

CITY OF MILFORD  
COUNCIL MEETING MINUTES  
August 9, 2021

The City Council of the City of Milford in Regular Session on Monday, August 9, 2021, with some members participating remotely.

PRESIDING: Mayor Archie Campbell

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

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

COUNSEL: Solicitor David Rutt, Esquire

ABSENT: Councilmember Katrina Wilson

CALL TO ORDER

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

ROLL CALL

All present but Councilmember James.

INVOCATION AND PLEDGE

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

APPROVAL OF PREVIOUS MINUTES

Included in the packet were minutes from the March 22, 2021 Council Workshop and April 12, 2021 Council Meeting. Councilmember Fulton moved to approved as submitted, seconded by CO arch 8, 2021 Police Committee, March 22, 2021 Council Meeting and May 2, 2021 Police Facility Advisory Committee. Motion to approve made by Councilmember Boyle, seconded by Councilmember Morrow. Motion carried.

RECOGNITION

*Proclamation 2021-13/Recognizing Former Councilman Owen Brooks Jr.*

City Clerk recognized Former Councilmember Owen Brooks Jr., noting that in June 2020 he attended his last council meeting after almost 40 years of continued service to the city. A lifelong resident of Milford, he has served on council for 38 years and was selected Vice Mayor for 18 years. Over the years he held many leadership positions and attended many events as a representative of the city. He is well known throughout the city. The resolution has been prepared to commend and recognize Councilman Brooks for his years of his service, not just to the city, but to other organizations and namely Milford Little League, where he was a head coach of 53 years. Eventually a baseball field was named after him which was very well deserved.

The following proclamation was then read into record presented to Councilman Brooks:

PROCLAMATION 2021-13  
Honoring Former Councilmember Owen S. Brooks Jr.

Whereas, sworn in as Councilman of the Third Ward in April 1982, Owen S. Brooks, Jr. completed his last elected term in June 2020; and

Whereas, many impressive accomplishments have taken place during his 38-year tenure, some involving essential transportation improvements and major utility expansions, the redevelopment of vacated subdivisions throughout the community, the formation of private/public partnerships, many healthcare projects; and specifically the development of the Greater Milford Industrial Park and Independence Commons, a new City Public Works Facility, the extraordinary revitalization and preservation of Milford's downtown, especially following the 2003 fire that nearly destroyed the historic district, completion of the Mispillion Greenway Riverwalk and Park phasing project, the more than \$314 million Bayhealth Sussex Campus, the transformation of the former Milford Memorial Hospital into a vibrant Milford Wellness Village offering a multitude of amenities, the 95,000-square-foot Nemours Facility that provides services to both children and seniors, and the repurposing of the antiquated Milford Armory that is now open to the public for activities, workshops, seminars, and more; and

Whereas, Councilman Brooks has served as a member of various committees including, but not limited to Parks and Recreation, Community Affairs and Economic Development, Finance, Public Works, Police, Annexation and three Charter Review Subcommittees, many of which he led as Chairman; and

Whereas, he served as Council's representative on the Milford Community Cemetery Committee and was an advocate for issues such as fiscal accountability, improved City programs for youth and seniors, public safety and housing opportunities; and

Whereas, Councilman Brooks was selected by his Council colleagues to serve as Vice Mayor beginning in April 1987 and was re-elected for the next 18 years, thus becoming the longest-serving Vice Mayor in the City's history; and

Whereas, he has served with the goal of building a community that thrives economically, while maintaining the small-town quality of life that the City of Milford has cherished for generations.

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

That we hereby honor the tremendous impact and celebrate the exceptional leadership that Owen S. Brooks Jr. has displayed over almost four decades and thank him for helping to guide his beloved City into one of the most prosperous in the State of Delaware, made possible by his commitment, devotion, thoroughness, good judgment, integrity, and concern for its residents.

Best wishes are extended to him and his family in all future endeavors.

Mayor Campbell then Councilman Brooks for his service.

Mrs. Hudson explained that the reason for the delay was because she wanted to present it in person.

Councilman Brooks said in 1982 when he ran the first time, he visited every house in the third ward. He ended up winning the election by four votes. He added that was also the first year that Ronnie Rogers became Mayor.

A gift was also presented showing the boundaries of the city in 1982 and again in 2020.

Chief Brown also presented Councilman Brooks with a plaque thanking him for his 28 years of service.

Councilman Brooks introduced in his family members in attendance.

City Clerk Hudson concluded by presenting Mr. and Mrs. Brooks with a photo of Councilman Brooks.

