State Bond Bill. They also applied for DNREC grant of \$150,000 and they responded with a \$175,000 grant contingent upon the adoption of the following resolution:

Councilman Fulton said this also agrees to fund up to \$58,334. Director Dennehy said there is a match component though it was agreed to as part of the Capital Improvement Plan.

The floor was open to public comment. No one responded and the comment period was closed.

Councilmember Fulton moved to adopt Resolution 2021-14 and a one-third matching grant in the amount of \$58,334, seconded by Councilmember Wilson:

Resolution 2021-14
Approving City of Milford Outdoor Recreation, Parks and Trails
(ORPT) Grant Application Milford Mispillion River Playground and Pickleball Courts

WHEREAS, since its establishment in 1974, Milford Parks and Recreation has set out to promote community recreation with an emphasis on using the Mispillion River for water-related recreation; and

WHEREAS, threading its way through the heart of the City, the Mispillion Riverwalk ("Riverwalk") offers numerous recreational opportunities to both visitors and residents alike while aiding in the revitalization of Milford's downtown; and

WHEREAS, in its Press Play: Vision 2023 Strategic Plan for Community Services, City Council identified two primary goals – “Promote a Healthy Community with Recreational Activities Provided by the City...” and “[Attract] Tourism to Milford” – the latter of which specifically identified among its objectives “develop more river-based activities, in order to bring in more visitors and provide residents with more recreational options;” and

WHEREAS, additional active recreation has been identified as part of the FY2022-26 Capital Improvement Plan (“CIP”) approved by City Council, specifically the construction of a new playground and pickleball courts to be located alongside the Mispillion Riverwalk in Memorial Park; and

WHEREAS, the City of Milford applied to the Delaware Department of Natural Resources and Environmental Control for funding related to the design, engineering, and construction of a new playground and pickleball courts in the amount of \$150,000 from the Delaware Land & Water Conservation Trust Fund; and

WHEREAS, the Grant Review Committee reviewed and evaluated applications and is recommending funding of \$175,000 contingent upon the City of Milford providing matching funds of at least one-third of the grant award; and

WHEREAS, upon the recommendation of the City’s Finance Director and City Manager, the City Council of the City of Milford hereby agrees to contribute matching funds of at least \$58,334 from the General Fund Reserves; and

WHEREAS, the City Council designates the City Manager, or his/her designee, to manage the project and coordinate ORPT requirements for reporting and reimbursement purposes; and

WHEREAS, the City understands such improvements funded through the ORPT Grant program will remain in outdoor recreation uses in perpetuity.

NOW, THEREFORE, BE IT RESOLVED, that on the 8th of November, 2021, Milford City Council, by majority vote, authorize the ORPT Grant Funding Application Milford Mispillion River Playground and Pickleball Courts and matching funds of \$58,334 from General Fund Reserves for the design, engineering, and construction of a new playground and pickleball courts; and

BE IT FURTHER RESOLVED, it is agreed that the City of Milford shall abide by all requirements of the ORPT Grant Program for reimbursements and stewardship responsibilities.

Motion carried.

Adoption/Resolution 2021-23/City Investment Policy Statement

Finance Director again noted this was reviewed by the Finance Committee earlier tonight. It included two rounds of revisions and this investment policy should be reviewed annually and updated as needed. The last update was in 2012. Some of the investment eligibility is being extended and an investment advisor is being added as a potential designee for some of the delegation of authority. The scope will be parsed out into different classes of funds, so that this policy can work in conjunction with the cash reserve policy.

He also noted that not all investible funds and investible cash are the same. There are certain of the liquid cash needs and requirements that should not be able to be invested with the full suite of investments available in the policy. That allows the limitation of certain funding vehicles without rewriting the policy, by creating different tranches of investible funds in the policy.

This modernizes the policy and provides some flexibility.

When questioned about section 10.0, Mr. Vitola explained he wants attention if a security is downgraded even if only one of three major credit rating agencies. In that manner, he will be given the opportunity to review it.

Mr. Vitola will release the bid for firms to respond.

Mayor Campbell opened the floor to public comment; no one responded. Mayor then closed the floor.

Councilman James moved to adopt Resolution 2021-23, revising the City of Milford Investment Policy, seconded by Councilman Fulton:

RESOLUTION 2021-23
Adoption of the City of Milford Investment Policy

WHEREAS, it is the policy of the City of Milford to invest public funds under its control in a manner that will provide the highest investment return consistent with the maximum safety of principal, while meeting cash flow needs of the City; and

WHEREAS, the City investment program shall conform to all state and local statutes governing the investment of public funds; and

WHEREAS, the City investment policy is being adopted after the review and recommendation of the Finance Committee;

WHEREAS, the City Finance Committee will, no less than once a year, review the Investment Policy for any required updates and amendments; and

WHEREAS, the City Council has determined that it is appropriate and necessary to create the "Investment Policy for the City of Milford" to bring the policies in line with current financial practices, procedures, and strategies of the City of Milford.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILFORD, DELAWARE, AS FOLLOWS:

Section 1: The City Council hereby adopts and approves the Investment Policy.

Section 2: The City Manager is authorized to take action, provide guidance, and create procedures with the input of the City Finance Director, to ensure the investment program authorized by this Resolution is implemented pursuant to the guidelines set forth in the Investment Policy.

See Packet for Investment Policy.

Motion carried.

EXECUTIVE SESSION

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

Pursuant to 29 Del. C. §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

Legal Matters (2)

Motion carried.

Mayor Campbell recessed the Council Meeting at 8:46 p.m. for the purpose as is permitted by the Delaware Freedom of Information Act.

Councilmember Marabello moved to go back into open session, seconded by Councilmember James. Motion carried.

Return to Open Session

Councilman Fulton moved to return to open session, seconded by Councilman Culotta. Motion carried.

Council returned to Open Session at 8:54 p.m.

Legal Matters (2)

Solicitor Rutt noted there was no action needed.

ADJOURNMENT

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

The Council Meeting adjourned at 8:55 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

CITY OF MILFORD
COUNCIL WORKSHOP MINUTES
NOVEMBER 22, 2021

The City Council of the City of Milford convened in a Workshop Session on Monday, November 22, 2021, in the Joseph Ronnie Rogers Council Chambers at Milford City Hall, 201 South Walnut Street, Milford, Delaware at 5:34 p.m.

PRESIDING: Mayor Archie Campbell

IN ATTENDANCE: Councilpersons Daniel Marabello, Mike Boyle, Andrew Fulton, Todd Culotta, Brian Baer, Nirmala Samaroo, Jason James Sr., and Katrina Wilson

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

COUNSEL: Solicitor David Rutt, Esquire

Job Classification & Compensation Study

Human Resources Manager Jamesha Williams spoke about the 2021 Job Classification and Compensation Study was done by Evergreen Solutions LLC that has been completed after several months. Today a presentation will be provided by Senior Consultant Angel Barrero who will provide a high-level overview of the methodology used and provide the new scale.

Ms. Barrero reviewed the following:

- Study Process
- Employee Outreach
- Current Conditions
- Compensation Philosophy
- Classification Review
- Compensation Review
- New Pay Plan

Completed Tasks:

- Conducted employee outreach.
- Assessed conditions of the current pay system.
- Reviewed the City's compensation philosophy.
- Conducted an internal equity analysis by evaluating current job descriptions.
- Conducted external equity analysis by surveying the market to determine competitive salary ranges.
- Revised pay plan to be competitive with the market.
- Individually assigned classifications to a pay grade/range.
- Developed optional methods for implementing the revised plan/pay ranges.

Remaining Tasks:

- Prepare/Provide Draft and Final Reports.
- Provide training in study methodology to HR.
- Provide revised job descriptions

Received feedback from employees:

- Employees enjoy the positive work atmosphere in the City and find serving the local community rewarding.
- Concern about compression between more tenured employees and new hires.
- Job titles may need to be updated to better reflect the duties and responsibilities associated with the positions.

Current Conditions

Reviewed type of pay plan administered:

- Step Plan

- 17 grades, 31 steps (1.5% step increase)
- 56% range spreads

Reviewed distribution of employees' salaries within the plan's pay ranges:

Below the Midpoint	At the Midpoint	Above the Midpoint
57.9%	0.0%	42.1%

Midpoint is typically considered "market" as employees receiving pay at this point should be proficient and satisfactorily performing the duties of their classification.

Compensation Philosophy

Reviewed the City's compensation philosophy

Desired Market Position - Competitive with the market

Pay Practices – Equitable and Flexible

Pay Plan Design – Step Plan

Pay Increase Methods – Based Time in Classification and Performance/Merit

Classification Review

*Reviewed the current job descriptions;

*Utilized compensable factor scoring methodology, determined classification hierarchy/internal equity;

*Made appropriate changes to classification system.

Compensation Review

See Packet for List of Peers.

Conducted a salary survey; collected salary range data from 19 public-sector peers;

- for 42 benchmark classifications; representing a cross-section of organization and pay grades
- average number of matches for each classification of 5.3
- not all peers had matches for all benchmark classifications

Collected salary range data for benchmark classifications (subset of all);

conducted external equity analysis by comparing the data at the desired market position:

Market Comparison at the Average

Benchmarks	Differential at the Range Minimum	Differential at the Range Midpoint	Differential at the Range Maximum
Overall Average	3.5%	3.2%	6.4%

+Results indicate the average of the differentials to the current plan for benchmark classifications.

Proposed Pay Plan

• Contains the following design features:

- Step plan
- 16 grades, 18 steps (3% step progression)
- Range spreads of 65%
- Individually slotted classifications - utilizing both internal and external equity

See Packet for Proposed Pay Plan.

Implementation Method

MOVE TOWARD MARKET (Midpoint) 3-Tier

- Calculations are performed to determine the relation of employees' salaries to the proposed midpoints; referred to as Compa-Ratio.
- Based on these calculations, AND employees' time in classification salary adjustments are calculated to move salaries closer toward the new midpoints (also referred to as market points).
- This method utilizes three tiers of years in classification (1-3, 3-7, >7) and targeted Compa-Ratios to calculate the placement of salaries.
- Employees' salaries above the proposed midpoints are unaffected.
- Tier increments are designed to give larger adjustments (in percentage terms) to those with salaries furthest from the market point and to those with more years in classification.

This methodology helps move salaries closer to the market point, if they are not already there.

Estimated Annualized Salary Costs

* Cost estimates are salary only and do not include the cost of benefits.

Move Toward Midpoint (Market) 3-Tier:

- Total Annual Adjustments: \$203,650.45*
- # Employees who would receive adjustments: 63

HR Administrator Williams confirmed that the step increases were tied to annual increases. The employee is eligible for two increases.

She also explained that most positions remain in the position throughout their career, other than police and electric, for the most part.

When questioned about the above midpoint and below the midpoint, and if that means those employees are underpaid and/or overpaid, Ms. Williams confirmed that means they are not where they should be in terms of the current labor market. There was no employee throughout the analysis of the market that was overpaid out of the 63 positions. They will all be adjusted with some smaller than others with larger increases.

Councilman Boyle noted there are sixteen different job descriptions, and within that, it appears there would be a dead-end for most employees without the ability to move up. Within the new study, MS. Williams explained that with the way the range is set, there are plenty of opportunities to move. She added that with the current scale, with the minimum and maximum, there would be a few people that would max out. The new scale allows plenty of room to move while employed here.

She noted that the compression was the complaint of several employees.

Councilman Boyle's concern is that we hire some very experienced employees at a very young age, it appears they will hit a wall. He asked if that was considered that an employee who started in their 20's would max out by the time they were in their forties. In many categories there are no other positions they could move into nor would the City want them to if they were highly experienced and knowledgeable of their duties.

City Manager Whitfield said we have one employee, with a lot of years, and based on the current pay plan, hit that wall. One of the things in doing a pay study every five years is to make sure we are keeping up with the market and pay special attention to those positions. That employee, under the new pay plan, is no longer close to being at the end. That is the reason it is important to do a pay study every five years or so to make sure those situations do not occur, and we can keep our tenured employees in the City.

There may be a case where that could occur based on the market, but that employee would continue to receive the cost-of-living increases.

Councilman Boyle pointed out that when that occurs, and the example given was the street department, where there is one position throughout someone's career. And yet, they are the ones that are teaching and mentoring new hires. He emphasized it is not always about the money, but the opportunity and challenge to do a little something more. He is unsure if that is something positive for morale, but he will yield and see where this goes in five years.

Councilman James asked if there is anything that would prevent a person from becoming better in their job and continue to grow. In his opinion, if they are at midpoint, they can go to max if they demonstrate that. Or if there are vacancies within another department, they would have the ability to learn a new skill. That employee then becomes more valuable and justifies the 10% increase.

Ms. Williams pointed out we had an administrative assistant move to a new position as operations supervisor and a permit tech become the deputy city clerk. If a person wants progression, the opportunity is there. However, there are also a lot of employees who like what they are doing and are good at what they are doing. The goal of the City is to retain them and moving that salary helps prevent maxing out a salary.

Mr. Whitfield noted the other frustration was having thirty-one 1.5% increase steps and it is taking 25 years to get to the end. Council recognized that and allowed some employees to move two steps over the past year. Looking back at the history, employees either meet expectations or not. Most employees received a 3% merit increase. Now it moves quicker and adding the 3% will help retain employees and if Council continues to provide the cost-of-living increase, should address a lot of those employee frustrations.

A question of whether the City Manager has the flexibility to provide bigger increases than one step increases if an employee is outstanding and doing a great job, and do we have a plan if the person obtains a degree or certification. Mr. Whitfield answered yes to all the questions. He has employees who are exceptional and has given more than one step and in fact, major adjustments. They have used this when some very valuable employees were considering leaving and made some adjustments to encourage them to stay.

A budget adjustment will be needed to cover the increased expenses during the Council meeting.

Councilman Boyle reiterated how impressed he is with every City employee he has dealt with and provide them the opportunity for a promotion and an appropriate increase.

Councilmember Wilson pointed out that since the pandemic, there have been increased opportunities to cross-train and are able to somewhat test the water to see if they are interested in changing positions.

Bicycle Plan

Planning Director Rob Pierce explained there will be two different presentations tonight and then provided the background on the Bicycle Master Plan.

Sonia Marichic of Century Engineering then presented the final Milford Bicycle Master Plan. The City of Milford was awarded a grant from DelDOT for this project. It builds on builds on the 2011 bicycle plan, is consistent with the City's comprehensive plan, and seeks to improve the bicycle level of stress. That is generally defined by DelDOT for cyclists within Milford. It looks to reduce the gaps in current infrastructure and ultimately provides recommendations and prioritization of those recommendations to collectively create a comprehensive bicycle network.

Shown is the goal of the Milford bicycle master plan which is to provide the people of Milford with a dynamic active transportation system that's composed of trails, roads, and paths that are inclusive, safe, and functional for all levels of recreation and commuting while increasing the economic vitality of Milford.

To meet the goals of this study, a comprehensive list of improvement options that address gaps in the existing network facilitates connectivity and provides an overall bicycle network for Milford. Existing infrastructure, as well as planned projects that are on the books within our study area but haven't yet been implemented, were all reviewed.

It included an assessment of origin destinations, impediments, barriers, and whether those future projects still meet these goals.

This project went through an extensive public involvement campaign and, at the heart of that was the Bicycle Advisory Committee that was formed to provide guidance to the study team and represent the overall bicycle community more efficiently. Representatives from different venues included the City of Milford, Milford School District, DelDOT, business owners, and local bicycle advocates participated in seven meetings.

This was also taken to the public in the form of three public workshops. Collectively all the public involvement and the advisory committee involvement determined the consensus on the loops, the prioritization, and ultimately that entire process was shown in the final report.

The types of facilities that were recommended in this study depended on the setting of where that facility or where that route is going to go. A shared-use path will be recommended for areas with wide right-of-ways. Where the road was a little wider, bicycle lanes and shoulder improvements were recommended. In areas with more regional routes, where traffic volume was very low, a shared lane was recommended.

The City of Milford is unique and lies in both Kent and Sussex Counties and wanted to get funding from multiple sources when the projects go into design. The ultimate master plan was divided into three sub-regions--the northern loop, the southwest loop, and the southeast loop. Each connects to the other so that these standalone projects will ultimately help connect the entire City.

They are ranked from the first to the last ranking project. In addition to DelDOT's rankings, the City of Milford helped develop a list of priority projects based on several factors and feedback from the bicycle advisory committee, the identification of various destinations and routes, that are important to the community. And the city developed a list of priority projects per region. Some are consistent with those mapped out by the DelDOT tool. However, some are more reflective of the City's needs and its vision citywide.

A map of each prioritized loop was shown. The green loops are the highest priority and red loops are the future connections to the other route that is lower in priority.

All are identified in detail in the report.

They also looked at intersections that are critical to making these routes reduce the bicycle level of stress or help pedestrians and bicyclists get around the city by completing these tricky intersections. Intersections in each region were pointed out that will help with the improvements suggested in this study. They are also projects that could be standalone. While one route may be under design, some of these intersections could be funded through a paving and rehab program and other intersections could be under design and standalone projects.

To maximize the connectivity of areas from within the City to the outlying regional routes, we also made recommendations for that scenario. Those routes were identified. That will help with that economic vitality. This will bring people into Milford because there are designations people want to get to in Milford from these locations. That can be worked through with the county's comprehensive plans.

To maximize the connected areas within the City of Milford, there was a need to enhance and promote the overall goals of the plan to make policy recommendations that will help improve cycling throughout the City. The policies will create uniform criteria for bicycle facilities to achieve a consistent approach to cycling. Suggested are adding bike parking requirements to the zoning code, requiring bike trails, and walking paths as part of open space. Revise the current bicycle chapter to be slightly more bicycle-friendly and require shared use path construction of all new development that comes through on City-maintained streets.

The last part of the study looked at costs because they want these projects and routes to move forward into design and construction. Costs were needed because it is a very large scaled plan.

They reviewed industry standards of recent bicycle loops that were constructed through DelDOT in both Kent and Sussex Counties and developed a cost per foot. A shared-use path would be approximately \$350 per foot.

They then looked at the length of the routes and determined the cost to be between \$1 million and \$5 million dollars. They tried to break down these loops. For example, the Delaware Veterans loop is \$5.8 million. The goal was to break them down into manageable projects, by saying using the DelDOT funding mechanisms. DelDOT suggested breaking the loops into a \$3-6 million dollar range so it could be phased out and ultimately get funding as it moved forward.

As it moves forward, all the projects in the ultimate prioritized list have a conceptual cost. Once the design is started, the designer will determine a more accurate cost, though what is being presented are general ballpark costs that are used for funding projects at this stage.

Several intersections were questioned though City Planner Pierce confirmed all intersections along Rehoboth Boulevard were identified as having bicycle and pedestrian problems, such as the Route 113 signalized intersections. In addition, he is pursuing other options for Marshall Street.

Planner Pierce revisions to the City Code, planning documents, and maps will be needed in early 2022. A resolution will need to be adopted at the Council meeting this evening.

Dover/Kent MPO

Helen Wiles, Public Outreach Manager for the Dover/Kent Metropolitan Planning Organization talked about what the MPO is. The MPO is a federally mandated transportation agency. Their funding comes 80% from the Federal Government and 20% from the State Government, who also will occasionally ask the local municipalities to put in money especially if they're looking for a particular study or project.

Every time there is a census, new urbanized areas are created. When an area grows to 50,000 people or more in population, that triggers an MPO to go into that area.

The MPO helps in prioritization and deciding how federal funds are spent on transportation in our urbanized area and our urbanized area is Kent County. Unfortunately, that splits Milford in half.

Because we live in a state where DelDOT owns 95% of all the roads, that means that the MPO works with the DOT on a much higher level than a lot of other MPOs are required to do. Because of that, it is never a problem. If we do a project or a study that involves Milford, and because Sussex County right now, does not have an MPO, they are not an urbanized area, then DelDOT handles all their transportation issues.

Infrastructure or transportation planning means everything from point A to Point B, regardless of the mode of transportation. That means transit and means walking, biking, trains, airports. It also means broadband and all things infrastructure.

Dover/Kent MPO works with DelDOT, DART, municipalities, the public, economic development people, DNREC, Delmarva Railroad officials, and anyone that has an interest in transportation. Everyone gets an equal say.

They also make sure that federal mandates or federal issues are addressed in every transportation project. That includes things environmental, justice, safety, economic growth, public mobility, performance measures, air quality, and anything similar. They are very focused on public participation and public input. That is a primary reason that MPOs came to light. If you live in a neighborhood that is about to get a highway built through it, those residents will have an opportunity to talk to people, to give their opinions and ideas.

The Dover/Kent MPO has been around since 1992 and has always been quiet. They are somewhat behind the scenes and are now, with this kind of new era, are moving stepping to the forefront and becoming much more widely known. That is why they are asking to come to all the municipalities and introduce themselves to people who haven't heard of them.

They cover all 586 square miles, three cities, and seventeen towns in Kent County and Milford is one of those cities.

They do a long-range plan or an MTP that talks about the next twenty years. The last one, Innovation 2045, was adopted in January 2021 is available on their website DoverKentMPO.org.

The MTP is the starting point. Delaware municipalities do comprehensive plans that include a transportation chapter. If projects want to be added into the transportation chapter, they must get into the MTP before anything else, especially if federal funding is being considered. That is then used to create a TIP which is a Transportation Improvement Plan, which is goals and priorities for the next four years. DelDOT then used that to create their State Transportation Improvement Plan or STIP and their CTP which is their Capital Transportation Plan.

Because DelDOT owns 95% of the roads, they work with DelDOT in a way that they could say, this is an important project to a lot of people in this state, and it is not in your MTP and we need to get that done. Over the course of the four years in between updates, it does occasionally get amended. That is from talking to different shareholders and particularly when DelDOT asks to include something new.

They also have a Public Participation Plan which is a roadmap for how to get everyone's voice heard and a comprehensive plan that talks about nothing else, but how to engage the public, how to get any ideas or opinions, what to do with all of those outcomes, etc.

Today, they are more forward-thinking. One of the ways is by taking on smaller projects for smaller municipalities on our own. They work with Century. WRA and other engineering firms do their larger project and work studies. They have recently started taking on some in-house projects.

They are also creating a few different projects for the public. One is called (Dover/Kent MPO) MapITT which is an app that can be put on a cell phone. It is very easier way to report any transportation issue, such as a sign or traffic light problem, a brush issue or a bus route, or a sidewalk that needs repair. The GPS in the phone provides them with the exact location. Immediately it is sent to the MPO, and it is immediately sent to the appropriate public works department.

They are also doing the Parklet Pilot Project. Dover Kent MPO received a State Transportation Innovative Council (STIC) grant and used the funds to create a parklet. A parklet is where you take a parking space and turn it into an open space made for people instead of a car and can be temporary or permanent. The pilot program was created to introduce the parklet concept to municipalities, both their leadership and their residents, to create a more communal, healthy enjoyable public space and encourage residents to see these places as beautiful public spaces instead of just a place to park a car.

It involves behavior change traffic calming and can be connected to multimodal facilities. It also offers economic development opportunities. It can be seen in their office all the time.

In 2022, they will also start administering mini grants to any municipality that wants to apply for and receive partial reimbursement for their own parklet. The City can decide whether it is mobile like Kent/Dover MPOs, permanent or semi-permanent. They also developed a how-to guide specific to Kent County and added language for a local ordinance allowing businesses have parklets.

Assistance will be provided for any town that wants to create a parklet or create an ordinance for other people within their municipality.

They have not yet been to Milford though have been in other towns in Kent County.

She asked that the City inform them of the next big event so that they can come and set up and provide information to the public.

When asked about a truck study around Milford, Ms. Wiles confirmed they are doing an east/west truck study for all of Kent County and believes SR14 is being evaluated beginning at the Maryland line to Milford.

Those studies can be found on their website.

Ms. Wiles also noted that their public meetings are also posted on their website and other social media sites and encouraged Council to attend.

There being no further business, the Workshop Session of Council concluded at 7:14 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

CITY OF MILFORD
COUNCIL WORKSHOP MINUTES
December 13, 2021

The City Council of the City of Milford convened in a Workshop Session on Monday, December 13, 2021, in the Joseph Ronnie Rogers Council Chambers at Milford City Hall, 201 South Walnut Street, Milford, Delaware at 6:02 p.m.

PRESIDING: Mayor Archie Campbell

IN ATTENDANCE: Councilpersons Daniel Marabello, Mike Boyle, Andrew Fulton, Todd Culotta, Brian Baer, Nirmala Samaroo, Jason James Sr., and Katrina Wilson

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

COUNSEL: Solicitor David Rutt, Esquire

Per the Declaration of a Public Health Emergency issued by Governor Carney on July 13, 2021 and the virtual meeting provisions as provided in Senate Bill 94, Milford City Council met in a hybrid format.

Zoning Code/Right-of-Way Ordinance

Mayor Campbell turned the workshop over to City Manager Whitfield.

Mr. Whitfield said they are presenting two items tonight to get feedback from Council. One is a wireless facility ordinance. One thing the City has no control of is wireless facilities within our rights of way. There are some communities that have been dealing with undesirable structures that have been placed within the rights of way when there are no regulations and how wireless facilities are installed and where they can be installed. In addition, this will include some proposals of income that can come back to the city for the use of our right-of-way for these wireless facilities.

The other item is the City's street ordinance amendment, which is an upgrade.

Our IIMC Fellow Melody Barger is going to go over those items, several things that also include regulations within the right of ways. This would involve a permitting system for people using rights-of-way, such as a gas company or other utility that may want to come in. The intent is not to create restrictions, but to aid in their control and aesthetics.

The other item is the occupancy of the right-of-way. We often have requests that may cause damage to the street and having some type of occupancy permit will allow us to know who is in the rights-of-way.

Planning Director Rob Pierce then reviewed each item included in the packet.

He said that currently, there are no provisions in the zoning code for the allowance of wireless communication facilities within city limits that could be on private property or in the public right-of-way. When looking at our ordinance, it was determined there is nothing for stand-alone towers or antennas on existing structures and buildings.

The proposed revisions that are in your packet would allow for the construction of tower-based and non-tower wireless communication facilities, and it would also allow for the installation of small wireless facilities within the public right-of-way.

Tower-based facilities are what you traditionally think of the old-time old-fashioned cell towers their structures, you support one or more antennas. That includes self-supporting lattice towers, guide towers, and monopoles. None tower wireless facilities are antenna facilities that are not supported by towers and not considered small wireless communication facilities and could be placed on top of a water tower or multi-floor building with excessive height.

The small wireless facilities would include antenna and support structures that are generally 50 feet in height or less.

The draft ordinance provides procedures and standards for the three categories.

What is proposed is the tower-base facilities would be allowed by conditional use within the business park, highway commercial, both industrial zones, and the institutional service district.

The height would be set at a maximum of 150 feet and the minimum distance from the base of the tower to the property line would be at 110% of the tower heights.

The ordinance provides additional standards for security lighting, fences for security purposes and screening, and accessory structures for visual appearance.

New towers could be denied, and the intent is the applicants try to utilize existing towers in the area, so they need to make a good faith effort to try to co-locate on something that might be nearby as opposed to a whole new structure.

For non-tower wireless communication facilities, we currently have an antenna on top of a water tower or on a taller structure such as the Bayhealth Hospital.

These would be allowed in all zoning districts and within the public right-of-way. They would not be permitted to be attached to residential dwellings and the height would have to stay at or below the zoning requirements for that district.

If a commercial zone only allows 35 feet in height, it would not be allowed to extend above that.

The small cell wireless communication facilities are usually deployed on existing utility poles or set on new pole structures within the right of way. There is a size limitation to these and are lower frequency communication devices. They do not meet the same standards as the traditional antennas.

Allowing them in all zoning districts, and when on private property they can be on the tower-based facilities as well. When in the public right-of-way, the height of the facility cannot be more than 10% taller than the tallest utility pole or 50 feet, whichever is greater.

There would be a design manual that would accompany the ordinance that would be used to administer the design component of the wireless communication facilities when the right-of-way to help guide certain aspects of aesthetics, screening, stealth technology to shield it from the public view or minimize its appearance.

Wireless communication facilities would be added to the planning department fee schedule and treated like commercial building permit applications. That is usually how antenna adjustments are handled that occur on tower facilities.

The wireless communication facilities are placed within the right-of-way would be assessed an annual licensing fee which is proposed at \$270 a structure.

The draft zoning ordinance was reviewed with the Planning Commission last fall. They had concerns related to the screening and making sure the fencing wasn't unsightly. They had a similar presentation as is being given to Council and went line by line in-depth with the proposed ordinance.

After this workshop is wrapped up, any feedback from Council will be added to the final zoning portion of the code amendments and then hold public hearings to adopt the ordinance.

Planning Director Pierce said that concludes the component related to the zoning ordinance.

When asked if there are any current towers that do not meet these requirements; Planning Director Pierce said he is unaware of any. This would only apply to new towers.

When talked about the tower issue in Dewey Beach and most are being removed, Councilman Culotta said the only problem there is their residents complain because they don't want to see them on the dunes. However, they will be first complaining when they can't get cell service while they are at the beach.

Solicitor Rutt added that one of the cell companies installed them where they wanted because there was no process in place.

Councilman Culotta asked if farmland would have to be rezoned to install a standalone tower, Director Pierce confirmed it would have to be zoned BP, C3, I1, I2, or IS, though a conditional use would need approval from City Council. Those tend to be the areas where the towers are located, and they would not be placed in the middle of a residential zone or a neighborhood commercial. This covers the larger, more intense zoning categories.

The Director further explained that farmland would have to be zoned because the City does not have a farmland zone. For example, it could be zoned highway commercial and make sure the tower is no higher than 150 feet and the property lines are 165 feet. Councilman Culotta asked why it is necessary for it to be so far away, Director Pierce said that is from a safety standpoint if anything were ever to happen to the structure.

Director Pierce confirmed this mirrors the City of Dover's ordinance that was adopted approximately eight years ago.

When asked the timeline, Director Pierce said he wants to wrap up any discussion by the end of this month, his intent was to present it to Council in February.

City Manager Whitfield added that this is occurring in all communities, particularly in the larger communities. He wants this in place before it becomes an urgency, and before the next request is received.

Councilman Culotta said Director Pierce stated earlier he prefers to steer service providers to existing towers to co-locate. He asked if there will be any conflict of interest because many of the towers in Milford are water towers and we have the advantage of owning them and get good pretty good revenue from those.

Director Pierce reiterated that right now, there are no provisions that allow them, and they are already on our water towers. Putting the rules in place allows others to participate and build the structures. The cellular providers will more than likely want to co-locate on something existing versus the added expense of building another tower.

Councilman Culotta said he is talking about a property owner that is not permitted to put a sign there and now wants to add a tower. He thinks there is a need to provide quality cellular service. City Manager Whitfield explained the demand will not be on the tall towers and instead on the data collector towers you see on the streetlight poles. There are several nodes on top of streetlight poles that are basically data collectors. Those data collectors are interconnected with fiber optic cable, which means tearing up streets to install fiber optic cable.

When asked if a moratorium could be put in place until the ordinance was adopted, Solicitor Rutt said that most of this is controlled by the FCC (Federal Communication Commission). They have regulations in place and do not apply to the land use issues such as availability of communication and those preventing those types of things. If a moratorium was passed, the City would end up being contrary to federal regulations.

Director Pierce said plans to have the ordinance ready for February with the information that is being presented to Council this evening. It would then go to the Planning Commission and Council again. The portion that covers Chapter 197 will accompany the Zoning Code amendment but will not have to go to the Planning Commission.

Councilman Baer questioned the water tower by the City Dog Park, Director Pierce said that is one of the nonconforming towers by the old spoon mill. It would continue to have the same number of antennas that already exists. If any need to be repaired or swapped, that could be done, but any additional capacity would be subject to the zoning ordinance.

Director Pierce also clarified that the \$275 fee is a license fee to allow it within the public right-of-way. Any small facilities attached to a utility pole or monopole in the City's right of way, but a charge to occupy our right of way. There would not be a charge on privately owned buildings or towers.

Councilman Baer also pointed out there is nothing in the proposed ordinance to maintain certain integrity of the looks, or the quality of the water towers, adding that a particular water tower needs to be repainted.

Maintenance for the actual wireless communication facility tower is addressed in the proposed language according to Director Pierce. But Councilman Baer is referring to a privately owned water tower. If it becomes detrimental to the structure, then yes, the City could address that through property maintenance. But needing paint does not fall under the jurisdiction of the Code Department.

Councilman Baer said it appears to be rusting so it could be impacting the quality of the water.

Director Pierce said he will assess that tower for any violations.

Local Government Management Fellow Melody Barger then referred to the draft revision of Chapter 197 Streets and Sidewalks, whose title will be changed to Streets, Sidewalks, Storm Sewers, and other Public Places.

She shared the current ordinance does not regulate the right of way a whole lot and does not regulate storm sewers or other similar areas. After reviewing it, it was agreed to scrap the entire ordinance and start new. Other cities like Dover and Newark have a right-of-way ordinance with regulations, and there is a need in Milford as well.

Ms. Barger then reviewed each article of the ordinance.

Article One: General Provisions

- Temporary occupation of the right-of-way requires approval of the City Manager and permanent occupation of the right-of-way is not permitted except for proper access to buildings (with approval of the City Manager)
- All construction or placement of utilities with the right-of-way requires a permit and licensing fee and excavation in ROW requires 100% bond
- Property owners are responsible for sidewalk maintenance, repair, and obstruction removal (including snow and ice removal). The City will repair ADA curb ramps at intersections but will not take responsibility for snow and ice removal at ADA curb ramps. Snow and ice must be removed within 12 hours of daylight after cessation of precipitation
- Playing games in the street is prohibited; devices like soccer goals and hockey nets may not be placed in the ROW

Article 2: Streets and ROW

- Street construction must be in accordance with Chapter 200 Subdivision of
- Land and the City Standard Construction Specifications
- Process for changing street names
- The City has the authority to create, accept and abandon streets

Article 3: Curb Cuts

- Curb cuts require a permit
- Entrances must comply with Chapter 230 Zoning and the City Standard Construction Specification

Article 4: Sidewalks

- Builders and developers are required to construct sidewalks in all new construction sites and subdivisions
- Existing residences and commercial establishments that want sidewalks may petition the City Engineer for permission to install sidewalks at the property owner's expense. The City may install curb and gutter with discretion at the
- City's expense.
- City Council may order installation of sidewalks at the property owner's expense, which must be completed within 365 days.
- The property owner may finance their improvements and may apply for financial assistance from the City
- Owners who fail to complete payments within 90 days will be subject to legal action and/or a lien on the property

- Responsibility for the repair of sidewalks rests with the property owner □ If the property owner fails to repair their sidewalks, the City must wait 90 days and provide proper notice to the landlord before repairing the sidewalks
- at the property owner's expense
- Property owners must obtain a permit for construction or reconstruction of sidewalk

Article 5: Storm Sewers

- Public sewers may not be tapped without a permit
- Citizens may not discharge articles, objects or substances into the storm sewer that may be dangerous or injure the storm sewer
- The City may enter any private property as reasonably necessary to inspect, convey or remove materials, or improve/repair storms sewers

Article 6: Excavations

- Traffic conditions must remain as close to normal as possible during excavations of the ROW
- Streets and sidewalks excavations must include a suitable barrier to protect against injury of pedestrians and vehicles
- Excavations must be repaired by the person making the excavation
- The City may make inspections to enforce proper use of excavation

Article 7: Wireless Facilities within the ROW

- A permit is required to locate a WCF in the ROW
- An annual fee of \$270 will be assessed per WCF located in the ROW as provided in the Planning Department Fee Schedule

Article 8: Public Utilities

- Placement of utilities in the ROW requires a permit (either underground or aboveground)
- Public utilities are subject to a franchise agreement as approved by City Council
- No attachment may be made to any Milford Electric Division facilities without a license agreement

It was confirmed the prohibition of sports being allowed within the streets is an existing provision of the Street and Sidewalk Ordinance.

Personnel Policy Update/Medical Marijuana/Weapons

City Manager said there are two personnel issues being presented to Council. One is the use of medical marijuana and HR Administrator Jamesha Williams will talk about hurdles encountered when evaluating whether the use of marijuana can be done within the City and have come to the conclusion they cannot.

The other item is weapons in the workplace and we have a proposal to restrict the carrying of weapons while on duty in the workplace and the number of related items.

HR Administrator Williams commented on the following memorandum:

Purpose

The purpose of this memorandum is to outline the recent review of the City's personnel policies and regulations and recommend a change to Section 12.5, Alcohol & Drug Free Workplace and the addition of Section 16.2, Weapons-Free Workplace.

Background: Section 12.5 Alcohol & Drug Free Workplace

The Chief of Police, Kenneth Brown reached out to the Human Resources Director, Jamesha Williams and City Manager, Mark Whitfield to seek clarification on the City's policy related to the use of a Delaware Medical Marijuana Registry Identification Card.

Title 16 Chapter 49A of The Delaware Medical Marijuana Act (the “Act”) authorizes the use of a medical marijuana registry card for qualifying medical conditions to include but not limited to cancer, terminal illness, and glaucoma.

The Act prohibits an employer from discriminating against an individual on the basis of being a medical-marijuana cardholder unless doing so would cause the employer to lose a monetary or licensing-related benefit under federal law or regulations.

Additionally, the federal Department of Transportation does not provide for exemptions for marijuana use based on state law. Consequently, any City employee who is required to hold a Commercial Driver’s License does not qualify for the protections of the Act.

Finally, the Delaware State Police prohibits employees and applicants from using marijuana, even if such use is lawful under the Act.

Recommendation

The management team of Directors and the Chief of Police recommend prohibiting all City employees and applicants from using marijuana, even if the individual has a Delaware Medical Marijuana Registry Identification Card because permitting employees to use marijuana, even if such use would be lawful under state law, would cause the City to lose federal funding.

Background: Section 12.6 Weapons-Free Workplace

City employees reached out to the Human Resources Director, Jamesha Williams to seek clarification on the City’s policy related to carrying concealed deadly weapons. After further research, the Human Resources Director determined that the City did not have a clear, defined policy or ordinance on weapons in the workplace which prompted several discussions with the management team of Directors and Chief of Police.

Gun control is a controversial, complicated and delicate topic; however, it is critical for the City to have a clear, workplace violence policy that addresses weapons as well as broader safety issues.

In 2019, a longtime City employee shot and killed 12 people and injured at least 4 others after opening fire in the Public Works building at the Virginia Beach Municipal Center. According to the Bureau of Labor Statistics Census of Fatal Occupational Injuries (CFOI), of the 5,333 fatal workplace injuries that occurred in the United States in 2019, 761 were cases of intentional injury by another person. The Gun Violence Archive counted 225 shootings in the United States in 2021 as of May 28, 2021 and more than 17,000 people in the United States have died so far in 2021 from gun-related violence. However, it manifests itself, workplace violence is a major concern for employers and employees nationwide as 2 million people become victims of workplace violence annually.

Other Cities/Towns

<u>Municipality</u>	<u>Policy</u>
Seaford	Weapons-Free, Concealed Carry is not specifically addressed in the policy.
Middletown	No formal policy
Smyrna	Weapons-Free
Newark	Banned-Open Carry, Allowed-Concealed Carry
Wilmington	Weapons-Free
Rehoboth	No formal policy
Lewes	No formal policy
Dover	Banned-Open Carry, Allowed-Concealed Carry
Kent County	Weapons-Free, Allowed-Concealed Carry

Recommendation

After several meetings and email discussions related to weapons in the workplace, the management team of Directors recommends prohibiting the possession or use of weapons in the workplace, at City-sponsored functions, in or on City-

owned, rented or leased property, or in City-owned, rented or leased vehicles for all employees (excluding law enforcement) regardless of any license or permit that an employee may have which would otherwise authorize the employee to carry firearms or weapons for the following reasons:

1. Safer work environment.
2. The ability to maintain control over City facilities.
3. City employees perform work near/on the premises of the Milford School District and Greater Milford Boys & Girls Club which have strict policies that prohibit firearms on their premises.
4. The Boys & Girls Club is governed by the Department of Education which has specific rules pertaining to running a daycare facility which state: a licensee shall ensure firearms or ammunition are not within the center's premises. The Parks and Recreation Department is required to apply to the Department of Education to obtain a permit for their Summer Camp Program.
5. The Delaware Criminal Code, Section 1457 prohibits the possession of a weapon in a Safe School and Recreation Zone. A Safe School and Recreation Zone is defined as any building or structure owned, operated, leased or rented by any county or municipality, or by the State, or by any board, agency, commission, department, corporation or other entity thereof, or by any private organization, which is utilized as a recreation center, athletic field or sports stadium. Based on the definition, the Parks and Recreation Department is considered a Safe School and Recreation Zone.

12.5 ALCOHOL & DRUG-FREE WORKPLACE

The goal of this policy is to maintain a safe and healthy work environment. The successful implementation of this policy will also enable the City to provide quality service to the public by maintaining efficiency and productivity. The use of illegal drugs and/or the misuse of alcohol or legal drugs are inconsistent with this goal.

12.5.A PROHIBITED ACTIVITIES

Employees are prohibited from engaging in the following activities:

1. Using, possessing, buying, selling, manufacturing or dispensing an illegal drug (to include possession of drug paraphernalia).
2. Being under the influence of alcohol or illegal drugs while on duty.
3. The operation of any City vehicle in violation of the guidelines set forth in this policy.
4. The refusal to submit to an alcohol or drug test as defined and required by this policy.
5. Use of a medical marijuana registry identification card as an allowance for testing positive for marijuana (THC).

The appropriate law enforcement agency will be notified of any sale, distribution or possession of any illegal substance by an employee at any time. While use of medically prescribed or some other legal medications and drugs is not a violation of this policy, when such drug use adversely affects job performance, the employee will be required to use sick leave or take a leave of absence. Failing to notify an employee's supervisor before beginning work, when taking medications or drugs which may interfere with the safe and effective performance of duties by a City employee, may result in disciplinary action up to and including termination. Such actions will constitute violation of the City of Milford's Employee Policy Manual. When an employee's driver's license is suspended due to alcohol or drug use and driving is required by the employee's job description, the employee is subject to disciplinary action as described in Section 11.1.

12.5.B TESTING

12.5.B.1 PRE-EMPLOYMENT

Each individual who has been conditionally offered employment with the City of Milford will be required to take a drug test as a condition of employment. The offer of employment may be withdrawn from any individual whose test reveals the presence of a controlled substance

12.5.B.2 RANDOM

Each employee who is assigned to a position which requires the possession of a CDL shall be part of the CDL random testing pool. All other employees shall be placed in the non-CDL pool for random testing for alcohol and for the use of controlled substances. Such test shall be conducted on a random, unannounced quarterly basis and in accordance with this policy.

12.5.B.3 REASONABLE SUSPICION

The request to undergo a reasonable suspicion test must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odor. These observations may include indications of the chronic and withdrawal effects of controlled substances as defined by the Federal Motor Carrier Safety Administration (FMCSA). Two trained supervisors must witness the conduct and be trained in the physical, behavioral, speech, and performance indicators of probable alcohol misuse and use of controlled substances.

12.5.B.4 POST-ACCIDENT

Each employee who operated a City vehicle while it was involved in a traffic accident which resulted in the loss of human life, disabling damage to any motor vehicle requiring tow away, ambulance service at the scene, or the issuance of a traffic citation shall be tested for alcohol content and for the use of controlled substances.

12.5.C TESTING PROCEDURES

All testing required by this policy will be conducted in accordance with the Omnibus Transportation Employee Testing Act of 1991. The testing will only be conducted by certified, qualified individuals who are either employed by a contractor hired by the City for this purpose or are sworn, law enforcement personnel. To ensure accuracy, employees must be tested immediately following reasonable suspicion or post-accident as described above.

Testing will be done for the following substances, however not limited to:

- Alcohol*
- Marijuana (THC)*
- Cocaine*
- Amphetamines and methamphetamine*
- Opioids*
- Phencyclidine (PCP)*

Refusal by an employee to cooperate or submit immediately to alcohol and/or drug test when requested by management will constitute insubordination and is cause for disciplinary action in accordance with 11.1 of this manual.

12.5.D PAYMENT

The City shall pay the cost of testing for alcohol and controlled substances. The employee shall pay the cost of any confirmation test requested by the employee to deny the use of a controlled substance if the results of the initial test are positive. If the results of the confirmation test are negative, the City shall pay the cost of the confirmation test. The City shall not pay the cost of evaluating, counseling or rehabilitation which may be required by the Omnibus Transportation Employee Testing Act of 1991.