## STAFF REPORTS

*Police Chief Councilmember Boyle presented the report for Chief Brown:*

### **Monthly Stats:**

A total of 460 arrests were made by the Milford Police Department during July 2021. Of these arrests, 80 were for criminal offenses and 380 for traffic violations. Criminal offenses consisted of 13 felonies and 67 misdemeanors. Traffic violations consisted of 22 Special Duty Radar, 11 Drunk-Driving charges, 347 others.

Police officers investigated 60 accidents during the month and issued 143 written reprimands. In addition, they responded to 1248 various complaints including city requests and other agency assistance.

**Monthly Activities:**

Throughout the month of July, 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.

New hire interview for dispatcher position will be held on July 1, 2021.

Juvenile Justice Advisory Group (JJAG) Monthly meeting held via Zoom on July 12, 2021.

Attended Salary Scale Pre-meeting held via Zoom on July 12, 2021.

Attended meeting with City Staff in preparation for contract negotiations for sworn officers via Zoom held on July 12, 2021.

Attended DE Police Chiefs' Council meeting held at the Dover Police Department on July 13, 2021

Attended meeting with City Staff, Teamsters and Union Stewards for contract negotiations for sworn officers via Zoom held on July 16, 2021.

Attended Sussex County Chiefs' meeting held in Georgetown on July 20, 2021.

Attended Delaware Police Accreditation Commission Meeting held at the Department of Safety & Homeland Security on July 20, 2021.

Attended the Milford Police Department – Project Team Kick-off meeting held at the Police Department on July 20, 2021.

Attended Prevention Subcommittee Meeting held via Zoom on July 23, 2021.

**Training –**

One officer attended a 2-day Firearms Instructor Course held at the Bridgeville Shooting Range on July 1, 2021 - July 2, 2021.

All sworn received In-Service training for a new program called 1<sup>st</sup> Responder Naloxone Leave Behind Program held via webinar to be completed by August 1, 2021.

**SRO –**

Sgt. Masten met with the Milford Community Parade Committee as the planning has begun for this October's event. Lt. Wells and Sgt. Masten work with the parade committee each year in the planning stages to discuss plans for traffic, parking, and crowd management.

Sgt. Masten met with a group of women at the Church of the Nazarene to discuss a variety of safety topics. The meeting began with Sgt. Masten conducting the Run, Hide, Fight intruder training. After that Sgt. Masten and the group discussed safety topics of interest to those in attendance.

As the return to school approaches, Sgt. Masten has started conversations about conducting intruder training for staff at several of the schools in the district. There also are plans for the first "Tabletop" exercises at Lulu Ross and Mispillion Elementary as well as presenting the Run, Hide, Fight intruder training to staff at both buildings. Under the Omnibus School Safety Act each school in Delaware must conduct two intruder drills and one tabletop exercise each school year. A tabletop

exercise is a mock scenario where decision makers discuss how they would handle an event and evaluate the current safety plans during these discussions.

Sgt. Masten and the Department's Mental Health Clinician have begun talks on developing informational handouts that we can distribute to our homeless population prior to a severe weather event. They are researching area shelters and requirements for entry. Outside of Code Purple for the winter season, there are typically no shelters for weather events such as a hurricane. The two are compiling a list that they can distribute to residents of the camps if a severe weather event approaches.

Social Media Update: July statistics are as follows. Our Nextdoor posts during the month made 528 impressions and we're up from June with 2023 members, compared to 1990 last month. Our Facebook page has 11,360 likes, which is also up from our June number of 10,712. Posts during the month reached 199,261 people with 8,156 people actually engaging in our posts. On Twitter our Tweets made 4875 impressions and our followers are up to 1,263. Our Instagram account has 1631 followers and posts during the month we were liked by 589 people.

### **K9 Unit** –

For the month of July 2021, the Milford Police Department K9 Unit had the following stats:

K9-1 (Mason)

- Building Search4
- Drug Sniff1
- Assist Other Agency2
- Track1
- Area Search1

K9-2 (Audie)

- Building Search4
- Assist Other Agency2
- Track1
- Demo's2

Reports were included in the packet for the following staff:

### *City Manager*

Mr. Whitfield presented the following report.

- Mike Svaby, Steve Ellingsworth, Charlie Nordberg and I met regarding on-going maintenance items that are not being completed.
- Jamesha and I met with Terri DeSanto of Strategic Insurance Partners regarding our new casualty and property insurance coverage.
- Lou and Jamesha did a lot of work in aligning a new casualty and property insurance company.
- Kudos to the Public Works department for their work in cleanup after the tornado last month.
- We received a number of comments back on the Budget Newsletter, both positive and negative.
- Much of the month was consumed by Police wage proposals and developing a plan for dealing with the personnel crisis in our Electric Division.
- We received information of alcohol sales taking place on City property during the Third Thursday event. We took action to suspend the sales.
- The bidding on the former DMI house ended on Wednesday. No bids were received.
- David Rutt, Rob and I have been dealing with a property owner in the business park who wished for the City to purchase the lot back from him.
- We received news from DELDOT that they are ready to begin the design of the bridge replacements on Maple and SW Front Street. They expect the design for Maple to take 27 months (December 2021 to March 2024) and

construction September to November 2024, and SW Front design July 2022 to October 2024, and construction July to October 2025. We will need to make a budget adjustment to pay for the City's portion of the Maple design (about \$14,000). We have \$6000 available in MSA Bridge Funds. Both bridges are in dire need of replacement.

- We interviewed a person for the Electric Superintendent position. I am happy to report he has accepted an offer to work with the city.
- Sara and I met with WBOC regarding an advertisement spot for employment opportunities with the city.
- Sara also put together a news release regarding our vacancies and how it has affected service delivery.
- We continue to address issues on the Mispillion Street/Marshall Street/McColley Street project just north of SE Front Street. This has been a very challenging project given grade issues, ADA issues, and property access issues. Kudos to James Puddicombe and Mike Svaby for working through those issues.
- We received notice that the city was awarded \$215,000 from the State Bond Bill for playground equipment along the Riverwalk.
- Brad Dennehy and Rob Pierce are addressing several issues on the Fountain walkway that connects with Truitt Avenue, including possible illegal dumping and vegetation along the walkway.
- We were notified about a block party planned for a new business in town, and we did not have an Event Permit. Code Enforcement reached out to the organizers, who quickly completed an application for approval. The event was held with no issues.
- We signed an agreement this week with Polco, the company that works with ICMA for sending out the National Citizen Survey. Melody with working on that project.
- The Governor signed legislation this past week for "Site Readiness" funding. Sara is working with the Delaware Prosperity Partnership to identify if we can access those funds for the potential industrial park development.
- I had communications with Maureen Hartman, South Bethany town manager, regarding the recruitment of one of their police officers coming to Milford, and the reimbursement cost for training.
- Rob and I met with a developer with proposed plans for projects on South Walnut Street and along Rehoboth Boulevard, as well as a rezoning request for property east of Route 1.
- Lou and I have worked with Carlisle Fire for Bond Bill money coming to the city for a fire station capital improvement project.

### *Public Works Department*

City Engineer James Puddicombe presented the Public Works Report.

- **Director's Office**
- Participated in two interviews for Electric Superintendent candidate and multiple other interviews for vacant Public Works and Planning positions
- Participated in project kickoff effort for new PD Facility, debriefed multiple unsuccessful Construction Management bid candidates
- Reopened pre-pandemic, public access to Vickers Public Works Building and Campus
- Participated in multiple meetings of the DEMEC Steering Committee formed to construct lineman training facility in Smyrna
- Worked toward finalizing T-Mobile/Washington Street Tower occupant lease
- Met with multiple private waste haulers to glean market conditions/environment for formulating operations and employment policies for the Department's Solid Waste utility
- Participated in Contractor Bond Audit of local residential community developers and worked with associated surety companies to share City policy and tracking mechanism.
- **Public Services Division**
- **Solid Waste/Facilities Management Section**

- Managed July's collection schedule with 50% vacancy in the section by cross utilizing Street Department employees and utilizing temporary help where necessary and available.
- Continued management of the City Hall Basement renovation project in its final stages.
- Sought input from a fleet cleaning company to help the solid waste crew maintain the trash trucks
- Collected 4.5 tons of yard waste on July 4<sup>th</sup> holiday.
  