12.5.E POSITIVE TESTS

Confirmation of drug or alcohol use or abuse will result in disciplinary action in accordance with Section 11.1 of this manual. Two disciplinary actions relating to drug or alcohol use may be cause for termination.

Discipline for being under the influence of alcohol or nonprescribed controlled substances during non-job-related activities will be based on the employee's work history, previous disciplinary actions and previous identification of substance use problems. Employees who test positive, or otherwise violate this policy, will be subject to discipline, up to and including termination. Depending on the circumstances, the employee's work history/record and any state law requirements, the City of Milford may offer an employee who violates this policy or tests positive the opportunity to return to work on a last-chance basis pursuant to mutually agreeable terms, which could include follow-up alcohol and drug testing at times and frequencies established by the City. These follow-up tests will be determined by the Human Resources Administrator and Department Head and will take place for a minimum of one year but not more than two years. A waiver of the right to contest any termination resulting from a subsequent positive test will also be provided. If the employee either does not complete the rehabilitation program or tests positive after completing the rehabilitation program, the employee will be immediately discharged from employment.

Councilman Fulton asked for documentation that shows the City could lose federal funding by allowing employees to use medical marijuana. He understands the loss of funding in the police department but stated that standard employees have the right, just like they have the right to take Percocet or cough medication with codeine or any other type of

pain reliever or some type of analgesic which will cause them some other type of symptoms, or some other type of symptom or condition. Some of these people have nothing else to turn to, and a medical doctor, not a state agency, has said this is what you need to take for your MS, cancer, or some other condition. And they are not going to be told they are no longer allowed to be employed in Milford because they can't have the card and be employed here.

Councilman Fulton said in his opinion that is not correct and Councilman Culotta agreed.

City Manager Whitfield explained the city gets funding from the Federal Government and has to attest the city has a policy in place that prohibits this. He shares the sentiments but has looked at this with our attorneys and this was their recommendation.

A discussion followed with specific situations. Councilman Fulton pointed out there are people on methadone, not because they are heroin addicts, but because of the pain they experience day-to-day. They are taking methadone and when that shows up, they are considered an addict. He explained it is a pain treatment and he does not believe the federal government has tied the hands of government agencies and that the entire bank of city employees is prohibited, by federal mandate, to have a medical marijuana card. He wants to see written documentation before he approves something like this.

He understands the prohibition for the police department and Chief Brown agreed with him.

Councilman Fulton said this is a serious issue for the police department because it is against federal law and the police have to uphold, not only the State of Delaware laws but federal laws as well. Chief Brown said when we sign the grant paperwork, some of the grants have fourteen pages and he must go through and initial each page because it is tacking on all these things they have to comply with. Complying with federal law is one of those things that is heavily looked at and it often requires two or three signatures that they comply. He feels that all the laws are not cohesive yet with states and local and the feds.

Chief Brown thinks we are way behind the curve on the medical marijuana issue, but he does have to sign that he is in compliance with federal law.

Councilman Fulton said he understands the police. Chief Brown said the police are not separate from the City of Milford. City Manager Whitfield confirmed the money does not go to Milford Police Department. Instead, it goes to the City of Milford and that is one of the problems.

Manager Whitfield said it puts the city in a crux in that we may lose funding if we don't have this in place.

It was confirmed that a city employee cannot have the card. Mayor Campbell suggested only prohibiting it during work hours. HR Manager Williams explained that all the employees are in the random drug testing pool and what will happen is when they are selected, they will test positive for marijuana even if not consumed during work hours.

Councilman Fulton argued that if employees take certain medications, they will test positive for different levels of narcotics when a urinalysis is done. Then the employee is asked for documentation for why the sample is dirty. The doctor then has to provide the prescription which is then ok'd. The federal government has said it is ok for Big Pharma to give you that narcotic while at work is ok, then everything is good, but because the federal government has not given the approval for medical marijuana. Councilman Culotta agreed that if a doctor prescribed a narcotic, how can that be different than a prescription for medical marijuana. It seems like a double standard in his opinion.

Ms. Williams said until the federal regulation changes, the City's hands are tied. Councilman Culotta said that until the feds say the City is not going to get their funding and he would rather explore that before this is put in place.

It was suggested that this needs to be broken into two different policies---one for police and one for non-police employees.

Ms. Williams explained that in that situation, we would run afoul with police and the CDL drivers, who are public works employees. In addition, if an employee has a work accident and they are sent for post-accident testing, and they test positive for marijuana, becomes an issue when another employee is under the influence of marijuana even if it is for health-related issues because of the federal law.

Councilman Fulton said or any other prescribed substance they may be under from a doctor's care.

Ms. Williams confirmed that when an employee goes to the lab for any testing, they do provide any prescription information upfront. That prevents any issues should the reading come back positive. It will state positive, but the cover sheet will provide verification of the prescription, so it is mitigated. The only problem is when there is a positive reading with no prescription to validate the reason for the substance.

Mr. Whitfield explained that a CDL driver who is on any narcotic for whatever reason is required to inform their employer ahead of time. If they fail to do that, they can be terminated.

Councilmen Fulton and Culotta asked why that cannot be done with medical marijuana. City Manager Whitfield explained that the problem with medical marijuana is the only test is THC. The problem with that test is there is no way to determine if it was consumed two weeks ago or two hours before. The THC is simply in the blood and the only test for that at this time.

There is currently a case involving Kraft Foods and a forklift operator who ended up testing positive but had a medical marijuana card and that is still pending in court.

Ms. Williams explained that when the employer terminated him for having marijuana in his system, they could not prove it was taken during work.

Councilman Fulton explained that when they first started testing in the military, they had different levels. They had a very high tolerance at first because they figured a lot of people were on marijuana. Then they scaled it back so it was lower levels and basically less THC in your system now than less acceptable because there should be zero tolerance. They scaled it back until it became zero-tolerance though it began very high.

Ms. Williams confirmed it will only provide a negative or positive result and no levels. She also added that if the policy only applied to police officers and CDL holders, the City still has police dispatchers that have very responsible for being coherent and be able to deal with various types of calls and situations. Right now, federal law deems marijuana an illegal substance even though there are different state laws.

Councilman Boyle suggested contacting the Attorney General's office for guidance on a statewide basis. Another solution could be to put the onus on the person with the prescription that they are responsible for their actions should something occur or have an accident.

Councilman Baer commented on Section 12.5.b.4 labeled post-accident. He found the language somewhat strange at the end of the sentence that states 'or the issuance of a traffic citation shall be tested for alcohol content and for the use of a controlled substance'. He questioned tying in the loss of human life and a traffic citation to force someone to be tested. He thought it should be changed to 'maybe tested' and up to the City's discretion.

Ms. Williams explained that provision falls under the Department of Transportation guidelines for when an employer can test post-accident. If they got a ticket or there is a loss of life, they are required to have post-accident testing. It also must involve a motor vehicle accident whereby the employee received a citation.

There are also guidelines for reasonable suspicion that the employer must follow which is included in the policy. There is also training for reasonable suspicion and must meet certain protocols to prevent any type of litigation. In addition, the supervisor takes the employee for the testing.

Councilman Fulton concluded by stating we need to look at this as a wider issue than taking medical treatment away from some of the employees. He understands the federal funding issue, but he cannot in good conscience say this is a great idea to remove treatment and there are different paths of treatment for different people.

Councilman James concurred with Councilman Fulton and believes it is sensitive and important enough to get some additional information so it can be addressed properly.

City Manager Whitfield added this is something staff has been wrestling with for months. It was brought to him by another department head and it was looked into very deeply and what other communities and government agencies were doing. He knows people that have suffered and have gotten relief using this, but unfortunately, until there's some change in the federal law, the City remains caught in a crux here.

Councilman James suggests Council get the education it desires. He said some of the Council are employed in industries where there are regulations and people get hurt. He knows a lot about this, but he does not have the time to go into a conversation because the meeting will last until midnight.

He also suggests that the documentation that Councilman Fulton requested be shared with Council as well. They hear it and do not disbelieve, but to see it in writing will help.

HR Administrator then reviewed the Weapons Free Workplace which will be a new section to the employee policy:

12.6 WEAPONS-FREE WORKPLACE

To ensure that the City of Milford maintains a workplace safe and free of violence for all employees, the City of Milford prohibits the possession or use of weapons in the workplace, at City-sponsored functions, in or on City-owned, rented or leased property, or in City-owned, rented or leased vehicles for all employees regardless of any license or permit that an employee may have which would otherwise authorize the employee to carry firearms or weapons. The City adopts this policy in recognition of the danger presented to the health, safety, and welfare of employees and members of the public by the introduction of weapons into the workplace, particularly in light of the ongoing threat of terrorism.

The term "weapons" includes, without limitation, firearms of all types and sizes, whether loaded or not; air guns, BB-guns, pellet guns, and the like; simulated weapons; knives, swords, switchblades, razors, and the like – other than small pocket knives, utility knives, and the like with a blade of less than three inches in length; clubs, bludgeons, batons, bats, and the like; incendiary or explosive devices of any sort whatsoever; martial arts weapons, including num-chuks, throwing stars, and the like; and any item carried with the intent to go armed, or used to threaten or intimidate another. The term "weapons" shall not include the lawful possession of personal security devices, intended for use by members of the general public, including without limitation, pepper spray, mace, and such other personal defense sprays. Exemptions: Tools used on the job in accordance with employment requirements are exempt from this policy.

Exemptions:

- 1. Possession of firearms, components of firearms, and ammunition or explosives by law enforcement officers;*
- 2. Law enforcement agencies receiving shipments or delivery of firearms, components of firearms, ammunition or explosives;*
- 3. Law enforcement agencies conducting firearms safety and training programs;*
- 4. Law enforcement agencies conducting firearm or ammunition public safety programs, donation, amnesty, or any other similar programs in police stations or municipal buildings;*

Any employee who believes in good faith that any person is in possession of a weapon in violation of this policy or otherwise poses an imminent threat is required to report the matter as soon as possible to any supervisor, Department Director or the Human Resources Director without regard to the chain of command. Retaliation against any employee for reporting a violation of this policy or participating in an investigation is strictly prohibited.

Ms. Williams explained that the issue came from City staff to inquire on our policy as it relates to weapons in a workplace and concealed carry. After some research into the employee policy manual and the City ordinance, she found there is nothing that addresses weapons in a workplace in terms of allowing or prohibiting them by employees or the general public.

The City Management team did recommend a weapons-free workplace. As is noted in her memo, gun control is a controversial and delicate topic. However, the recommendation for the weapons-free workplace included a safer work environment and the ability to maintain control over our City facilities.

They also took a look at what the Milford School District had and what the Greater Milford Boys & Girls Club had because our City employees are on those premises often and both prohibit firearms on their premises.

In addition, our parks and recreation department would be defined as a safe school and recreation zone, because they do have programs for children in their athletic fields. That is how staff came to the determination to have a weapons-free workplace and wanted to get feedback from Council since the item is not addressed in any policy within our policies.

Councilman Culotta said he has an issue with some of the recommendations and statements. He does see that of the municipalities listed, Smyrna is the only weapons-free municipality. The rest either don't have a policy or allow concealed carry. It is his belief that an individual has a right to protect themselves. If they so choose to do that with a concealed carry permit, then it should be allowed. He does not believe we need to have a policy because there isn't one. To argue the safe for the work environment, anytime weapons are prohibited in a public setting or any setting that becomes a gun-free zone, most mass shootings happen in gun-free zones.

The Councilman stated that from 1993 to 2015, almost 93% of mass shootings happened in a gun-free zone. In the time that you would need to defend yourself from a threat, is seconds. While the police do a great job, they take minutes to arrive. That is something that needs to be considered versus having a blanket policy and no weapons.

He stated that if someone is not familiar with Delaware's concealed carry law, an individual has to take a class on proper firearm safety and concealed carry rules and regulations, fire 100 rounds and demonstrate they can properly operate the weapon. They are required to have an FBI background check that passes, have five references from people in their county to vouch for them. Announce their desire to get a weapon permit in the newspaper and pay for an ad in the paper and then pay a fee to the State to get that permit.

Councilman Culotta says the state does a pretty good job of vetting who can carry a concealed weapon and he does not agree the City needs to go above that. He has no problem with banning open carry but prohibiting concealed carry is too much.

Mayor Campbell agrees and if someone goes through the concealed carry instruction and classes and are completely scrutinized before a concealed carry permit is issued, that should qualify that person to carry as they wish.

Councilmember Boyle said he will take exception to both and does not believe a workplace is a place for a gun in any circumstance. He finds it confusing that in some weapons-free zone, they allow a concealed weapon. A person either has a gun or they don't, concealed or not. He believes it intimidates some people and you do not know what the spark would be to set somebody off. It could be in a free zone where they come back with a gun. But that does not excuse walking around with a gun because there are too many people intimidated by it and he would vote against it.

Councilman Fulton feels that the CCW is not about everyone knowing or not knowing someone has a gun. If they know you have a gun, you have violated your CCW permit already. That would be brandishing and showing, and the police would take it. It is for the person's own personal protection, and it is not talked about and is kept away. The only time it would come out is for that person's own personal protection. Delaware is a state where the first method is escaping and is not to pull your weapon out and start shooting bullets at everything that moves. The first rule is to look for an escape route and avoid conflict.

Then only if necessary, according to Councilman Fulton, would you then pull your weapon out and try to defend yourself if you have no escape path possible. Worrying about who has a weapon and who does not, is not a factor. It is required to be on your person that no one knows about.

Councilman James stated his overall concern is the rights of individuals. He does not like tampering with constitutional rights. But at the same time, he must respect the concern of the individuals. There is fear on the other side is what he is saying. If there is someone in the workplace with a gun, there is a legitimate fear.

Councilman James asked if there is a way to have a policy, a reporting mechanism to someone intimidating or brandishing causing reasonable suspicion that someone is a little tilted or off. That can be reported and addressed, and the police can then come and take the gun. Perhaps that can be policy-written.

He comes from a family of in-laws who has been in law enforcement, and he has been around guns, and infringing upon those rights is a slippery slope and he wants to be careful whatever is done.

Councilman James is not opposed to a reasonable policy that accompanied a concealed carry allowance that would be optimal, though he is unsure if that is possible. However, he does understand the concerns of those in the workplace even if the person has a concealed carry permit. On the other side, there is a lot of violence that takes place with co-workers. He does not know if they are legitimate carriers that have gone through the certification process. But you can someone lose it at any time. There is no protection against a criminal or someone that is going to go off regardless of if they have a concealed carry permit or not.

Councilman Culotta asked that Solicitor Rutt review Title 22 Municipalities in Delaware law and specifically section 111 limitation on firearm regulations and see how that aligns with the proposal before Council.

Solicitor Rutt said that there is a provision in Title 22 that says municipalities may not regulate firearms in their charter. The City has nothing in the Charter. There is an exception for existing ordinances though the City does not have that either.

He will look at the concealed carry prohibition in the workplace under Title 22 and Home Rule as it relates to ordinances versus charter.

Councilman Culotta said that though he does not need the permission of the police, because the Constitution gives him the right to keep and bear arms, he would like to hear the Police Chief's opinion.

Chief Brown stated that he has been for the right of good people to be able to carry firearms because he believes and, he knows, that bad people carry them. He agrees that someone has the right to protect themselves. When in a government facility, a person should still have that right. If the bad guy or a person intends to go in and kill people, he does not care about the ordinance or the law and instead is going in to accomplish what he set out to do. The only thing that will stop him is a good person inside with a firearm. He will be done shooting by the time the police can get there unless they happen to be there. Chances are that will not happen.

He agrees with Councilman Culotta that these gun-free zones are easy targets. A person is actually putting themselves out there and saying they are just going to lay there and take whatever that person brings.

Chief Brown is for the victims, and we need to stop being victims.

Councilman Culotta also thinks that with the size of our City, we do not have arms. If he goes to Family Court in Georgetown, he is unable to carry his firearms in, but there are armed guards and armed police officers there. We do not have that in all our City facilities and he does not want someone meeting him at the door of City Hall or having to go through a metal detector. Because of that, we are very vulnerable in many senses. The risk of accidental discharge, which is the fear of somebody carrying or being intimidated at a workplace. If someone feels intimidated by somebody who's concealed carrying, they have already violated that concealed carry license and their work agreement which is a bigger problem.

City Manager Whitfield said his only argument, and this came from the City department heads and/or supervisors when you are rendering discipline on an employee, you have no idea if that employee is carrying a gun or not, or what may snap with the employee when you're rendering that discipline. He has been in this business for 42 years and he has never felt the need to carry a gun.

Councilman Culotta said that is fine, but the right to defend oneself is a constitutional right.

City Manager Whitfield said with all due respect, he does not believe that more guns is the answer to those that were involved in the Virginia Beach shooting or other similar situation.

Councilman Culotta said that is where there is a distinct difference of opinion.

Councilman Boyle said he spent his career in the military and was also around guns most of his life. But never in his life did he believe a gun other than exercising duties and preparing for other things. But he has never owned one and never wanted one and he does not see the need.

Mayor Campbell noted that because Delaware is an open-carry state. He has been in Walmart where he has witnessed a man carrying a gun. He is sure the police department gets calls all the time because many people do not understand the firearms law. He thinks the person has the right to carry a concealed weapon and he is aware of many officials who carry for their own protection.

Councilman James reiterated that if we do draft policy, it is coupled with the concealed carry laws. That already covers a lot of things that cannot do and there are regulations at places that are going to be gun-free zones anyway including federal buildings, schools, and courts.

It was noted that state law requires a person not to be within so many feet of a playground or school with a weapon period, including concealed carry. One of the City's concerns is that we have employees that are within those dimensions almost every single day.

Anyone with a CCW permit is aware of those laws and is not supposed to be within that boundary line. That person is violating their CCW and can be held accountable.

Mr. Whitfield again reminded Council that this request came from the department directors and was a very strong concern with them and he hears and understands the different opinions.

It was agreed this needs to be discussed at another time.

Councilman Culotta asked if this should be discussed in a separate workshop or in a Council meeting. He would like to have public comment which is not normally done in a workshop. He prefers to hear from the industry experts.

Public Works Director Mike Svaby then stated he believes this originated in the public works building and whether it was public works personnel or others that work in the building. When this was first discussed, he contacted the Attorney General's office to get a little background. He is not a weapon owner and knows there is a process for concealed carry and if a person wants to open carry, that is permitted without CCW training and a permit.

His concern is that it puts people closer to the edge of making a decision that they might not otherwise make. As a department manager, he feels responsible for the safety of my employees. Both from people driving up to any city building, with some egregious thought at hand and whether they think it's legitimate or not.

Director Svaby also has concerns about the safety within our ranks. What can start out as a beef about a parking space, which is something that could typically happen and have two twenty-plus year professionals swearing at each other over a parking space. That is an example of how things can escalate very quickly. Unfortunately, that is a real example, and it did not escalate to anything physical. But if someone is carrying a weapon, it gives both parties other options.

He asked the Attorney General representative if he wanted to be made aware of just who was walking around with a concealed carry permit, how could he do that. He would like to know if people within our ranks are walking around with a pistol under their jacket.

Councilman Culotta pointed out that as part of the CCW process, it is announced in the newspaper, so it is public information. Director Svaby said he did follow up and found out that is only required in the very beginning and when you renew the notice is no longer required.

He has had to deal with employees who are already under a lot of stress due to Covid and being short-handed and overworked, and he is about to tell that employee they are going to have two days at home without pay because of their behavior or choices. When a person feels like they have nothing to lose, their decisions are always drastic and overbearing, he is very concerned. His thought was how does he know if this person he is about to confront is walking around with a gun on his hip.

There was also an example of a customer who is really ticked about his utility being turned off and he is coming in with a shotgun and an employee with a CCW stops him and neutralizes the threat before the police arrive and saves that employee and other's lives.

Director Svaby doesn't disagree but only wants to be made aware, or is it private information, of a person with a CCW permit.

It was again agreed that another workshop would be advantageous before any policy is put into effect.

Ms. Williams confirmed that the municipality does not have the right to know who has a CCW permit. She did ask our attorneys if the City could maintain a list of who has a CCW permit, and their first response was that a list of employees would violate their first amendment rights. She is willing to circle back, but she did initially ask if the City could have our employees self-report and that was her initial response.

Parks and Recreation Director Dennehy then agreed this is a sticky subject. He agrees that all employees have the right to come to a safe workplace. He has been here for almost eighteen years. In the last eighteen months, with Covid mental health is really on edge. He believes there are a lot of short fuses across the board right now. He has been on the receiving end within his department, of having threats of violence from former employees making threats to current employees. This got to the point he had employees who were afraid to come to work. And he will throw himself into that same bracket.

He thinks he has made some good inroads since those things occurred with putting in cameras and security systems. He also had extra patrols from the police department. But we hear about these different workplace incidents in other places, but it is hopefully not a question of when it will happen in Milford. But what has happened with Covid, and people being pinned up, he will reiterate what the City Manager said. When you are a supervisor, and at the moment anytime you need to talk to someone, tempers can become frayed pretty easily.

He also knows that Ms. Williams has been bombarded by employees coming to her wanting a decision made by the City and want clarification. He does not think this is something the City can shy away from.

There are always two sides to every story, and he could talk all night about where he comes from in New Zealand and gun ownership and how the police are not armed, but we have the biggest gun ownership per head of population in the world.

He asked that Council give a lot of thought to this because there is a lot more to the reason this is being presented for consideration and he will come back from his perspective of employee safety and employees wanting to feel safe when they come to work.

City Manager Whitfield said this will be discussed when they are able to provide some answers to many of the questions that have been asked and will schedule this and the other item at a future workshop.

The Workshop Session concluded at 7:32 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

CITY OF MILFORD
COUNCIL MEETING MINUTES
December 13, 2021

The City Council of the City of Milford met in Regular Session on Monday, December 13, 2021, in the Joseph Ronnie Rogers Council Chambers at Milford City Hall, 201 South Walnut Street, Milford, Delaware.

PRESIDING: Mayor Archie Campbell

IN ATTENDANCE: Councilpersons Daniel Marabello, Mike Boyle, Andrew Fulton, Andrew Fulton, Todd Culotta, Brian Baer, Nirmala Samaroo, Jason James Sr., and Katrina Wilson

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

COUNSEL: Solicitor David Rutt, Esquire

Per the Declaration of a Public Health Emergency issued by Governor Carney on July 13, 2021 and the virtual meeting provisions as provided in Senate Bill 94, Milford City Council met in a hybrid format.

CALL TO ORDER

Mayor Campbell called the meeting to order at 7:40 p.m.

INVOCATION AND PLEDGE

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

APPROVAL OF PREVIOUS MINUTES

Included in the packet were minutes from the May 24, 2021, June 14, 2021, and June 28, 2021 Council Meetings and June 28, 2021 Council Workshop. Motion made to approve by Councilmember Fulton, seconded by Councilmember Wilson. Motion carried.

RECOGNITION

Introduction/New City Employees

Introduced was Ashley Waller who began employment in November as the City's Permit Technician II with the Planning Department. She comes from the Town of Smyrna where she worked part-time as a Permit Technician I. Ashley was present and addressed Council stating she looks forward to a long career in Milford.

Earlier in November, Ryan Evans was hired to fill the Second-Class Electric Line Technician vacancy in the Public Works Department. He comes from Rock Creek Line Construction.

We also welcome First-Class Electric Line Technician Stephen Porter who was formerly employed with the Town of Middletown as a Journeyman Lineman.

2021 Excellence Award Winners

HR Administrator reviewed the submissions of the four Award Winners for 2021:

February - Deputy City Clerk Katrina White for the many extra hours she put into preparing and mailing approximately 2,400 letters for the police borrowing referendum on January 26th fielding election questions, handling non-stop voter registrations and absentee ballots until 5:00 pm the night before, in addition to overseeing the complete set-up of the polling

place and assuring that all required documents were prepared and delivered to Public Works. All of this was handled before 7:00 am on the day of the election.

June - Victoria Love, Billing Clerk for her untiring efforts in the Customer Service Department, was recognized for going above and beyond to help to assist a controller of the developer and property management company for a new apartment project, Windward on the River, in Milford. She was proactive and effective in communication by making sure everything was properly set up which made life easier for everyone.

September - Senior Accountant Sandra Peck in the Finance Department. Sandra was recognized for her hard work in the execution of the FY22 Capital Improvement Plan and Operating Budget. Both were approved unanimously by City Council and attest to the importance of Sandra's role in the process. She demonstrated excellence in teamwork and internal customer service.

October - Denham Dodd was recognized for exhibiting performance excellence, teamwork, productivity, and efficiency by assisting the Customer Service Division with software system outages, billing outages, firewall, and FTP site interruptions/failures and much more.

MONTHLY STAFF REPORTS:

Police Department

Monthly Stats:

A total of 328 arrests were made by the Milford Police Department during December 2021. Of these arrests, 133 were for criminal offenses and 195 for traffic violations. Criminal offenses consisted of 28 felony and 105 misdemeanors. Traffic violations consisted of 33 Special Duty Radar, 8 Drunk-Driving charges, 154 others.

Police officers investigated 51 accidents during the month and issued 55 written reprimands. In addition, they responded to 1035 various complaints including city requests and other agency assistance.

Monthly Activities:

Throughout the month of December, participated in numerous conference calls and virtual meetings including the monthly State, Kent and Sussex Chiefs meetings, DPCC Meeting, City Council and Workshop meetings, and the bi-weekly City Manager's Meeting with Department Heads.

Attended a meeting with the City Solicitor and HR in reference to an on-going personnel matter held at Milford City Hall on December 1, 2021.

Met with Amy Kevis with Partners in Public Safety Solutions, Inc. reference to Opioid Funding via Zoom held on December 2, 2021.

Attended the Monthly Rural Subcommittee Diversion /Co-Responder Workgroup held via Zoom on December 2, 2021.

Participated in the Delaware COPS Christmas Blue Light Vigil held at Law Enforcement Memorial in Dover on December 5, 2021.

Attended the 2021 Delaware Federal Delegation Grant Seminar held via Zoom on December 6, 2021.

Attended the City of Milford Citizens Advisory Council meeting held at Milford City Hall on December 6, 2021.

Attended the Special Law Enforcement Assistance Fund (SLEAF) Meeting held at Dover Police Department Assembly Room on December 7, 2021.

Met with City of Milford IT Director in reference technology for the new police facility on December 8, 2021.

Attended Milford Senior Center Board Meeting held at the Senior Center on December 8, 2021.

Met with concerned citizen on December 9, 2021, in reference to motorists not stopping for school busses when red lights are flashing.

Met with Attorney in reference to on-going litigation via teleconference on December 13, 2021.

Attended DE Police Chief's Council Board meeting and Christmas Luncheon held at the DE State Troopers Association on December 14, 2021.

Met with Attorney in reference to an on-going personnel matter held via Zoom on December 14, 2021.

Met with Attorney in reference to an on-going investigation via teleconference on December 15, 2021.

Met with Becker Morgan Group in reference to Landscape design for the new police facility held at the department on December 15, 2021.

Attended a course in Negligent Hiring Liability for Law Enforcement held via webinar on December 20, 2021.

Met with concerned citizen in reference to a personal issue on December 22, 2021.

Training –

All training courses for department personnel during the month of December 2021 were performed via webinars.

Social Media Update –

December statistics are as follows. Our Nextdoor has 2177 members covering 1635 households. Our Facebook page has 11,763 followers. Posts during the month reached 49,062 people with 13,301 people actually engaging in our posts. On Twitter our Tweets made 6585 impressions and our followers are up to 1321. Our Instagram account is at 1682 followers and posts during the month we liked by 1272 people.

SRO –

With the assistance of events held by Take My Hand Ministry and Jordan Watson Motorsports we were able to help dozens of area families this holiday season through our toy drive. This year toys and gift cards were distributed to area families through our contacts in the Milford School District and the Delaware Division of Family Services.

S/Cpl. Bloodsworth attended a "Lights Parade" in Smyrna. Smyrna officials invited area law enforcement to participate in the parade with police cars.

S/Cpl. Bloodsworth attended a Special Olympics of Delaware event at Benjamin Banneker Elementary School and assisted with the awards ceremony following the event.

K9 Unit –

For the month of December 2021, K9-1 spent two weeks preparing for and then taking his Annual NPCA Certification Course. Proud to report that K9 Mason certified in all categories.

K9-1 (Mason)

- Building Search 1
- CP/Demo 1
- No Bite Apprehensions 1

When asked to provide an update to Council on the status of the Citizen Advisory Committee, Chief Brown stated they met December 6th.

Chief Brown said that Becker Morgan brought in three versions of the front of the building and the brick. They picked out the brick though there were only two choices a lighter and a darker one. They picked the darker brick which was his choice.

They then picked the color white for the front of the building and there is room for some type of emblem to go at the top of the front of the building that they will decide later on what to put there.

When asked if there will be a presentation to Council so that the Mayor and Council are able to see what the Advisory Committee is seeing. Mayor Campbell said that will be done in January.

Councilwoman Wilson agreed said she has been on Council a very long time and this is at the least the third attempt for a new building and never getting this far. As of this point, the plans have not been brought before Council and that Council is still part of the process.

Chief Brown said that everything that has been done only relates to permitting and he has been working with them on space needs. They have selected the type of desk and furniture and how much room each office will need. There have been no decisions on anything going in there.

Mayor said they are deciding where they will put the windows because most police agencies have higher windows to prevent the possibility of sniper attacks. He said the committee members are really providing some good information.

Councilwoman Wilson thinks it is very important that the elected officials be included and are aware of what is going on.

Councilman Fulton asked if there were changes to the locker room and a reduction in the number of offices needed, since the take home vehicles were approved. He recalled Chief Brown stating that the take-home vehicles would provide a cost savings in the building, including the size of the parking lot, locker room and offices, etc.

Chief Brown said that was part of his first proposal, but since that time the Councilmembers have advised him they did not want to take that out and to leave it the way it was. However, when they were notified of the \$2 million price increase a couple months ago, he had to cut some things. The locker room was shrunk at that time, though it is still adequate especially with the take home cars. When asked if some of the offices were removed as a result, Chief Brown said the number of offices were only for what they have now. There was nothing to cut but they did shrink some of them even the hallways, but only by inches.

When asked about the size of the parking lot, Chief Brown said they are condensing that now. But the community room had an angled wall which was expensive. They squared that up and saved a lot of money though it will seat over 100 people.

When asked about the vehicles, Chief Brown stated that the State Office of Management & Budget Office had stopped taking orders for Tahoes though that is the vehicle that has been used the last several years. He also got word that Dodge is also stopping manufacturing as of the 16th. However, he did order the Ford Hybrids which the engine runs when it charges the battery. There is a lot of time the engine is not running, and this should give them 23-25 miles per gallon. The projected savings is \$3,400 in gas per car per year.

Even though it is costing a lot of money, there are many benefits. He has hired two certified officers since he got the take-home car vehicles and that has now increased to three. There is another officer that was looking for another department, but he is now staying because of the take-home vehicles.

Councilman Fulton moved to accept the police report, seconded by Councilman James. Motion carried.

City Manager

City Manager Whitfield provided highlights from the following report:

- We welcomed Second Class Line Tech Ryan Evans and First Class Lineman Steven Porter to our electric crew this month. The new lineman has 17 years municipal experience with Middletown, and lives in Felton. We also have made an offer to a Third Class lineman who left City employment in May, but has asked to return to the City. With these two new additions, we are down one electric crew member, and the electric superintendent.
- We interviewed one candidate from Seaford and have a second interview next week for the electric superintendent position.
- We have hired Jon McDowell as a temporary employee that will be filling in for Jamesha while on maternity leave early next year. Jon is a retired HR instructor, and also worked for Bayhealth.

- DELDOT contractor painted crosswalks on SE 2nd Street this past week.
- Public Works crews continue to keep up with both refuse collection and leaf collection, despite the 4 vacancies. The new one-person operated leaf truck has made a tremendous difference in time of collection.
- The Council Chambers has been fitted with new TV screens and remote operated cameras. We are now able to live stream our meetings over a broad range of media outlets (YouTube, Facebook, etc). Cameras will be operated remotely from the IT offices in the basement. Kudos to Dale, Denham, and Garrett for bringing our Council Chambers into the 21st century.
- Lou and I attended the DEMEC Executive Board meeting. They informed us of a rate increase in January, primarily due to rising natural gas costs. We could see a 9% increase in January.
- Rob and I met with Brent and Mike Fannin regarding several development projects.
- Jamesha and I met with our labor attorney on several personnel issues.
- The Mayor, Brad and I attended the monthly WIIN meeting with Slaughter Beach.
- Sara, Jamesha and I met with a student interested in doing an internship, primarily producing short videos for both economic development as well as educational videos.
- Brad, Rob Pierce and I met regarding a contract for Landscape Architect services for the Deep Branch Greenway project.
- Brad, Mike, Jamesha and I met regarding the Arborist position as well as the facility maintenance position.
- Rob and I continue to negotiate an MOU for the Industrial Park.
- The Police Teamster Union ratified the tentative agreement for July 2021- June 2024.
- Key Properties have given me a time frame of paving/maintenance of streets in Hearthstone.
- R. J. Skinner from our Parks and Recreation Department placed 3rd in the DFIT Small Equipment Rodeo this past week.
- Southeast Second Street has been completed by DELDOT. Additionally, Mispillion Street, McColley Street and Marshall Street just north of SE Front Street has been completed. If you have not visited these areas, please do so – it is a HUGE improvement.
- I held monthly meetings with Planning Director Rob Pierce, ICMA Fellow Melody Barger, and Finance Director Lou Vitola
- Lou Vitola, Customer Services Supervisor Suzannah Frederick, City Engineer James Puddicombe, Mike Svaby, Melody Barger and I met to discuss the status of the sidewalk program, including future funding and low income options.
- I met with the Department of Justice on the Opioid Settlement case.
- Sara Pletcher has been working with DMI on a banner replacement program downtown.
- Sara and Rob met with a company that does hydroponic farming, who is interested in our Industrial Park. Milford is high on their list as a location to develop.

City Manager Whitfield also commended Deputy City Clerk Katrina White for the new decorations in City Hall. He also o acknowledged our IT Staff who has updated the recording equipment and brought our standards up to the 21st Century. Dale Matthew, Denham Dodd and Garrett Anderson have worked hard to get this accomplished and he appreciates their efforts.

The Electric Crew spent approximately three weeks at City Hall decorating the outside. The decking of City Hall is done with a lot of pride and we have received a lot of compliments this year.

Parks and Recreation also did a lot of the holiday decorating on the buildings and shrubbery and took a special interest in making this year's decorations even better.

We are now only down one superintendent and one electric lineman in the electric department with all other positions filled and he is much more comfortable about keeping the lights on in Milford. It was a team effort from Human Resources to Public Works, in addition to Council's part in ensuring this department is fully staffed.

Public Works Department

Public Works Director Mike Svaby and City Engineer James Puddicombe provided information from the following report: The following input represents a high-level list of activities and accomplishments for the month of November 2021.

Director's Office

- Supported a PD Building Design charette dedicated to IT elements of design and prep for the CAC meeting.

- Led street light replacements specification ID and ordering process for delivery in mid-February and installation by first week in March.
- Met with DRWA on junior apprenticeship program with Milford High School

Engineering Division

- Continued revisions to the Standard Specifications
- Supervised construction startup at Simpsons Crossing phase 1B
- Supervised construction startup at Cypress Hall Phase 1
- Reviewed As-builts for Milford Ponds Phase 1.7
- Continued installation of watermain on NE Front Street in anticipation of TAP project to occur this spring.

Public Services Division

Streets/ Utilities/Solid Waste Section

1. Hydrant flush occurred in all 4 wards
2. Hydrants and other vertical features have been flagged for winter
3. Leaf collection continues
4. Street sweeping continues
5. Salt spreaders installed on trucks – now ready for inclement weather
6. Water Leak Repair on NW 2nd St

Water/Wastewater Section

1. Resolved Atlantic Concrete pressure issue
2. Pulled pump 1 at Truitt due to clogging.
3. New generator installed on Thursday 11/18. Also under capital improvements, wiring casing flex covering replaced for Same pump station to muffin Monster (Grinder) special thanks to Roy's Electric and Terry Webb Electric. Great job done.
4. Pump stations cleaned: Wendy's, Knotts Landing, Lighthouse, North Shore, and Watergate.

Electric/Tech Services Division

- **Traffic Signalization by DelDOT** – Continuing work through Mike Svaby on DelDOT signal takeover + responding with repair and troubleshooting, Solicited quote form Robynksi Engineering for signal cabinet documents, instructions for reset and troubleshooting.
- **Milford High School** – Primary meter was changed out during off hours and continued service was retained.
- **Christmas Lights** - during the month of November, installing/hanging Christmas lights during our staffing shortage was a time-consuming job and major undertaking.

New employees with the Department of Public Works



Ryan Evans (for Electric)

- Formerly employed by Rock Creek Construction
- Hired by Public Works and began employment with the City as Line Tech, Second Class - on November 1.
- Ryan lives in Greenwood, DE
- In his free time, enjoys fishing and the outdoors

Stephen Porter (for Electric)

- Formerly employed by Town of Middletown
- Hired by Public Works and began employment with the City as Line Tech, First Class - on November 1.
- Lives in Felton, DE.
- In his free time, enjoys hunting, fishing and driving on the beach.



City Engineer James Puddicombe confirmed that the Four-Way Stop remains under review by DelDOT. Once a decision is made, they will contact him.

Public Works Director then provided a brief update on some new concerns related to I&I. CE Puddicombe reported they just completed some work in the Truitt Avenue area and will be providing a report in the next few days. They are also about three-quarters of the way through the Washington Street pump station area, which appears may be the highest I&I problem area.

Planning & Zoning Department

Planning Director Rob Pierce provided highlights from the monthly report:

- Through the first eleven months of the 2021 calendar year, the City has issued 117 new residential construction permits and five permits for 120 apartment units. The total construction investment in Milford from January through the end of November based on issued building permits was \$38,825,482.
- The City of Milford has seen 108 projects with a committed investment of over \$24.4 million within the Downtown Development District (DDD) area since September 2016 (based on permit valuations from submitted applications). The State of Delaware has committed or awarded over \$2.62 million in grant funds for both large and small commercial and residential projects in Milford. The City has waived over \$501,000 in permit fees and taxes associated with these projects in accordance with Chapter 19 Economic Development and Redevelopment and DDD program guidelines.
- The Planning Commission will not meet during the month of December.
- The Board of Adjustment will review three applications in December. Two of the applications involve the construction of new single-family detached dwellings on infill lots. The third application is a lot coverage exceedance for a funeral home on North Street.
- Staff is preparing the 2022 Amendment to the 2018 Comprehensive Plan which will be presented for informational purposes at the January 10, 2022 workshop. The amendment includes several future land use map revisions and text amendments to the transportation chapter.
- The City approved a revision to the final construction plans for the Hickory Glen development.
- The City approved a revision to the Watergate final construction plans and added a utility easement to the record plan.
- The City provided plan review comments for the Cypress Hall Phase I & II Final Major Subdivision and Final Site Plan applications to the applicant and is awaiting resubmission.

- The City provided plan review comments for the Pest Pro Preliminary Site Plan application and is awaiting resubmission.
- The City received the resubmission for the Cypress Hall Phase III Preliminary Major Subdivision and revised Planned Unit Development applications.
- The City received the resubmission for the Helmick Milford, LLC Preliminary Site Plan to the applicant for a commercial building at the site of the former Wendy’s on N. Dupont Boulevard.
- The City received the resubmission for the Westwood Preliminary Major Subdivision and Planned Unit Development.
- The City received a preliminary site plan application for the renovation of the Buccaneer Carwash site on N. Dupont Boulevard.
- The City received a Utility Feasibility Study request for the McColley Farm between NE Front Street and NE Tenth Street for a apartment and townhouse development.
- Staff has prepared draft updates to the City’s building code which would adopt the 2018 version of the International Residential Code and International Building Code. A City Council workshop will be held on January 10, 2022 to discuss the proposed revisions and present information regarding residential domestic sprinkler systems.
- Code Enforcement Officials have completed several foot inspections of the town center area with more dates scheduled in December.
- The Department filled the newly created Permit Technician II position. Ashley Waller started on November 15, 2021.
- The Director coordinated the interviews for the vacant Board of Adjustment and Planning Commission positions. Positions were filled by City Council action on November 22, 2021
- The Director attended the 2021 American Planning Association (APA) Delaware Chapter Annual Meeting.
- Staff continues to work towards implementing the goals and objects of the 2018 Comprehensive Plan, SE Master Plan, Downtown Development District (DDD) application, Rivertown Rebirth Master Plan and Strategic Plan.

Case Activity:

	Total
New Cases	54
Closed Cases	31
Open Cases at Start of Period	374
Open Cases at End of Period	397

*188 open cases are related to annual grass violations.

Violation Activity:

New Violations Cited	Total
Abandoned Vehicle	10
Dangerous Tree	2
Furniture Violation	1
Generic Violation	6
Property Maintenance Violation	23
Rubbish & Garbage	4
Weeds & Grass	2
Zoning Use Violation	6
Total	54

Rental Licenses Issued: 14
 Vendor Licenses Issued: 0
 Contractors Licenses Issued: 10
 Business Licenses Issued: 10

Permits Issued by Type	Count
Commercial Demolition	1
Commercial Foundation	0
Commercial Building Permit	7
Construction Trailer	0
Residential Demolition	0
Residential Building New Construction	8
Residential Renovation/Accessory	7
Roof/Siding Permit	7
Sign Permit	1
Solar Panel Permit	6
Utility Permit	1
Total	38

Inspections Performed:

Inspections Performed by Type	Count
Footer	22
Foundation	16
Framing	16
Insulation	3
Final	29
Residential Rental	0
Total	86

Parks & Recreation Department

Highlights were provided from Director Dennehy:

- Covid-19 precautions continued with social distancing, mask wearing and enforcing non-vaccinated staff get weekly testing.
- Weekly trash pick-up continued through November of all municipal owned trash receptables by Park staff.
- Grass cutting on all city owned facilities continued throughout the month of November as the grass cutting season came to an end.
- Petty vandalism occurred on Goat Island including a section of handrail which was torn down and thrown in the river, as well as some signs, trash can lids and a life ring. Staff were able to retrieve these items and reinstall them.
- Park staff prepped for the landing of the President of the United States on City owned property. This included cutting the sports fields and vacant lots prior to the helicopters landing, as well as a concentrated effort to remove roadside trash along Airport Road from Route 113 to Canterbury Road prior to his visit.
- Field markers were installed at Tony Silicato Memorial Park to make it easier to identify the outlines of the soccer fields for next season.
- All the seasonal flowers were removed from both the hanging baskets, flower beds and large planters on the bridges. The potting soil and water reservoirs were also removed from the hanging baskets.
- Bushes at City Hall and downtown were trimmed prior to Christmas lights being installed.
- Holiday garland was installed on 27 light poles downtown by Park staff on North Walnut Street and Front Street.
- At City Hall garland was installed on the Pillars, net lighting was installed on the bushes and two new six-foot holiday decorations were placed by Park Staff.
- Leaves were removed out of the park area where the farmers market is, in preparation for the downtown stroll.
- Aqua foam was installed in all the hanging baskets in preparation of the installation of winter greenery.
- On Sunday November 21, park staff assisted DMI volunteers with the winter greenery installation. This includes installing greenery in 72 half-moon planters, 7 planters on bridges and 5 railing planters. Staff assist by collecting and depositing the greenery for the volunteers and cleaning up after the event.

- Park staff spent 4 days installing holiday lights on the trees in the downtown area. The larger trees are hung by the Electric Department using bucket trucks, but all the smaller trees are hung by Park staff using step ladders. Lights were trouble shot by staff the Saturday of Thanksgiving to make sure everything was working for the tree lighting.
- Part time staff started installing the new Holiday banners with all new hardware. To date 50 new banners and hardware have been installed on light poles.
- Park Superintendent attended the monthly safety meeting in November and the Awards and Recognition committee meeting.
- Winter registration for recreation programs opened with numbers filling in quickly for indoor soccer, basketball, wrestling and taekwondo. New programs include a kid's dance party, Christmas painting, a bowling day, and a kid's "fun" day. For Adults a basketball open gym, bingo night, and a women's community club have been planned.
- As part of registration a winter brochure was created by staff in house and was delivered to schools for children to take home and was also displayed on Social media as part of our marketing and promotion. The Boys and Girls Club also allowed us to create and display a PowerPoint slide show at their facility to help promote our programs.
- Staff met with the Director of the Boys and Girls Club to update the agreement between the Club and the City of Milford. Staff worked on updating the agreement with minor changes and no increase in user fees to the City. Staff also finalized details for our usage of the gym for the winter season.
- New signs were designed and created for the sign boards to be displayed downtown.
- Staff also decorated the office to make it welcoming for staff and the public alike for the holidays.
- Director continued to participate in the weekly and monthly WIIN coalition meetings.
- Director continued to work on Capital improvement projects including working with DNREC on grant funding for the playground/pickleball project and enlisting the expertise of a design professional for that project and the lighted handrail project.

Human Resources

IT Administrator Williams provided highlights from her monthly report:

- Interviews were conducted for the positions of Payroll Coordinator, Technical Support Specialist, Electric Superintendent and Public Works Equipment Operator.
- Job offers were extended and accepted for the positions of Cash Operations Clerk I, Payroll Coordinator and Public Works Equipment Operator.
- Onboarded new hires for the positions of Electric Line Technician, First Class, Electric Line Technician, Second Class and Permit Technician II.
- The 2021 Pay & Job Classification Study was approved by Mayor & City Council. All salary increases are effective for the December 10, 2021 pay date.
- Finalized all details with the Reward & Recognition Committee for the 2021 Holiday Party at the Milford Senior Center on Friday, December 17, 2021.
- John Matthews, Senior Risk Control Consultant (PMA Companies) and Scott Stohrer, Risk Control Supervisor (PMA Companies) conducted a Security Vulnerability Assessment for all City buildings excluding Police. The action report will be provided to the City within the next 90 days.

2021 Excellence Award Winners:

Katrina White, Deputy City Clerk

Sandra Peck, Accountant

Victoria Love, Billing Clerk I

Denham Dodd, Network Technician

Economic Development & Community Engagement

Economic Development & Community Engagement Administrator provided highlights from the following report:

Economic Development

- Joined Gov. Carney on his veteran-owned business tour of Milford for National Small Business Week. He visited Euphoric Herbals, CNUFit and Lifecycle in Milford.
- Continuing to build out the new economic development website with a target launch date of mid-January.

- Joined Cookie's Paper Petals DE Black Chamber of Commerce Mixer and networked with many potential Milford business investors
- Attended Benchmark Physical Therapy ribbon cutting
- Showed new business potential space in Cypress Hall shopping center. She's very interested in and in negotiations with Capano Management for Unit 5.

Community Engagement

- Presented Milford Community Presentation to the Milford Rotary Club. 15 members attended and found it worthwhile and informative.
- Improved website calendar to be a Community Calendar and created an event submission form
- Implemented the new website ChatBot for easier community website navigation
- Attended revived monthly Community Conversation
- Coordinated holiday banner program in Downtown and on electric poles
- Planned and coordinated Annual City Hall Tree Lighting resulting in record turnout

Meetings/Trainings

- Met with Jen Vandervort from Chesapeake Utilities
- Attended Five Pillars of a Successful Key Accounts Program, Webinar 1 and 2 in the Advanced Key Accounts Webinar Series
- Met with Public Works staff for monthly Public Utility Working Group meeting. Topic: Solar Panel PSA
- Attended quarterly CCGM Joint Economic Task Force meeting
- Met with City Manager for monthly Manager Update
- Attended Recover Delaware Roundtable #6
- Attended WIIN monthly meeting
- Attended Public Works Lighting Replacement Planning meeting
- Attended DMI Economic Vitality Committee monthly meeting
- Met with MHS grad Madison Stalvey, City Manager and HR Director regarding a Videography/Photography Internship
- Attended Kent County Tourism Board Meeting
- Attended monthly SEDAC meeting
- Kicked off SeeClickFix app development
- Met with Key Account team

Social Media/Website

- November 2021 Insights:
 - City of Milford Facebook: 40 new likes (total: 2,341); 21,574 reached; 1,008 post engagement
 - Parks & Rec Facebook: 19 new likes (total: 2,513); 22,474 reached; 1,074 post engagement
 - Instagram: 59 new likes (total: 813); 893 accounts reached; 199 accounts engaged
 - Twitter: 4 tweets, 868 impressions, 743 profile visits, 1 mention, 1,330 followers
 - Website: 14,391 visits (16,256 last month); 25,635 pageviews (27,427 last month)
 - ChatBot: 97 self-service resolutions; 60.6% self-service resolution rate; \$485 cost savings

Email Campaigns

- Nov. utility newsletter to customers who receive e-bills (3,670): 39.2% open
- Nov. business newsletter (audience: business license holders, 608): 29.3% open
- Nov. business newsletter #2 (audience: business license holders, 608): 23.7% open

Press Releases & Coverage

- City of Milford Expresses Condolences for Former Gov. Minner (Nov. 5)
- Annual City Hall Tree Lighting set for Nov. 27 (Nov. 19)
 - Milford Live: Annual City Hall Tree Lighting set for Nov. 27 (Nov. 22)
- City of Milford welcomes Councilmember Samaroo (Nov. 19)
 - Delaware State News: Samaroo replaces Morrow to represent Milford's 3rd Ward (Nov. 24)

- Milford Live: Samaroo joins City Council (Dec. 3)

IT Department

Updates were provided by IT Director Dale Matthews:

IT open projects:

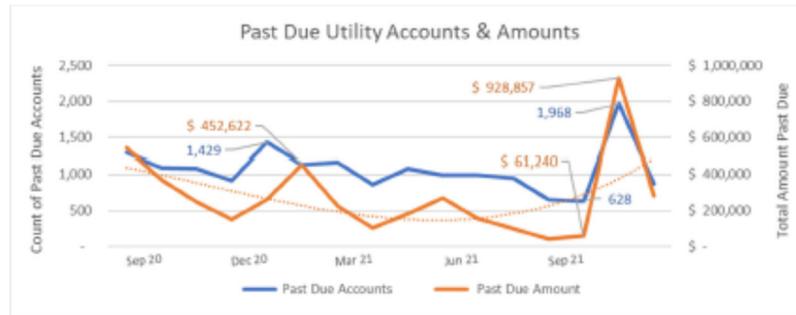
- *Security:*
- We are down to 14 people who still need to take the cybersecurity training. Completion of this training will be required to maintain access to City of Milford systems.
- We are still on track to implement improved authentication and access control practices and policies by the end of December. Two-factor authentication has been implemented early; related policies will be completed in December.
- M365 and Cloud:
- Due to vendor constraints, we had to delay migrating shared files to OneDrive. That migration will be completed 12/1/2021.
- *Council Chambers Upgrade:*
- The upgrade has been completed. We will work with Mark and Terri to determine next steps for Livestreaming.
- *Policies and Procedures:*
- Due to higher priority issues, we will push the completion of this task back to January 2022.
- *ERP Implementation:*
- We have begun planning activities with our project management vendor (Brandywine) and Tyler Technologies. The official kick-off will be in February.
- *Network:*
- We plan to upgrade the City Hall main (core) switch by mid-January. At that time, we will upgrade the internet connection to fiber for all locations. (Our internal network is fiber, but the internet connections are not.)

Finance Department

Finance Director Lou Vitola presented the following staff report:

- The Finance Report for the period ended 10/31/21 was distributed to Council
- Additional changes made for readability and convenience are highlighted in the report
- Training and other Improvement Efforts
- Sandra Peck continued her weekly participation in the Supervisors Academy
- Sandra Peck participated in the GFOA GAAP Update on November 4, 2021
- **Staffing**
- The Accountant III position was filled following a lengthy recruitment. Our new employee starts on Monday, December 13, 2021 and will be introduced to Council in January
- In the meantime, Sandra Peck continues to execute payroll processes, but the prolonged recruitment has significantly impacted the FY21 audit progress
- One open position remains in the Customer Service division; while a successful recruitment process is nearing the end with a strong candidate expected to start before the end of the year, another employee resigned, temporarily increasing our unfilled positions to two.
- **Police Facility Project – Planning and Design**
- The Bond Anticipation Note (BAN) successfully closed on November 30, 2021 and will provide the interim financing to construct the Police Facility through construction and until permanent financing is secured.
- **FY21 Audit Process**
- Sandra Peck and I met again with the new audit team to discuss timing, deliverables and schedules.
- Unfortunately, given the challenges in the Finance Department resulting from the loss of just one staff member (25% of 4 full-time team), we have fallen behind on the audit process and expect to present the City's financials at the second meeting of Council in February.
- **Billing & Customer Service Department**
- The City's print and mail vendor has recovered from the challenges precipitated in part by its recent merger and in part due to print center consolidation and staffing.

- Accordingly, our internal operations have returned to normal, including the generation of invoices and the dunning process for past due utility payments



- The graph below exhibits past due accounts and balances over the past year.
- The sharp reduction back to past due counts and amounts more consistent with averages reflects the speed with which an external force can disrupt operations, but also the ability for the customer service team to rebound
- A breakdown of property taxes outstanding follows below with differentiation between the current tax levy and previous tax levies.
- The past due amounts compare favorably to the past due amounts reported one year ago (graph unable to be transferred).

Councilman James complimented the new gentleman who was hired in Customer Service, noting that he is a very pleasant young man adding he was a great hire.

MONTHLY FINANCE REPORT

The Finance Director also reviewed the October 2021 Financial Reporting Package:

The Financial Reporting Package for October 2021 (FY22 YTD) is enclosed for your review. The following executive summary highlights this month's notable developments and recaps any changes to the report. The "Quick Reference" section of this memo recaps important financial highlights and modifications made in FY22 to help shorten the executive summaries.

YTD results continue to exceed budget expectations through October. Operating expenditures remain below even the seasonalized budget across funds for the fourth consecutive month, which is not surprising given our well-documented and indiscriminating staffing challenges. While understaffing results in unintended savings, we welcome what we hope is an end to that trend as we approach the halfway point of the fiscal year. Results in the electric and water funds, however, fall short of stronger performance through the same period last year, with the variance spread across operating lines somewhat evenly.

Cash balances have increased another \$1.3 million in total following last month's increase of \$2 million, each of which was driven almost entirely by the increase in general fund cash as the annual property tax bills were due on September 30. Capital spending has picked up pace with activity underway on NE & NW Front St, Second St, vehicle and equipment requisitions, and the conclusion of several building, road and utility projects.

Quick Reference for FY22 Financial Developments and Report Upgrades

Recap FY22 Financial Highlights

Summary of Modifications

- P.1 – Cash Roll forward
 - o New Solid Waste Reserves Acct created by FY22 Water Fund interfund loan forgiveness; new variance indicators
- P.2 – Restricted Cash Reserves Report
 - o The MSA and RTT reserves were combined into one shared summary to make room for Solid Waste Fund
 - o Lines 3 & 17 added to show additions & interest earnings in the capital reserve accounts
 - o Lines 12, 13, 24 & 25 feature updated MCR & ERR calculations for FY22 pursuant to cash reserve policy
- P.3 – The Enterprise Funds "P&L Style" Report features a new comparative column and four new rows
 - o The rightmost column compares current vs prior FYTD periods by revenue and expense lines and subtotals
 - o Rows 16 & 17 compare current & prior FYTD periods net surplus by fund
 - o Rows 18 & 19 compare actual surplus vs seasonalized budget surplus for the current FYTD period

- o Variance indicators added for quick reference to both P&L reports; refined in October 2021
- P.4 – The General Fund “P&L Style” Report was created to complement the existing Enterprise Funds P&L Report
 - o The new statement presents the same general fund financial performance available in the legacy Revenue and Expenditure Reports in a one-page consolidated executive summary
 - o The scaled, common-size columns at right match the prior year comparability goals featured in the Enterprise Fund version of the report, while also putting general fund revenues and expenses in context for the first time in the monthly financial reporting package
 - o Rows 19 & 20 allow for a comparison of the current and prior year FYTD periods by major function
 - o Rows 21-22 show comparison of actual surplus vs seasonalized budget surplus for the current FYTD period
- P.5 (prev p.10) – Planned Use of ARPA Funding by Category compared to Actual Spending added in Sept 2021
- P.6-10 – Revenue (p.6) & Expenditure/Inter-dept Reports (p.7-10) will be produced indefinitely as “legacy” reports.

When asked about the recent price hike in natural gas prices, Finance Director Vitola confirmed that DEMEC is working on increasing the renewables in the portfolio pursuant to the schedule that has been in place for a number of years. While the renewables are increasing pursuant to that plan, there are no plan to add renewables in an effort to mitigate that cost increase. Some of the renewable portfolio comes in higher than the existing cost of power, so it could have the opposite effect if they tried to quickly bring in new renewable sources of power.

Councilman James moved to accept the City Manager’s reports, including his staff reports, and the Monthly Finance Report, seconded by Councilwoman Wilson. Motion carried.

COMMITTEE & WARD REPORTS

Ward Two

Councilman Culotta reported an issue at 108 SE Second Street and he is again receiving complaints. Though Code Enforcement has addressed in the past, he is receiving complaints again.

He recalled that a traffic study was done on South Walnut Street, though he is continuing to receiving speeding complaints on that street, and an accident occurred there the other night when a parked car was hit and flipped. He asks that South Walnut be added to the study that DelDOT is already doing on Seabury, because it is a state-maintained roadway.

East Clarke Avenue

Councilman Fulton is receiving complaints about a business being conducted at a home on East Clarke Avenue. A sign was posted for 24/7 Bail Bondsman according to Councilman Culotta though the sign has been removed.

COMMUNICATION & CORRESPONDENCE

SCAT Dinner

Mayor Campbell reminded Council of the Milford-hosted SCAT dinner at Benvenuto’ Restaurant on Wednesday, January 5, 2021.

DEMEC Energy Rate Increase

City Manager Whitfield reported the City will be implementing a \$0.00396 per kilowatt-hour Power Cost Adjustment beginning in February. The PCA is a required pass-through of DEMEC’s wholesale power cost increase billed to all member cities effective January 1st through December 31st of 2022. DEMEC’s power cost increase is primarily due to the global increase in natural gas prices. The \$0.00396 increase will result in a 3.1 percent increase in electric bills for the average households and small business accounts in Milford.

This is the first PCA increase required in more than nine years. The City’s electric rate structure is unchanged.

Low Income Household Water & Sewer Assistance Program

The City Manager talked about an assistance program for low income persons with water and sewer fees, that is available through the State of Delaware Department of Health Human Services. Residents will need to apply through that agency and more information can be provided to those interested parties.

UNFINISHED BUSINESS

Adoption/Ordinance 2021-25/Chapter 63-Salaries & Compensation

City Manager Whitfield presented Ordinance 2021-25 for adoption this evening. The effective date would not occur until May of 2023.

Mayor Campbell asked if anyone from the public wished to comment on the ordinance. No one responded and the public comment period was closed.

Councilman Boyle raised a concern about Section 2 stating ‘the salary shall be modified annually based on the Consumer Price Index beginning January 1, 2023’. He has a problem with Council getting automatic increases, noting that Council approves every salary increase in the City and believes that should be the case with potential Council increases. He feels Council is escaping responsibility by allowing this increase to roll from year to year and he does not believe it looks good.

When asked what burden this puts on staff; City Manager Whitfield explained that staff would simply plug in the CIP that is published each year and because this is a policy, Council can make that decision to amend the ordinance.

A discussion followed regarding the six-month requirement. The conclusion was the salary impact would not occur until May 2023 to allow a six-month time frame prior to the enactment of the increase.

Councilman Boyle moved to amend the ordinance by removing Section 68-2(A)1 and Section 68-2(B)1 that states ‘The salary shall be modified annually based on the Consumer Price Index beginning on January 1, 2023’, seconded by Baer. Motion passed by a unanimous roll call vote.

Councilman Boyle moved to adopt the Ordinance 2021-25, as amended, seconded by Councilman James, as follows:

ORDINANCE 2021-25
CODE OF THE CITY OF MILFORD
PART I-ADMINISTRATIVE LEGISLATION
CHAPTER 63-SALARIES AND COMPENSATION
PART II – GENERAL LEGISLATION

WHEREAS, Article 4.03 of the City of Milford Charter states “The City Council may determine the annual salary of Councilmembers and the Mayor by ordinance, but no ordinance increasing such salary shall become effective until the date of commencement of the terms of Councilmembers elected at the next regular election, provided that such election follows the adoption of such ordinance by at least 6 months. Councilmembers and the Mayor shall receive their actual and necessary expenses incurred in the performance of their duties of office, in accordance with a policy established by City Council by Resolution”, and

WHEREAS, Section 63-2 of the Code of the City of Milford establishes the salaries of Council and Mayor, and

WHEREAS, the Mayor and City Councilmembers of the City of Milford members provide a positive service that is invaluable to the continued progress of our City; and

WHEREAS, in recognition of the increased obligations in the positions of Mayor and City Council, there is a desire to modify the amount of compensation due to the Mayor and City Councilmembers; and

WHEREAS, from time to time, there is a need to adjust the salaries of those officials elected as Mayor and City Councilmembers; and

WHEREAS, it is appropriate those salaries be adjusted on an annual basis to align with rising costs; and

WHEREAS, the City Council's last adjustments to the salary compensation for the Mayor and City Councilmembers of the City of Milford occurred in January 1998; and

WHEREAS, City Council accepted public comment prior to adopting the Ordinance on December 13, 2021.

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

Section 1. Section 63-2 of the Code of the City of Milford, entitled Salaries and Compensation, is hereby amended to read as follows, with strikeouts indicating matter stricken and underlined text as new matter:

- A. Each City Council member shall receive a salary of ~~\$50~~ \$100 per meeting.
- B. The Mayor shall receive a salary of ~~\$400~~ \$600 per month.

Section 2. Dates.

City Council Introduction: November 22, 2021

City Council Review & Final Determination: December 13, 2021

Section 3. This ordinance is effective May 1, 2023 as is required by Article 4.03 of the City of Milford Charter.

Motion carried by unanimous roll call vote.

Adoption/Ordinance 2021-26/Chapter 57-Planning Commission/Salaries

It was agreed to remove the provision related to the salary being modified annually based on the Consumer Price Index beginning on January 1, 2023.

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

Councilman Boyle moved to amend the ordinance by striking Section 2 in its entirety, relating to the Consumer Price Index increase, beginning on January 1, 2023', seconded by Fulton. Motion passed by a unanimous roll call vote.

Councilman Boyle moved to adopt the Ordinance 2021-25, as amended removing the language related to the Consume Price Index, seconded by Councilman James, to read as follows:

ORDINANCE 2021-26
CODE OF THE CITY OF MILFORD
PART I-ADMINISTRATIVE LEGISLATION
CHAPTER 57-PLANNING COMMISSION

WHEREAS, the City of Milford Planning Commission was created pursuant to 22 Del. C. § 701 et seq.; and
WHEREAS, the Planning Commission is a body of citizens that play a crucial role in shaping the future of the City and acts as an advisory group to City Council to develop plans and implement policies that affect the manner in which Milford changes in growth and development; and

WHEREAS, from time to time, there is a need to adjust the compensation of those that devote so much of their time to considering matters that require the review and evaluations of land use and development issues; and

WHEREAS, Chapter 57, §57.5, establishes salaries of the Planning Commission; and

WHEREAS, it is appropriate those salaries be adjusted on an annual basis to align with rising costs and increasing responsibilities; and

WHEREAS, City Council accepted public comment prior to adopting the Ordinance on Monday, December 13, 2021.

WHEREAS, Section 4.10 Effective Date, states 'Except as otherwise provided in this Charter, every adopted ordinance shall become effective at the expiration of ten days after adoption, at any later date specified therein, or as provided by State law'.

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

Section 1. §57.5 Salaries and Compensation, is hereby amended to read as follows, with strikeouts indicating matter stricken and underlined text as new matter:

Each member of the Commission shall be paid ~~\$50.00~~ \$75.00 per regular or special meeting attended and may be reimbursed for actual expenses incurred in the connection with their official duties.

~~Section 2. The salary shall be modified annually based on the Consumer Price Index beginning on January 1, 2023.~~

Section ~~2~~ 2. Dates.

City Council Introduction: Monday, November 22, 2021

City Council Review & Final Determination: Monday, December 13, 2021

Section ~~4~~ 3. This ordinance is effective January 1, 2023.

Motion carried by unanimous roll call vote.

New Business

Authorization/Electric Funds/Forklift Purchase/Public Works

Public Works Director Mike Svaby reviewed the request for additional funding to replace the interior forklift for the warehouse. The FY22 CIP included a budget of \$12,000 for this replacement. An updated quote was recently obtained, and the cost has increased to \$15,480.

Pricing for this forklift was obtained through a competitive bidding process. Specifications and the updated quote for the Yale Forklift was included in the packet.

When questioned by Councilmember Samaroo, Director Svaby was unsure of the year of the forklift being replaced though it is well beyond its 12-year life span. Multiple bids are received on large equipment items, unless a better quote is found through the State of Delaware Procurement process or other consortiums the City uses.

Councilmember Boyle moved to authorize an increase in the amount of \$3,500 from Electric Reserves to complete the purchase of the replacement forklift for the warehouse, seconded by Councilmember Culotta. Motion carried with no one opposed.

Introduction/Ordinance 2021-28/Chapter 19-Economic Development & Redevelopment/Incentives

City Manager Whitfield introduced the following ordinance:

ORDINANCE 2021-28
Amending the Code of the City of Milford
Chapter 19 - ECONOMIC DEVELOPMENT AND REDEVELOPMENT
ARTICLE III - Specific Economic Development Incentive Programs

WHEREAS, the City desires to provide relief to participants of housing assistance programs in the form of impact and permit fee waivers that are cost-prohibitive to the completion of housing assistance projects; and

WHEREAS, Milford City Council has a goal of providing reasonable housing assistance for qualifying residents of the City of Milford; and

WHEREAS, certain construction requires and fees have proven prohibitive for homebuyers who obtain housing through housing assistance programs; and

WHEREAS, Article III of Chapter 19 of the Milford Municipal Code allows Specific Economic Development Incentive Programs (SEDIP) by waiving some or all impact and permit fees for economic development within the city limits of Milford; and

WHEREAS, there is a need to encourage the development of affordable housing by reducing or waiving these fees for qualifying projects; and

WHEREAS, public comment will be taken prior to the scheduled adoption by City Council on the meeting date noticed in Section 3.

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

Section 1.

Amends Chapter 19 by adding a new section entitled 19-11 Citywide Affordable Housing Assistance Program.

Section 2. Section 19-11 will include subsections 19-11A Eligibility, 19-11B Target Area and 19-11C Development Incentives and paragraphs 19-11C(1) Impact Fee Waivers and 11C(2) Permit and Other Fee Waivers and subparagraphs 19-11C(1)(a) and 19-11C(2)a, 19-11C(2)(b) and 19-11C(2)(c), to read as follows:

§ 19-11 – Citywide Affordable Housing Assistance Program.

A. Eligibility. Eligible projects shall include any residential project done within the city limits that is part of an authorized citywide affordable housing program. Authorized citywide affordable housing program shall be defined as a program overseen by a non-profit or governmental agency that provides housing for low-income families for homeownership as defined by the U.S. Department of Housing and Urban Development. The incentive beneficiary shall provide the necessary documentation to prove participation in such a program. Eligible projects shall be limited to a maximum of two dwelling units per property.

B. Target Area – Citywide. The corporate limits of the City of Milford. A copy of the municipal boundary map shall be on file at City Hall, 201 S. Walnut Street, Milford, Delaware.

C. Development Incentives.

(1) Impact Fee Waivers.

(a) Incentive Beneficiaries shall qualify for a full waiver of impact fees.

(2) Permit and Other Fee Waivers.

(a) The City shall provide a one-time waiver of permits and fees identified under § 19-6(b)(1).

(b) The Incentive Beneficiary is responsible for obtaining all required local, State, County and Federal permits and approvals as may be required to complete the project.

(c) The Incentive Beneficiary shall be responsible for the Carlisle Enhancement Fee as outlined in the City of Milford Code.

Section 3. Dates.

City Council Introduction: Monday, December 13, 2021

City Council Public Comment & Council Review: Monday, January 10, 2022

Planning Director Pierce provided a synopsis of Ordinance 2021-28, stating this is an amendment to Chapter 19 Economic Development/Redevelopment Code of the City of Milford and will add a new city-wide affordable housing assistance program. It will provide some fee waiver breaks for one- or two-family dwelling units that are being constructed by nonprofit groups that provide affordable housing aid.

He added it will be back before Council on January 10th for final review, public comments, and adoption.

EXECUTIVE SESSION

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

Pursuant to 29 Del. C. §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

Motion carried.

Mayor Campbell recessed the Council Meeting at 9:00 p.m. for the purpose as is permitted by the Delaware Freedom of Information Act.

Return to Open Session

Councilmember Fulton moved to go back into regular session, seconded by Councilmember Boyle. Motion carried.

Council returned to Open Session at 9:19 p.m.

Legal Matter

No action is needed as a result of the discussion in the Executive Session.

ADJOURNMENT

There being no further business, Councilmember Marabello moved to adjourn, seconded by Councilmember Baer. Motion carried.

The Council Meeting adjourned at 9:21 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

CITY OF MILFORD
COUNCIL WORKSHOP MINUTES
January 10, 2022

The City Council of the City of Milford met virtually in a Workshop Session on Monday, January 10, 2022, in the Joseph Ronnie Rogers Council Chambers at Milford City Hall, 201 South Walnut Street, Milford, Delaware at 6:02 p.m.

PRESIDING: Mayor Archie Campbell

IN ATTENDANCE: Councilpersons Daniel Marabello, Mike Boyle, Andrew Fulton, Todd Culotta, Brian Baer, Nirmala Samaroo, Jason James Sr., and Katrina Wilson

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

COUNSEL: Solicitor David Rutt, Esquire

Per the Declaration of a Public Health Emergency issued by Governor Carney on July 13, 2021 and the virtual meeting provisions as provided in Senate Bill 94, Milford City Council and participants met in a hybrid format.

2022 Amendment to 2008 Comprehensive Plan

The 2022 amendment to the 2018 Comprehensive Plan includes three future land use map amendment requests and a transportation chapter text amendment. Amendments 1 & 4 are initiated by the City of Milford. Amendments 2 & 3 are being requested by the property owner. All four amendments will be submitted to the State of Delaware Office of State Planning Coordination (OSPC) for Preliminary Land Use Service (PLUS) review. The below narratives for proposed amendments 2 & 3 are for informational purposes only and public hearings will be scheduled at a later date after PLUS comments are received from the State. Proposed amendments 1 & 4 could be revised based on City Council feedback from tonight's meeting and prior to the PLUS submission.

Amendment #1 – Deep Branch/Herring Branch Greenway

The City is seeking a change in the future land use classification for the following parcels from Low Density Residential to Open Space as shown on Exhibit A. The purpose of the amendment is to develop a greenway along Deep Branch and Herring Branch from Marshal's Pond to S. Walnut Street. Only one parcel is currently located within City limits.

The City has acquired Sussex County Tax Parcel 3-30-11.00-039.00 and is working to develop a greenway master plan for this area. The greenway would include passive and active recreation areas, including but not limited to bike trails, walking paths, picnic areas, wildlife viewing areas, ball fields and courts, gazebos which will be determined through the master planning effort and under the advisement of the City's Parks and Recreation Advisory Board, DNREC and City Council.

Amendment #2 – Mr. Wiggles

The parcel was the location of a proposed Transfer of Development Rights receiving area which has been relocated as shown on the provided Exhibits 1, 2, 3, 5 & 6. The below table replaces Table 4.2 in its entirety that was amended by the City in 2019 prior to the adoption of the Transfer of Development Rights ordinance, originally found on page 25 of the SE Master Plan. The proposed Receiving Area #1 identified in the 2019 amendment would need to be relocated from parcel 056.00 due to the requested change in land use classification from residential to commercial. Proposed Receiving Area #3 has been increased by the amounts previously held by proposed Receiving Area #1 and the change is reflected in the table found in the packet.

Amendment #3 – Country Life Homes, Inc.

The City has received a request from the property owner of Sussex County Tax Parcel 3-30-11.00-070.00 to change the future land use of the property from Proposed Low Density Residential to Proposed Commercial. The property is currently located in the unincorporated area of Sussex County and is improved with a farmhouse and related agricultural uses. Enclosed is a draft plan for the use of the property provided by the owner if the comprehensive plan future land use exhibit

and City zoning map are amended to commercial and C-3 Highway Commercial. See attached SE Neighborhood Master Plan Exhibits 1, 2, 3, 5 & 6.

Amendment #4– Text Amendments to Chapter 6 Transportation

According to DelDOT’s datasets, which can be viewed at www.bikemap.com/de, the entirety of South Walnut Street/North Old State Road is a state bicycle route, bisecting the City north to south. It also lists the full east to west extent of North and Southeast Front Streets as a regional bicycle route.

Milford has actively planned for improved bicycle and pedestrian connections and facilities. In 2011, it published a Bicycle and Pedestrian Master Plan. In 2021, it adopted an update to the bicycle portion of this master plan. Milford’s full Bicycle Master Plan update can be seen at <https://www.cityofmilford.com/461/Bicycle-Master-Plan>.

Amendment #4– Text Amendments to Chapter 6 Transportation

See packet for details.

Staff will share the amendment requests with the Planning Commission at the January 18, 2022 meeting and will submit the amendment requests to the State of Delaware Office of State Planning Coordination (OSPC) for Preliminary Land Use Service (PLUS) review in February. Once PLUS comments are received, staff will coordinate any additional public engagement required for the processing of the amendment requests.

Building Code Update & Residential Sprinklers

Enclosed is a draft amendment to Chapter 88 – Building Construction that would adopt the 2018 International Residential Code (IRC), the 2018 International Building Code (IBC) and the 2018 International Swimming Pool and Spa Code (ISPSC). The City currently operates under the 2012 version of the IRC and IBC and pools and spas are governed under an appendix to the 2012 IRC.

The enclosed amendment includes additions, insertions and changes to the IRC, IBC and ISPSC. Below is a breakdown of those changes.

2018 IRC

Chapter 1, Administration

- Added language to the permitting section authorizing the requirement for State agency approvals as part of the permit review process.
- Defined construction activities that would be exempt from needing a building permit.
- Added “clean hands” language.
- Added the requirement for an as-built survey between the foundation and framing inspections to ensure the building is constructed in the proper location.

Chapter 3, Building Planning

- Updated the Climatic and Geographic Design Criteria table.
- Added a requirement for the installation of an egress window in sleeping rooms that are being added or gutted due to renovations.
- Added language requiring a 36” clearance along all edges of a roof and at the ridge pertaining to the placement of solar panels.
- Staff has currently proposed to make automatic fire sprinklers optional for townhouse, one-family and two-family dwellings.

Chapter 4, Foundations

- Added language to allow exceptions to the minimum footing sizes for decks, residential accessory structures less than 300 square feet and prefabricated room enclosures.
- Modified the language for concrete or masonry foundations and drainage systems to include both crawlspaces and basements, as opposed to just basements.

Chapter 5, Floors

- Added language for deck floor joist and deck girder spans to be constructed in accordance with the American Forest and Paper, Design for Acceptance #6, Prescriptive Residential Wood Deck Construction Guide.

Chapter 6, Wall Construction

- Added an exception to the wall bracing language for walls constructed of translucent or transparent plastic not more than 0.125 inches thick.
- Added requirements for post frame buildings.

Appendices

- Adopted Appendix C, Exit Terminals of Mechanical Draft and Direct-Venting Systems without changes.
- Adopted Appendix E, Manufactured Housing as Dwellings without changes.
- Adopted Appendix J, Existing Buildings and Structures without changes.
- Adopted Appendix Q, Tiny Houses without changes.

2018 IBC

Chapter 1, Administration

- Added language to the permitting section authorizing the requirement for State agency approvals as part of the permit review process.
- Defined construction activities that would be exempt from needing a building permit.
- Added “clean hands” language.
- Added the requirement for an as-built survey between the foundation and framing inspections to ensure the building is constructed in the proper location.

2018 ISPSC

Chapter 1, Administration

- Changed the language for permitting procedures, violation procedures and appeal procedures to the IRC or IBC depending on if the application is for a residential or commercial project.

The City Solicitor would provide legal review of the proposed amendment. Upon completion of legal review, the ordinance would be advertised and a public hearing would be scheduled with the City Council in March.

The following presentations were made:

Planner Pierce presented:

Chapter 88

Building Construction

2018 IRC/IBC

Draft Revisions

City Building Official Fred Coppock was in attendance to answer the more technical questions.

Chairman Paul Eichler of the Delaware Fire Sprinkler Coalition then presented:

Delaware Fire Sprinkler

Coalition: An Overview

Chairman Eichler also thanked Chief Ryan Knowles of the Carlisle Fire Company and John Rudd, Chief of Technical Services at Office of the State Fire Marshal.

The Workshop Session concluded at 7:12 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

CITY OF MILFORD
COUNCIL MEETING MINUTES
January 10, 2022

The City Council of the City of Milford met virtually in Regular Session on Monday, January 10, 2022, in the Joseph Ronnie Rogers Council Chambers at Milford City Hall, 201 South Walnut Street, Milford, Delaware.

PRESIDING: Mayor Archie Campbell

IN ATTENDANCE: Councilpersons Daniel Marabello, Mike Boyle, Andrew Fulton, Andrew Fulton, Todd Culotta, Brian Baer, Nirmala Samaroo, Jason James Sr., and Katrina Wilson

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

COUNSEL: Solicitor David Rutt, Esquire

Per the Declaration of a Public Health Emergency issued by Governor Carney on July 13, 2021 and the virtual meeting provisions as provided in Senate Bill 94, Milford City Council and participants met in a hybrid format.

CALL TO ORDER

Mayor Campbell called the meeting to order at 7:40 p.m.

INVOCATION AND PLEDGE

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

APPROVAL OF PREVIOUS MINUTES

Included in the packet were minutes from the December 13, 2021 Council Workshop. With a change in the attendance, a motion to approve the minutes, as amended, was made by Councilmember Fulton, seconded by Councilmember Boyle. Motion carried.

RECOGNITION

Introduction/New Employees

Finance Director Lou Vitola introduced our new Payroll Coordinator Katti L. Murphy.

Proclamation 2022-01/Milford School Choice Week

NOW, THEREFORE, I, Arthur J. Campbell, by virtue of the authority vested in me as Mayor of the City of Milford, do hereby declare January 23 – 29, 2022, as Milford School Choice Week and call this observance to the attention of all our citizens.

Proclamation 2022-02/Honoring the Life of Dr. Martin Luther King Jr.

NOW, THEREFORE, I, Arthur J. Campbell, Mayor of the City of Milford, Delaware, proclaim the Martin Luther King Jr. Holiday as a Day of Service in our City and call upon the people of Milford, Delaware to pay tribute to the life and works of Dr. Martin Luther King Jr. through participation in community service projects on Martin Luther King Day and throughout the year.

STAFF REPORTS

Monthly Police Report

Councilman Boyle presented the report for Chief Brown.

Councilman James asked and Chief Brown agreed to add year-to-date statistics for the Behavior Health Unit to his report.

Councilmember Wilson moved to accept the police report as submitted, seconded by Councilmember Boyle. Motion carried.

Monthly City Manager Report

City Manager Mark Whitfield presented the City Manager report.

Public Works Department

Public Work Director Mike Svaby presented the Public Works report.

Planning & Zoning Department

Planning Director Pierce presented the Planning and Code Enforcement report.

Parks & Recreation Department

P&R Director Brad Dennehy presented the monthly report for his department.

Human Resources

HR Administrator Williams presented her monthly report.

Economic Development & Community Engagement

ED & CE Administrator Sara Pletcher was on leave, though the reported was included in the packet. No questions were asked.

IT Department

IT Director Dale Matthews presented the report for IT.

Councilmember Fulton moved to accept the City Manager report and Department Head reports, seconded by Councilmember Wilson. Motion carried.

Finance Department

Finance Director Lou Vitola presented the report for the Finance Department, which includes Customer Service.

Councilman

MONTHLY FINANCE REPORT

Mr. Whitfield reported that the monthly finance report will be moved to the second meeting of the month in order to provide a more current financial picture of the City.

Finance Director Vitola then provided the November 2021 Finance Report.

WARD REPORTS & COMMUNICATIONS

SCAT meeting information was included in the packet for the February 2, 2022 meeting hosted by Georgetown.

CORRESPONDENCE

Portion of a letter was written into the record by Mayor Campbell from representatives of the Teamsters thanking Council for the upgrades in salaries recently approved and how the take-home vehicle program will attract and ensure long careers of police officers in Milford.

UNFINISHED BUSINESS

Authorization/Change Order/ NW-NE Front Street Sanitary Sewer Rehabilitation/Pleasants Construction

City Manager Whitfield reported this is Change Order 2 from Pleasants Construction for the NW-NE Front Street Sanitary Sewer Rehab Project and reduces the cost by approximately \$340,000. Councilmember Fulton moved to approve the change order that resulted in savings of loan and grant funds, as well as over \$340,000 in credit to the City, seconded by Councilmember James. Motion carried.

Adoption/Ordinance 2021-28/Chapter 19-Economic Development & Redevelopment/Incentives

The ordinance provides financial relief from City sewer, water and electric impact fees and building permit fees associated with the construction of low-income housing for home-ownership that is overseen by a non-profit or governmental agency.

When the floor was opened for public comment, Russell Huxtable, Vice President and COO of Milford Housing spoke on its benefits and encouraged adoption.

Councilmember Boyle moved to adopt Ordinance 2021-28, seconded by Councilmember James. Motion carried with no one opposed.

Authorization/Bid Announcement & Package/New Police Station

Chief Brown deferred to Brendon Frederick of Becker Morgan Group who provided a presentation showing the drawings of the new police facility. As awarded Construction Manager on behalf of the team of the City of Milford, the he was in attendance representing RY Johnson to request permission from Council to move forward with advertising and oversight of a bid process for all of the trade work associated with the new building.

There are a total of 17 bid packs associated with this work. Trades are aggregated as follows:

- 1: Site Work
- 2: Concrete work
- 3: Masonry
- 4: Steel Work
- 5: Carpentry and General Work
- 6: Roofing
- 7: Furnish Hollow Metal/Doors Hardware
- 8: Storefront/Glass
- 9: Drywall/Metal Stud
- 10: Acoustical Work
- 11: Floor Coverings
- 12: Caulking and Painting
- 13: Casework
- 14: Mechanical
- 15: Sprinkler System
- 16: Electrical
- 17: Pre-Engineered Metal Building

Dean Johnson of RY Johnson then followed up with some additional information on the bidding process. He also talked about the three alternate bids for the maintenance building, mobile storage and the third is for additional parking.

He also talked about ways they have reduced the overall costs.

Finance Director Vitola was asked to provide a brief summary of the need to keep the target at \$13 million in order to satisfy the referendum and the future tax increase for the building that was approved last year.

Director Vitola then provided a financial summary of the building, construction, and overall costs since the start of the project.

City Manager Whitfield shared that by law, the bids must be opened publicly and that bidders may attend if they wish.

Councilmember Boyle moved to authorize proceeding with the bid announcements, seconded by Councilmember Fulton. Motion carried with no one opposed.

NEW BUSINESS

Authorization/Professional Service Contract/SW Front Street/Two-Way Traffic

City Engineer James Puddicombe explained the need to improve the flow of traffic in the Downtown District in conjunction with DelDOT. The intersection at SW Front and Walnut is currently a traffic light-controlled intersection with one way traffic heading west on SW Front Street. The Department wishes to engage a third-party engineering firm to evaluate the potential to remove the traffic light at this location and replace it with other traffic control measures as well as convert traffic on SW Front back to two-way. Two-way traffic on SW Front will be necessary with the future replacement of the SW Front Street bridge by DelDOT as previously approved by council. A request for proposals was sent out to three engineering firms and two responded, of which Century engineering was the lower bidder at \$27,500.

Councilmember Fulton moved to approve the award of a contract to Century Engineering to investigate the removal of the traffic light control at Southwest Front and Walnut Street resumption of two-way traffic on Southwest Front with funds to be allocated from Real Estate Transfer Taxes in the amount of \$27,500, seconded by Councilmember Wilson. Motion carried with no one opposed.

Mayor Campbell introduced the following ordinances, followed by a brief synopsis of each by Planner Director Pierce:

*Introduction/Ordinance 2022-01**Helmick Milford – Fast Food*

1.024 +/- acres of land located at the southwest corner of Warner Road and US Route 113

Application Type: Conditional Use

Comprehensive Plan Designation: Commercial

Zoning District: C-3 (Highway Commercial District)

Present Use: Vacant

Proposed Use: Fast Food Restaurant & Drive-in Restaurant

Tax Parcel: MD-16-174.14-01-03.02

*Introduction/Ordinance 2022-02**586 MHH, LLC*

0.166 +/- acres of land located at the northwest corner of N. Walnut Street and NW Front Street

Application Type: Conditional Use

Comprehensive Plan Designation: Commercial

Zoning District: C-2 (Central Business District)

Present Use: Single-Occupancy Commercial (former bank)

Proposed Use: Two-Unit Commercial (church and office)

Tax Parcel: MD-16-183.10-03-82.00

Introduction/Ordinance 2022-03

Amends the City of Milford Code by Deleting in its Entirety Chapter 100 Car Washes

Introduction/Ordinance 2022-04

Amends the City of Milford Code by Deleting in its Entirety Chapter 182 Satellite Dishes

Introduction/Ordinance 2022-05

Amendment to City of Milford Code

Chapter 200/Subdivision Code

Sections 200-3, 200-4, and 200-8 are hereby amended

Introduction/Ordinance 2022-06

Amendment to City of Milford Code

Chapter 230/Zoning Code

Sections 230-3, 230-4, 230-9, 230-10, 230-11, 230-12, 230-13, 230-13.1, 230-14, 230-15, 230-16, 230-17, 230-18, 230-19, 230-19.1, 230-19.2, 230-19.3, 230-19.4, 230-19.5, 230-19.6, 230-19.7, 230-19.8, 230-19.9, 230-20, 230-21, 230-22, 230-24.18, 230-27, 230-29, 230-30, 230-31, 230-32, 230-33, 230-34, 230-35, 230-36, 230-37, 230-38, 230-38.5, 230-39, 230-40, 230-41, 230-42, 230-43, 230-44, 230-45, 230-45.1, 230-45.2, 230-45.3, 230-47, 230-48.1, 230-49, 230-51, 230-52, 230-52.1, 230-52.2, 230-53, 230-54, 230-55, 230-56, 230-58, 230-59, 230-61, 62, and 230-63, are hereby amended and/or renumbered

The ordinances will be back to Council on January 24, 2022 for a final public hearing and determination.

Council Committee/Workshop Status

Over the course of the past two years, I have observed the workings of Council through the Committee structure and workshops. Based on these observations, I am recommending several changes.

Council Committees

Council committees have several shortcomings. First, through committees, three or four Council person receive more information on subjects than other members. Second, Council Committees have very irregular meeting schedules. And lastly, all the information covered in a committee meeting, is repeated at the Council meeting for all of Council.

Last year, the Mayor reduced Council Committees to just the Finance Committee and Police Committee. In 2021, the Finance Committee met six times; the Police Committee met just once.

It is my recommendation the Mayor and Council consider the elimination of Council Committees. In lieu of Council committees, I recommend Council Liaisons be considered. Two liaisons would be assigned to a subject area, which would provide City staff the opportunity to cover subjects in detail to obtain feedback from Council, prior to introducing subject matter on a Council agenda. Because no decisions are being made, the liaisons meeting would not require minutes, and not be subject to FOIA requirements. Council liaisons would be appointed by the Mayor.

Workshops

Over the past two year, attempting to cover Workshop Agenda items prior to a scheduled Council meeting has been problematic. First, it appears there is inadequate time to fully discuss topics. Second, subject matter is rushed in order to be completed by 7 pm. Third, the workshops combined with the regular Council Meeting often requires up to 4 hours on a Monday to cover everything. More recently, there has been a need to schedule Workshops or Committee meetings as early as 5:30pm, in order to cover all items prior to the 7pm Council meeting. Lastly, the possibility of eliminating Council Committees may necessitate more workshops with all of Council to fully cover pending items.

I recommend Council consider having separate workshop meetings, solely devoted to workshop items. The additional meetings would assist making regular Council meetings more efficient, and less exhausting. Council meetings would start on time at 7pm, which would be a benefit to those people bringing matters before Council, or who wish to provide public comment. A separate workshop meeting would not have time constraints, which would allow Council to fully discuss topics.