- **Streets/ Utilities Section**
- Led street debris clean up from intermittent storm activity between July 3<sup>rd</sup> and July 7<sup>th</sup>
- Assisted Solid Waste Division by cross utilization of 2-3 personnel each working day in the month
- Repaired water leaks on Washington Street, Meadow Larks Drive, and North East Front Street.
- Reconstructed five (5) meter pits in conjunction with slope/grade issues resulting from Marshall Street Rehab - street project
- Reconstructed/repaired sanitary line damaged during Marshall Street Rehab project
  
- **Water/Sewer Section**
- Began host of 2-year intern in Water and Sewer Facilities on July 19<sup>th</sup>
- Cleaned storm drains on fifteen (15) different street alignments
- Repaired/patched pot holes on seven (7) street alignments
- Completed Evans drive debris cleanup
  
- **Electric/Tech Services Division**
- Identified and repaired bad vacuum switch capacitor bank
- Repaired communication issue (RTU) @ Seabury water plant
- Identified and corrected voltage regulator issue Dell Substation
- Replaced Cisco switch (RTU) Tenth Street Water Tower

### *Planning & Zoning*

Planner Pierce presented the following report:

- Through the first seven months of the 2021 calendar year, the City has issued 88 new residential construction permits and five permits for 120 apartment units. The total construction investment in Milford from January through the end of July based on issued building permits was \$30,418,627.
- The City of Milford has seen 93 projects with a committed investment of over \$23.2 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 \$2.71 million in grant funds for both large and small commercial and residential projects in Milford. The city has waived over \$390,000 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 five land use applications at the August Planning Commission meeting. Wickersham has submitted a revised Preliminary Major Subdivision which proposes to eliminate the rear alleys and slightly change the street alignment. Wash It, LLC has submitted a Preliminary Site Plan and Conditional Use application for a laundromat facility to be located at 25 Milford-Harrington Highway. The new owner of 39 N. Walnut Street has submitted a conditional use application for adding additional apartment units on the second floor of the existing mixed-use building. Mispillion Landing has submitted a Final Site Plan application for their apartment project located on NE Front Street and Lot 8 Independence Commons has submitted a Final Site Plan application for a personal fitness establishment located on W. Liberty Way.
- The Planning Commission has been reviewing Chapter 230 Zoning and Chapter 200 Subdivision of Land since February 2021 to address the goals and recommendations from the 2018 Comprehensive Plan, reduce the number of potential Board of Adjustment applications, provide clarity on ambiguous language and modernize portions of the code. The Planning Commission will review Chapter 200 Subdivision of Land at the August and September

meetings. Staff anticipates holding workshops with City Council in October or November to review the proposed edits prior to finalizing the code amendment language and holding public hearings.

- The Board of Adjustment will review four variance applications in August. These applications include a side setback reduction request for a new dwelling unit in the DDD area, a riparian buffer reduction request for a new dwelling unit along Silver Lake, a density increase for a mixed-use building in the DDD area and a lot coverage exceedance for a mixed-use building on N. Walnut Street. Staff will also share the proposed zoning code amendments that the Planning Commission have been working on with the Board for input.
- Century Engineering, DelDOT and Planning Staff are finishing up the Bicycle Master Plan update. A draft report was received at the end of July for review and comment. Staff anticipates bringing a final draft for the City Council to review in the upcoming months.
- Staff submitted the annual Downtown Development District report to the State of Delaware as required by Delaware Code.
- Staff organized a meeting with Becker Morgan Group and DelDOT to coordinate improvements planned for the new Police Station and the NE Front Street TAP project.
- Staff have been meeting with developers regarding the expansion of public utilities east of Route 1 in the Southeast Neighborhood.
- The city received an application for Milford Ponds – Phase IV which includes the apartment portion of the approved Planned Unit Development.
- The city received a Preliminary Major Subdivision and Planned Unit Development application for review for the Westwood Subdivision (former Draper Farm). The proposal includes 182 single-family detached dwellings and 158 single-family semi-detached dwellings.

#### *Department Parks & Recreation Department*

Director Dennehy was not in attendance. His full report can be found in the packet.

#### *Human Resources*

- HR Administrator Jamesha Eaddy presented the following report:
- Interviews were conducted for the positions of Electric Superintendent, Parks Maintenance Coordinator, Recreation Coordinator, and Building Code Official.
- Onboarded new hire for the position of Police Dispatcher.
- Offer accepted for the position of Parks Maintenance Coordinator.
- Offer accepted for the position of Electric Ground Technician.
- Phone screens conducted for the position of Audio-visual/Telecommunications Specialist.
- Onsite tour occurred on July 30, 2021 for the position of Electric Superintendent.
- Employee Recognition:
  - Rooster: Tommy Henderson, Meter Tech I. Recognized for his consistent efforts to resolve meter communication issues for the billing clerks.
- 2. Promotion to Corporal: Kyle Breckner
- Officer of Quarter: April 1, 2021-June 30, 2021 Richard DaFonte
- Where Am I Challenge Winner: Sara Pletcher, Economic Development & Community Engagement Administrator
- Retirement: Sergeant John Horsman effective September 1, 2021.