Solicitor Rutt suggested doing bare bone minutes and that the City Clerk provide minutes only showing who is in attendance and any action taken. Workshop minutes would include the attendees, the topic and start time and end time.

The consensus of Council was to proceed with action-only minutes.

EXECUTIVE SESSION

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

Pursuant to 29 Del. C. §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

Pursuant to 29 Del. C. §10004(b)(2) Preliminary discussions on site acquisitions for any publicly funded capital improvements, or sales or leases of real property

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 9:00 p.m. for the purpose as is permitted by the Delaware Freedom of Information Act.

Return to Open Session

Councilmember Fulton moved to go back into regular session, seconded by Councilmember Baer. Motion carried.

Council returned to Open Session at 10:19 p.m.

Potential Vote/Personnel Matter

Councilman Fulton moved to authorize the 90-day payment extension, seconded by Councilmember Culotta. Motion carried.

Legal Matter

Councilman Fulton moved to authorize \$25,000 be transferred from reserves to pay for legal services, seconded by Councilmember James.

Land Issue

No action is needed as a result of the discussion in the Executive Session.

ADJOURNMENT

There being no further business, Councilmember James moved to adjourn, seconded by Councilmember Baer. Motion carried.

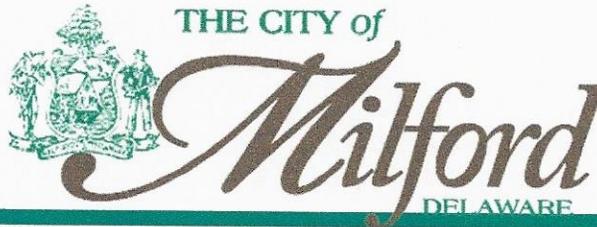
The Council Meeting adjourned at 10:21 p.m.

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: February 7, 2022
RE: Activity Report/January 2022

Monthly Stats:

A total of 343 arrests were made by the Milford Police Department during January 2022. Of these arrests, 105 were for criminal offenses and 238 for traffic violations. Criminal offenses consisted of 5 felony and 100 misdemeanors. Traffic violations consisted of 24 Special Duty Radar, 7 Drunk-Driving charges, 207 others.

Police officers investigated 56 accidents during the month and issued 68 written reprimands. In addition, they responded to 992 various complaints including city requests and other agency assistance.

Monthly Activities:

Throughout the month of January, participated in numerous conference calls and virtual meetings including the monthly State, Kent and Sussex Chiefs meetings, DPCC Meeting, City Council and Workshop meetings, bi-weekly City Manager's meeting with Department Heads, and PD Staff meetings.

Attended the Milford Police Station Pre-submittal meeting held via Zoom on January 4, 2022.

Attended the Milford Police Building Engineering Estimate Review held at City Hall on January 5, 2022.

Attended the City of Milford Citizens Advisory Council meeting held via Zoom on January 6, 2022.

Attended the DACP Board meeting held via Zoom on January 11, 2022.

Attended the SALLE/EIDE meeting held via Zoom on January 11, 2022.

Attended the Delaware Police Accreditation Commission (DPAC) meeting held via WebEx on January 18, 2022.

Attended Brandy Counseling Board Meeting held via Zoom on January 18, 2022.

Held a Police Department Departmental meeting held via Zoom on January 20, 2022. Meeting was held for promotions and to update personnel on progress of new police building and take-home car program.

Attended Bidding/CD Submission Kick off meeting held via Zoom on January 21, 2022.

Met with Attorney in reference to on-going litigation via teleconference on January 24, 2022.

Met with Capt. Huey & Evidence Technician in reference evidence storage solutions for new police facility on January 27, 2022.

Met with Attorney in reference to on-going litigation via teleconference on January 27, 2022.

Training –

Most training courses for department personnel during the month of January 2022 were performed via webinars.

All personnel are required to complete a webinar training course in “How to Avoid Social Media Liability”. Training must be completed by the end of January.

One officer attended CTR-VRT Training held in Dover from January 10, 2022 – January 14, 2022.

Two Officers attended Certified Instructor Course held at DSP Academy from January 24, 2022 – January 28, 2022.

Three Officers attended DEMA-FEMA ICS 300 Training held on-line from January 24, 2022 – January 28, 2022.

Social Media Update –

Our Nextdoor posts during the month made 1990 impressions. Nextdoor reaches 1645 households in 15 neighborhoods according to statistics provided by the website. Our Facebook page has 11,690 followers. Posts during the month reached 22,599 people with 11,043 people engaging in our posts. On Twitter our Tweets made 6023 impressions and our followers are at 1325. Our Instagram account is at 1687 followers and posts during the month were liked by 795 people.

SRO –

Sr/Cpl. Bloodsworth participated in a swearing in for a new AAA Safety Patrol member at Benjamin Banneker Elementary School.

Sgt. Masten has begun plans for the annual Milford's Night Out which will return this summer. The Funsters band have agreed to return for this year's entertainment. This year's event will be held in Bicentennial Park on August 2nd.

K9 Unit –

For the month of January 2022, the Milford Police Department K9 Unit had the following stats:

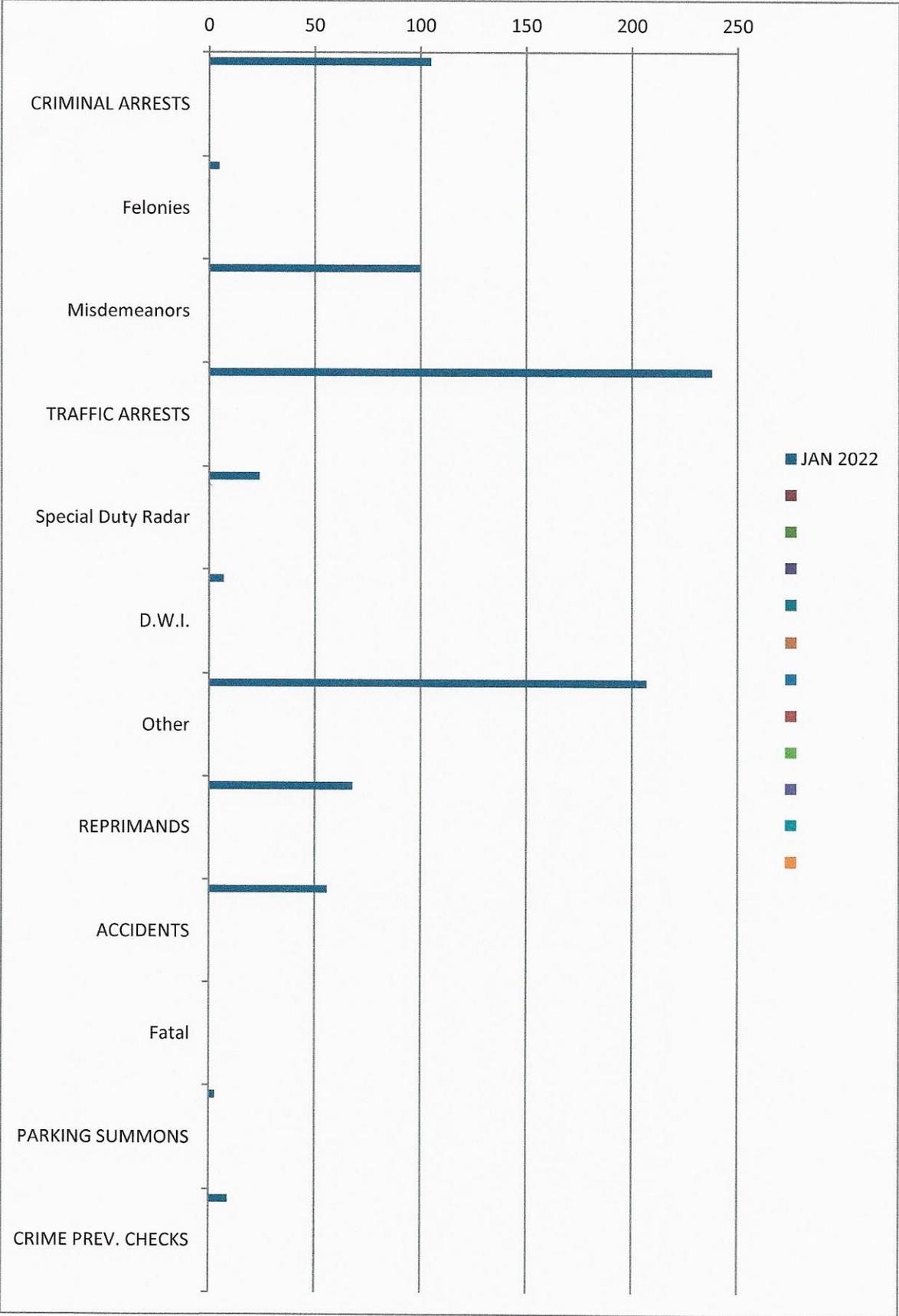
K9-1 (Mason)

- Area Search 1
- Drug Sniff 3
- Assist Other Agency 1
- No Bite Apprehensions 1

<u>Seized Items</u>	<u>Amount</u>
• Marijuana	.05 grams
• Crystal Meth	.03 grams
• Paraphernalia	

JANUARY 2022 ACTIVITY REPORT

	JAN 2022	TOTAL 2022	JAN 2021	TOTAL 2021
COMPLAINTS	992	992	721	721
CRIMINAL ARRESTS	105	105	33	33
Felonies	5	5	1	1
Misdemeanors	100	100	32	32
TRAFFIC ARRESTS	238	238	31	31
Special Duty Radar	24	24	0	0
D.W.I.	7	7	5	5
Other	207	207	26	26
REPRIMANDS	68	68	6	6
ACCIDENTS	56	56	30	30
Fatal	0	0	0	0
PARKING SUMMONS	3	3	0	0
CRIME PREV. CHECKS	9	9	0	0
FINES RECEIVED	\$5,458.49	\$ 5,458.49	\$5,449.26	\$5,449.26

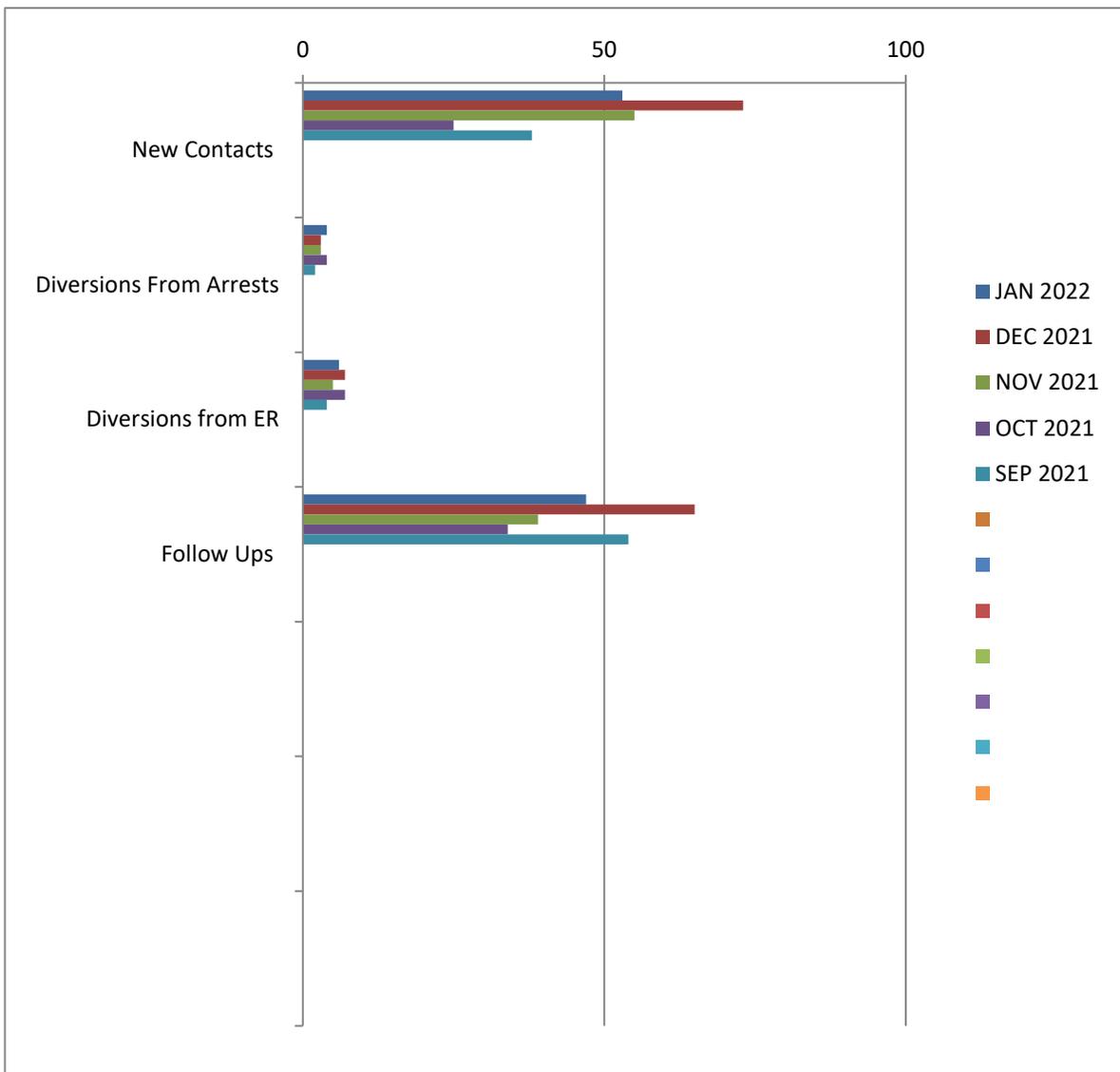


Dates	Hours Worked	Meetings Attended/Hosted	Trainings Attended	# of NEW Contacts	New Contact Notes	# of Diversions from Arrest	# of Diversions from ER	# of Follow-Up's
January 3- January 9, 2022	30.5	1. Rural Subcommittee Diversion Meeting	N/A	7	Referrals to Services: Overdose Domestic Disorderly	0	0	10
January 10- January 16, 2022	55	1. Statewide Rural Subcommittee Diversion Meeting	1. Suicide Screening 2. Juvenile Substance Use	20	Referrals to Services: Harassment Domestic Victims Services Check the Welfare 10-81 Public Assistance Victims Services	2	3	14
January 17- January 23, 2022	57	1. Housing Alliance COC Meeting 2. Milford Police Department Meeting	1. Compassionate Trauma Victims Treatment 2. Detera Usage & Distribution, 3. Avoiding Social Media Liability 4. Working Effectively with LGBT Youth	14	Referrals to Services: 10-81 Domestic Check the Welfare Public Assistance Trespassing	1	2	13
January 24- January 30, 2022	46.5	1. Homeless Advocacy Meeting	1. Understanding Substance Use in the Elderly 2. Management of Mood Disorders in Adolescents 3. Critical Elements for Implementing the Officer Intervention Pathway for Pre-Arrest Diversion	12	Referrals to Services: 10-81 Domestic Check the Welfare Public Assistance Trespassing Shoplifting Suspicious Person Theft	1	1	10
Totals:	189			53		4	6	47

Milford Police Department - January 2022 BHU Statistics
Jenna Haines, LMSW, MSW, DE-CMHS, CIT
Gregory Bissct, LCSW, C-AADC

BEHAVIORAL HEALTH UNIT SEPTEMBER - JANUARY 2022

	JAN 2022	TOTAL
Hours Worked	189	1143
New Contacts	53	244
Diversions From Arrests	4	16
Diversions from ER	6	29
Follow Ups	47	239
	0	0
	0	0





MARK A. WHITFIELD, CITY MANAGER
201 South Walnut Street
Milford, DE 19963

PHONE 302.422.1111
FAX 302.424.3553
www.cityofmilford.com

To: City Council and Mayor
From: Mark A. Whitfield, City Manager
Subject: January 2022 Monthly Report
Date: February 3, 2022

- Public Works and Parks & Recreation crews were busy with two major storms that hit Milford during January – Monday January 3 and Saturday January 29. Crews finally were able to use the large snow plow trucks purchased over the last three year. We received a few complaints regarding missed streets, and had several power outages during the January 3 storm, but overall, crews were able to keep streets and roads passable during the storm, and had streets cleared within a day or two after the storm.
- The January 3 storm was particularly difficult due to the change over from rain to snow. It was nearly impossible to apply deicing materials prior to the snow since the rain would wash it away before it could be activated. This caused a hard pack to form on the roadways, that became nearly impossible to remove. Both the City and the State had the same issues. Additionally, staff shortages (Covid and vacancies) coupled with multiple power outages that took people away from snow removal, challenged crews through out the day. We attempted to collect Friday's refuse route on Monday (due to the NYD holiday on Friday), however, after one truck slide into a mailbox, it was decided to suspend service due to safety concerns. The containers were collected on Tuesday. Then, to make matters worse, we had to sewer pump failures at the Washington Street pump station around 7pm Monday night. By noon on Wednesday, most all snow removal had been completed, including City sidewalks, and all other issues had been resolved.
- Melody Barger did an excellent job filling in for Sara Pletcher with various social media posts regarding the loss of power and the snow storm as well as refuse collection issues during the January 3 storm. Despite having a vacation day on Monday, Melody jumped in and helped out where she could.
- We received word that Sussex County will be providing a grant from their RTT monies to the City. The grant will be for \$500,000, and must be a matching grant. State Law subjects the use of RTT monies for certain things, which we will need to comply with.
- I attended a DEMEC workshop on electric rate design.
- Staff continues to meet regarding the sidewalk master plan. We will present to Council this Spring.
- We are altering our Sick Leave Policy to give employees with less than 2 years with the City, the ability to use sick time advanced to them. The sick time will be "paid back" as they earn in the future. We have a number of new employees hit by COVID that have been affected by extended time off.
- The new Council chairs are to be delivered in early February

- Jamesha Williams is now on maternity leave. During her absence, Jon McDowell will be filling in. Jon is a retired HR professional who previously worked for the State of Delaware and Bayhealth.
- I attended the monthly Executive Board meeting of the Chamber of Commerce
- Brad, Rob and I met with Matt Spong regarding his work on the Deep Branch Greenway.
- Rob, Sara and I met regarding the Industrial Park.
- I attended the Delaware Chapter of APWA meeting via Zoom.
- Mayor Campbell, Brad Dennehy and I attended the Milford Community Cemetery Board meeting.
- 207 South Walnut Street (the former DMI House) has been deeded from the City to David Mills, the new owner.
- We continue to struggle with staffing issues due to the Covid outbreak. The outbreak has hit vaccinated personnel as well as unvaccinated.
- We closed the buildings to the public for the month of January and February, primarily due to the Covid surge. Employees who are able to work from home can do so.
- Jamesha and I met with our labor attorney on a personnel issue.
- Most of Council, the Mayor, and numerous staff attended the SCAT dinner at Benvenuto. Kudos to the Mayor, Terri and Katrina for putting on a very successful event.
- The Mayor, Vice Mayor, Mike Svaby, Chief Brown, Lou Vitola and I met with Becker Morgan and Robert Y Johnson regarding the Police Station project.
- Councilman James, Lou Vitola and I met to review the monthly Finance Report.
- The Mayor, Councilman Boyle, Mike Svaby, and I attended the Police Citizen's Advisory Committee meeting.



TO: Mayor and City Council
THRU: Mark Whitfield, City Manager
FROM: Michael Svaby, Director, Public Works
DATE: February 9, 2022
RE: January 2022 - Public Works Department Staff Report

The following input represents a high-level list of activities and accomplishments for the month of January 2022.

Director's Office

1. Attended monthly Kent County Sewer Advisory Board Budget Subcommittee Meeting
2. Worked with Becker Morgan Group and RY Johnson with prep for Police Building Bid Advertisement and attended Citizens Advisory Council Meeting for PD Building
3. Participated in interviews for Arborist (2 candidates)
4. Participated in TMC and County Bridge calls in prep
5. Conducted Sexual Harassment Prevention Training in participation with DeIDOT
6. Met twice in planning for EV Charging Station buildout for weather readiness and snow removal
7. Attended ICMA Leadership Training

Engineering Division

1. Completed Stormwater install on Fisher Ave
2. Began test pitting on NE 2nd and North Street for Lead Service Removal
3. Completed water main pressure testing at Cypress Hall and Deep Branch Commercial
4. Issued Sidewalk Notices and are continuing to follow up with owners and
5. Completed initial draft of as-built submittal checklist for conditional acceptance

Public Services Division - Streets/ Utilities/Water/Sewer/Solid Waste Section

1. Prepped equipment for snow removal
2. Cleared streets and sidewalks during and 3 days after both storms
3. Repaired water leak on Roosa Road.
4. Prepared Annual 2021 water reports for Delaware River Basin Commission and DNREC and submitted them electronically

Electric Division/Tech Services

1. Repaired fiber line on site at Bayhealth and billed Bayhealth for cost of repairs.
2. Finalized testing and formalized promotion recommendation from Ground Tech to Line Tech, 3rd Class for Landon Werner.
3. Reviewed plans for Front Street Streetscape project and undergrounding of utilities
4. Prepared consolidated report and analysis of existing Photovoltaic System inventory

New Employee Starts

1. **Brian Jester** began employment with the City on 1/17/22 as Equipment Operator in the Streets and Utilities section of Public Works. He was most recently employed by DelDOT at the Greenwood Maintenance Yard. Mr. Jester resides in Milford and enjoys spending time with family and friends and playing cornhole and pool in his free time.



2. **Billy Proctor** began employment with the City on 1/17/22 as Equipment Operator in the Streets and Utilities section of Public Works. Mr. Proctor resides in Felton and enjoys watching sports and fishing in his free time.



TO: Mayor and City Council

FROM: Rob Pierce, AICP - Planning Director

DATE: February 2, 2022

RE: January 2022 – Planning Department Staff Report

- During the first month of the 2022 calendar year, the City issued 4 new residential construction permits. The total construction investment in Milford for January 2022 based on issued building permits was \$960,139.
- The City of Milford has seen 111 projects with a committed investment of over \$24.7 million within the Downtown Development District (DDD) area since September 2016 (based on permit valuations from submitted applications). The State of Delaware has committed or awarded over \$2.64 million in grant funds for both large and small commercial and residential projects in Milford. The City has waived over \$515,000 in permit fees and taxes associated with these projects in accordance with Chapter 19 Economic Development and Redevelopment and DDD program guidelines.
- The Planning Commission will review two conditional use site plan applications and a standalone conditional use application at the February meeting. First Baptist Church of Milford has submitted for an amendment to their site plan for the expansion of the parking lot area and William Allen Property Management has submitted a preliminary application for the construction of two commercial buildings on a vacant lot along the east side of Silicato Parkway. The standalone conditional use application is for a professional home occupation for lands of Shelley Maloney on E. Clarke Ave.
- The Board of Adjustment will review two variance requests at the February meeting. The first is in regards to an exceedance of the allowable fence height and the second is in regards to allowing loading operations in the front yard area of a commercial property currently used for warehousing.
- Staff submitted the 2022 Amendment to the 2018 Comprehensive Plan to the State of Delaware Office of State Planning Coordination. The Preliminary Land Use Service (PLUS) meeting is scheduled for later in February. Public meetings will be held in the future once comments are received from the State.
- The City provided plan review comments for the resubmission for the preliminary site plan application for the redevelopment of the Buccaneer Carwash site on N. Dupont Boulevard.
- The City provided the findings of the utility feasibility study request for 1018 Properties, LLC for the redevelopment of
- Staff reviewed and approved several minor subdivision or lot line adjustment applications during the month of January.
- The City provided plan review comments for the resubmission for the Cypress Hall Phase III Preliminary Major Subdivision and revised Planned Unit Development applications.
- Staff received a preliminary site plan application for Cascades – Phase II for the construction of 66 apartment units.

- Staff received a preliminary major subdivision application for Red Cedar Farms located east of Bucks Road for the construction of 200 single-family detached dwellings.
- Staff received a final site plan application for the Milford Police Station.
- A workshop will be held with City Council on February 23, 2022 to continue the discussion of a proposed building code update from the 2012 IRC/IBC to the 2018 version, including the potential requirement for residential sprinklers in new construction. Staff has invited representatives from the Carlisle Fire Company, Delaware Sprinkler Coalition, State Fire Marshals Office and the Delaware Homebuilders Association.
- The Planning Director and City Engineer are working on compiling information related to the sidewalk master plan and will present material to City Council at the February 23, 2022 workshop.
- Rental, contractor's and business license renewals continue to be processed for the 2022 calendar year.
- Code Enforcement Officials completed their annual reports showing the code cases closed during the 2021 calendar year. A copy of the report is in the City Council packet and on the City's code enforcement website.
- Staff continues to work towards implementing the goals and objects of the 2018 Comprehensive Plan, SE Master Plan, Downtown Development District (DDD) application, Rivertown Rebirth Master Plan and Strategic Plan (see below links).
 - [2018 Comprehensive Plan & SE Master Plan \(Click Here to View\)](#)
 - [Downtown Development District Plan \(Click Here to View\)](#)
 - [Rivertown Rebirth Master Plan \(Click Here to View\)](#)
 - [Strategic Plan – Press Play: Vision 2023 \(Click Here to View\)](#)

Case Activity:

	Total
New Cases	16
Closed Cases	39
Open Cases at Start of Period	255
Open Cases at End of Period	236

Violation Activity:

New Violations Cited	Total
Abandoned Vehicle	3
Dangerous Tree	2
Furniture Violation	0
Generic Violation	2
Property Maintenance Violation	3
Rubbish & Garbage	5
Weeds & Grass	0
Zoning Use Violation	1
Total	16

Rental Licenses Issued: 522

Vendor Licenses Issued: 0

Contractors Licenses Issued: 192

Business Licenses Issued: 124

Building Permits Issued:

Permits Issued by Type	Count
Commercial Demolition	1
Commercial Foundation	0
Commercial Building Permit	1
Construction Trailer	0
Residential Demolition	0
Residential Building New Construction	4
Residential Renovation/Accessory	10
Roof/Siding Permit	4
Sign Permit	1
Solar Panel Permit	1
Utility Permit	2
Total	24

Inspections Performed:

Inspections Performed by Type	Count
Footer	5
Foundation	5
Framing	17
Insulation	12
Final	30
Residential Rental	0
Total	69



Code Enforcement

Department of Enforcement and Inspections

Remedied Violations since January 1, 2021



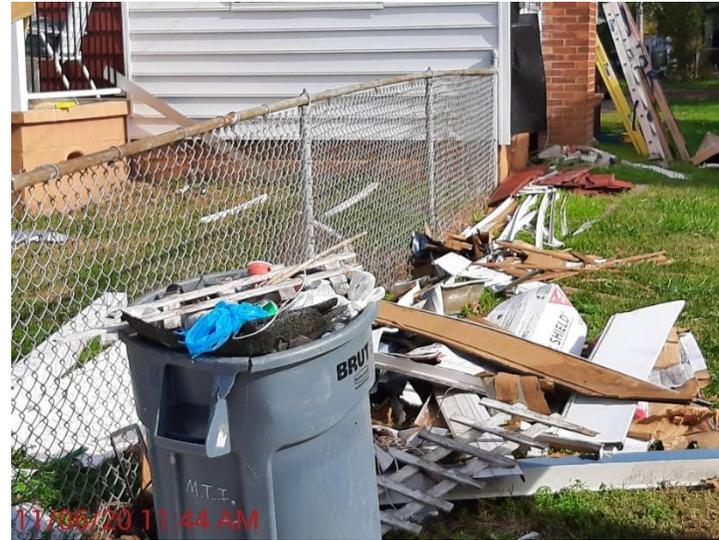
Code Enforcement

- ▶ 110 SE Front St
- ▶ Dangerous Tree
- ▶ In progress of removing
- ▶ Remedied



Code Enforcement

- ▶ 507 West Street
- ▶ Rubbish
- ▶ Remedied





Code Enforcement

- ▶ 449 N Church Street
- ▶ Property Maintenance - Roof
- ▶ Remedied





Code Enforcement

- ▶ 104 McColley Street
- ▶ Condemned no utilities
- ▶ Remedied -Vacant





Code Enforcement

- ▶ 401 Truitt Ave
- ▶ Condemned- Unhabitable , No utilities
- ▶ Remedied -Vacant





Code Enforcement

- ▶ 604 North Street Ext
- ▶ Board up
- ▶ Remedied





Code Enforcement

- ▶ 207 N Church St
- ▶ Property Maintenance
- ▶ Property sold
- ▶ Demo permit issued
- ▶ Demoed - Remedied





Code Enforcement

- ▶ 448 North Street
- ▶ Condemned
- ▶ Boarded up
- ▶ Remedied





Code Enforcement

- ▶ 100 Kings Highway
- ▶ Property Maintenance - Accessory structure - Fence
- ▶ Remedied





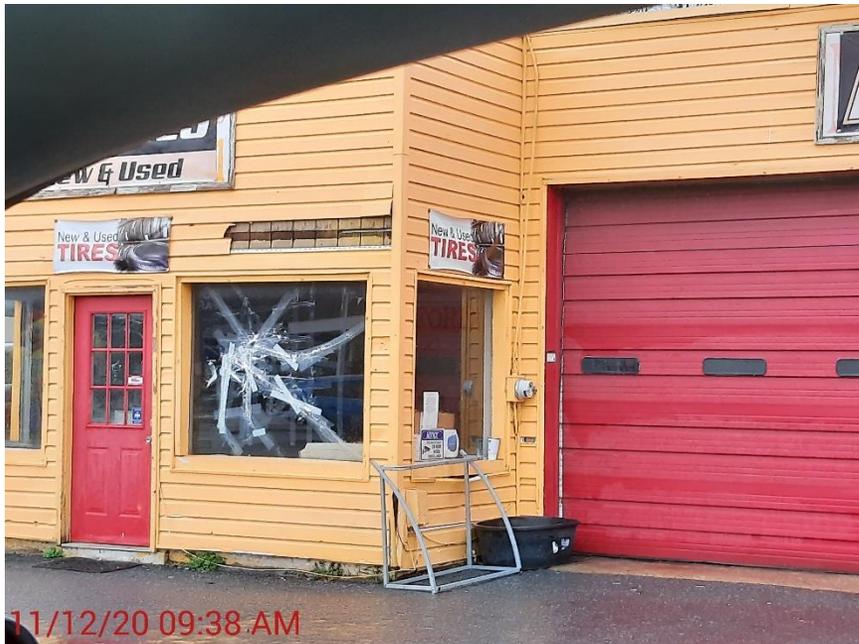
Code Enforcement

- ▶ 710 North Street
- ▶ Abandoned Vehicle
- ▶ Remedied



Code Enforcement

- ▶ 601 S Dupont Blvd
- ▶ Property Maintenance
- ▶ Remedied





Code Enforcement

- ▶ 908 SE SECOND ST
- ▶ SEWER
- ▶ REMEDIED





Code Enforcement

- ▶ 408 CHARLES ST
- ▶ DANGEROUS TREE
- ▶ REMEDIED





Code Enforcement

- ▶ 414 CHARLES ST
- ▶ EXT ROOF
- ▶ REMEDIED



Code Enforcement

- ▶ 212 SE SECOND ST
- ▶ RUBBISH
- ▶ REMEDIED
- ▶ NEW HOME





Code Enforcement

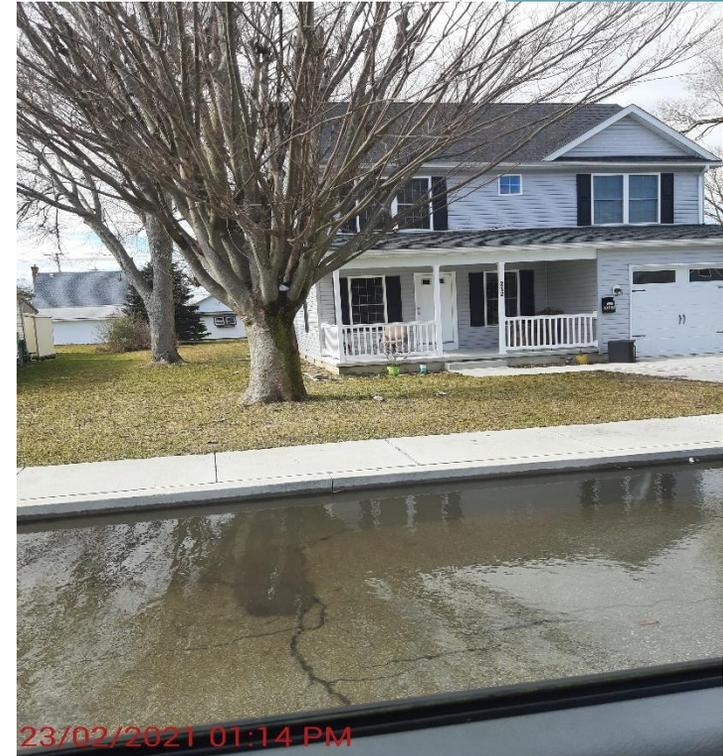
- ▶ 803 SE SECOND ST
- ▶ RUBBISH
- ▶ REMEDIED





Code Enforcement

- ▶ 212 FISHER AVE
- ▶ FURNITURE
- ▶ REMEDIED





Code Enforcement

- ▶ 204 Charles St
- ▶ Furniture
- ▶ REMEDIED





Code Enforcement

- ▶ 219 S Washington St
- ▶ Rubbish
- ▶ Remedied





Code Enforcement

43 FISHER AVE
EXT / FENCE
Remedied





Code Enforcement

- ▶ 50 CEDAR BEACH RD
- ▶ ZONING 230 ANIMALS
- ▶ REMEDIED





Code Enforcement

- ▶ 913 SE SECOND ST
- ▶ FURNITURE
- ▶ REMEDIED





Code Enforcement

- ▶ 111 S Washington St.
- ▶ Condemned
- ▶ Remedied



Code Enforcement

- ▶ 325 SE Second St
- ▶ Furniture
- ▶ REMEDIED





Code Enforcement

- ▶ 204 Charles St
- ▶ Ext Siding
- ▶ REMEDIED





Code Enforcement

- ▶ 630 Marshall St
- ▶ Roof
- ▶ One side completed
- ▶ REMEDIED





Code Enforcement

- ▶ 500 NE FIFTH ST
- ▶ RUBBISH
- ▶ REMEDIED





Code Enforcement

- ▶ 505 S Washington St
- ▶ AV
- ▶ REMEDIED





Code Enforcement

- ▶ 710 North St.
- ▶ Abandoned Vehicle
- ▶ Remedied





Code Enforcement

- ▶ 454 North Street
- ▶ Property Maintenance Roof
- ▶ Remedied





Code Enforcement

- ▶ 711 N Walnut St
- ▶ Furniture
- ▶ Remedied





Code Enforcement

- ▶ 100 Sussex Ave
- ▶ Accessory structure - Fence
- ▶ Remedied





Code Enforcement

- ▶ 110 NW Third St.
- ▶ Dangerous Tree
- ▶ Remedied



Code Enforcement

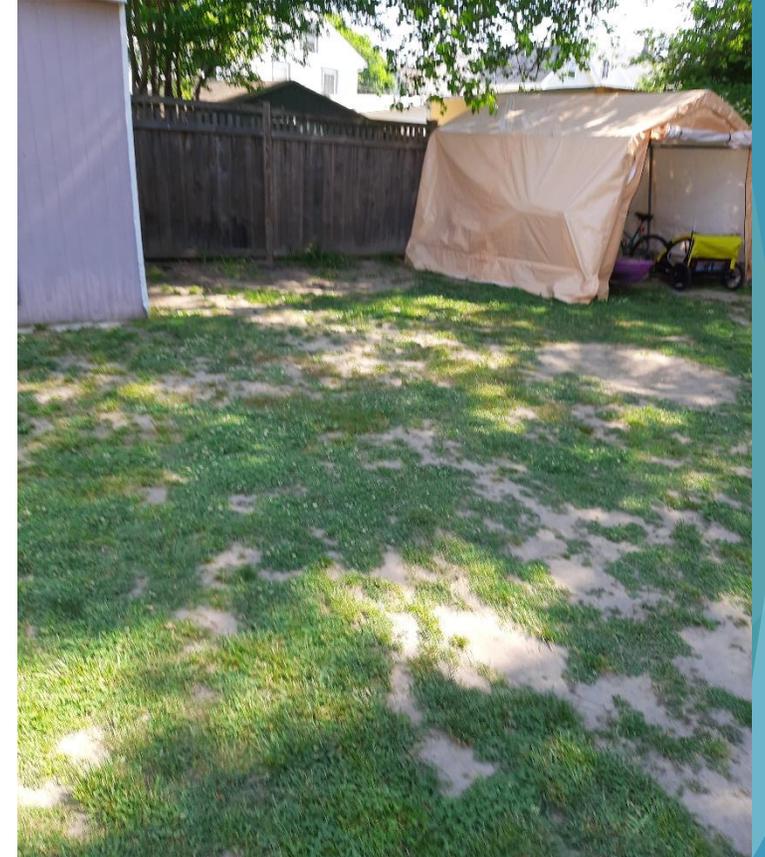
- ▶ 408 North St.
- ▶ Property Maintenance - Rubbish
- ▶ Remedied





Code Enforcement

- ▶ 105
Mccolley St
- ▶ ZU Animals
- ▶ Remedied



Code Enforcement

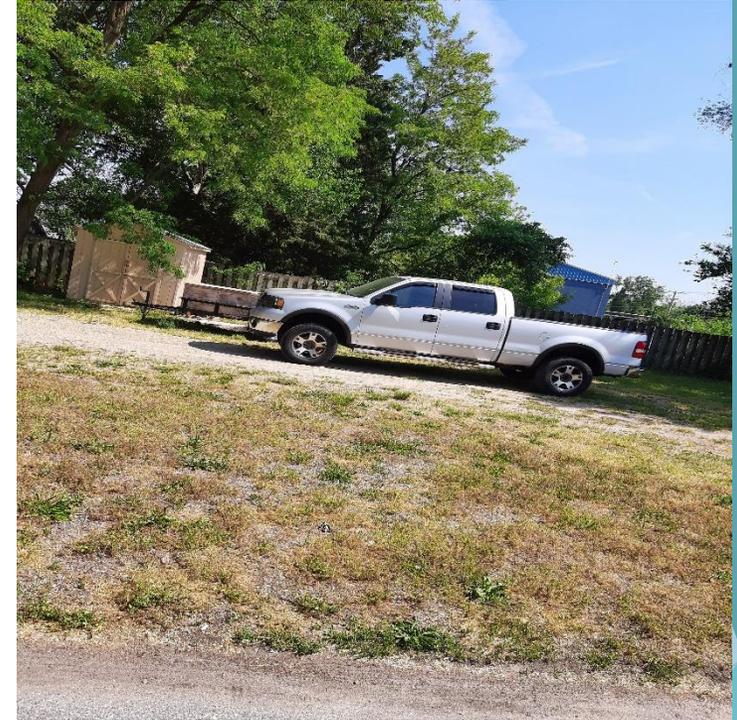
- ▶ 212 Lovers Ln
- ▶ Rubbish
- ▶ Remedied





Code Enforcement

- ▶ 37 Fisher Ave
- ▶ AV
- ▶ Remedied





Code Enforcement

- ▶ 42 Charles St
- ▶ GENERIC Violation
- ▶ POD
- ▶ Remedied



Code Enforcement

- ▶ 105 Aerenson Drive
- ▶ Accessory structure
- ▶ Fence has been ordered
- ▶ Remedied





Code Enforcement

- ▶ 115 Aerenson Drive
- ▶ Property Maintenance
- ▶ Fence ordered
- ▶ Remedied





Code Enforcement

- ▶ 100 Aerenson Drive
- ▶ Property Maintenance
- ▶ Fence ordered
- ▶ Remedied





Code Enforcement

- ▶ 140 Aerenson Drive
- ▶ Property Maintenance
- ▶ Fence ordered
- ▶ Remedied





Code Enforcement

- ▶ 210 N Rehoboth Blvd
- ▶ AV
- ▶ Remedied





Code Enforcement

- ▶ 400 Bridgeham Ave
- ▶ GV shed with out permit
- ▶ Remedied Obtain Shed permit



Code Enforcement

- ▶ 1004 N. Walnut Street
- ▶ Property Maintenance
- ▶ Fence ordered
- ▶ Remedied



Code Enforcement

- ▶ 10 Pennsylvania
- ▶ Property Maintenance - Accessory structure
- ▶ Remedied





Code Enforcement

- ▶ 10 Pennsylvania Ave
- ▶ Rubbish & Garbage
- ▶ Remedied





Code Enforcement

- ▶ 904 Lakeview Ave
- ▶ Abandoned Vehicle
- ▶ Remedied





Code Enforcement

- ▶ 2 Star Light Ln
- ▶ Property Maintenance - Drainage
- ▶ Remedied





Code Enforcement

- ▶ 7 Mill St
- ▶ Pool Notice - Safety Requirements
- ▶ Remedied





Code Enforcement

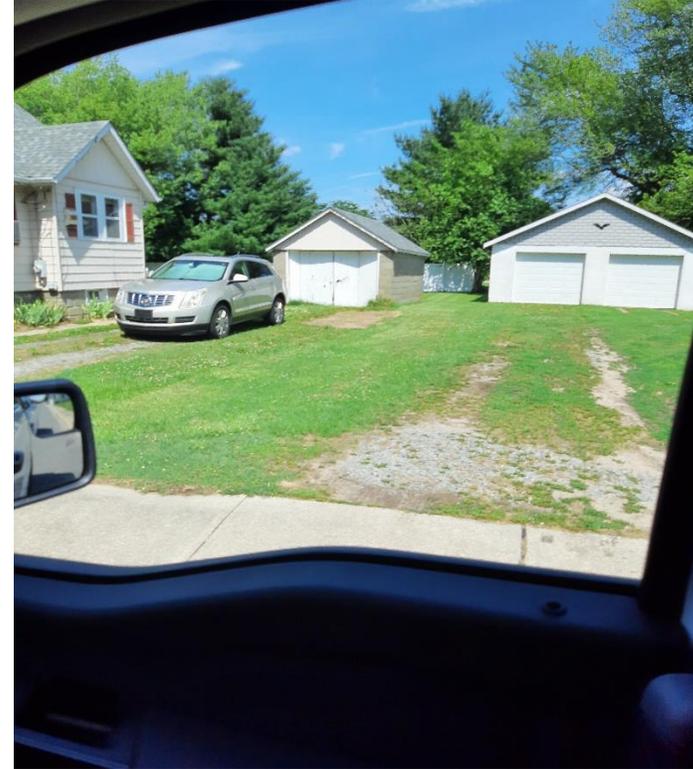
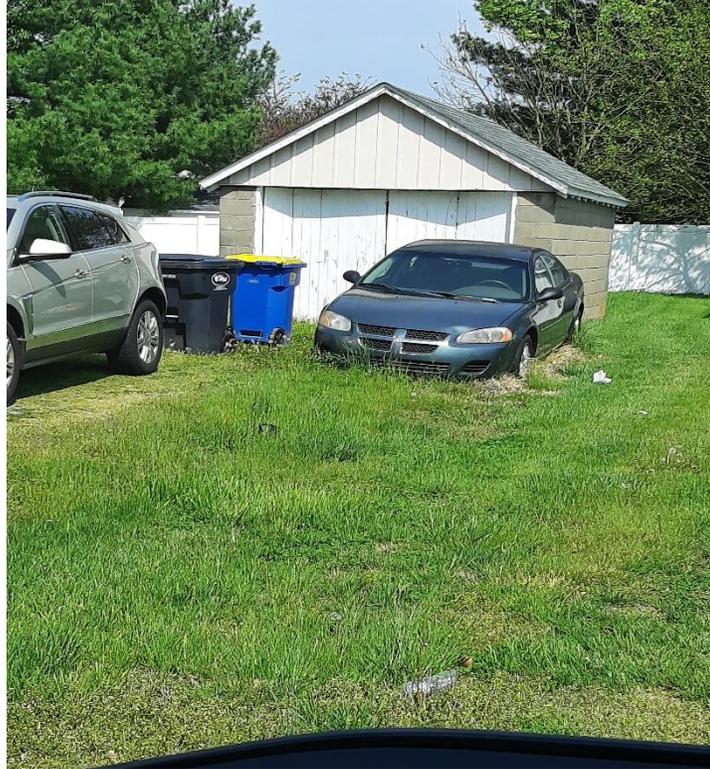
- ▶ 710 SE Front St
- ▶ Property Maintenance
- ▶ Remedied





Code Enforcement

- ▶ 511 N Washington St
- ▶ AV
- ▶ Remedied





Code Enforcement

- ▶ 908 SE Second St
- ▶ AV
- ▶ Remedied



Code Enforcement

- ▶ 907 SE Second St
- ▶ AV
- ▶ Remedied





Code Enforcement

- ▶ 909 N WALNUT
- ▶ AV / BROKEN BACKHOE
- ▶ REMEDIED





Code Enforcement

- ▶ 5-7-9- NE Second St
- ▶ EXT / Shed
- ▶ REMEDIED





Code Enforcement

- ▶ 16 Elizabeth Street
- ▶ Flaking Paint, Broken Window Accumulation of Rubbish
- ▶ Remedied





Code Enforcement

- ▶ 514 N. Church Street
- ▶ Property Maintenance- Broken window
- ▶ New owner - renovation permit opened
- ▶ Remedied





Code Enforcement

- ▶ 10 Salevan Pl
- ▶ AV





Code Enforcement

- ▶ 415 Carlisle Ln
- ▶ Dangerous Tree
- ▶ REMEDIED



Code Enforcement

- ▶ 507 Seabury Avenue
- ▶ Property Maintenance- Abandoned pool, Steps, weeds and grass, fence, rubbish
New owner, some rubbish removed, steps repaired, weeds removed.
Remedied - Demo permit Pulled



Code Enforcement

- ▶ 207 N.W. Third St.
- ▶ Property Maintenance
- ▶ Abandoned Vehicle
- ▶ Car removed
- ▶ Still has property maintenance issues
- ▶ Remedied



Code Enforcement

- ▶ 606 Marshall Street
- ▶ Dangerous tree
- ▶ Remedied





Code Enforcement

- ▶ 7 Pennsylvania Ave
- ▶ Zoning use Violation - Permit
- ▶ Permit pulled and closed out
- ▶ Remedied





Code Enforcement

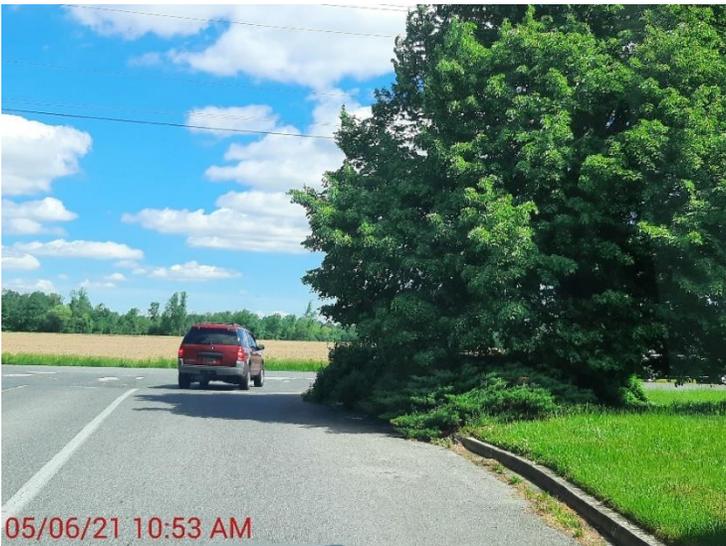
- ▶ 420 West St.
- ▶ Dangerous Tree
- ▶ Tree was evaluated as healthy
- ▶ Remedied





Code Enforcement

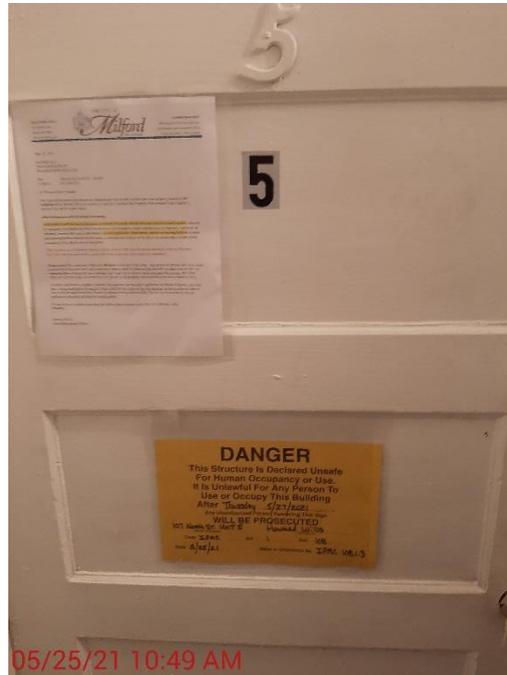
- ▶ 989 N Dupont Blvd
- ▶ Property Maintenance
- ▶ Trees over the road and blocking stop sign.
- ▶ Remedied





Code Enforcement

- ▶ 107 North St.
- ▶ Condemnation
- ▶ No Utilities
- ▶ Remedied





Code Enforcement

- ▶ 127 School Place
- ▶ Property maintenance
- ▶ Solid waste violation
- ▶ Remedied





Code Enforcement

- ▶ 39 N Walnut Street
- ▶ Protective Treatment
- ▶ Exterior renovation permit opened
- ▶ Remedied





Code Enforcement

- ▶ 306 Truitt Ave
- ▶ Property Maintenance on accessory structure
- ▶ Remedied



Code Enforcement

- ▶ 109 School Place
- ▶ Property Maintenance
- ▶ Abandoned Vehicle
- ▶ Remedied





Code Enforcement

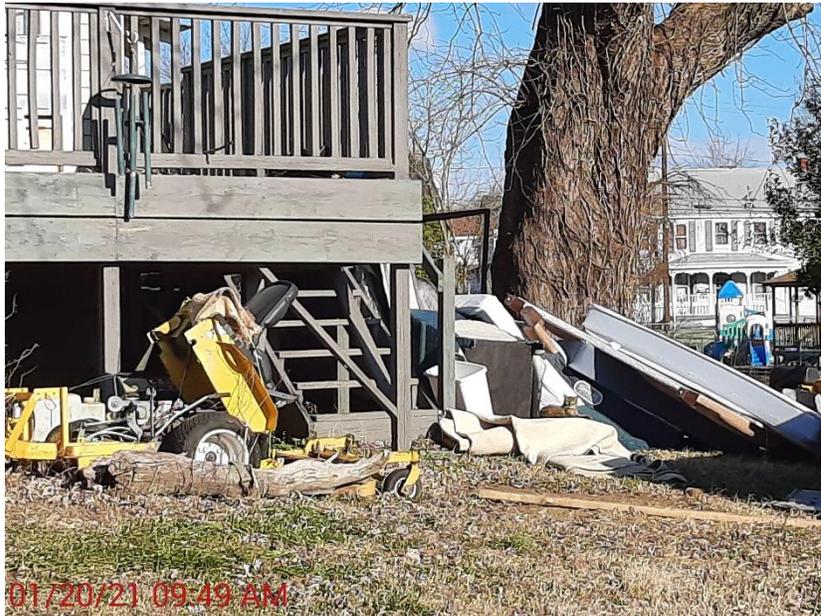
- ▶ 502 N Church St.
- ▶ Property Maintenance - Rubbish
- ▶ Remedied





Code Enforcement

- ▶ 7 Mill St.
- ▶ Property Maintenance - Rubbish
- ▶ Remedied





Code Enforcement

- ▶ 504 N Church St.
- ▶ Furniture Violation - Mattress
- ▶ Remedied



Code Enforcement

- ▶ 1028 N Walnut St.
- ▶ Dangerous Tree
- ▶ Remedied





Code Enforcement

- ▶ 404 Milford-Harrington HWY
- ▶ Zoning use Violation - Additional Signage
- ▶ Remedied





Code Enforcement

- ▶ 310 NW Front St.
- ▶ Property Maintenance
- ▶ Remedied





Code Enforcement

- ▶ 111 S. Church St.
- ▶ Property Maintenance
- ▶ Remedied





Code Enforcement

- ▶ 112 Truitt Ave
- ▶ Property Maintenance
- ▶ Tree over the road and sidewalk
- ▶ Remedied





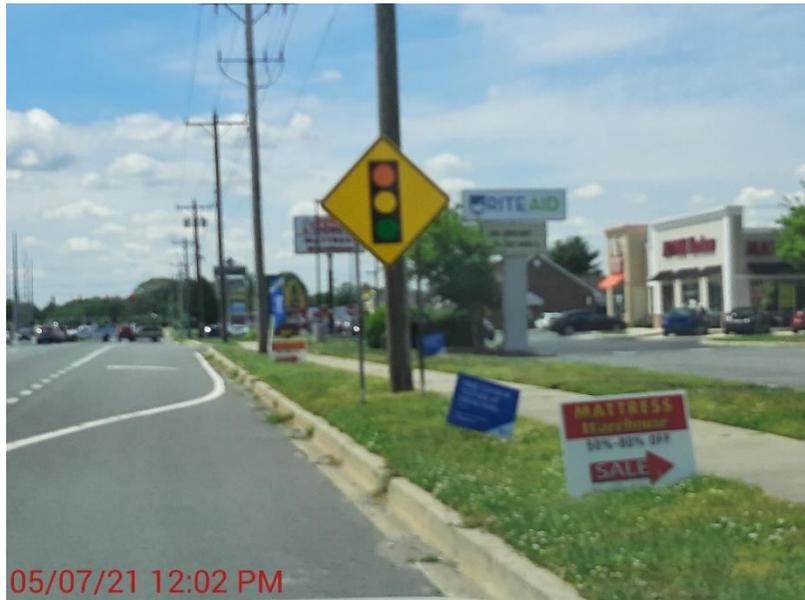
Code Enforcement

- ▶ 194 Church Hill Rd.
- ▶ Property Maintenance Violation
- ▶ Septic Discharge
- ▶ Remedied



Code Enforcement

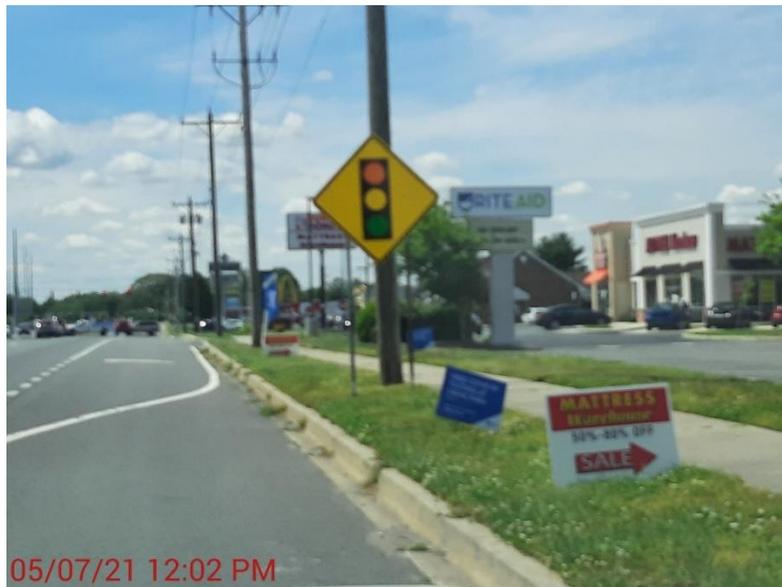
- ▶ 675 N Dupont Blvd Unit B
- ▶ Zoning use Violation
- ▶ Signs in the right-of-way
- ▶ Remedied





Code Enforcement

- ▶ 677 N Dupont Blvd
- ▶ Zoning use Violation
- ▶ Signs in the right-of-way
- ▶ Remedied





Code Enforcement

- ▶ 901 Seabury Ave
- ▶ Property Maintenance
- ▶ Tree over road and sidewalk
- ▶ Remedied





Code Enforcement

- ▶ 300 Kent Place
- ▶ Property maintenance
- ▶ Tree over the road and sidewalk
- ▶ Remedied





Code Enforcement

- ▶ 506 Kings Hwy
- ▶ Property Maintenance
- ▶ Tree over the road
- ▶ Remedied





Code Enforcement

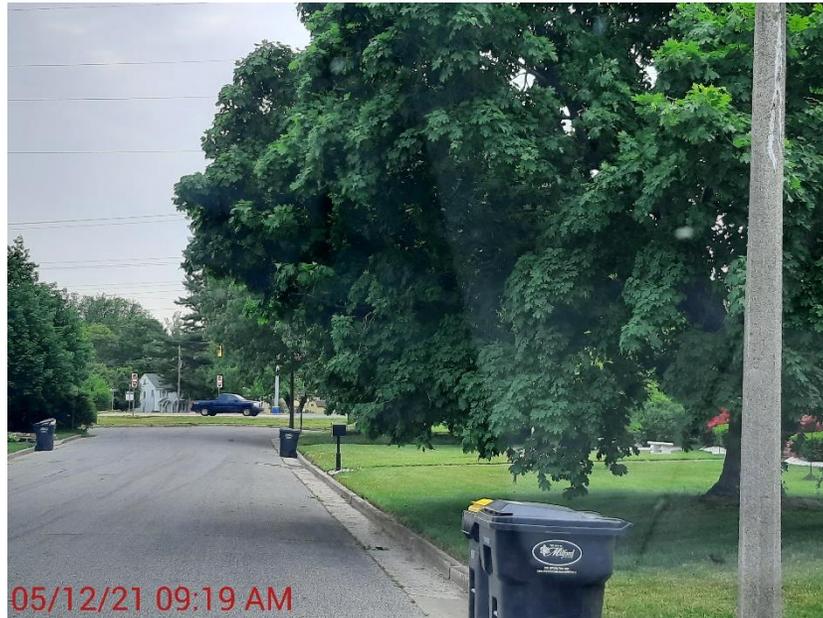
- ▶ 505 Kings Hwy
- ▶ Property Maintenance
- ▶ Tree over the road
- ▶ Remedied





Code Enforcement

- ▶ 1 Sunset Ln
- ▶ Property Maintenance
- ▶ Tree over the road
- ▶ Remedied





Code Enforcement

- ▶ 704 North St Ext.
- ▶ Abandoned Vehicle (Boat)
- ▶ Remedied





Code Enforcement

- ▶ 300 Valley Dr.
- ▶ Rubbish & Garbage
- ▶ Fallen tree and mattress
- ▶ Remedied





Code Enforcement

- ▶ 519 West St.
- ▶ Furniture Violation
- ▶ Mattresses
- ▶ Remedied





Code Enforcement

- ▶ 13 Delaware Ave
- ▶ Zoning Violation - No Permit
- ▶ Remedied





Code Enforcement

- ▶ 14 N.W Fourth St.
- ▶ Property Maintenance - Siding
- ▶ Remedied





Code Enforcement

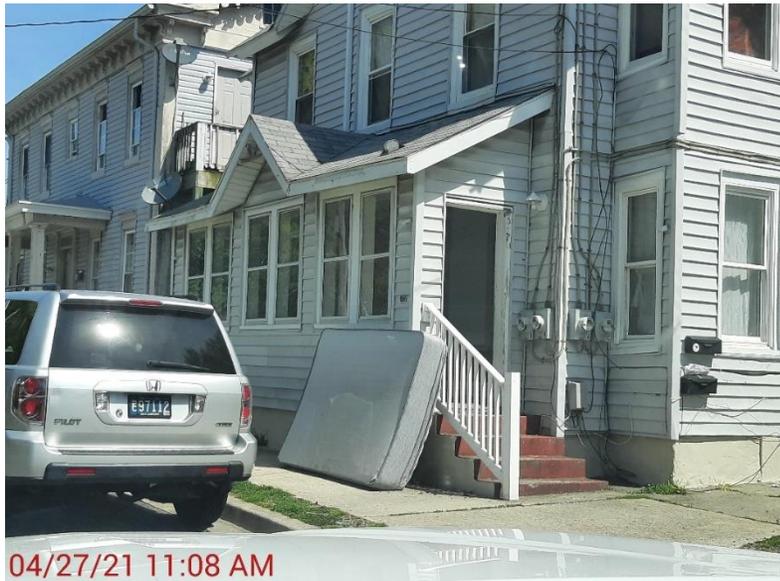
- ▶ 300 Truitt Ave
- ▶ Abandoned Vehicle
- ▶ Remedied





Code Enforcement

- ▶ 203 North St.
- ▶ Rubbish & Garbage
- ▶ Remedied





Code Enforcement

- ▶ 112 Truitt Ave
- ▶ Abandoned Vehicle
- ▶ Remedied





Code Enforcement

- ▶ 114 N Landing Dr
- ▶ Zoning Violation - Shed Permit
- ▶ Remedied





Code Enforcement

- ▶ 205 N E Tenth St
- ▶ Condemnation - No Utilities
- ▶ Remedied





Code Enforcement

- ▶ 21 Linstone Ln
- ▶ Condemnation - No utilities
- ▶ Remedied





Code Enforcement

- ▶ 64 Star light Ln
- ▶ Zoning Violation - No permit
- ▶ Remedied





Code Enforcement

- ▶ 103 NW Fourth St
- ▶ Abandoned Vehicle
- ▶ Remedied





Code Enforcement

- ▶ 490 Milford-Harrington Hwy
- ▶ Zoning Violation - Illegal Sign
- ▶ Remedied





Code Enforcement

- ▶ 306 Carlisle Lane
- ▶ Dead Tree
- ▶ Remedied





Code Enforcement

- ▶ 411 Charles ST
- ▶ Flaking Paint
- ▶ Remedied





Code Enforcement

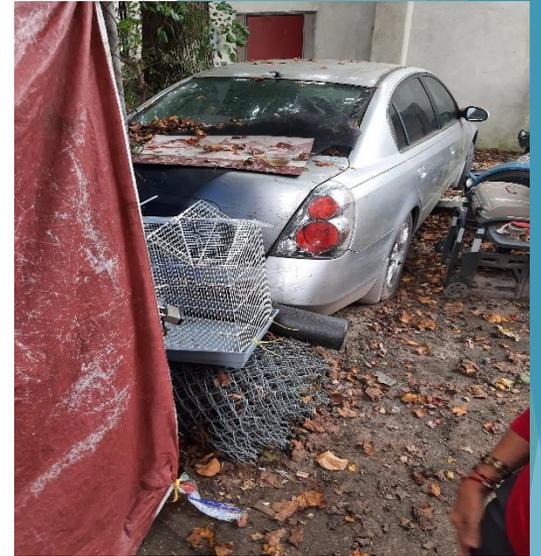
- ▶ 418 Fisher Ave
- ▶ Condemned / Unfit no utilities
- ▶ Remedied





Code Enforcement

- ▶ 312 SE Front Street
- ▶ GV
- ▶ Chickens, rubbish, car
- ▶ Remedied





Code Enforcement

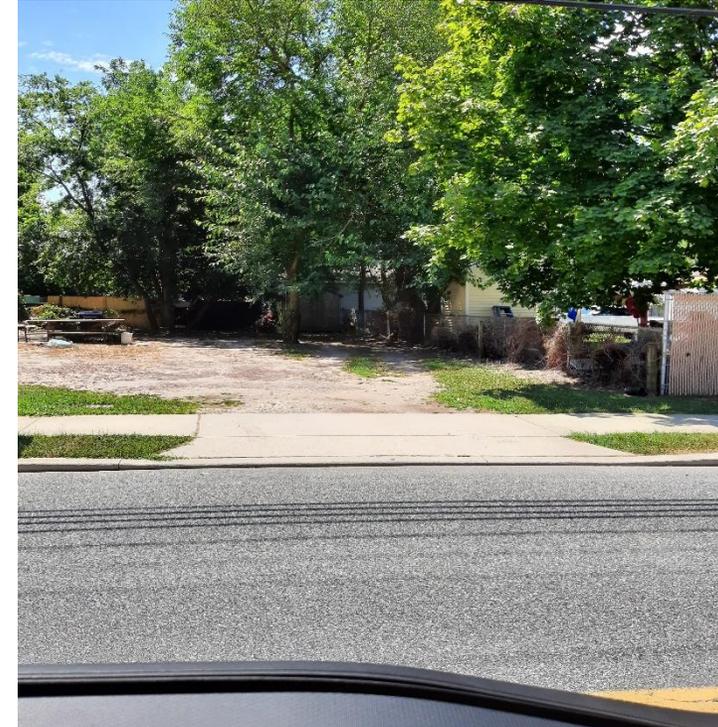
- ▶ 409 N Washington St
- ▶ Ext/ Flaking paint
- ▶ Remedied





Code Enforcement

- ▶ 404 SE Front St
- ▶ Rubbish
- ▶ Remedied



Code Enforcement

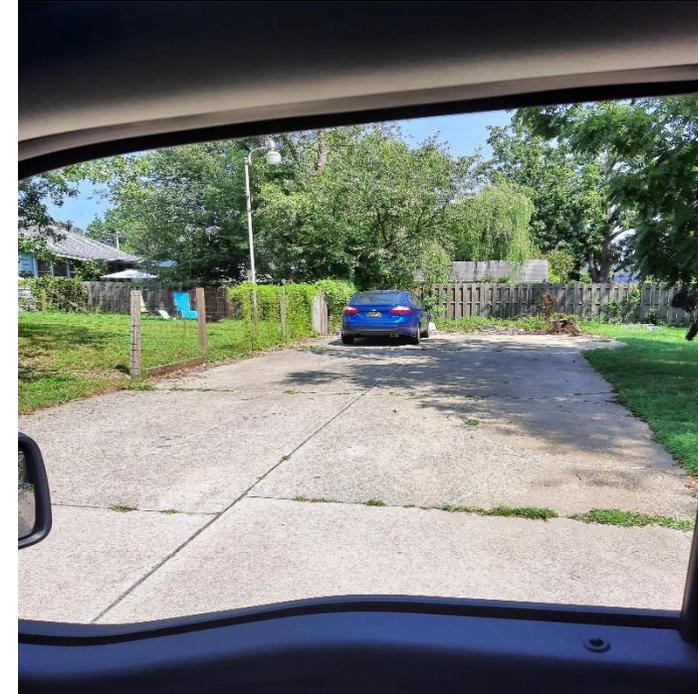
- ▶ 38 Fisher Ave
- ▶ Rubbish
- ▶ Remedied





Code Enforcement

- ▶ 609 S Walnut St
- ▶ FU
- ▶ Remedied





Code Enforcement

- ▶ 255 N Rehoboth Blvd
- ▶ Dangerous Tree
- ▶ Remedied





Code Enforcement

- ▶ 504 Gilcrest St
- ▶ Rubbish
- ▶ Remedied





Code Enforcement

- ▶ 10 NW Front Street
- ▶ Property Maintenance - Stairway, porch and railing
- ▶ New owners permit pulled for renovation
- ▶ Remedied





Code Enforcement

- ▶ 417 Kings Hwy
- ▶ Zoning use Violation - Permit
- ▶ Permit pulled
- ▶ Remedied





Code Enforcement

- ▶ 505 SE Front St.
- ▶ Property Maintenance
- ▶ Sold - New owners
- ▶ Permit issued
- ▶ Remedied





Code Enforcement

- ▶ 301 West St.
- ▶ Accessory Structure -Fence
- ▶ Remedied





Code Enforcement

- ▶ 0 N Dupont Blvd - MD-16-174.14-01-03.06
- ▶ Property Maintenance
- ▶ Trees over the road
- ▶ Remedied





Code Enforcement

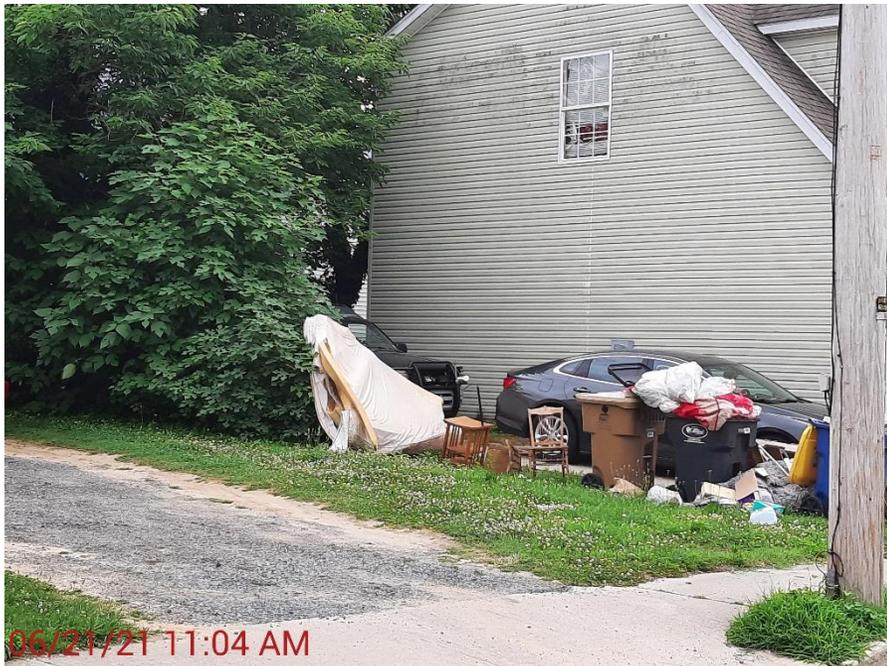
- ▶ 321 S. Walnut St.
- ▶ Dangerous Tree
- ▶ Remedied





Code Enforcement

- ▶ 305 N Church St.
- ▶ Rubbish & Garbage
- ▶ Remedied



Code Enforcement

- ▶ 408 S. Walnut St.
- ▶ Abandoned Vehicle
- ▶ Remedied





Code Enforcement

- ▶ 604 North St Ext
- ▶ Property Maintenance
- ▶ Tree over the road and sidewalk
- ▶ Bamboo in backyard
- ▶ Remedied





Code Enforcement

- ▶ 108 S Church St
- ▶ Abandoned Vehicle
- ▶ Remedied





Code Enforcement

- ▶ 404 S Walnut St.
- ▶ Dangerous Tree
- ▶ Remedied





Code Enforcement

- ▶ 909 S. Dupont BLVD
- ▶ Property Maintenance
- ▶ Remedied





Code Enforcement

- ▶ 1111 N. Dupont BLVD
- ▶ Property Maintenance
- ▶ Remedied





Code Enforcement

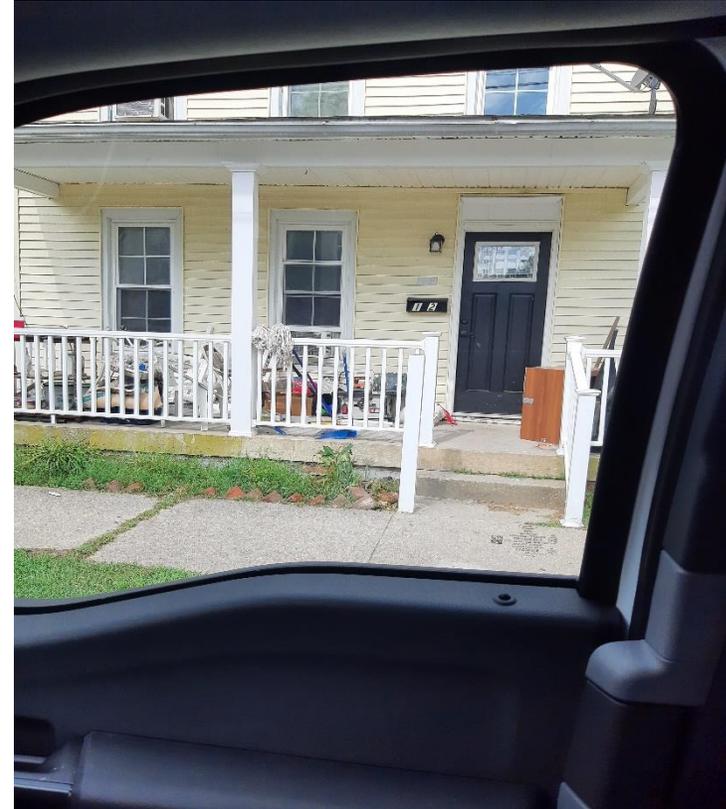
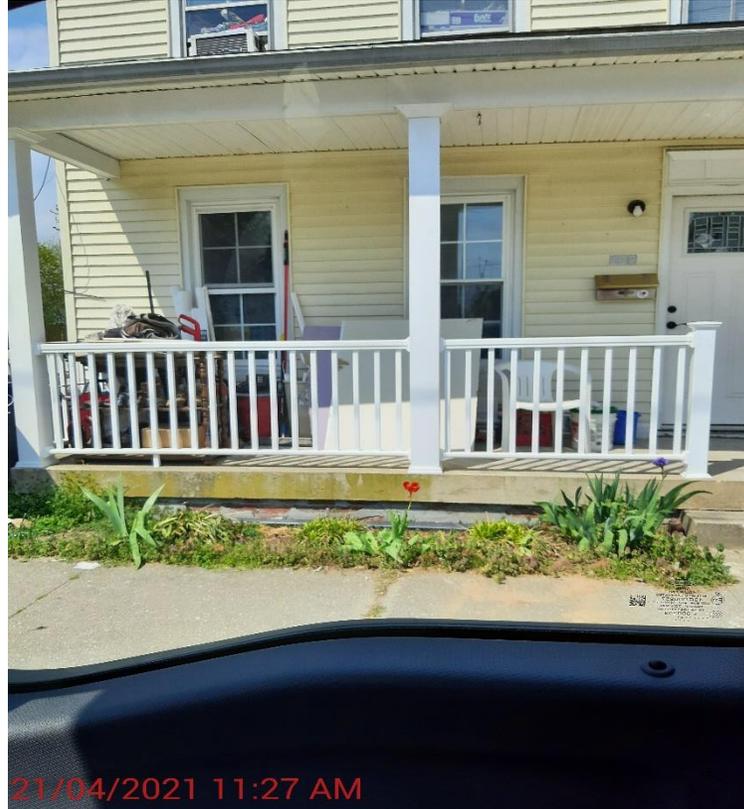
- ▶ 50 Cedar Beach Road
- ▶ GV Chickens
- ▶ Chickens were removed
- ▶ Being used as dog pin
- ▶ Remedied





Code Enforcement

- ▶ 112 Marshall St
- ▶ Rubbish
- ▶ Remedied





Code Enforcement

- ▶ 201 N Rehoboth Blvd
- ▶ Rubbish
- ▶ Remedied





Code Enforcement

- ▶ 304 Charles St
- ▶ Gutter
- ▶ Remedied





Code Enforcement

- ▶ 400 Charles St
- ▶ Siding missing
- ▶ Remedied





Code Enforcement

- ▶ 424 S Washington St
- ▶ Furniture
- ▶ Remedied





Code Enforcement

- ▶ Evans Dr
- ▶ Dangerous Tree
- ▶ Remedied





Code Enforcement

- ▶ 0 Evans St
- ▶ Rubbish
- ▶ Remedied





Code Enforcement

- ▶ 212 NE Fourth St
- ▶ Ext. shed / shutte
- ▶ Remedied





Code Enforcement

- ▶ 6535 Shawnee Rd.
- ▶ Property Maintenance
- ▶ Remedied





Code Enforcement

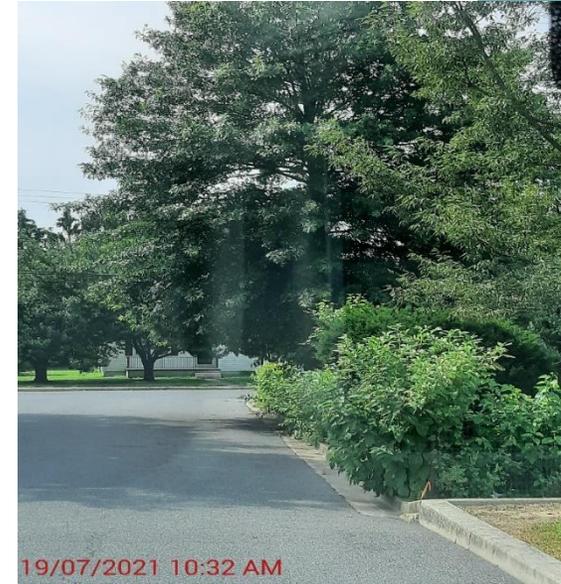
- ▶ 6535 Shawnee Rd
- ▶ Abandoned Vehicle
- ▶ Remedied





Code Enforcement

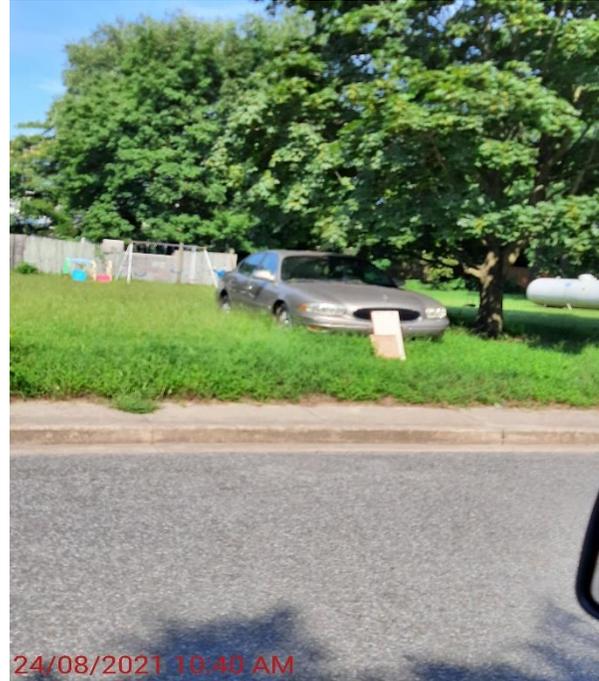
- ▶ 205 NE Tenth St
- ▶ Dangerous Tree
- ▶ Remedied





Code Enforcement

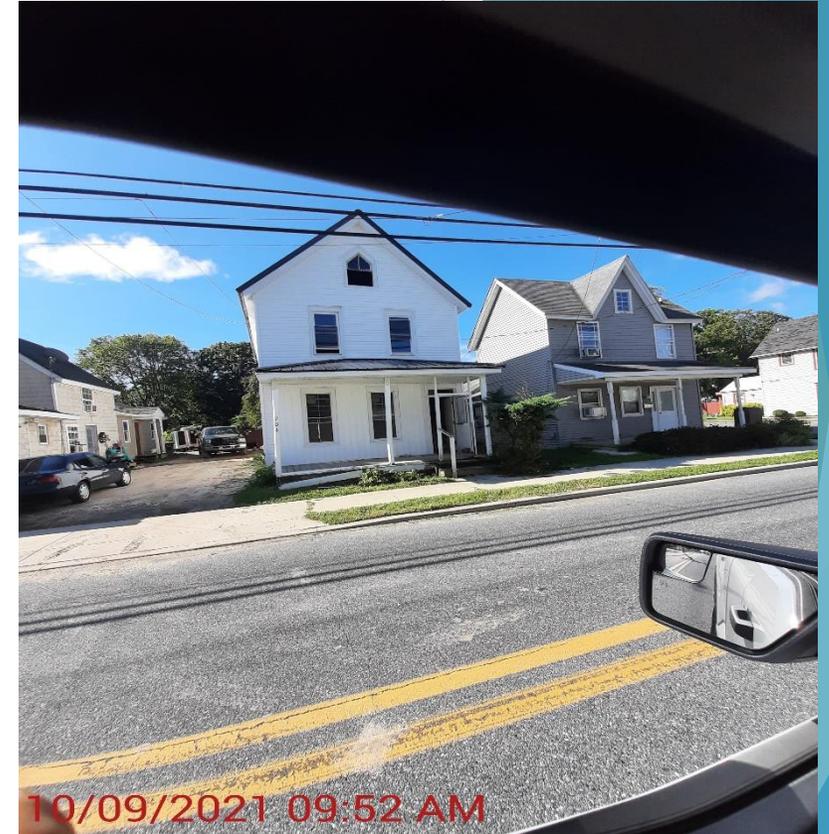
- ▶ 43 Fisher Ave
- ▶ Abandoned Vehicle
- ▶ Remedied





Code Enforcement

- ▶ 704 SE Front St
- ▶ Exterior
- ▶ **Same**
- ▶ New Owner
- ▶ Remedied





Code Enforcement

- ▶ 619 SE Front St
- ▶ Furniture
- ▶ Remedied





Code Enforcement

- ▶ 124 SE Second St
- ▶ Rubbish
- ▶ Remedied





Code Enforcement

- ▶ 404 Pierce St
- ▶ AV
- ▶ Remedied





Code Enforcement

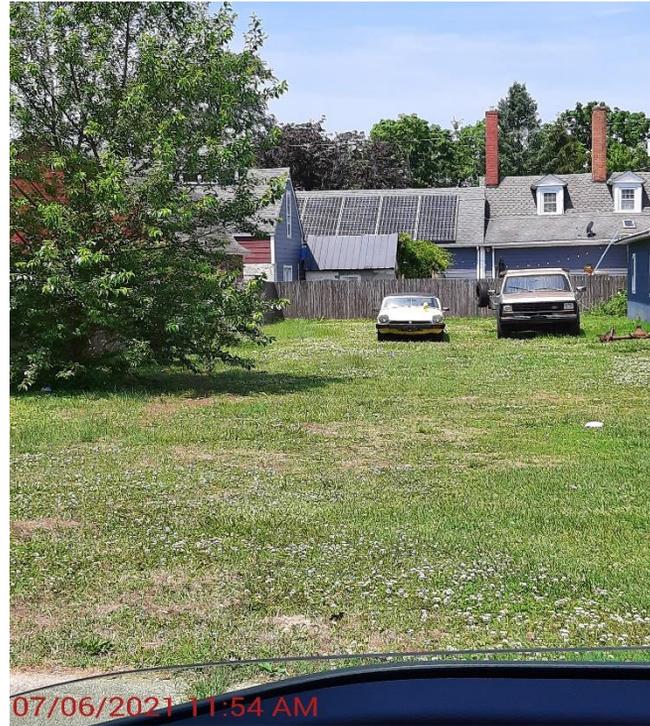
- ▶ 621 N Walnut St
- ▶ ZU Pavement
- ▶ Remedied
- ▶ Zoning Approved





Code Enforcement

- ▶ 204 Charles St
- ▶ Abandoned Vehicle
- ▶ Remedied





Code Enforcement

- ▶ 107 Fisher Ave
- ▶ Rubbish fridge
- ▶ Remedied





Code Enforcement

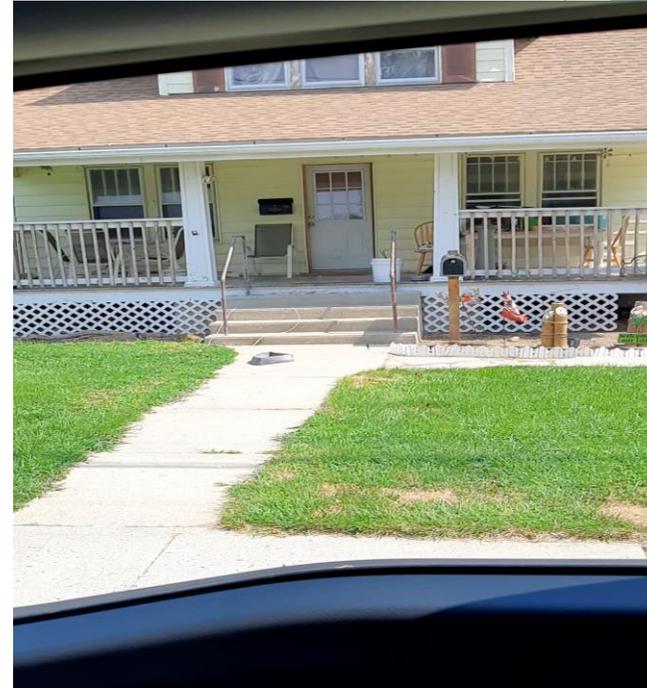
- ▶ 414 Charles St
- ▶ GV
- ▶ Remedied





Code Enforcement

- ▶ 711 N Walnut St
- ▶ FU
- ▶ Remedied





Code Enforcement

- ▶ 910 SE Front St
- ▶ Rubbish
- ▶ Remedied





Code Enforcement

- ▶ 910 SE Front St
- ▶ Property Maintenance
- ▶ Remedied





Code Enforcement

- ▶ 400 S Washington St
- ▶ Trees
- ▶ Remedied





Code Enforcement

- ▶ 502 N Washington St
- ▶ Dangerous Tree
- ▶ Remedied





Code Enforcement

- ▶ 202 SE Front St
- ▶ Property Maintenance
- ▶ Flaking Paint
- ▶ Remedied





Code Enforcement

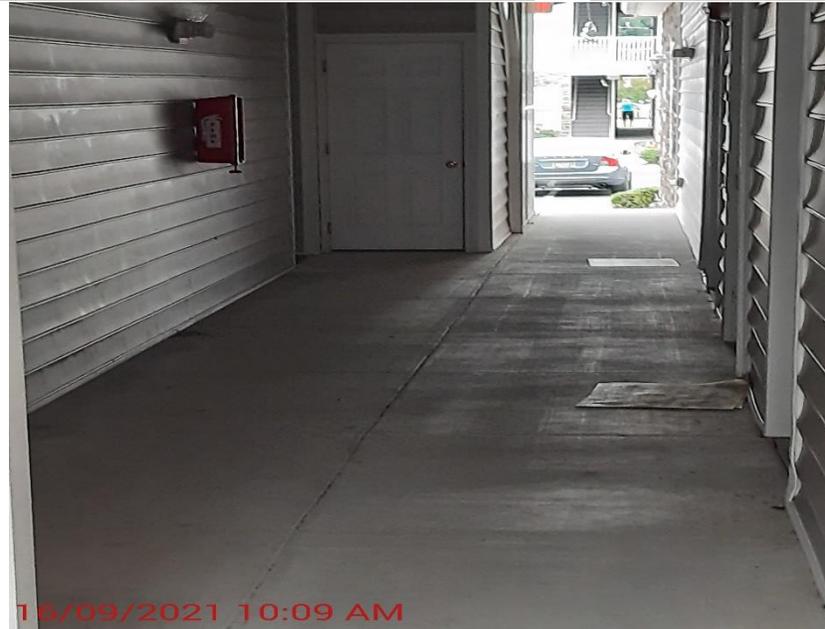
- ▶ Heartstone Manor
- ▶ GV / Sanitation
- ▶ Remedied





Code Enforcement

- ▶ 4000 Heather Dr
- ▶ Generic Violations
- ▶ Bird droppings
- ▶ Remedied





Code Enforcement

- ▶ 403 S WASHINGTON ST
- ▶ RUBBISH
- ▶ Remedied





Code Enforcement

- ▶ 702 SE Front St
- ▶ Zoning Animals chickens
- ▶ Remedied

No Pic



Code Enforcement

- ▶ 110 NW Second St.
- ▶ Abandoned Vehicle
- ▶ Remedied





Code Enforcement

- ▶ 105 NW Front St.
- ▶ Pool Violation
- ▶ Remedied



Code Enforcement

- ▶ 601 New St.
- ▶ Property Maintenance
- ▶ Fire Hydrant Safety Violation
- ▶ Remedied





Code Enforcement

- ▶ 108 Anchor Ln
- ▶ Solar panel permit required
- ▶ Remedied
- ▶ Permit pulled and inspected





Code Enforcement

- ▶ 113 West St
- ▶ Furniture Violation
- ▶ Remedied





Code Enforcement

- ▶ 419 N Church St
- ▶ Property Maintenance
- ▶ Flaking Paint
- ▶ Remedied





Code Enforcement

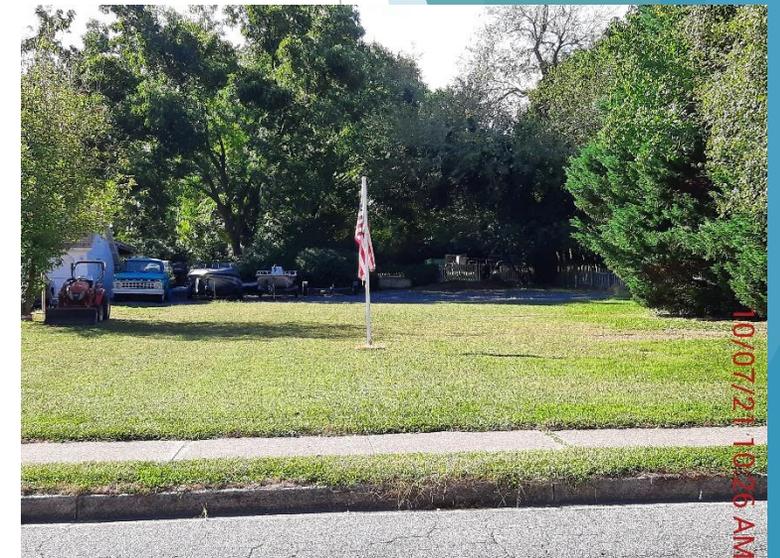
- ▶ 2 Causey Ave
- ▶ Property Maintenance
- ▶ Sidewalk Safety
- ▶ Remedied