#### *Economic Development & Community Engagement*

Economic Development Administrator Sara Pletcher presented the following report:

### Economic Development

- Traveled to Wilmington to tour a coworking space to recruit them to expand to Milford. They submitted an offer to purchase a Downtown building, which was turned down. They are still interested in Milford and are looking for 15,000-30,000 sq ft of office space to rehab. Within the DDD and OZ is ideal.
- Chicks Saddlery is looking for 40k-60k sq ft. of warehouse space or land to build on. After reviewing the available 9.5+ acres in Masten Circle (zoned I-1) and the 2 acres in the Greater Milford Business Park, they determined land was too expensive and will build on their own property in Harrington.
- Joined City Manager and Planning Director in industrial park planning meeting
- A large grocery store chain is leasing 9,000 sq ft of warehouse space behind Federated Auto Parts for home delivery. It is a temporary lease and if successful in this market is very interested in purchasing and building in the proposed industrial park.
- Bayside Gymnastics: Signed lease for 5,000 sq ft in Riverwalk Plaza, started the renovation process and opened student registrations for Fall 2021.
- A cycle studio is looking for 1,200 sq ft of open commercial space in the Downtown area.
- UD DATI office is in negotiations with the Milford Wellness Village for the gift shop space.
- Administrator connected Euphoric Herbals to Jim Kramer, and they ultimately signed a lease for 3,600 sq ft of warehouse space in the Business Park behind Hickman Overhead Door.
- Attended Chamber of Commerce Legislators Economic Development Luncheon
- Met with Planning Director and restaurant owner to review DDD benefits
- Attended Village Café Ribbon Cutting
- Joined Planning Director and ICMA Fellow to meet with Bayhealth for preliminary discussion on commercial land plans
- GlassHowes relocated to Milford from Georgetown and opened at 614 NW Front St.

### Community Engagement

- Free Vaccine Pop-up July 10, 17, 24, & 31:
  - July 10 attendance: 15
  - July 17 attendance: 5
  - July 24 attendance: 1
  - July 31 attendance: 6
- Attended two DMI Executive Director Search Committee meetings – first to evaluate applicants and second to Zoom interview four selected candidates.
- Joined the Kent County Villager van at opening day of the DE State Fair to promote Milford and Kent County.
- Presented a “why stay in Milford/Dover” presentation to the Bayhealth residency program along with MSD, City of Dover and Capital School District

### Social Media/Website

- July 2021 Insights:
  - City of Milford Facebook: 123 new likes (total: 2,176); 29,488 reached (up 113%); 7,328 post engagement (up 32%)
  - Parks & Rec Facebook: 48 new likes (total: 2,435); 5,637 reached (down 19%); 925 post engagement (down 19%)
  - Instagram: 110 new likes (total: 553); 634 accounts reached; 254 content interactions
  - Twitter: 6 tweets, 1,978 impressions, 142 profile visits, 1,302 followers
  - Website: 18,390 visits (15,110 last month); 37,768 pageviews (37,818 last month)

### Meetings/Trainings

- Met with Sher Valenzuela to discuss a business accelerator portal that will guide owners through the proper steps to open a business.
- Attended Chamber of Commerce Joint Economic Task Force
- Met with Mark Whitfield for monthly Manager Update
- Attended and participated in UD’s Recover Delaware Roundtable #2: Digitization

- Two credit hours from completing UD's Local Government Leadership Certificate (started while on Planning Commission in 2019-2020)
- Attended How Community Feedback Drives Economic Success with ARPA Funds webinar
- Met with Customer Service to understand Centra Vu software and brainstorm ideas to make it more customer friendly, as well as promote it for customer signup
- Attended DMI EV Committee Meeting and met with Pat Abel to discuss recruitment efforts
- Attended Housing Builder Assoc. Nuts & Bolts meeting
- Attended monthly SEDAC meeting
- Explored online voter registration options with IT Dept. Unfortunately, our current website plan does not include form encryption, so sensitive data cannot be collected.
- Met with City Manager and WBOC Ad Sales to explore TV ads to promote open job positions
- Met with Planning Director and Electric Superintendent candidate

#### Email Campaigns

- July utility newsletter to customers who receive e-bills (345): 40.3% open, 939 social reach