Code Enforcement

- ▶ 6 S Maple Ave
- ▶ Abandoned vehicle
- ▶ Unapproved parking surface
- ▶ Remedied





Code Enforcement

- ▶ 105 Wilbur St.
- ▶ Property Maintenance - Rubbish
- ▶ Remedied





Code Enforcement

- ▶ 518 Truitt Ave
- ▶ Abandoned Vehicle
- ▶ Remedied





Code Enforcement

- ▶ 568 Milford-Harrington Hwy
- ▶ Zoning Use Violations
- ▶ Remedied





Code Enforcement

- ▶ 610 S Walnut St
- ▶ Property Maintenance
- ▶ Street view violation
- ▶ Remedied





Code Enforcement

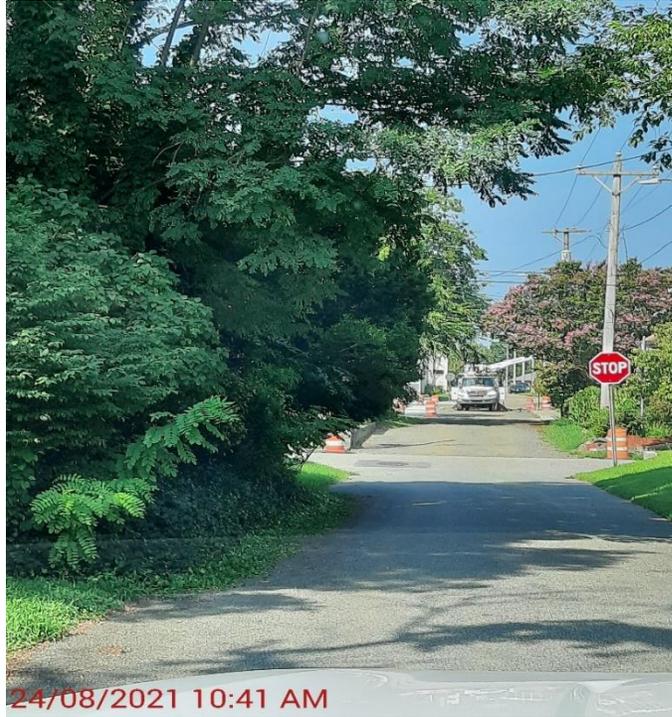
- ▶ 617 Seabury Ave
- ▶ Property Maintenance
- ▶ Sidewalk Safety
- ▶ Remedied





Code Enforcement

- ▶ 39 Fisher Ave
- ▶ Dangerous Tree
- ▶ Remedied





Code Enforcement

- ▶ 6152 S Rehoboth Blvd
- ▶ Weeds
- ▶ Remedied





Code Enforcement

- ▶ 318 Marshall St
- ▶ AV
- ▶ Remedied





Code Enforcement

- ▶ 111 Fisher Ave
- ▶ Ext/ Flaking Paint
- ▶ Remedied





Code Enforcement

- ▶ 448 North St.
- ▶ Condemned
- ▶ New owner
- ▶ Permit Pulled
- ▶ Remedied





Code Enforcement

- ▶ 305 N Church St.
- ▶ Abandoned Vehicle
- ▶ Remedied





Code Enforcement

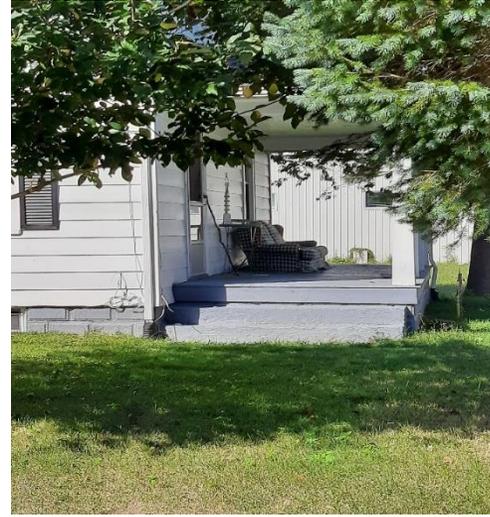
- ▶ 106 Brady Dr
- ▶ Rubbish/ Garbage
- ▶ Remedied





Code Enforcement

- ▶ 412 Marshall St
- ▶ Rubbish
- ▶ Remedied





Code Enforcement

- ▶ 111 Fisher Ave
- ▶ Rubbish
- ▶ Remedied





Code Enforcement

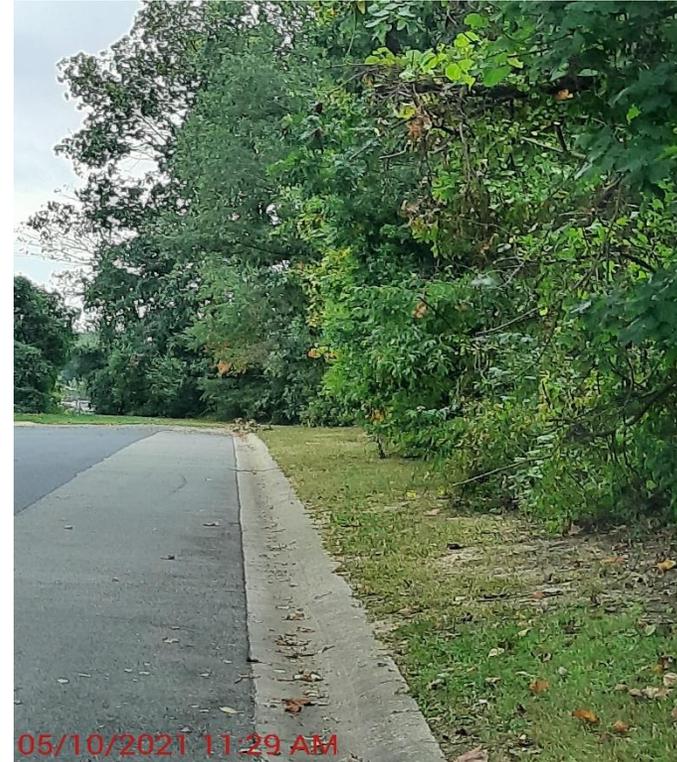
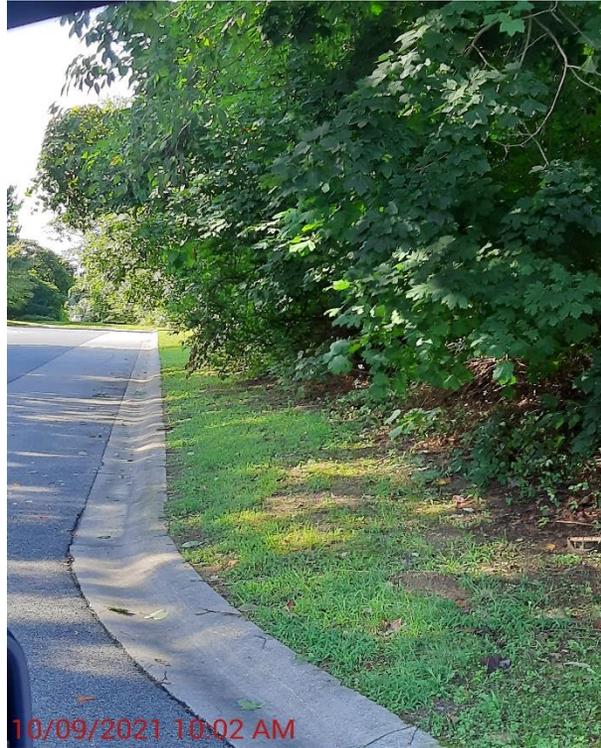
- ▶ 300 Marshall St
- ▶ Rubbish St
- ▶ Remedied





Code Enforcement

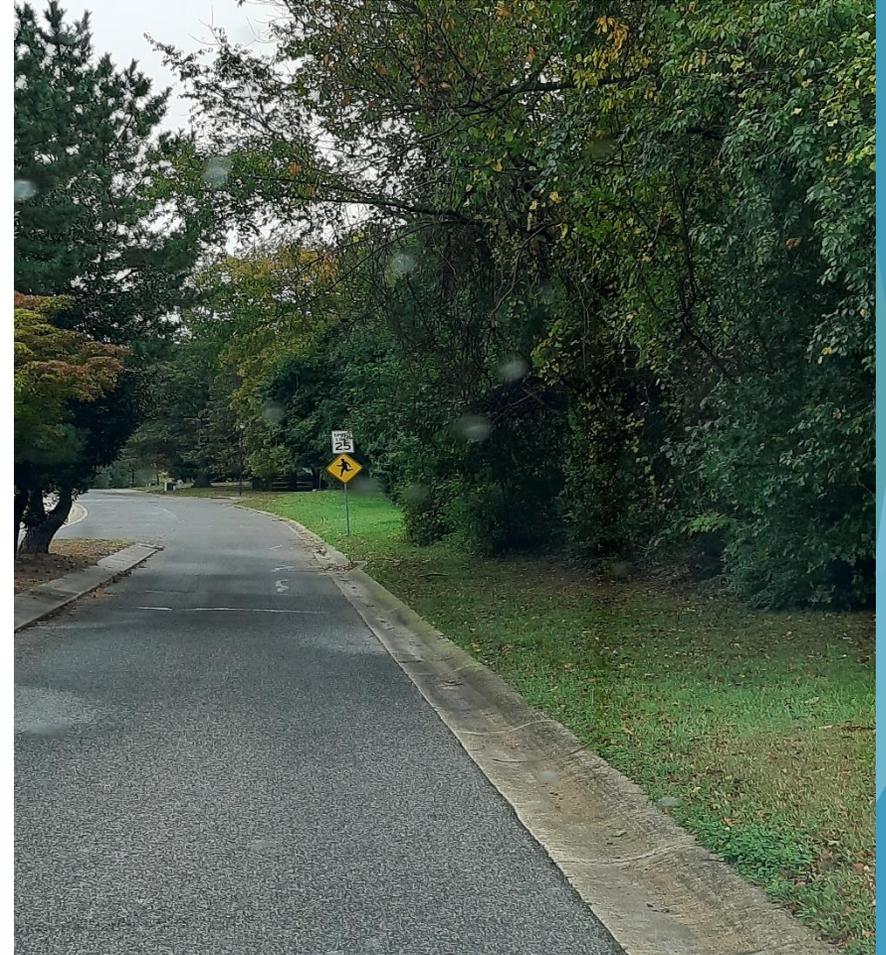
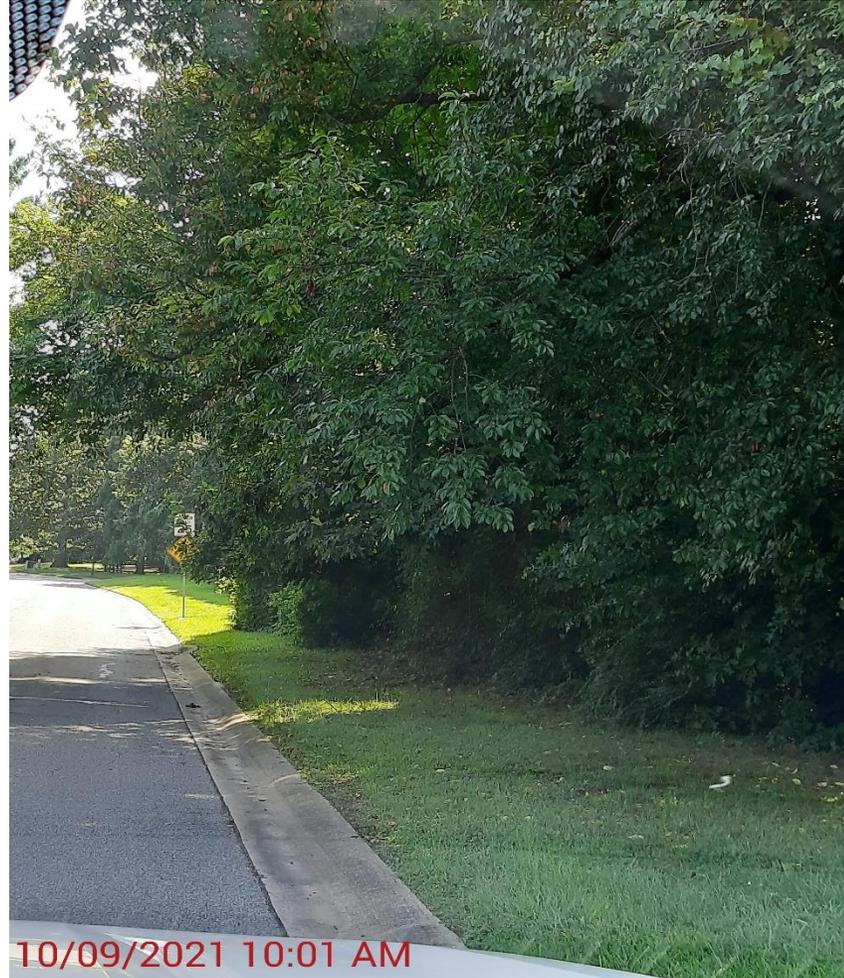
- ▶ 109 Manor Ln
- ▶ Remedied





Code Enforcement

509 Marshall St
Dangerous Tree
Remedied





Code Enforcement

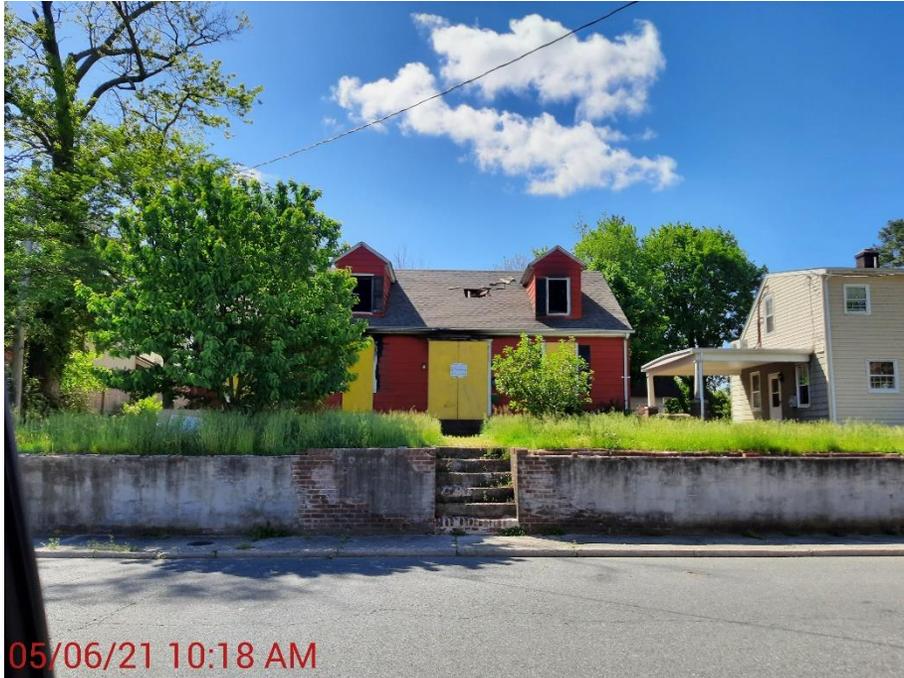
- ▶ 507 Marshall St
- ▶ Dangerous Tree
- ▶ Remedied





Code Enforcement

- ▶ 507 Seabury Ave
- ▶ Condemnation - Fire
- ▶ Remedied





Code Enforcement

- ▶ 400 Valley Dr
- ▶ Condemnation / No Utilities
- ▶ Remedied





Code Enforcement

- ▶ 6 E Clarke
- ▶ Pool Violation / Barrier
- ▶ Remedied



Code Enforcement

- ▶ 200 N Walnut St
- ▶ Property Maintenance Violation
- ▶ Sidewalk Safety
- ▶ Remedied





Code Enforcement

- ▶ 586 Milford-Harrington Hwy
- ▶ Property Maintenance
- ▶ Rubbish
- ▶ Remedied





Code Enforcement

- ▶ 292 N Rehoboth Boulevard
- ▶ Vacant/Abandoned, Exterior Violations
- ▶ Same
- ▶ Remedied Demo



Code Enforcement

- ▶ 209 NE Fourth St
- ▶ Flaking paint / Window
- ▶ Same
- ▶ Remedied





Code Enforcement

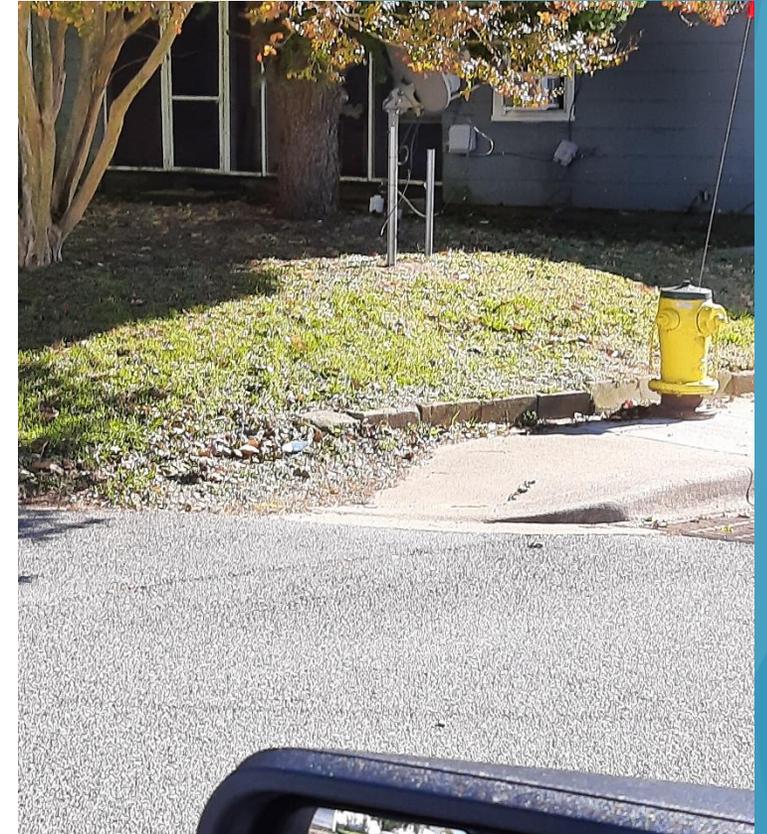
- ▶ 423 S Washington St
- ▶ Rubbish
- ▶ Remedied





Code Enforcement

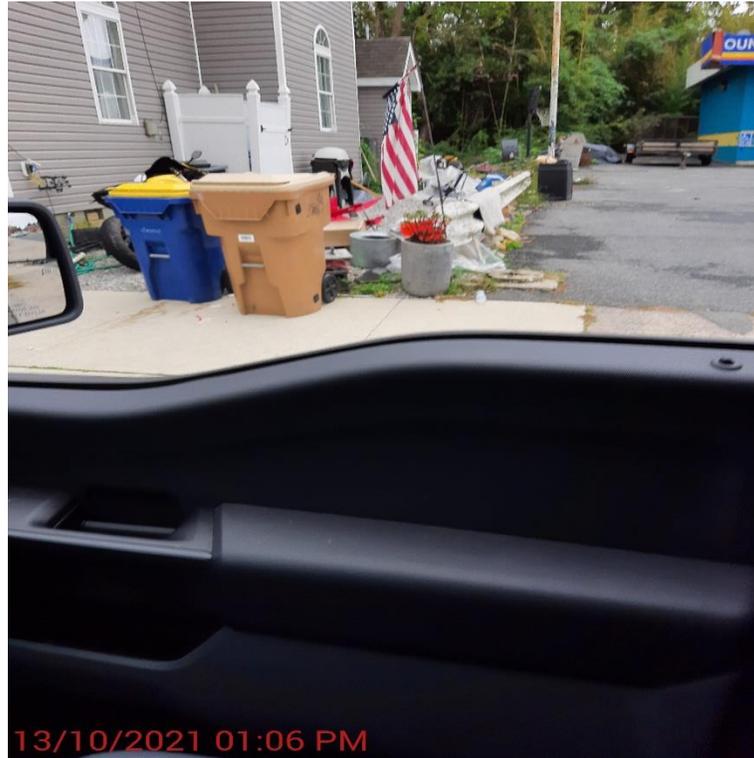
- ▶ 409-411 N Washington St
- ▶ Rubbish and Garbage
- ▶ Remedied





Code Enforcement

- ▶ 108 SE Front St
- ▶ Rubbish/ Garbage
- ▶ Remedied





Code Enforcement

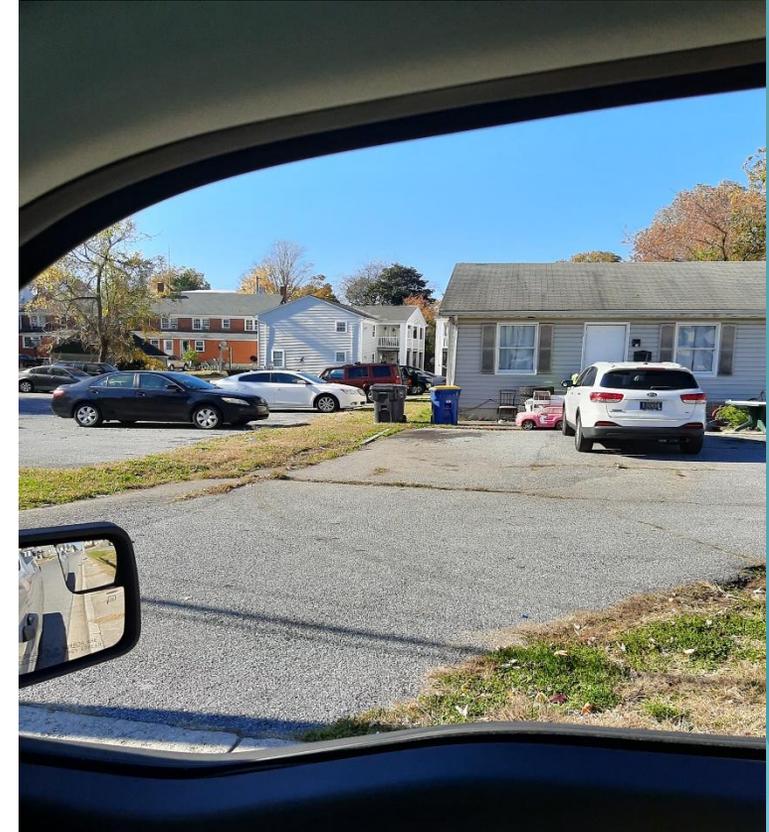
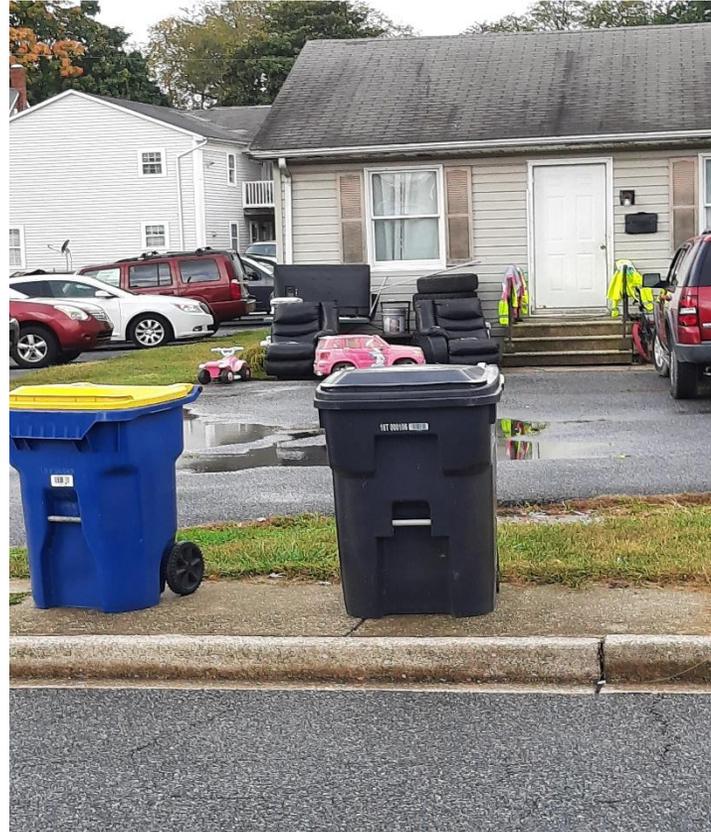
- ▶ 404 SE Front St
- ▶ Abandoned vehicle
- ▶ Remedied





Code Enforcement

- ▶ 210 N Washington St
- ▶ Rubbish
- ▶ Remedied





Code Enforcement

- ▶ 502 West St.
- ▶ Property Maintenance
- ▶ Remedied





Code Enforcement

- ▶ 517 N Washington St
- ▶ FU / Washer
- ▶ Remedied





Code Enforcement

- ▶ 308 S Washington St
- ▶ Rubbish/ Garbage
- ▶ Remedied





Code Enforcement

- ▶ 710 SE Front St
- ▶ EXT Siding
- ▶ Remedied





Code Enforcement

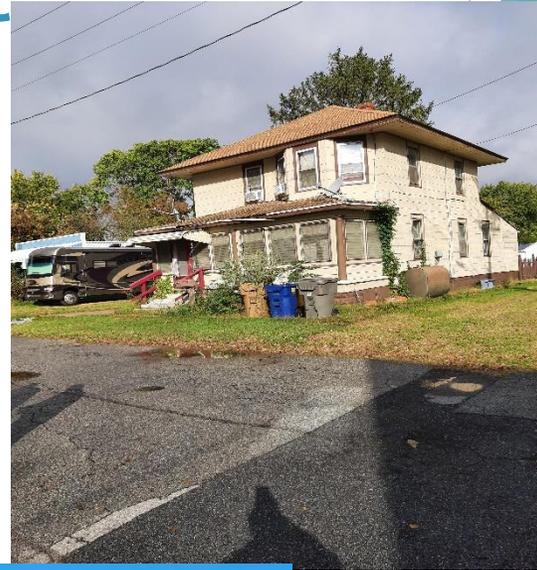
- ▶ 404 SE Front St
- ▶ AV
- ▶ Remedied





Code Enforcement

- ▶ 500 NE Fifth St
- ▶ EXT
- ▶ Remedied





Code Enforcement

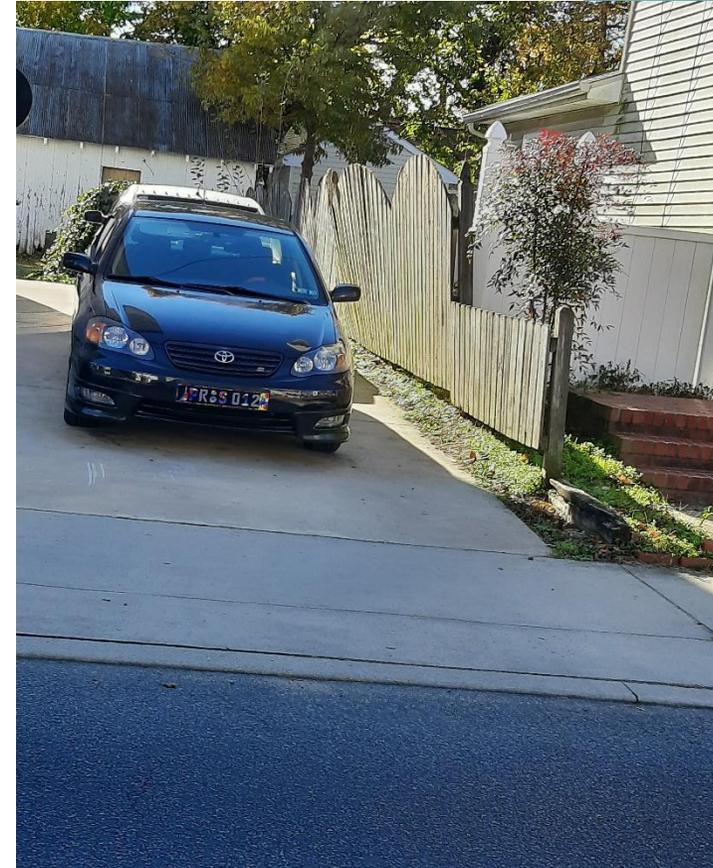
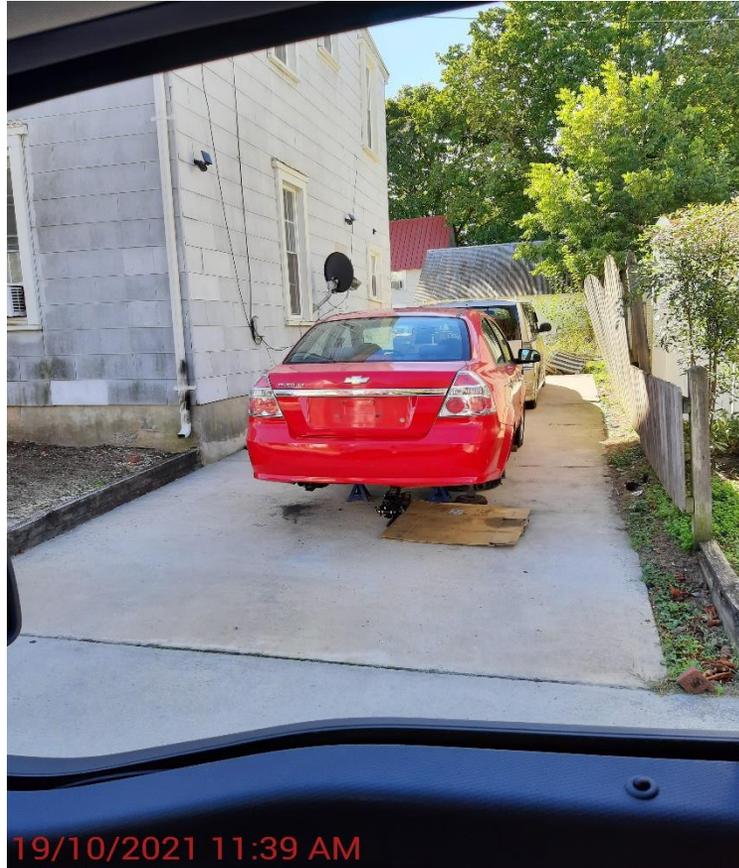
- ▶ 218 NE Fourth St
- ▶ EXT Siding
- ▶ Remedied





Code Enforcement

- ▶ 512 SE Front St
- ▶ AV
- ▶ Remedied





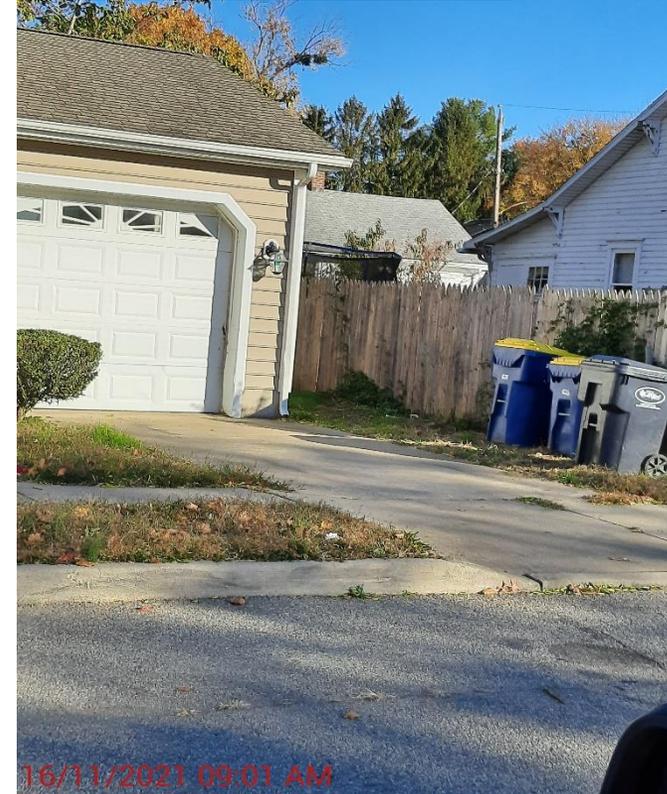
Code Enforcement

- ▶ 300 Pierce St
- ▶ Rubbish
- ▶ Remedied



Code Enforcement

- ▶ 205 NE Fourth St
- ▶ Rubbish
- ▶ Remedied





Code Enforcement

- ▶ 208 Montgomery
- ▶ Dangerous Tree
- ▶ Remedied





Code Enforcement

- ▶ 204 Bridgeham Ave
- ▶ Rubbish
- ▶ Remedied





Code Enforcement

- ▶ 8 W Bullrush Dr
- ▶ GV Solar Panels
- ▶ Remedied Permit Issued





Code Enforcement

- ▶ 3 Fairway St.
- ▶ Condemnation
- ▶ No Utilities
- ▶ Remedied





Code Enforcement

- ▶ 7 McCoy St.
- ▶ Condemnation
- ▶ No Utilities
- ▶ Remedied?





Code Enforcement

- ▶ 203 Allen Way
- ▶ Condemnation - Mold
- ▶ Remedied





Code Enforcement

- ▶ 511 West St.
- ▶ Rubbish & Garbage
- ▶ Brush and Fallen tree
- ▶ Remedied





Code Enforcement

- ▶ 454 North St
- ▶ Abandoned Vehicle
- ▶ Remedied





Code Enforcement

- ▶ 200 Brightway
- ▶ Sidewalk safety violation
- ▶ Remedied





Code Enforcement

- ▶ 403 West St
- ▶ Exterior
- ▶ Permit Issued / Currently under construction
- ▶ Remedied





Code Enforcement

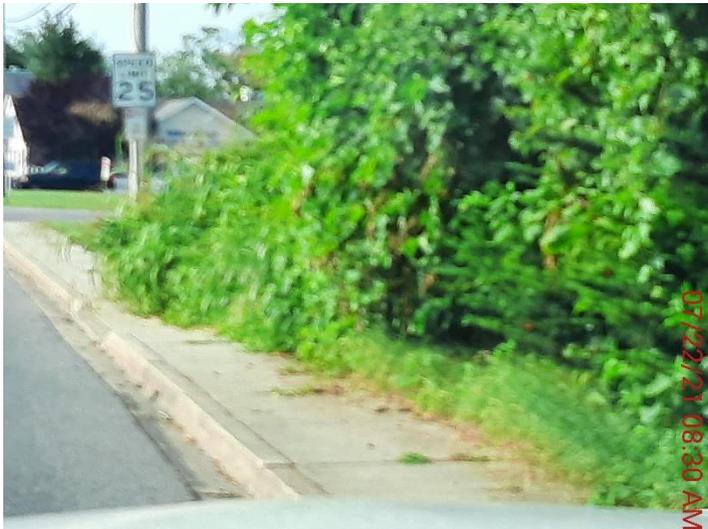
- ▶ 5 Linstone Ln
- ▶ Property Maintenance
- ▶ Remedied





Code Enforcement

- ▶ 600 North St Ext
- ▶ Property Maintenance
- ▶ Unsafe sidewalk
- ▶ Remedied





Code Enforcement

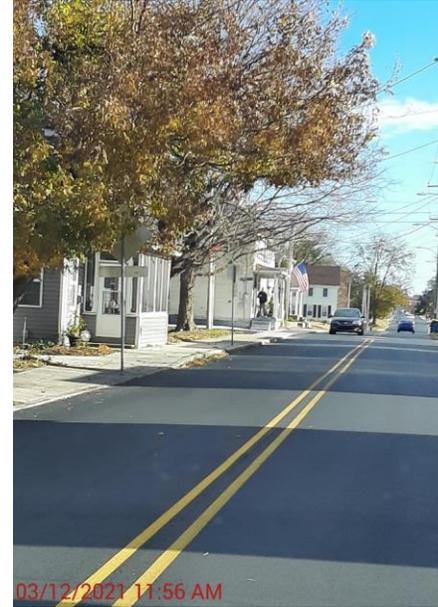
- ▶ 521 Mccolley St
- ▶ AV
- ▶ Remedied





Code Enforcement

- ▶ 108 Montgomery St
- ▶ Remedied





Code Enforcement

- ▶ 112 NE Fourth St
- ▶ EXT Window trim
- ▶ Remedied



Code Enforcement

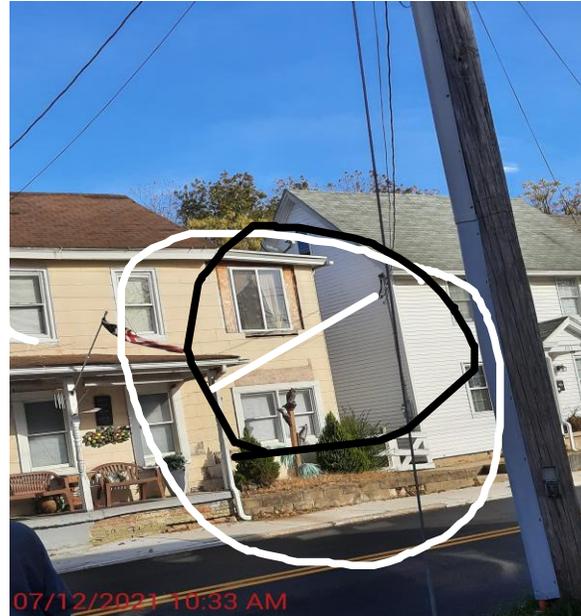
- ▶ 502 SE Front St
- ▶ Rubbish
- ▶ Remedied





Code Enforcement

- ▶ 201 SE Second St
- ▶ Property Maintenance
- ▶ Remedied





Code Enforcement

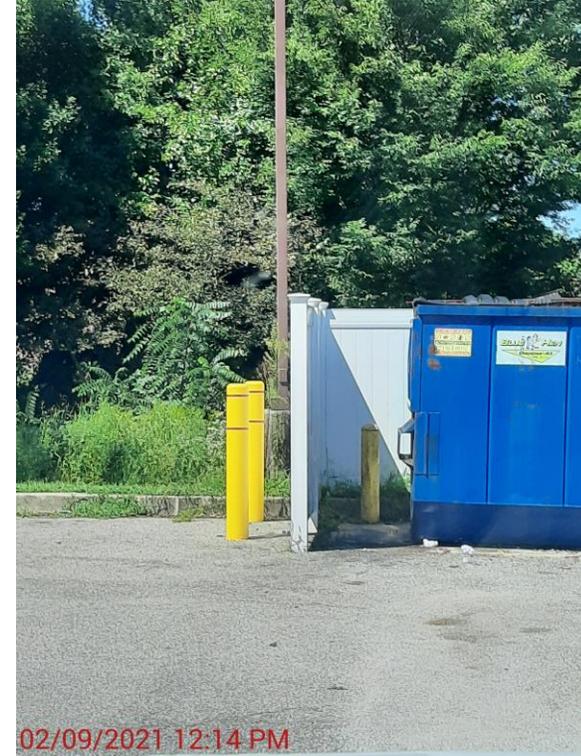


- ▶ 205 Lovers Ln
- ▶ Prohibited Animals
- ▶ No Pic
- ▶ Remedied



Code Enforcement

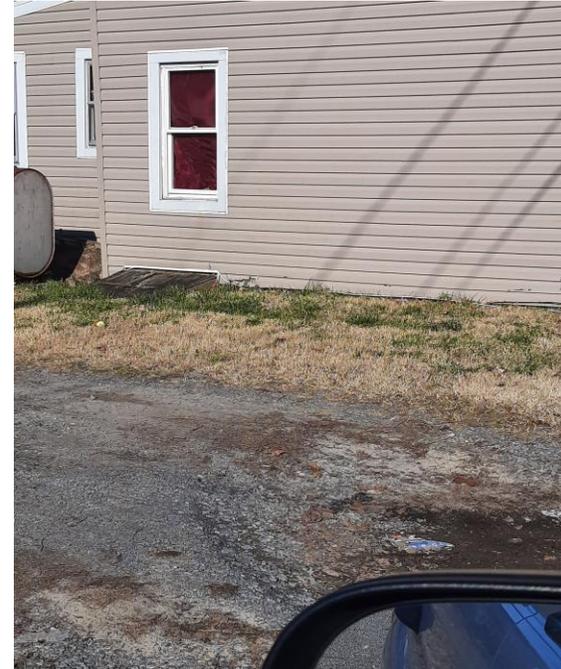
- ▶ 202 Allen Way
- ▶ Rubbish
- ▶ Remedied





Code Enforcement

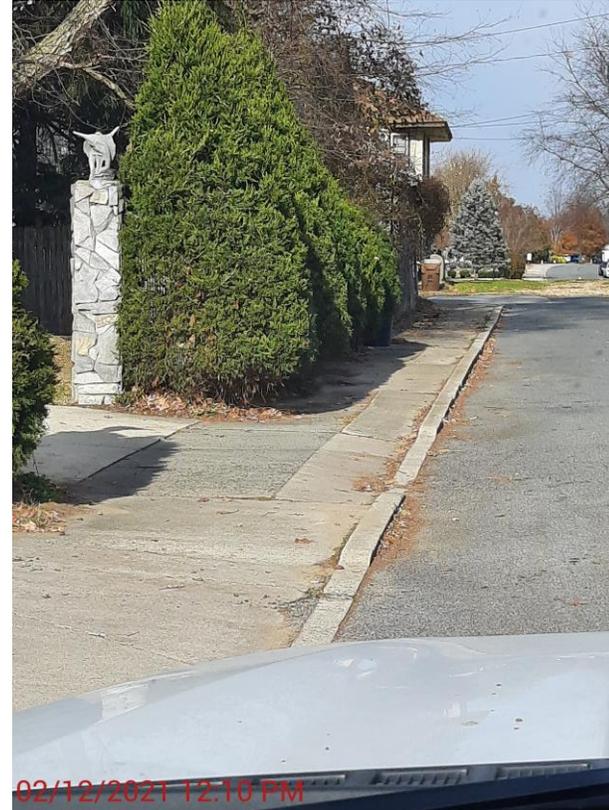
- ▶ 106 Mccolley St
- ▶ FU
- ▶ Remedied





Code Enforcement

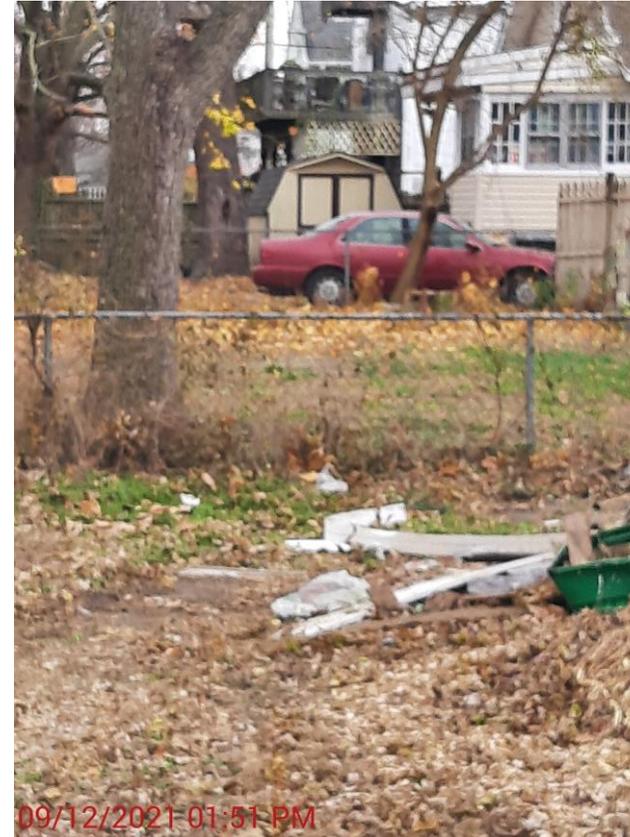
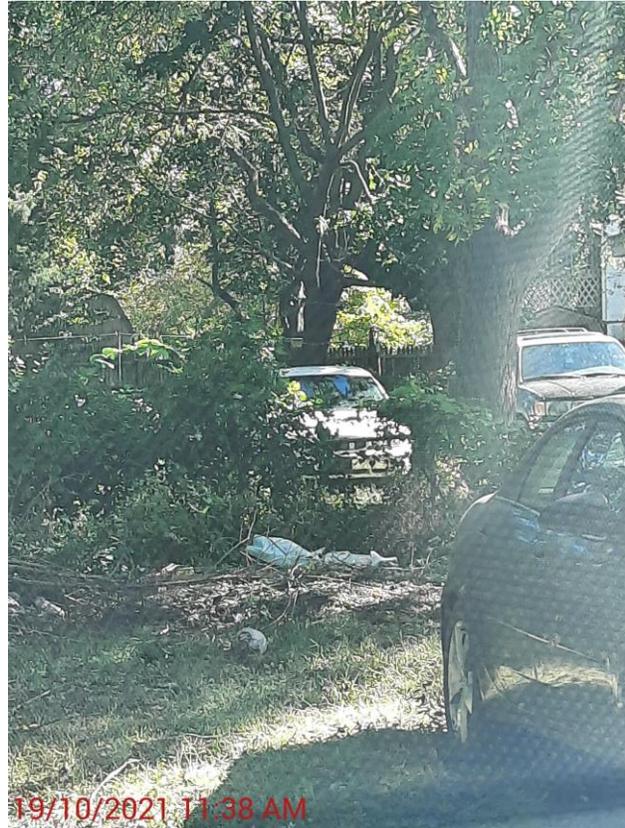
- ▶ 410 East St
- ▶ Property Maintenance
- ▶ Remedied





Code Enforcement

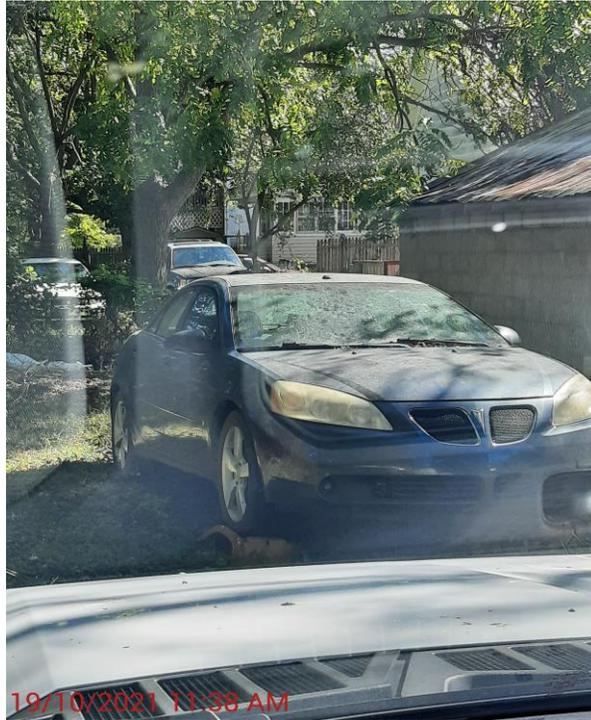
- ▶ 507 SE Front St
- ▶ AV





Code Enforcement

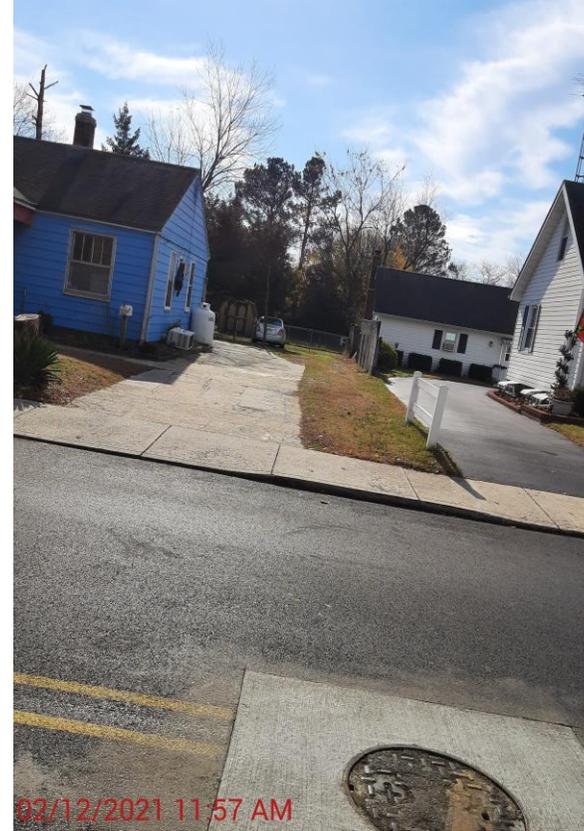
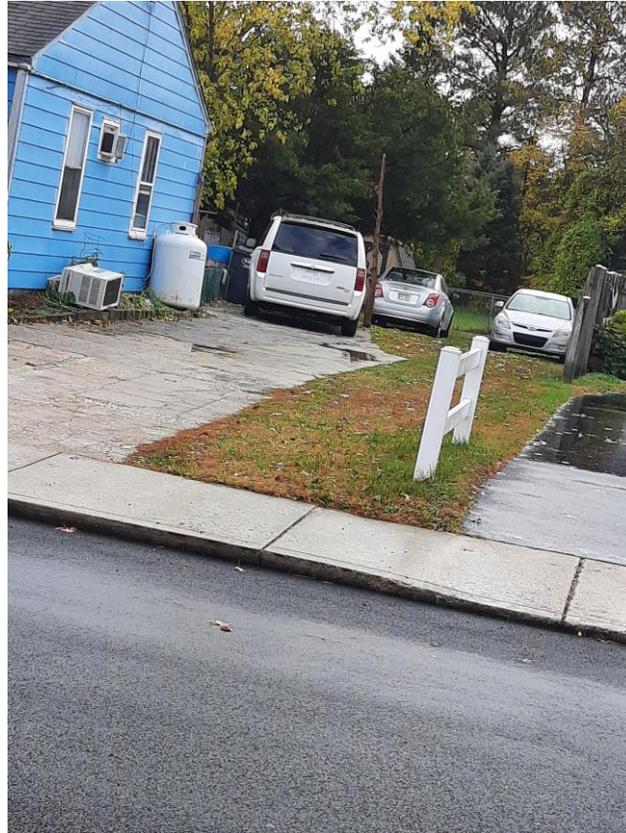
- ▶ 503 SE Front St
- ▶ AV
- ▶ Remedied





Code Enforcement

- ▶ 908 SE Second St
- ▶ AV
- ▶ Remedied





Code Enforcement

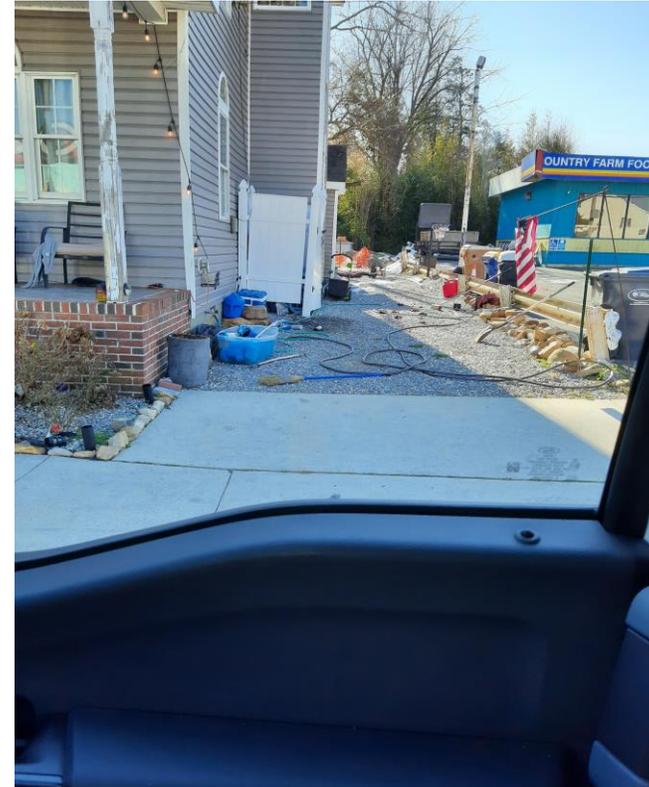
- ▶ 607 N Washington St
- ▶ Property Maintenance
- ▶ Roof
- ▶ Remedied





Code Enforcement

- ▶ 108 SE Front St
- ▶ FU
- ▶ REMEDIED?
- ▶ Remedied





Code Enforcement

- ▶ 107 N Walnut St
- ▶ EXT Siding
- ▶ Remedied





Code Enforcement

- ▶ 212 N Walnut St
- ▶ Property Maintenance
- ▶ Remedied





Code Enforcement

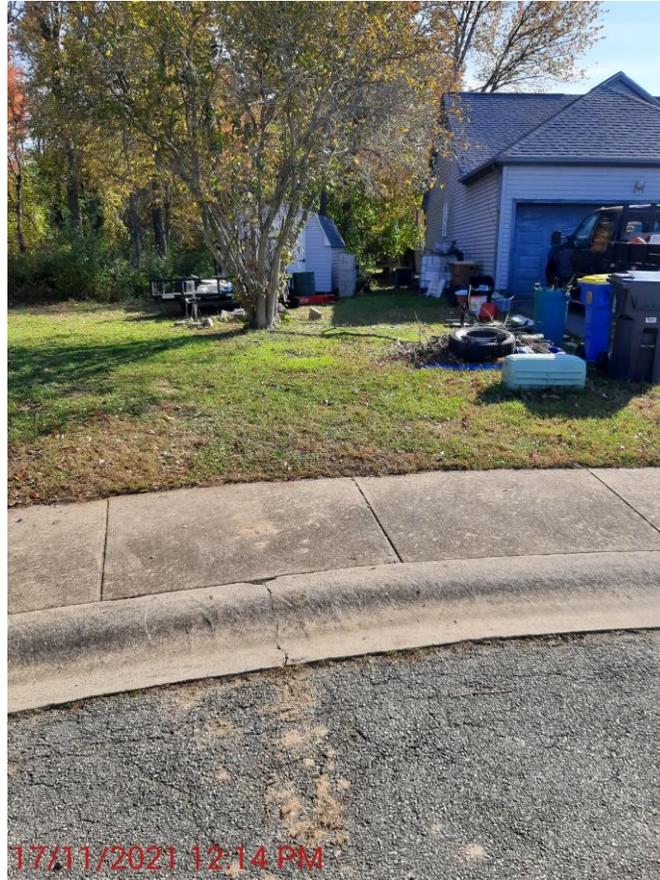
- ▶ 801 N Walnut St
- ▶ Dangerous Tree
- ▶ Remedied





Code Enforcement

- ▶ 7 Governor Watson Ct
- ▶ Rubbish
- ▶ Remedied



PARKS & RECREATION DEPARTMENT
207 Franklin Street
Milford, DE 19963



PHONE 302.422.1104
FAX 302.422.0409
www.cityofmilford.com

TO: Mayor and City Council
FROM: Brad Dennehy-Parks and Recreation Director
DATE: February 8, 2022
RE: January 2022 – Parks and Recreation Staff Report

- The Department continued with Covid-19 precautions with social distancing, mask wearing and enforcing non-vaccinated staff get weekly testing.
- Weekly trash pick-up continued through January of all municipal owned trash receptacles by Park staff.
- Preparations were made for two large snowstorms including getting snowplows and snow removal equipment ready for the areas Parks and Recreation maintains during snow events.
- Two considerable snow events occurred during January, which resulted in park staff working both after hours and at the weekends, during the storms and the resulting clean up afterwards.
- As a result of a citizen concern regarding pedestrian bridges being slippery in the first snowstorm, in the second snow as a precaution all the pedestrian bridges were closed.
- Following the second snowstorm all the pedestrian bridges were cleared of snow with small equipment.
- Three vehicles were sent to the mechanic during January for servicing.
- Basketball goals were transferred over to the Boys and Girls Club, in preparation for instructional basketball. Soccer goals were transported to the Boys and Girls club for indoor soccer.
- Park Superintendent Ralph “RJ” Skinner volunteered to assist with the coaching of instructional basketball. “RJ” has assisted before with our basketball program and it is good to see him helping again to develop the next generation.
- All the holiday greenery and garland were removed by park staff.
- Christmas lights and decorations were removed from the downtown and put back in storage.
- The small white lights will remain in the trees on Walnut street in the downtown until the time change occurs in the spring.
- There were several tree limbs which fell during the storms, and park staff removed 6 small dump truck loads out of City Parks.
- An inventory of coconut liners for the lampposts was conducted and additional liners were ordered for the spring planting.
- Snowstorms meant basketball and soccer games had to be cancelled, but those games will be made up.

- Current recreational activities include youth basketball practices and games, indoor soccer, instructional wrestling, and an adult open gym for basketball. COVID continued in January to dictate the wearing of masks for all players, coaches, and spectators.
- There is full registration for Taekwondo which will begin in February.
- A community survey was emailed to families and placed on social media to gather information about our programs. We want to continue to provide relevant recreational opportunities to our community. We have got some good and helpful feedback from our survey.
- Recreational staff are looking towards the spring in developing new programs.
- Director met with City Manager, City Planner, and landscape design architect to review the Deep Creek/Herring Branch greenway.
- Director participated in interviews for the arborist position, an offer was made to one candidate, but it was declined by the candidate. The position continues to be open and we continue to seek a suitable candidate.
- Director hosted a public input session to gain public feedback on the downtown playground, pickleball courts, and lighted handrail. This was also presented to Council for approval in January.
- Director attended the quarterly Milford Community Cemetery meeting.
- Director met with potential new contractors for the Milford Community cemetery grass cutting which will be put out to bid in February.
- Director attended the monthly and weekly WIIN collation meetings.
- Director attended a meeting with the potential owner of the old Fire house to discuss potential improvements to the Riverwalk.



Milford
PARKS & RECREATION
play • connect • grow



To: City Council and Mayor
From: Sara Bluhm, Economic Development & Community Engagement Administrator
Subject: January Monthly Report
Date: Feb. 9, 2022

Economic Development

- Continuing to finalize the growinmilford.com economic development website. March 1 launch date.
- Attended Delaware Site Readiness Fund Information Session and completed Level 1 application draft. Deadline is Feb. 18 for up to \$100,000 grant for Industrial Park planning.
- Met with Linda Parkowski and Planning Director for newly established quarterly KEP & COM meetings
- Met with City Manager and Planning Director to discuss industrial park master plan
- UD DATI Office is leased and renovating at Milford Wellness Village
- Met with Milford Public Library Board regarding potential downtown investment and DDD funding
- Met with City Manager, Planning Director, City Solicitor and potential industrial park partners

Community Engagement

- SeeClickFix (MyMilford) web portal launched on Jan. 20. Eight citizen reports through the end of January. App will launch in February. Concept to fruition in five months at Council's direction to find a community engagement tool sooner than the Tyler ERP implementation.
- Attended Parks & Recreation Public Input Session regarding Riverwalk lighting and playground
- Winter Storm planning (Jan. 28-29) and communication

Meetings/Trainings

- Attended DMI Economic Vitality Committee monthly meeting
- Attended HBA Nuts & Bolts Meeting
- Met with Public Works and Planning teams to discuss public EV Charging Stations – potential locations and funding sources
- Attended Kent County Tourism Board Meeting
- Attended two WIIN meetings – one with the small planning group and one with the full Coalition
- Attended monthly SEDAC meeting

Social Media/Website

- January 2022 Insights:
 - City of Milford Facebook: 68 new likes (total: 2,441); 22,757 reached; 1,301 post engagement
 - Parks & Rec Facebook: 18 new likes (total: 2,553); 12,494 reached; 443 post engagement
 - Instagram: 53 new likes (total: 891); 619 accounts reached; 49 accounts engaged
 - Twitter: 8 tweets, 1,619 impressions, 556 profile visits, 2 mention, 1,329 followers
 - Website: 92,922 users; 98,844 sessions; 32,703 pageviews (25,773 last month)
 - Note: CivicPlus changed analytic providers from Piwik to Google Analytics on Jan. 1, so descriptor names changed and comparative #s from Dec. are not available
 - ChatBot: 89 self-service resolutions; 61.8% self-service resolution rate; \$445 cost savings

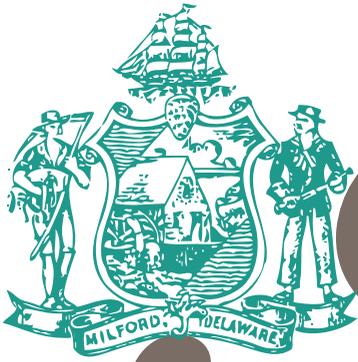
- MyMilford: 13 issues created; 10 issues closed; Average Days to Close: 2.2

Email Campaigns

- Jan. utility newsletter to customers who receive e-bills (3,670): 46.2% open
- Jan. business newsletter (audience: business license holders, 608): 35.1% open

Press Releases & Coverage

- City of Milford Residents to Receive Survey (Jan. 21)
 - MilfordLIVE: City of Milford Residents to Receive Survey (Jan. 21)
 - DE State News: Milford to survey residents on improving quality of life (Feb. 2)
- City of Milford Preps for Winter Storm (Jan. 28)
 - DE State News: City of Milford crews prepare for Friday and Saturday snowstorm (Jan. 28)
 - MilfordLIVE: City of Milford provides tips for winter storm (Jan. 29)



Milford

River Town • Art Town • Home Town

DELAWARE

City Buildings are Closed

All City buildings are closed to the public through at least the end of February. All public meetings are on Zoom. Sign up for meeting notifications on the city's website.

Feb. Community Happenings

- **All Month:** Mispillion Art League's 19th Annual Judged Show
- **Every Tuesday & Thursday:** Free Computer Classes @ Milford Public Library
- **Sunday, Feb. 6:** Vaccine Clinic @ St. John's Church
- **Saturday, Feb. 12:** The After Market in the Farmers Market area
- **Monday, Feb. 14, 7pm:** City Council Meeting
- **Saturday, Feb. 19, 10am:** Auxiliary of Carlisle Fire Company Annual Sub Sale (pre-orders required)
- **Monday, Feb. 21:** City Offices Closed due to Holiday
- **Tuesday, Feb. 22:** City Council Candidate Filing Deadline
- **Wednesday, Feb. 23:** City Council Workshop
- **Saturday, Feb. 26:** The After Market in the Farmers Market area
- **Monday, Feb. 28, 7pm:** City Council Meeting

Spring Parks & Rec Programs

Parks & Recreation Spring Sports Registration begins on March 1. Spring offerings are being finalized. Check the City of Milford Parks & Recreation website for a complete list of programming with possible trips and special events for children and adults. Registration and questions can be directed to 302.422.1104.

Monitor Your Usage

Did you know you can monitor your water and electric usage, as well as set alerts to notify you when you may have a leak with the Customer Utility Portal? Create an account at <https://milf-de-web.amppartners.org/>

Solicitation of Candidates

City elections are coming up Saturday, April 23. There's an open seat in every ward, including Mayor. Candidate Packets and Nominating Petitions can be obtained Monday through Friday from 8:00 a.m. to 4:30 p.m. at the City Clerk's Office at Milford City Hall, 201 South Walnut Street, Milford, Delaware. Special times can also be arranged. Please call in advance to schedule an appointment as the building is currently closed as a COVID-19 precaution. The deadline to file for the Office of Mayor and/or City Council is Feb. 22.

Free Radon Kits

A limited quantity of free test kits are available to Delaware Residents. Claim a free test kit online at <https://drhomeair.fmbetterforms.com/#/delaware-free>. If all free kits have been claimed or if you need additional test kits, you can purchase a discounted test kit at <https://www.aelabs.com/delaware/>.

Nominate a Nonprofit

Would you like to recognize a nonprofit for all the good work it's doing in the community? Nominate it to win up to \$5,000 towards energy efficiency improvements in Efficiency Smart's Energy for Good contest! Visit facebook.com/EfficiencySmart between Feb. 1 and Feb. 16 to submit your nomination or for full contest details.

Connect with Us!

The City of Milford recently launched two new tools for citizens to engage with us: Bucky, a specialized online attendant that crawls the city website to find answers and/or links to your questions, and MyMilford, an online portal and soon to be app, where citizens can report and follow concerns like missed trash pick up, code violations, potholes and street light issues. Visit cityofmilford.com to experience these tools.

Public Utility Education

We will highlight a different public utility each month. The goal is to educate our customers on preventative measures to lower their utility bill, as well as create a more flawless system for all users. This month we're featuring our solid waste department. Some tips for you, the user:

- Please place containers at least 2-3 feet from objects such as other containers, mailboxes and vehicles. Ensure that the wheels are toward your house/apartment so that the lid opens toward the street. Lastly, the lid must close properly so that nothing falls out when the container is picked up to be emptied. Do not place any extra bags, boxes or other items on top of or around the containers.
- The State of Delaware has strict guidelines about disposing of materials. Failure to properly dispose of them could result in a large fine for the City of Milford. Please do not mix yard waste, recycling and trash; place all materials in their proper container. Containers with mixed materials will not be emptied and you will be subject to penalties.
- Know what you can and cannot recycle:



- If you find yourself regularly running out of room in any of your containers you can request an additional container for \$5.50/month (trash) and \$3.50/month (yard waste). Additional recycle containers are free.
- You can schedule up to two Bulk or Brush pick-ups within a calendar year, at no additional cost:
 - Each pick up is limited to four cubic yards of materials, additional material will be subject to a fee. Additional pick ups (following the initial two) will be picked up for a fee and must be scheduled.
 - Brush cannot be any larger than 4" in diameter, no longer than 4' and placed with the cut end toward the street.
- Use our new online MyMilford portal to schedule the delivery of an additional container or a bulk pick up. Access MyMilford by visiting the City's website and clicking the Let Us Know button.

Employee Spotlight

Julie Eisenbrey
Billing Clerk



1. How long have you worked for the City of Milford? 6 years
2. Have you always worked in this role? I joined the Customer Service department in December 2015 and my role has changed over the years within the department. For example, in early 2018, I started billing our more intricate electric service classifications, like large general, general service primary, contract services and net metered accounts. As well as, evaluating and auditing the City's more complex utility rate structure, among other things. I thoroughly enjoy working in this detailed and specialized role.
3. What is your favorite thing about working for the City? As a Milford native, I enjoy working for a community that I was born and raised in. I work with a great team of people, who are hardworking and very supportive of one another. They can make a challenging day that much easier.
4. What do you enjoy doing in your free time? I enjoy spending quality time with my husband, 2 children and extended family. When the weather is warmer, I like working in my flower beds and going to the beach and pool with family and friends.

Julie is an asset to the Customer Service team. She is positive, hardworking and dedicated to serving our customers in a professional and timely manner.

- Suzannah Frederick, Supervisor, Cash Operations & Revenue

Council Spotlight

Nirmala Samaroo
Ward 3 Councilmember



1. How long have you been a member of the City Council? I was elected on November 8, 2021
2. What previous city roles have you held? I have not held any previous city roles.
3. What is your favorite thing about being a Councilmember? Being a councilmember, I enjoy getting to know my community better and enjoy helping the community progress in any way I can.
4. What is your full time job? I am a Payroll Clerk for Tax Management Services and also assist in other tax services.
5. What do you enjoy doing in your free time? I like cooking, reading and spending time with my family.



INFORMATION TECHNOLOGY
201 South Walnut Street
Milford, DE 19963

PHONE: 302-422-1098
www.cityofmilford.com

Date: February 1, 2022
To: Mayor and City Council
From: Dale Matthews, IT Director
Re: January 2022 Information Technology Department Staff Report

Below are updates for IT open projects:

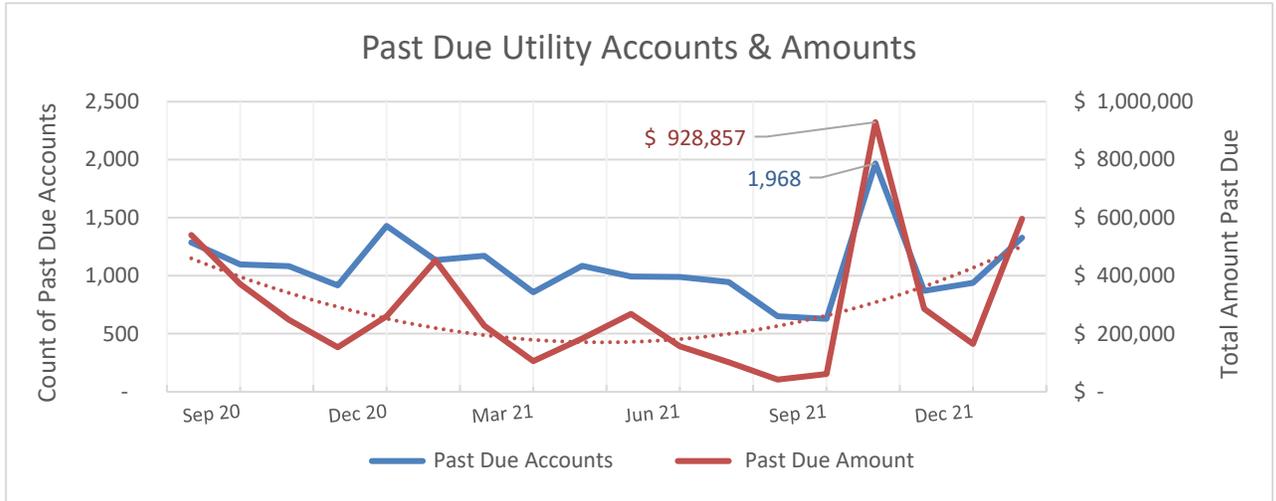
- Security:
 - Two-factor authentication has been implemented, and the related policy has been reviewed and approved.
 - Phishing tests are scheduled. Individuals who fail the tests will be prompted to complete additional training.
- M365 and Cloud:
 - Now that we have migrated our shared files and email, we will focus on providing training to end-users and improving processes.
- Council Livestreaming:
 - Network upgrades have begun, and we are identifying hosting options for livestreaming and council video archives.
- Policies and Procedures:
 - Update: additional policies are under review (Acceptable Use, Use of Data). We are expanding this project to ensure we cover a broader scope of policies. Rather than declare completion, we will provide links to policies and procedures as they are approved.
- ERP Implementation:
 - The ERP kick-off has been moved to March, starting with Finance.
- Network:
 - Due to vendor resource and scheduling issues, Comcast had to push the fiber upgrade back to February. In addition to the fiber upgrade, we are redesigning the network topology. This redesign will improve network performance and reliability.

To: Mayor and City Council
From: Louis C. Vitola, Finance Director
Date: February 9, 2022
Re: January 2022 Finance Department Staff Report

- Monthly Financial Reporting (*Starting in 2022, Reports will be Posted the Immediate Following Month*)
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 - Becker Morgan is preparing segments of the application related to environmental, architectural and design components, with staff support
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- EfficiencySMART (Another AMP Offering through DEMEC)
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 - Finance Staff Reports will include periodic updates on the progress in Milford (enclosed)
- Billing & Customer Service Department (See Page 2)

- Billing & Customer Service Department, Continued

- The graph below exhibits past due accounts and balances over the last six quarters



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- A breakdown of property taxes outstanding follows below with differentiation between the current tax levy and previous tax levies.
- The past due amounts compare favorably in total to the past due amounts reported one year ago¹:

Property Tax Levy	Past Due (\$000) as of:			
	11/1/21	12/1/21	1/3/22	2/1/22
2021 (FY22)	\$279	\$189	\$145	\$131
2020 & Prior	\$213	\$185	\$173	\$172
Total	\$491	\$374	\$319	\$303

Property Tax Levy	Past Due (\$000) as of:			
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2019 & Prior	\$250	\$230	\$221	\$218
Total	\$479	\$362	\$329	\$321

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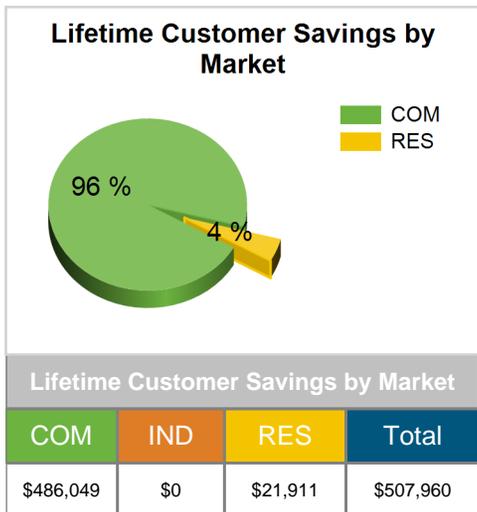
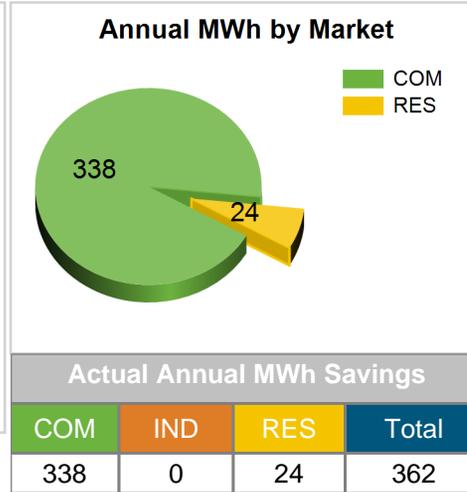
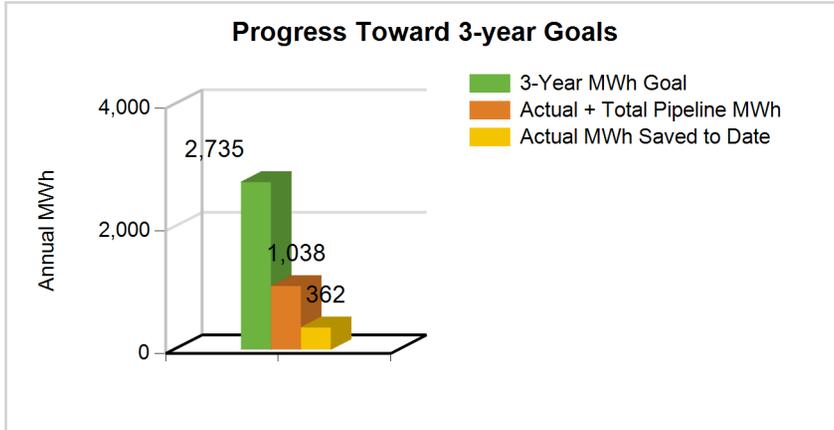


City of Milford Program Summary Results Through 12/31/2021

Month 10 Of 36

Actuals

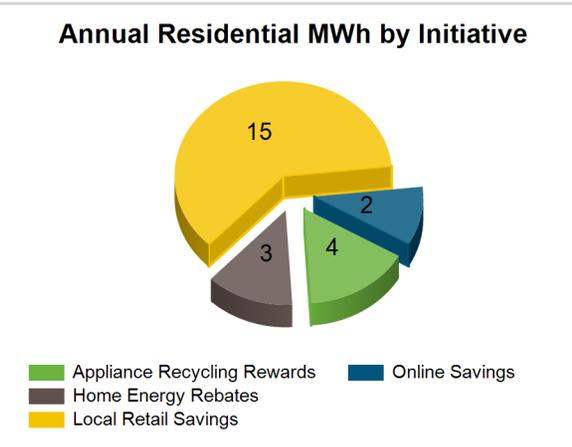
Total Pipeline



Achieved

13%
Percent of 3-Year MWh Goal

362
MWh Saved



\$507,960
Lifetime Customer Savings for City of Milford

219 Completed Residential Transactions

7 Completed C & I Projects

Planned Residential Initiatives	
3 Projects	62 MWh
Active C&I Projects	
Agreement Signed	
2 Projects	228 MWh
Agreement Sent	
0 Projects	0 MWh
Analysis Underway	
8 Projects	191 Estimated MWh
Project Leads	
5 Projects	195 MWh
Total in Pipeline	
18 Projects	676 MWh

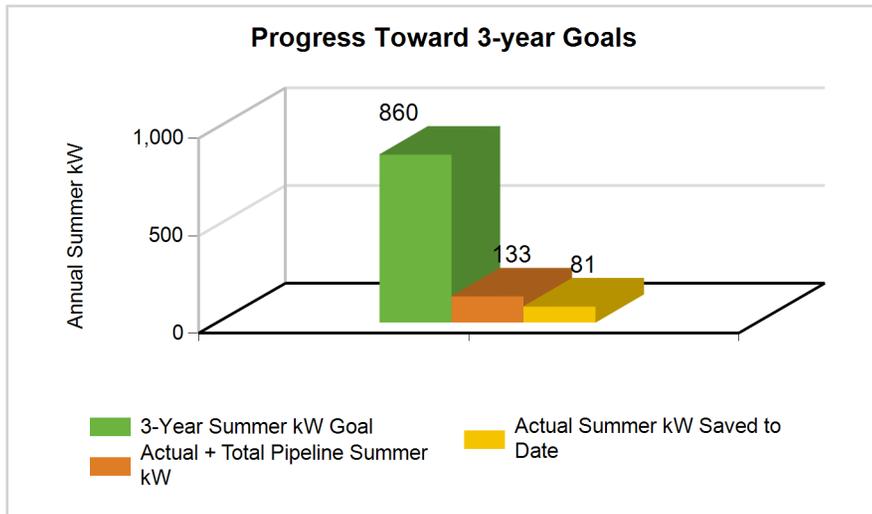
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City of Milford Program Summary Results Through 12/31/2021

Month 10 Of 36

Summer kW Actuals



Achieved

9%

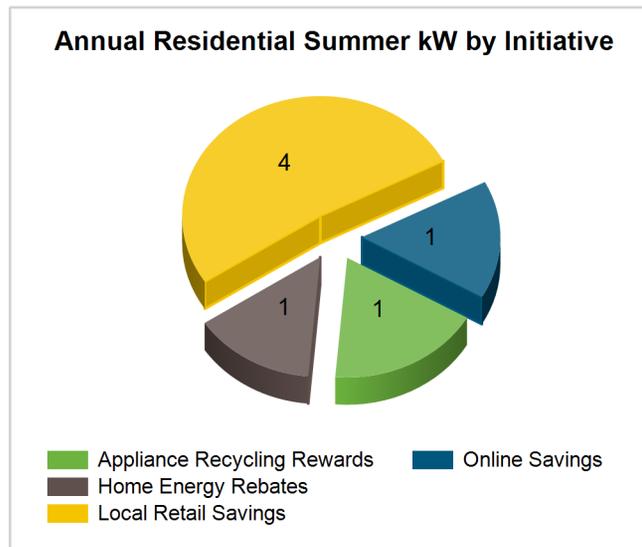
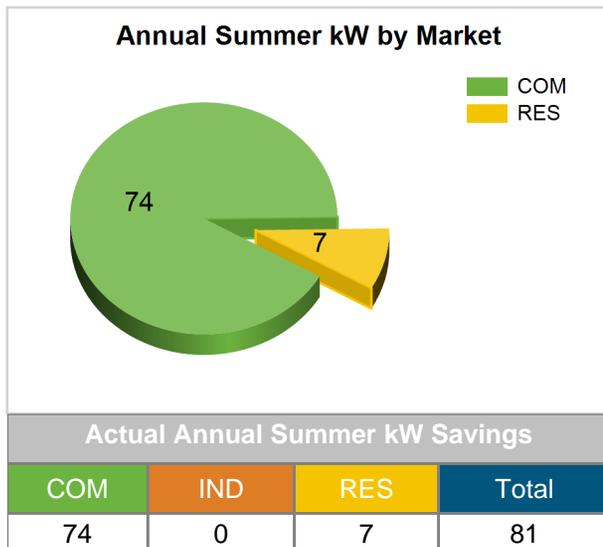
Percent of 3-Year Summer kW Goal

81

Summer kW Saved

Total Summer kW Pipeline

Planned Residential Initiatives	
3 Projects	5 Summer kW
Active C&I Projects	
Agreement Signed	
2 Projects	228 Summer kW
Agreement Sent	
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Analysis Underway	
8 Projects	10 Est. Summer kW
Project Leads	
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Total in Pipeline	
18 Projects	243 Summer kW





Efficiency Smart 2021 Contract Cumulative to Date Summary Report for City of Milford

Reporting Period: 3/1/2021 through 12/31/2021

Summary of All Sectors Installed Efficiency Measures (Residential, Commercial, & Industrial)

Sector	Quantity of Measures	MWh Savings	Lifetime MWh Savings	Summer kW Savings	Annual Customer Savings	Lifetime Customer Savings
Large Business Solutions	4,741	325	4,094	68	\$37,240	\$469,512
Residential	802	24	148	7	\$3,330	\$21,911
Small Business Solutions	349	13	174	6	\$1,246	\$16,537
Total	5,892	362	4,416	81	\$41,815	\$507,960

Summary of Residential Installed Efficiency Measures

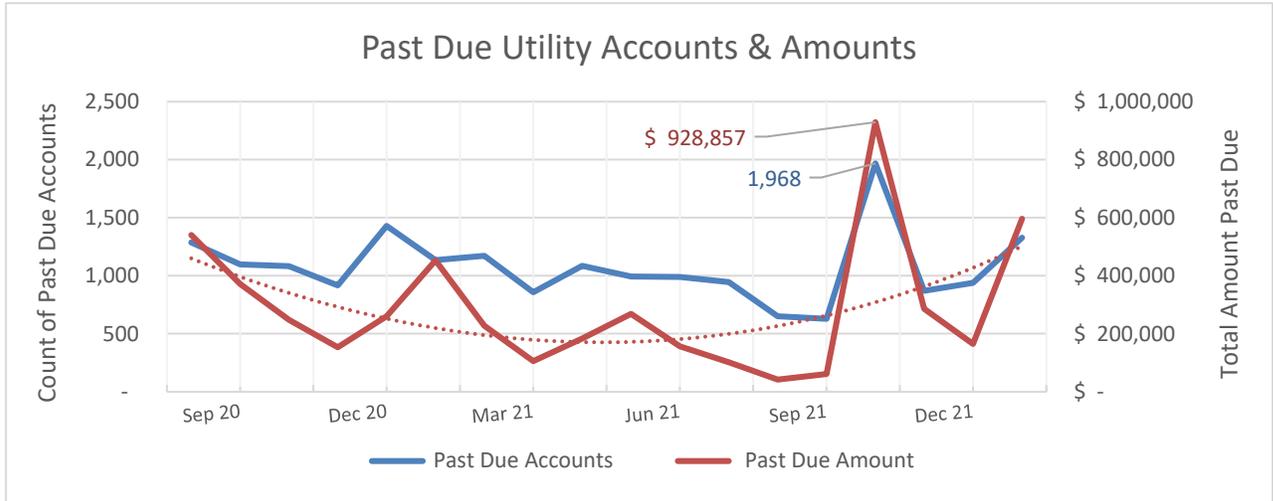
Measure Desc	Qty of Measure	MWh Savings	Summer kW Savings	Annual Customer Savings
Advanced Thermostat	14	4	2	\$784
Dehumidifier Recycling	1	1	0	\$163
Energy Star Clothes Dryer	4	1	0	\$93
Energy Star Clothes Washer	2	0	0	\$30
Energy Star clothes washer CEE Tier 2	2	0	0	\$54
Energy Star Dehumidifier	2	0	0	\$26
Energy star refrigerator	6	0	0	\$46
ENERGY STAR Residential Dehumidifier Most Efficient tier	1	0	0	\$18
Freezer early retirement program, secondary	1	1	0	\$93
LED Screw Base Lamp	764	15	4	\$1,785
Refrigerator early retirement program, secondary	1	1	0	\$143
Room Air Conditioner Recycling	4	1	1	\$97
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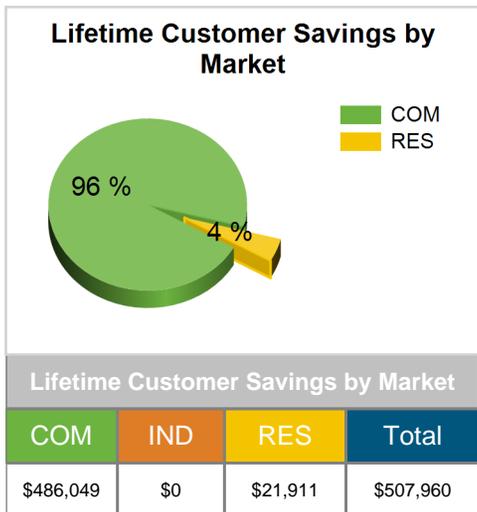
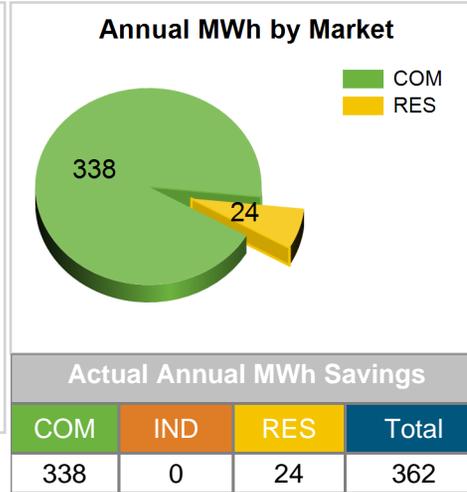
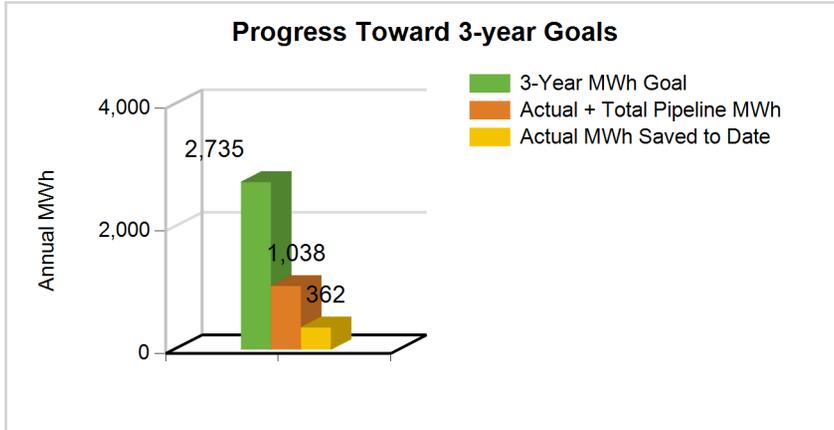


City of Milford Program Summary Results Through 12/31/2021

Month 10 Of 36

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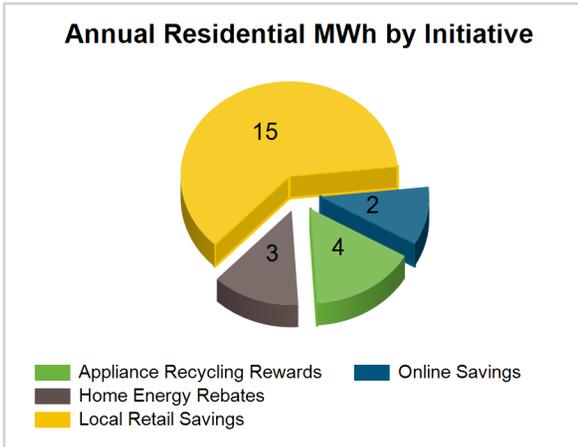
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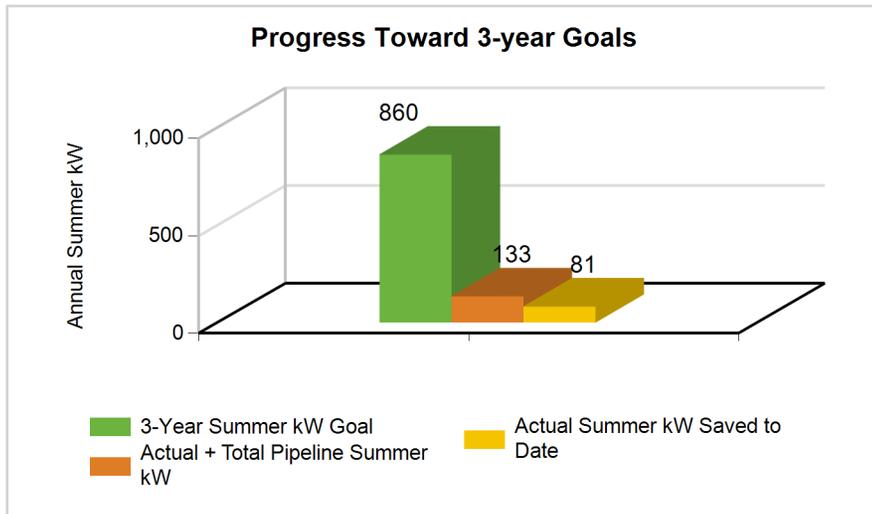
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Month 10 Of 36

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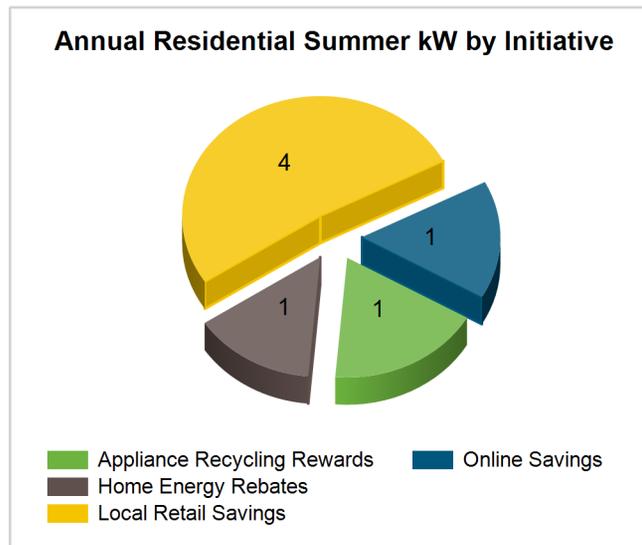
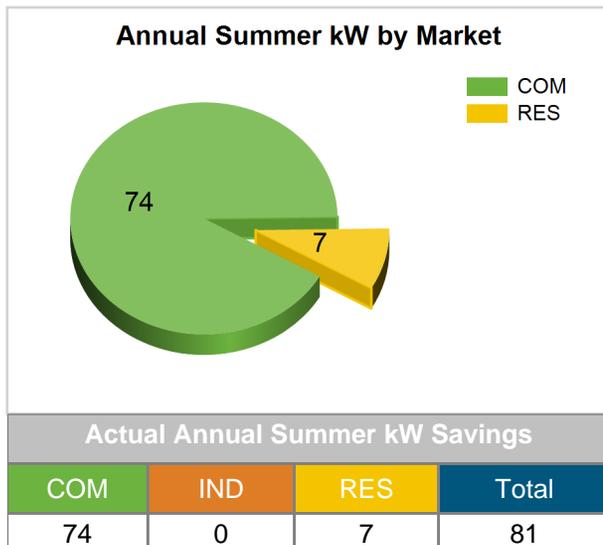
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STATE OF DELAWARE
DEPARTMENT OF TRANSPORTATION
800 BAY ROAD
P.O. BOX 778
DOVER, DELAWARE 19903

NICOLE MAJESKI
SECRETARY

December 31, 2021

Archie Campbell
Mayor, City of Milford
201 S. Walnut Street
Milford, DE 19963

**SUBJECT: Town Agreement/Notification - Contract No. T202207801
Federal Aid No. NH-2022(15)
Bridge Painting, Kent County, SR 1 Bridges, FY 23
(Bridges 2-008A, 2-008B, and 2-008J)**

Dear Mayor Campbell:

The Department of Transportation (DelDOT) has been authorized to spend funds on the referenced Bridge Management project. These funds were made possible through the Capital Transportation Program.