#### Press Releases & Coverage

- City of Milford Responds to Tornado press release sent to 85+ press (July 2)
  - WDEL: Milford officials provide cleanup details following tornado (July 2)
  - WRDE: Milford officials provide cleanup details following tornado (July 2)
  - WRDE: Homeowners & City Employees Clean Up After Suspected Tornado (July 2)
  - Delaware State News: Milford area picks up pieces after tornado (July 2)
  - Milford Live: Milford cleans up after pair of F1 tornadoes came through Thursday (July 3)
- Chamber of Commerce Quarterly Newsletter Update (July 16)
- City of Milford Staffing Shortage Impacting Resident Services press release sent to 85+ press (July 29)
  - 47 ABC: City of Milford currently facing staffing shortages, looking to hire qualified applicants (July 31)
  - Milford Live: City of Milford Staffing Shortage Impacting Resident Services (Aug. 2)

#### *IT Department*

IT Director Dale Matthews presented the following report:

Below are updates for IT open projects:

- Security:
  - o We have begun cybersecurity training at the Director level. Directors will complete the training and provide feedback prior to rolling the training out to staff. We are using training developed by ESET, a global leader in cybersecurity.
  - o We expect to begin cybersecurity training for all staff in September.
- M365 and Cloud:
  - o The Microsoft 365 project will begin August 10. Upon completion of this project, all shared files and emails will be kept in a secure cloud.
  - o We will keep certain Public Works applications on premises for now. Given the critical nature of services provided, there needs to be a thorough assessment of the software, attached devices and sensors, and redundancy. When we are sure the right solutions are in place and no disruptions will occur, we will migrate these applications to the cloud.
- Backup Process:
  - o We have confirmed the backup scheme, and we will implement the new process by late August as planned.
- Council Chambers Upgrade:
  - o We have reviewed options and costs for the upgrade. We will continue discussing the solutions with the City Manager and City Clerk with a plan to start the project in mid to late August.
- Policies and Procedures:
  - o We are still on track for December 2021 completion.

*Finance Department*

Finance Director Lou Vitola presented the following report:

- Monthly Financial Reporting
  - The June 2021 Month-to-Date (MTD) and Fiscal Year 2021 (FY21) Financial Reporting Package was distributed to Council with a narrative addressing financial results.
  - No significant content or formatting changes were introduced this month.
- Enterprise Resource Planning (ERP) Selection Process
  - Tyler Technologies emerged as the City's preferred vendor at the conclusion of the ERP process
  - The City's project management team, along with its IT consultants and additional assistance from the City Solicitor, reviewed and provided Tyler with feedback, comments and edits to the draft contract received in May
  - The City's ERP team has reviewed the entirety of the Tyler Software as a Service (SaaS) Agreement and Statement of Work (SOW); our comments and edits were shared with Tyler in mid-July.
  - Tyler responded with its first round of commentary in response to the City's modifications and changes, most of which were accepted by Tyler as-is or with minor adjustment, resulting in the draft contract with SOW and investment summary published with the packet materials for the August 9, 2021 meeting of Council; the materials will be presented to Council for review and funding approval. The project is expected to kick off this fall.
- Fiscal Year 2021 Annual Report and Independent Audit
  - Finance Department accounting staff met with the City's new audit partners and discussed the preliminary audit, documentation requirements and other aspects of the annual closing, accounting and reporting processes.
  - The City's ICMA Fellow, Melody Barger, is producing a revised, clean "skeleton" of the annual report to streamline the reporting process.
- Staffing Update
  - The City's payroll specialist resigned to pursue a new opportunity in June. Efforts to fill the vacancy are underway.
    - In the meantime, Sandra Peck is executing payroll processes while a portion of the City's finance workload is being met by Roxanne Swift, an independent contractor who has served the department regularly for cash and general ledger accounting work for the better part of the last decade.
    - In addition, we expect Melody Barger to assist the department between projects.
  - One open position remains in the Customer Service division; the recruitment was initiated in June and remains in process.
- Billing & Customer Service Department
  - The graph below exhibits past due accounts and balances since August 2020 – a period of time marked by uncertainty and volatility due to the COVID-19 pandemic. The Customer Service team operated pursuant to City Code, as always, while adjusting to the changing regulations throughout the period to remain diligent in its collection of accounts receivable. We continue to monitor past due accounts carefully, offering extended payment plans, COVID-19 relief funds, and referrals to charitable resources. We have initiated a partnership with the Delaware State Housing Authority (DSHA) to expand our ability to assist any Milford residents that continue to be impacted by the pandemic. Assistance is available for renters who may also find themselves behind on utility bills.
  - The 2020 tax levy was due September 30, 2020. The table below highlights past due property tax data since then. The formal monitions process kicked off in February and continues today with assistance from Solicitor Rutt. Several properties against which the monitions proceedings began have paid in full, while several have initiated payment arrangements and others have sold at sheriff sales. We will continue to review the Department's collection processes to encourage
  - payment, improve the property tax collection rate and signal a standardized set of regular tax collection procedures. Note interim tax bills totaling \$44,422 generated after the initial tax levy are excluded from the table to show amounts on a comparable basis throughout the reporting period.