The specific locations for the proposed work are along:

- BR 2-008A carries US 113 over Haven Lake
- BR 2-008B; carries US113 over Haven Lake
- BR 2-008J; carries US 113 NB over SR1

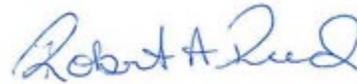
All bridges are located inside the city limits of Milford. We are providing this location for notification purposes only. The work on all bridges will consist of cleaning and painting the structural steel and concrete along with concrete coating on the deck, to increase the service life of the selected bridge structures. The contract has an anticipated contract time of 250 calendar days. Work is anticipated to start in the Spring of 2023 during daytime and night-time hours. Work should take approximately 4 to 8 weeks to complete.

Lane and shoulder closures for SR1 northbound and southbound under these bridges will be permitted during night hours and will be required as part of this contract. There will be no relocation of personal property or displacement of any owner or tenant occupants within city limits on this project. Upon completion of this project, the maintenance responsibility will revert to that prior to the project.

For planned special events that have either a direct or indirect impact to the transportation system either through full roadway or lane closures or impacts to the normal traffic flow created by the crowds attracted to the special event through or around the project area, the City of Milford agrees to comply with all State laws, rules, and/or regulations concerning traffic and parking control along the detour route, follow the then existing “**Delaware Manual on Uniform Traffic Control Devices for Streets and Highways**” (and any supplements and/or amendments thereto), and to consult with DelDOT ninety (90) days prior to approving the special event.

If you have any questions or concerns, please contact us by responding to this email, or you can contact me by phone at (302) 760-2366. If we do not receive a reply by February 23, 2022, we will view this as your concurrence and move ahead with the project.

Sincerely,



Robert A. Reed
Project Manager, Team Support

BR:w

Enclosure

cc: Mark Whitfield, City Manager, City of Milford- mwhitfield@milford-de.gov
Teresa Hudson, City Clerk, City of Milford- thudson@milford-de.gov
James Puddicombe, City Engineer, City of Milford- jpuddicombe@milford-de.gov
Anne Brown, Director of Maintenance and Operations
Matt Lichtenstein, Central District Engineer
Shahin Taavoni, Maintenance Engineer, Central District
Jason Hastings, Chief of Bridges & Structures
Jason Arndt, Bridge Management Engineer
Steve Richter, Manager, Bridge Management
Peter Haag, Chief of Traffic Engineering
Monroe Hite, III, Chief of Right-of-Way
Rosemary Richardson, Statewide Acquisition and Relocation Manager
Shehnaz Chaudhri, Group Engineer, ROW Engineering
Robert A. Reed, Team Support Project Manager

NOTICE OF CITY OF MILFORD RESCHEDULED PUBLIC HEARINGS

Notice is hereby given that Public Hearings on the following Zoning Ordinance have been extended accordingly :
Planning Commission: Tuesday, February 15, 2022* @ 7:00 p.m.
City Council: Monday, February 28, 2022* @ 7:00 p.m.

ORDINANCE 2021-27
CODE OF THE CITY OF MILFORD
PART II – GENERAL LEGISLATION
CHAPTER 230-ZONING CODE
ARTICLE VII-BOARD OF ADJUSTMENT

WHEREAS, Article VII, Chapter 230-38.5 of the Zoning Code of the City of Milford establishes the salaries of the members of the Board of Adjustment; and

WHEREAS, amendments to Chapter 230 must be published in a local newspaper not less than 15 days prior to the hearing date(s); and

WHEREAS, members of the Board of Adjustment provide a positive service that is invaluable to the continued progress of our City; and

WHEREAS, from time to time, there is a need to adjust the salaries of those appointed to Commissions and Boards by City Council; and

WHEREAS, salaries should be adjusted on an annual basis to align with rising costs; and

WHEREAS, during a duly advertised hearing on February 15, 2022*, the Planning Commission discussed the merits of the ordinance, considered public comment, and made a recommendation to approve the amendment to Chapter 230; and

WHEREAS, after having given proper public notice and holding a final public hearing on February 28, 2022*, the Council of the City of Milford adopted the amendment to the City of Milford Zoning Ordinance.

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

Section 1. The City of Milford Zoning Code, §230-38.5 Salaries and Compensation, Board of Adjustment, is hereby amended to read as follows, with strikeouts indicating matter stricken and underlined text as new matter:

Each member of the Board of Adjustment shall be paid ~~\$50.00~~ \$75.00 per regular or special meeting s/he attends and may be reimbursed for actual expenses incurred in connection with their official duties.

Section 2. Dates.

City Council Re-introduction: Monday, February 14, 2021*

Planning Commission Review & Recommendation: Tuesday, February 15*, 2022

City Council Review & Final Determination: Monday, February 28*, 2022

Section 4. This Ordinance becomes effective Sunday, January 1, 2023

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

Dates Revised: 01/19/2022*

Published: Milford Beacon 12/01/2021
Milford Beacon 01/26/2022 (R)

CITY OF MILFORD PUBLIC NOTICE
NOTICE OF ORDINANCE REVIEW
Chapter 68 VOTER REGISTRATION

NOTICE IS HEREBY GIVEN the following ordinance is under review by the City Council of the City of Milford. Public comments will be accepted during a regular session of Council that will be held at 7:00 p.m. on Monday, February 14, 2022:

ORDINANCE 2022-10

WHEREAS:

The Code of the City of Milford is hereby amended to rescind Chapter 68 Voter Registration in its entirety;

This will eliminate the need for qualified residents to register at Milford City Hall and will updated the registration process to align with Delaware Code Title 15-Elections Chapter 75 Municipal Elections;

Delaware Code Title 22-Municipalities Chapter 8 home Rule, enacted in December 1961, prohibits a municipality that permits nonresident persons to vote in a municipal election from eliminating or limiting the right of nonresident persons to vote;

This ordinance will incorporate the desire of the City Council to utilize the Delaware Department of Elections' voter registration system, beginning with the Annual 2022 Municipal Election and continue with a separate registration for qualified non-resident property owners as was ratified in July 2010.

The language that currently exists in Chapter 68 will be rescinded (strikethrough) and replaced with the new text shown in italics.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF MILFORD:

Section 1.

Amends Chapter 68 Voter Registration

Section 68-1. Registration.

Except as provided in the City of Milford Charter and Chapter 68 of the City of Milford Code, the registration of voters in the city shall be governed by and conducted in accordance with the provisions of Title 15 of the Delaware Code.

Section 68-2. Qualifications.

A. Resident of the City

A resident of the City of Milford, to qualify to register, shall be a citizen of the United States, shall have been a resident of the city for a period of 30 days prior to the registration deadline and shall be 18 years of age or older prior to the date of election.

B. Non-Resident of the City

A non-resident of the City of Milford, to qualify to register, shall be a citizen of the United States, shall own real property within the City of Milford at least 30 days prior to the registration deadline and shall be 18 years of age or older prior to the date of the election.

C. Legally Created Entities

A Corporation, Partnership, Limited Partnership or other legally created entity is prohibited from registering and voting as a non-resident property owner unless the property within the City is titled in an individual name.

Section 68-3. Procedure.

The City of Milford Annual Municipal Election must be conducted under Subchapters IV and V, Chapter 75 of Title 15 of the Delaware Code.

Section 68-4. Requirements.

No person shall vote, or be allowed to vote, in any City of Milford Municipal or Special Election to fill the vacancy of an elected official, or at a referendum, unless such person is properly registered to vote for state elections in accordance with Title 15 of the Delaware Code, remains a permanent resident within the jurisdiction of the City of Milford (15 Del. C. § 1101 et seq.), or is otherwise qualified to vote as required in Article I and Article II of the City of Milford Charter.

Section 68-5. Voter Identification and Signature.

Persons appearing to vote shall present proof of identity and address. Once determined eligible, voter shall print their legal name, address, ward number and record their signature on the appropriate election document prior to voting.

Section 68-6. Transfer of registration records.

- A. When the boundaries of an election ward are changed, the City Clerk shall cause to have transferred the permanent registration records of registered voters whose voting wards have been changed into the appropriate election ward record. Each registrant shall be notified of the transfer by regular mail.*
- B. The registration of any voter shall not be invalidated nor shall the right of any registered voter to vote be prejudiced by any error in making transfers of the registration records.*

Section 68-7. Registration deadlines.

- A. In accordance with 15 Del. C. § 7550(d) the City Clerk shall close all registration records 30 days prior to the date of the regular election. Resident voters defined in Section 68-2(A) shall be required to have properly registered with the Department of Elections to be permitted to vote at the following regular election. Non-resident voters as defined in Section 68-2(B) shall be required to have registered with the City Clerk of the City of Milford to vote at the following regular election.*
- B. Special elections. In accordance with 15 Del. C. § 2037 and § 7550(d), the city clerk shall close the registration records 10 days prior to the date of a special election and only those voters properly registered at that time shall be entitled to vote at the following special election. If the deadline falls on a Saturday, Sunday or holiday, the deadline shall be the next day that is not a Saturday, Sunday, or holiday.*
- C. The registration records of the city shall remain closed until the day after the regular or special election.*

Section 68-8. Custodian of registration records.

The City Clerk shall be the custodian of the permanent registration records. The removal of registration records from City Hall shall be done only with the express consent of the City Clerk.

Section 2.

Dates.

Introduction: January 24, 2022

Adoption: February 14, 2022

Section 3.

Ordinance becomes effective ten days following its adoption and will be properly noticed in the Milford Beacon.

CURRENT VERSION (Rescind):

Chapter 68 VOTER REGISTRATION

[HISTORY: Adopted by the City Council of the City of Milford 12-14-1981. Amendments noted where applicable.]

~~§ 68-1. List of registered voters; registration dates and times.~~

~~An initial list of registered voters for the 1982 municipal election will be prepared by the Registrar and submitted to the Mayor and Council. This list will be comprised of residents who voted in any one of the last two city elections and who continue to reside in the city. The Mayor and Council will review and validate the qualifications of each name on the list. This initial list will be made available for review by January 1, 1982. All persons not on the above list will be required to register in person at City Hall, 201 South Walnut Street, or at such other places as the Mayor and Council shall direct. The City Hall office will be open for the purpose of registering persons who are qualified to be voters during normal working hours, Monday through Friday, except holidays, starting December 1, 1981. The Mayor and Council, at their discretion, may prescribe additional dates, times and places for the conduct of registration so long as the registration dates, times and places are published in a newspaper of general circulation in the city at least once per week for two weeks preceding the supplementary date for the registration of qualified voters. Registration will be closed as of midnight 30 days prior to the election.~~

~~§ 68-2. Qualifications.~~

~~A resident of the City of Milford, to qualify to register, shall be a citizen of the United States, shall have been a resident of the city for a period of 30 days prior to the date of election and shall be 18 years of age or older prior to the date of election.~~

~~§ 68-3. Information to be supplied.~~

~~A. — Any individual desiring to register to vote in a municipal election as required by this chapter shall present himself to the registration officials and shall advise the officials of the following:~~

~~(1) — Full name.~~

~~(2) — Age.~~

~~(3) — Birthdate.~~

~~(4) — Present residence in the city, including street address and post office box number or apartment number if applicable.~~

~~(5) — Date the individual commenced residency in the city.~~

~~(6) — Ward in which presently residing.~~

~~B. — Every applicant shall present verification of identity and residence. Registration is not complete until the application has been approved by the Mayor and Council.~~

~~§ 68-4. Registrar and Assistant Registrars.~~

~~The Mayor and Council shall appoint the City Manager to be the Registrar, and he may appoint one or more city employees as Assistant Registrars. The Registrar shall be the custodian of the permanent registration records. No records may be removed from City Hall without the express permission of the Registrar.~~

~~§ 68-5. Removal from registration books.~~

~~If any voter shall fail to meet any of the requirements established for registration by this chapter, he shall be stricken from the registration books in the following manner:~~

~~A. — Certification. The City Registrar shall certify to the Mayor and Council a list of those individuals who are deceased, who have failed to vote in the past four municipal elections, who have not maintained their place or residence within the city or for any other reason failed to qualify as a voter of the city according to the requirement of this chapter.~~

~~[Amended 5-12-1986]~~

B. — Method of striking. The list shall be presented to the Mayor and Council at the regular March meeting. The Council shall be vested with the responsibility of determining, by the most effective means available, those individuals who shall be stricken from the registration books.

C. — Recording and filing of cancellation of registration.

(1) — The Registrar shall record the action taken by the Council on the original registration record in the space provided for cancellation of registration. This recording shall include the date of cancellation, the reason for cancellation and the signature of the Registrar. Any person who is determined not qualified to vote will be notified within three days after that determination, and that person may then request an appearance before the Mayor and Council for an explanation concerning that determination.

(2) — There shall be kept in alphabetical order an inventory of all registration forms which have been removed from the registration lists or which have been voided for clerical error during issuance. This record shall be maintained permanently.

§ 68-6. Transfer of registration records.

A. — When the boundaries of an election district are changed, the Registrar shall cause to have transferred the permanent registration records of registered voters whose voting districts have been changed into the appropriate election district record. The correct election district number shall be recorded on the election district record and on the application for registration record. Each registrant shall be notified of the transfer by regular mail. The registration of any voter shall not be invalidated nor shall the right of any registered voter to vote be prejudiced by any error in making transfers of the registration records.

B. — When a registered voter moves from one election district to another within the city, he shall apply to the Registrar to have his registration transferred to his new address by making and signing an application for transfer of registration.

C. — When a properly executed application for transfer of registration has been accepted, the Registrar shall have recorded the change of address and election district number on the registration records and transfer these records to the proper election district record.

§ 68-7. Change of address within same election district.

A change of address or residence within the same election district shall not disqualify any person as a voter in such election district. Such voter shall, upon proper identification at the polls, be permitted to fill out a change of address form and to vote if he is otherwise qualified.

§ 68-8. Change of name.

Any registered voter who changes his or her name, by marriage or otherwise, and continues to reside within the same election district shall not be disqualified as a voter in such election district. Such voter shall, upon proper identification at the poll, be permitted to fill out a change of name form and to vote if he or she is otherwise qualified.

§ 68-9. Registration lists to be made available.

Registration lists shall be prepared and made available after the last registration day in March. The Registrar shall supply free of charge to each candidate two copies of the registered voters who reside in the district from which he seeks election. Candidates for Mayor shall be supplied free of charge with two copies of each of the above lists of registered voters in all districts. Each of the above registration lists shall be available to anyone for the cost of reproduction.

§ 68-10. Books and forms to be provided.

The Mayor and Council shall provide the Registrar with all necessary books and forms for use in the conduct of general and supplementary registrations.

§ 68-11. Books of registered voters.

The books of registered voters shall be of the same general type as those used by the County Board of Elections in the conduct of the registration of voters and shall be of a type which shall require the signature of the voter at the time of the registration of the voter.

~~§ 68-12. Right to challenge registration.~~

~~The Mayor, members of Council, members of the Election Board, the Registrar, Assistant Registrars, any candidate or any registered voter may challenge the right to be registered of any person applying to be registered. Any challenger shall state the grounds of challenge, and these shall be entered in the registration book. Upon challenge, if the applicant for registration shall then withdraw his application, the Registrar shall note in the registration book that the application has been voluntarily withdrawn. If the applicant does not withdraw his application, the Registrar shall, within five days after said registration day, excluding Saturdays, Sundays and holidays, make a determination as to whether the challenge shall be sustained or rejected and shall cause an appropriate entry to be made in the registration book. If the challenge shall be sustained, the applicant shall be notified of his right to appeal the Registrar's decision to the Mayor and City Council.~~

~~§ 68-13. Registration by mail.~~

~~Any person who is unable to register in person at the City Hall because of physical impairment or because of duties in any public or military service of Delaware or of the United States shall be permitted to register by mail. To register by mail, a person shall request, in writing, directed to the Registrar and specifying the reasons he is unable to register in person, that registration forms be sent to him at a stated address. Requests must be received by the last registration day before the election. Within three days of receipt of the request, the Registrar shall send the registration form and instructions to the person requesting to be registered. Forms shall provide spaces for obtaining the information outlined in § 68-3 above. The completed registration form must be received by the Registrar not later than 15 days before any election in which the person desires to vote.~~

City of Milford



RESOLUTION 2022-02

AMENDING MILFORD CITY COUNCIL RULES OF PROCEDURE

WHEREAS, Resolution 2018-01 was approved by unanimous vote of City Council on February 12, 2018 adopting the Milford City Council Rules of Procedure, and

WHEREAS, Council has requested the Finance Director to provide the most up to date Financial Report as possible, and;

WHEREAS, the Finance Director can produce a Finance Report for the immediately preceding month by the fourth Monday of the month, and

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Milford, during a lawful session duly assembled on the 14th day of February 2022, by a favorable majority vote adopt the Procedural Rules hereto attached as Exhibit A, as amended, are hereby adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Milford to be affixed this 14th day of February 2022.

Mayor Arthur J. Campbell

Attest:

City Clerk Teresa K. Hudson



MARK A. WHITFIELD, CITY MANAGER
201 South Walnut Street
Milford, DE 19963

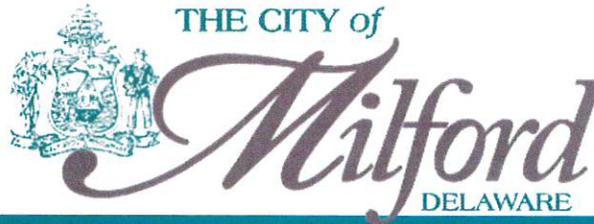
PHONE 302.422.1111
FAX 302.424.3553
www.cityofmilford.com

To: Mayor and City Council
From: Mark Whitfield, City Manager
Subject: DNREC Mosquito Control Spray Policy
Date: February 11, 2022

The City has contracted with DNREC's Mosquito Control Section for more than 15 years to control larval and adult mosquito populations and treat mosquito habitats within City limits.

Recommendation: Staff recommends Council authorize the execution of the DNREC Mosquito Control Spray Policy for 2022.

OFFICE OF THE Mayor
201 South Walnut Street
Milford, DE 19963
www.cityofmilford.com



ARTHUR J. CAMPBELL
City Hall 302.422.1111
Facsimile 302.424.3558
MayorCampbell@milford-de.gov

February 15, 2022

Delaware Mosquito Control Section
DNREC
c/o Anne Newlin
1161 Airport Road
Milford, DE 19963

Dear Mosquito Control Team:

This letter grants permission for low flying aircraft to use spray application for mosquito control in the City of Milford this season. This letter also officially releases the State of Delaware from any damages or injuries that may occur as a result of this activity.

Should you need additional information, please contact my office at 302-422-1111.

Sincerely,

Arthur J. Campbell
Mayor

Enclosures

MUNICIPALITY ENDORSEMENT

MOSQUITO CONTROL SPRAY POLICY

A. I hereby certify that the **City of Milford** has received from the Delaware Mosquito Control Section (MCS) for the year **2022** a copy of the Mosquito Control Spray Policy, along with electronic product labels and Safety Data Sheets (SDS) for the insecticides mentioned in the Spray Policy via Dropbox.com at <https://tinyurl.com/MCS-Products-2022>.

B. On behalf of the City / Town in regard to participating in and permitting the Section's mosquito control spray activities to occur this year (from March through mid-November) within our jurisdictional boundaries: (please check one):

I agree to allow MCS to undertake its spraying activities within the City / Town to be done in adherence to and per provisions of the Mosquito Control Spray Policy.

OR

I do not request the Section's mosquito control spray services this year within City / Town boundaries.

C. In event of agreeing to participate and permit mosquito control activities within the City / Town, I have enclosed:

- 1) a Municipality Boundary Map showing the current boundaries along with any changes since last year, as well as identifying and delineating on the map any requested human health-related No-spray Zones (if any), but which will then require further follow-up on my part in accordance with your Mosquito Control Spray Policy;
- 2) a signed waiver prepared on official City / Town letterhead permitting spray applications by low-flying aircraft.

D. In event of agreeing to participate and permit mosquito control spraying within the City / Town, the municipal contact person is Mark Whitfield at phone number 302-424-8394 and e-mail address mwhitfield@milford-de.gov.

As a second municipal contact, his/her alternate is Michael Svaby at phone number 302-422-1125 and e-mail address msvaby@milford-de.gov.

E. Please note that the Mosquito Control Section will send Spray Announcements to the provided e-mail addresses, as warranted, throughout the control season. For further details on the Spray Zone Notification System (SZNS), please see the Mosquito Control Spray Policy.


(Signature of municipal official)

City Manager
(Title of municipal official)

2/15/2022
(Date)

Please return endorsement, updated map, and FAA waiver by **Friday, March 4, 2022**:
electronically to Mosquito.Control@delaware.gov or via mail service to
Delaware Mosquito Control Section, c/o Anne Newlin, 1161 Airport Road, Milford, DE 19963



MILFORD



MARK A. WHITFIELD, CITY MANAGER
201 South Walnut Street
Milford, DE 19963



PHONE 302.422.1111
FAX 302.424.3553
www.cityofmilford.com

To: City Council and Mayor
From: Mark Whitfield, City Manager
Subject: Industrial Park Management MOU
Date: February 10, 2022

During the acquisition process of the Fry Farm, staff reviewed the qualifications and track record of a number of commercial real estate developers/brokers that could assist the City in the management of the development of the industrial park. In discussing the proposed project with State and County officials, as well as a number of engineering firms, it was clear the City would benefit from having a strong development company manage the design, construction, and ultimate buildout of the Milford Industrial Park. After evaluating a number of industrial projects/parks, staff began to negotiate a management MOU with Tsionas Management of Newark, DE and Emory Hill of New Castle, DE.

Tsionas Management presently has a strong investment in Milford as owners and operators of the Milford Plaza. Tsionas has other commercial properties within the State, as well as manages several student housing projects in Newark. Emory Hill was the developer of the Pencader Industrial Park in Newark, DE, and desires to expand their market into the central/southern portion of Delaware. Staff believe both of these companies will provide the expertise for the development of a successful industrial park on the Fry Farm.

A MOU is attached for Council's consideration and approval. The MOU has two phases: Phase I for the evaluation of cost and feasibility of purpose (including the development of the concept master plan and evaluation of off-site improvements) and Phase II for the master development agreement, site preparation, marketing, management and maintenance, and takedown of lots. Of particular concern to all parties will be the cost of off-site improvements (required by DeIDOT), how off-site improvements will be paid for, and what affect do those costs have on the market value of the lots. We anticipate those questions will be answered as part of Phase I. Once the market value of the lots is determined, we will enter into Phase II of the agreement. It is important to note that Emory Hill and Tsionas will not only be the developer for the Milford Industrial Park, but will be an investor through the purchase of lots and construction of a spec building(s) as well.

Recommendation: Staff recommends Council authorize the Mayor to execute the Memorandum of Understanding with Tsionas Management Co., Inc. and NAI Emory Hill Real Estate Services, Inc. for the development of the Milford Industrial Park.

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING (the “MOU”) is entered into by and between the City of Milford, an incorporated municipality of the State of Delaware (the “City”), and collectively, Tsionas Management Co., Inc. (“Tsionas”) and NAI Emory Hill Real Estate Services, Inc. (“Emory Hill”), or their nominee/assignee (“Developer”), for the purposes set forth herein.

RECITALS

A. The City has acquired certain land, containing approximately 181.77 acres located on Milford-Harrington Highway, Church Hill Road and Canterbury Road, Kent County Tax Parcel MD-16-173.00-01-01.00-000, as depicted in Exhibit A hereto (the “Property”). The City closed on the property on December 15, 2021; and

B. The City intends and desires to undertake various activities, including but not limited to having approved on October 25, 2021 a rezoning of the property to a Mixed Light Industrial Commercial, and Business Park Zone, to bring the land in line with the City’s vision for commercial, economic, and industrial development, which includes a new industrial park totaling approximately 1.6 million square feet of Class A commercial, industrial, and flex buildings designed to attract a variety of commercial and industrial tenants (the “Purpose”); and

C. The estimated cost of off-site improvements required by, amongst others, the Delaware Department of Transportation, the Delaware Department of Natural Resources and Environmental Control, and the City, necessary to achieve the Purpose, has yet to be determined; and further, the availability of grants and other resources to offset the cost of off-site improvements and other costs associated with achieving the Purpose, has yet to be determined; and

D. The City and Developer desire to enter into a partnership to realize the Purpose, based in part on Developer’s combined experience, knowledge and expertise in market research, pre-construction and construction services, brokerage, marketing, maintenance association formation and management, and asset development, investment and management; and

E. The City and Developer desire to set forth the mutually negotiated understandings and intentions, but not the obligations, of the parties in connection with the development of the Property, with the intent of entering into a more formalized agreement in the future.

NOW, THEREFORE, in recognition of the foregoing and the mutual understandings set forth herein, the parties agree as follows:

CONDITIONS

1. **Non-Binding Effect**. The recitals set forth herein above, and conditions set forth herein below represent the non-binding goals and priorities for the purpose of developing the Property. The parties will work diligently to advance the collaborative efforts identified herein, and to meet the various responsibilities placed upon them in subsequent related agreements. The parties

intend this MOU to be a non-binding expression of the parties' intent and may not be interpreted to impose any obligations upon either party.

1.1. The parties expressly agree to work in good faith to execute upon in accordance with the conditions and objectives set forth herein, and to prepare and execute such agreements as are expressly contemplated herein, and such other documents and agreements as may be necessary or reasonable to meet the Purpose and the Conditions as set forth herein and below.

2. **Developer Consulting Services and Fees.**

2.1. While the City will maintain control over the Project, Developer will grant all necessary and reasonable support to the City by providing multidisciplinary consulting services, including but not limited to market research, pre-construction and construction services, brokerage, legal support, marketing, and maintenance association formation, throughout the course of the Project in accordance with a Phasing Schedule as set forth hereafter (collectively, the "Consulting Services").

2.2. During Phase I, Developer will provide the Consulting Services, including but not limited to all research, marketing, construction-related, brokerage, and legal services provided in furtherance of the Purpose at a rate of \$225 per hour, billed in 15-minute increments (0.25 hours) (the "Consulting Services Fee"). The Consulting Services Fee shall be due and payable at the conclusion of Phase I, unless otherwise set forth in this MOU. It is understood by the parties that the full extent of Consulting Services to be provided may vary substantially as new and additional information is gathered in furtherance of the Project.

2.3 **Phase II Shall be Contingent.** Upon completion of Phase I, the parties will confer and evaluate the cost and feasibility of the Purpose. Contingent upon the mutual agreement of the parties that the Purpose is feasible, the parties will proceed to Phase II. If no agreement is reached to move forward to Phase II, or if it is expressly agreed not to move forward to Phase II, then the remaining obligation of the parties herein regarding Phase II shall not apply. If the parties agree to move forward with Phase II, then each of the Paragraphs of Phase II stated herein shall apply, and further, the fee for Developer's Consulting Services for Phase I (Paragraph 2.2 above) shall be waived.

PHASE I

EVALUATION OF COST AND FEASIBILITY OF PURPOSE

3. **Evaluation of Off-Site Improvements.** The City and Developer shall work together, with such third-party consultants that may be retained by the parties, to evaluate the off-site improvement scope and associated expenses which are necessary to meet the Purpose, or which are otherwise determined by the parties to be reasonable and appropriate.

4. **Site Design and Land Planning.** The City and Developer shall work together to mutually agree upon a site design and land development plan for the Property to meet the Purpose. The

City shall be responsible for obtaining all necessary governmental approvals for the completion of all improvements deemed necessary or appropriate for the Project, which shall include both on- and off-site infrastructure improvements such as road and curb work, utilities, stormwater management, and any other infrastructure improvements deemed necessary or appropriate (“Infrastructure Improvements”).

5. **Developer Guidance.** In relation to Paragraphs 3 and 4 above, Developer will provide advice and consultation to the City with respect to the development of the site design and land development planning, construction contracting, engineering and architecture, and assistance with obtaining approvals. To the extent that Developer oversees or procures (consistent with the City’s procurement protocols and with City’s express written consent) services for the site design and land development plan, architecture, construction, or engineering, unrelated to the specific development of any one individual approved lot, the City shall reimburse Developer for any costs incurred by Developer.

PHASE II

MASTER DEVELOPMENT AGREEMENT, SITE PREPARATION, MARKETING, MANAGEMENT AND MAINTENANCE, TAKEDOWN AGREEMENT

6. **On- and Off-Site Preparation of Property.**

6.1. **Off-Site Preparation.** The City shall be responsible for completion of all construction of off-site Infrastructure Improvements servicing the Property in accordance with the approved site design and/or land development plan.

6.1.1. Developer shall provide advice and consultation to the City to assist in the completion of the off-site Infrastructure Improvements.

6.1.2. Developer may, in consultation with the City and with the City’s express written consent, retain services from third parties to assist in or complete the off-site work contemplated herein. To the extent that Developer oversees or procures (consistent with the City’s procurement protocols) services for the completion of such work, the City shall reimburse Developer for any costs incurred by Developer.

6.1.3. The final approval of and construction of all off-site improvements shall be at the sole discretion and control of the City and in accordance with the requirements of any permitting agency having jurisdiction over such improvements.

6.2. **On-Site Preparation.** The City shall be responsible for completion of all construction of on-site Infrastructure Improvements and completion of permit-ready building pads on the Property (each independently, a “Lot”), in such numbers, configurations and locations as set forth in the approved site design and/or land development plan.

6.2.1. Developer shall provide advice and consultation to the City to assist in the completion of the on-site Infrastructure Improvements.

6.2.2. Developer may, in consultation with the City and with the City's express written consent, retain services from third parties to assist in or complete the on-site work contemplated herein. To the extent that Developer oversees or procures (consistent with the City's procurement protocols) services for the completion of such work, the City shall reimburse Developer for any costs incurred by Developer.

7. **Master Development Agreement.**

7.1. Developer shall prepare for recordation a master development agreement for the Property which shall include, but not be limited to, rights to amend the site plan, obtain such further governmental approvals as needed to complete the site plan or any amendment thereof, and create such development-related easements; and further, Developer will prepare for recordation any covenants that are deemed necessary and appropriate for the benefit of the Developer and the City in furtherance of the Purpose.

8. **Marketing of the Property and Lots.**

8.1. **Exclusive Brokerage.** Developer shall have the exclusive right to broker for sale and/or lease all lots on the Property owned by the City and shall have the right to assign these brokerage rights to a third party with commensurate experience and reputation in the industry, upon written approval from the City. Such brokerage rights shall be the subject of a separate brokerage agreement between the parties.

8.2. **Exclusive Marketing Rights.** Developer, in coordination with the City and other economic development partners (e.g., Delaware Prosperity Partnership, Kent Economic Partnership), shall be responsible for all marketing of the Lots, and the Property more generally, and shall coordinate with the City over the timing, nature, contents and scope of such marketing, provided however, that Developer agrees that no marketing efforts shall be in violation of any laws, rules or regulations governing such marketing efforts.

9. **Exclusive Management and Maintenance of the Property and Lots.**

9.1. **Exclusive Management.** Developer shall consult on the creation of and shall have the exclusive right to the management of the Property's maintenance corporation, consistent with the protocols and procedures set forth by the City. Developer shall have the right to assign these management rights to a third party with commensurate experience and reputation in the industry, upon written approval from the City which shall not be unreasonably withheld. Such management rights shall be the subject of a separate property management agreement between the parties.

10. **Takedown Agreement.**

10.1. **Lot Purchase Rights.** In consideration for the waiver of the Consulting Services Fee as stated in Paragraph 2.3, Developer shall have the right to purchase any Lot from the City at a price or upon a calculation to be determined based on the evaluations reached at the conclusion of Phase I, beginning with the day that the Lot becomes permit-ready

(and without regard to the approval, permitting or construction status of any other Lot) and ending on the date a written acceptance-ready good faith commercially reasonable offer (an "Offer") is presented to the City from an independent third party. Developer shall be obligated to present to the City any offers of purchase for a lot within the project within two (2) business days of when the Offer is made.

- 10.2. **Right of First Refusal.** As set forth above, in the event that an Offer is presented to the City, Developer shall have the right to purchase the Lot on the same terms as the Offer ("Right of First Refusal") prior to any acceptance of the Offer by the City, and no acceptance of an Offer will be valid or enforceable unless or until Developer elects not to exercise its Right of First Refusal, or the same expires. Developer's Right of First Refusal will expire fifteen (15) business days from the date upon which Developer is notified of the City's intent to accept the Offer, including all terms and conditions of that Offer. No failure to elect to exercise the Right of First Refusal with respect to any particular Lot shall be construed to be a waiver of the Right of First Refusal with respect to any other Lot. In the event that Developer exercises its Right of First Refusal, the City shall receive all revenues from the sale, net of any sales commission to Developer.
- 10.3. **Sale of Lot to Third Party.** Subject to the provisions of Paragraph 11.2 above, the City may sell a Lot to a third party. The calculation of the distribution of the profits, if any, from any third-party sale, along with any other terms and conditions, shall be determined at the conclusion of Phase I.
- 10.4. **Exclusive Right to Purchase Unfinished Lots.** In the event that the City determines that it is unwilling or unable to continue development of the Property, or any portion thereof as set forth in the then-current site plan, the City will provide notice to Developer. Upon receipt of such notice, Developer will have the exclusive right to purchase the Property, or any portion thereof, at a price to be determined by the parties in good faith. Any purchase made under this Paragraph will be subject to standard due diligence rights, including but not limited to title, survey, and environmental inspections and reporting, and shall be assignable by Developer to Tsionas or Emory Hill at Developer's discretion.

Signature Page to Follow

IN ACKNOWLEDGEMENT OF the Recitals and Conditions of this Memorandum of Understanding the parties affix have affixed their signatures and seals below.

CITY OF MILFORD

By: _____ (SEAL) Dated: _____
Name: _____
Title: _____

TSIONAS MANAGEMENT CO, INC.

By: _____ (SEAL) Dated: _____
Name: _____
Title: _____

NAI EMORY HILL REAL ESTATE SERVICES, INC.

By: _____ (SEAL) Dated: _____
Name: _____
Title: _____

EXHIBIT A
TO
MEMORANDUM OF UNDERSTANDING



NOTICE OF PUBLIC HEARINGS
PLANNING COMMISSION PUBLIC HEARING: February 15, 2022 at 7:00 PM
CITY COUNCIL PUBLIC HEARING: February 28, 2022 at 7:00 PM
Milford City Hall 201 South Walnut Street Milford, DE 19963

NOTICE IS HEREBY GIVEN the City of Milford Planning Commission will hold a Public Hearing on **Tuesday, February 15, 2022** at 7:00 pm to hear evidence from interested parties and make a recommendation to City Council regarding the ordinance. The City of Milford City Council will hold a Public Hearing on Monday, February 28, 2022 at 7:00 pm to hear evidence from interested parties and make a final determination regarding the ordinance.

ORDINANCE 2022-07

First Baptist Church for an Amended Conditional Use in an R1 Zoning District
Located along the west side of Old Shawnee Road, Milford, Delaware.
Present & Proposed Use: Church
Tax Map 3-30-3.06-127.00

WHEREAS, the City of Milford Planning Commission considered the ordinance, as described, at a duly noticed Public Hearing on February 15, 2022 and recommended its adoption to City Council; and

WHEREAS, Milford City Council conducted a duly noticed Public Hearing on February 28, 2022 to consider all information presented by City Staff, the Applicant, written and verbal public testimony; and

WHEREAS, the need for the application was determined by the criteria found under Chapter 230-48 Conditional Uses; and

WHEREAS, it is deemed reasonable, beneficial, and in the best interest of the City of Milford to allow an amendment to a Conditional Use, which will allow the expansion of the church parking lot to provide an additional 87 parking spaces along the east side of the church property.

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

Section 1. Upon the adoption of this ordinance by City Council, First Baptist Church is hereby granted an amendment to the Conditional Use Permit, in accordance with the application, and effective on the date so noted.

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

Section 3. Dates.

Planning Commission Review & Public Hearing: February 15, 2022

City Council Introduction: February 10, 2022

City Council Public Hearing: February 28, 2022

Section 4. Effective Date.

The effective date will be ten days following the adoption of this Ordinance.

For additional information, please contact Rob Pierce in the Planning Department at Milford City Hall either by e-mail at RPierce@milford-de.gov or by calling 302.424.8396.

01.12.22

Published Milford Beacon 01192022

**CITY OF MILFORD
NOTICE OF PUBLIC HEARING**

Planning Commission Hearing: Tuesday, February 15, 2022 @ 7:00 PM
City Council Hearing: Monday, February 28, 2022 @ 7:00 PM

NOTICE IS HEREBY GIVEN that the following Ordinance is currently under review by the City of Milford Planning Commission and City Council, with action scheduled to occur on the date(s) and time(s) so indicated:

ORDINANCE 2022-08

William Allen Property Management, LLC – Conditional Use
2.59 +/- acres of land located along the east side of Silicato Parkway
Address: 104 Silicato Parkway
Comprehensive Plan Designation: Commercial
Zoning District: C-3 (Highway/Commercial District)
Present Use: Vacant Proposed Use: Restaurant and Retail
Tax Parcel: MD-16-174.15-01-01.03

WHEREAS, Chapter 230-45 states “in any and all zoning districts, multiple permitted uses or mixed use of a property shall be deemed a conditional use subject to special requirements.” and are subject to approval from City Council; and

WHEREAS, the applicant is constructing construct a 5,022 square foot restaurant and a 4,000 square foot retail building on the above-described parcel; and

WHEREAS, the City of Milford Planning Commission reviewed the application during their regular meeting on Tuesday, February 15, 2022, at which time interested parties publicly commented on the application; and

WHEREAS, Milford City Council held a Public Hearing on Monday, February 28, 2022, allowing for additional public comment after which the majority of the City Council voted to approve the Conditional Use by adopting this ordinance; and

WHEREAS, the notice as required by Chapter 230, was published in the Milford Beacon on January 19, 2022, and provided to property owners within 200 feet of the subject parcel.

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

Section 1. Upon adoption of this ordinance, a conditional use permit is hereby granted to the William Allen Property Management, LLC to allow a 5,022 square foot restaurant and a 4,000 square foot retail along the east side of Silicato Parkway addressed as 104 Silicato Parkway and as described herein.

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

Section 3. Dates.

City Council Introduction: Monday, February 14, 2022

Planning Commission Review & Public Hearing: Tuesday, February 15, 2022

City Council Public Hearing: Monday, February 28, 2022

Section 4. Effective Date.

This Ordinance is effective ten days following its adoption.

For additional information, please contact Rob Pierce in the Planning Department either by e-mail at RPierce@milford-de.gov or by calling 302.424.8396.

01.12.2022

Published: *Milford Beacon 01192022*

**CITY OF MILFORD
NOTICE OF PUBLIC HEARING**

Planning Commission Hearing: Tuesday, February 15, 2022 @ 7:00 PM
City Council Hearing: Monday, February 28, 2022 @ 7:00 PM

NOTICE IS HEREBY GIVEN that the following Ordinance is currently under review by the City of Milford Planning Commission and City Council, with action scheduled to occur on the date(s) and time(s) so indicated:

ORDINANCE 2022-09

Lands of Shelley Maloney – Conditional Use

0.754 +/- acres located on the south side of E. Clarke Avenue approximately 260 feet east of S. Walnut Street

Address: 8 E. Clarke Avenue

Comprehensive Plan Designation: Low Density Residential

Zoning District: R-1 (Single-family Residential District)

Present Use: Single-family Detached Dwelling

Proposed Single-family Detached Dwelling with Professional Home Occupation

Tax Parcel: 3-30-10.08-004.00

WHEREAS, Chapter 230-9(C)(5) states “professional occupation restricted to the owner/occupant” and are subject to approval from City Council; and

WHEREAS, the applicant is applicant proposes to use a portion of an existing single-family detached dwelling as a professional home occupation for a bail bonds company on the above-described parcel; and

WHEREAS, the City of Milford Planning Commission reviewed the application during their regular meeting on Tuesday, February 15, 2022, at which time interested parties publicly commented on the application; and

WHEREAS, Milford City Council held a Public Hearing on Monday, February 28, 2022, allowing for additional public comment after which the majority of the City Council voted to approve the Conditional Use by adopting this ordinance; and

WHEREAS, the notice as required by Chapter 230, was published in the Milford Beacon on January 19, 2022, and provided to property owners within 200 feet of the subject parcel.

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

Section 1. Upon adoption of this ordinance, a conditional use permit is hereby granted to Lands of Shelley Maloney to allow the use of a portion of the existing single-family detached dwelling located at 8 E. Clarke Avenue as a professional home occupation for a bail bonds company as described herein.

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

Section 3. Dates.

City Council Introduction: Monday, February 14, 2022

Planning Commission Review & Public Hearing: Tuesday, February 15, 2022

City Council Public Hearing: Monday, February 28, 2022

Section 4. Effective Date.

This Ordinance becomes effective ten days following its adoption.

For additional information, please contact Rob Pierce in the Planning Department either by e-mail at RPierce@milford-de.gov or by calling 302.424.8396.

01.12.2022

Published *Milford Beacon* 01192022



The governing body has recessed to Executive Session. The regular meeting will resume shortly.

CITY COUNCIL MEETING



Executive Session
has concluded.
Council has returned to
Open Session