- o The Billing and Customer Service staff have been working diligently in preparation for the annual tax billing following Council's approval of the FY22 budget and property tax rate on June 14, 2021 and the approval of the FY22 property tax levy on July 26, 2021; bills are expected to be generated and mailed before August 13, 2021.

Councilmember Fulton moved to accept the City Managers' staff reports, seconded by Councilmember Boyle. Motion carried.

## MONTHLY FINANCE REPORT

Finance Director Vitola presented the following report for June 2021:

The June 2021 Month-to-Date and Fiscal Year 2021 (FY21) Financial Reporting Package is enclosed for your review. The following executive summary highlights this month's notable developments; no significant changes were made to the format or delivery of the document this month.

- Pages 1-2: Cash and Reserve Balances
  - Operating cash balances (page 1) dipped by more than \$250,000 across the five major funds in June but were mixed individually; quarter-end benefits-driven costs and a combination of debt service and capital spending contributed to cash draws in the general fund and sewer fund, respectively, while strong operations in the water, electric and solid waste funds helped mitigate the overall cash decrease.
  - Investment balances (page 1) remain strong through the fiscal year, but the standard caution is that reserve requirements and funding commitments (page 2) encumber a significant portion of the balance in each fund, and while the overperformance against the FY21 budget and the expiration of certain FY19 capital project components combined to reduce the level of encumbrances against the reserve balances on page 2, the July report will be updated to reflect the FY22 budgeted funding commitments.
  - The disbursements made from the major reserve accounts (page 1, lines 11-23) during June were all made in support of Council-approved capital project expenditures incurred during May and June.
  - Impact fee collections and permit charges (page 1, lines 24-31) cooled off in Jun after May completed a string of above-average activity in residential and commercial construction during the second half of FY21. RTT receipts in June were exceptional, as previewed in last month's reporting package, marking the trailing twelve-month high and pushing the FY21 RTT receipts over the three-year average of \$1 million.
- Page 3: Enterprise Funds – Statement of Revenue & Expenditures (P&L Style Statement)
  - This presentation, first reported in February 2021, features a consolidated view of the YTD performance of the City's four major enterprise funds using a "P&L" or income statement format readers may recognize more readily than the detailed revenue (p. 4) and expenditure (p. 5-8) reports that follow.
  - The statement was modeled after the presentation of the Proprietary Funds Statement of Revenues, Expenses and Changes in Net Position found in the City's annual audited financial statements.
  - The City's enterprise fund gross, operating and net margins each posted improvements in each of the last three reporting periods in total. Except for the sewer fund, the same is true on a fund-by-fund basis over the final quarter of FY21. The net margin in the sewer fund remains negative because of reserve-funded capital spending. Recall that the P&L report attempts to mimic the year-end audited financial statements, which consolidate capital and operating expenditures in one statement, regardless of funding. This should alleviate any concern of the sewer fund's achievement of operating budget targets while at the same time highlighting the fact that the sewer fund is unable to support the entirety of its operations, debt service and capital needs through the sewer rate alone, emphasizing the importance of the rate adjustments set forth in the City's recent Cost of Service Study. Water and sewer rate adjustments are in place beginning September 1, 2021, to provide utility users with a full month of notice to consider ways to adjust usage.
- Page 4-8: Revenue & Expenditures
  - YTD general fund revenue as a percentage of the annual budget is over 100%. With a full year of reporting, no timing issues skew the budget vs actual results. The FY21 general fund expenditures finished far below the budget to permit the seed funding of the FY22 vehicle and equipment replacement reserves as contemplated in the FY22 budget plan.
- Revenues in all four major enterprise funds likewise exceed the FY21 budget in total, including the electric fund, which overcame a weaker than usual May to finish the year ahead of expectations.

- Expenditures in the utility funds remained below budget *in total* through June. Only the sewer fund expenditures exceeded the budget because of higher-than-expected sewer treatment expenditures.
  - Expenditure overages versus the total FY21 budget in the sewer fund are primarily attributable to Kent County wastewater expenditures, which are uncontrollable but recovered directly through the County component of the sewer rate, and inflow and infiltration (I&I expenses), which are extremely difficult to control much less predict or eliminate, though efforts to mitigate I&I are ongoing.
- The narratives expressed for most of FY21 materialized into a positive finish through the fiscal year despite pandemic-related challenges that have taken different and unexpected forms as the year progressed. The City's controllable operating expenses and capital spending funded by current operations were held deliberately low all year as a cautionary measure against the risk of revenue uncertainty. Fortunately, the City's existing, codified rules and regulations combined with diverse revenue sources and aggressive grant solicitation practices helped prevent revenue and cash flow problems.

Councilmember James asked that when the reporting starts for FY22 each month, we should be looking at a more realistic number because you're putting into that seasonality, and not just one 12th of or whatever of the budget elapsed.

The Director shared that the audit should be completed by November.

Councilman James moved to accept the June 2022 Monthly Finance Report, seconded by Councilman Fulton. Motion carried.

#### COMMUNICATIONS AND CORRESPONDENCE

Councilmember James moved to accept the monthly financial report on the accepted cast the phone last night.

Councilman Culotta received a complaint from a resident on SE Second Street about missing trash collection at a residence and commercial property on the corner of South Washington and that was sent to the City Manager.

Also, Rosemary Connelly who oversees the Big Draw Festival sent him and he believes all of Council notification of the Big Draw Festival Dates and recommended that be added to the packets. He shared that each ward would have an event at a specific location.

Councilman Fulton reported an ongoing issue down on DuPont Highway and city employees have acted are now waiting for the process to occur before any more action can take place.

Councilman James said he is receiving complaints about shrubs growing over the sidewalk and people are having to get into the road to walk around the area. He witnessed it himself over by Silver Hill Apartments on Northwest Front Street though they have been cut back some.

City Engineer James Puddicombe confirmed a meeting has been called by the public works department relating to ongoing construction issues in Milford Pond and will be held Wednesday, at 6:00 pm.

Councilman Culotta asked that he be informed of meetings involving the second ward, noting that Mayor Campbell had only contacted Councilman Fulton.

#### NEW BUSINESS

##### *Award/ERP Contract*

Director Vitola reported the City's current ERP (Enterprise Resource Planning) is a comprehensive financial accounting and operational software package. The current package was installed more than 20 years ago and has reached the end of the end of life. Formal efforts to replace the software began at least 18 months ago before he was employed here. In December 2020 the city released an RFP for a comprehensive ERP solution.

Only two vendors came to the mandatory pre-bid meeting. Another round of advertising was done to attract additional firms, but only the same two vendors attended the second round. There were three responses, over and above the two comprehensive vendors, but they were specific to time, attendance and payroll.

We were open to a mix of what they call best of breed software vendors and segmented all the different modules that we were soliciting into smaller groups and added phases to encourage more bidders. However, bids were received from the same two—Edmunds and Associates from New Jersey and Tyler Technology whose headquarters is in Texas.

Tyler Technology is the leader in the country for public software and the municipal government version. Both had strong compelling cases but, in the end, they are recommending Tyler Technologies and are asking Council to authorize the SAS agreement with Tyler Technologies, Incorporated for one time implementation not to exceed \$777,417 and optional and user training of \$11,840 consistent with the terms set forth in the RFP and the responses received. It will cover every aspect of the city's operations from planning and zoning, billing, financial accounting, work orders, citizen input, budgeting, etc.

Edmunds is known in the industry as the bargain solution, and they were in the \$600,000 range. For the superior product Tyler offered, it was agreed to recommend Tyler.

They have almost finished the negotiating phase of the contract. The packet includes a partially redacted payment schedule that totals the \$777,000 investment. The expenditures are programmed into the CIP and a little under what was anticipated for FY22, but FY23 is a little higher. The outyears will be close and about \$100,000 off over the five-year investment compared to the time it was estimated.

It involves a two-year implementation if everything occurs as planned.

IT Director Matthews then explained the process, noting that this will be hosted by the vendors. It will include super users that will have different privileges, though it will be different than IT managing the physical servers. It was confirmed that Tyler has a support call center should one of our employees experience a problem.

Part of the project is city staff doing the data migration and is managed with both our current vendor and Tyler. The IT Director confirmed that the city owns its data, though it will be stored on their servers. It is expected that Tyler protects the data from a cyber security vantage point as well.

This is a complete replacement of the current system.

Councilman James made a motion to accept the Tyler Technologies Incorporated for one-time implementation totaling \$770,417 and optional end user training of \$11,840, seconded by Councilman Baer. Motion carried with no one opposing.

#### *Ordinance Introductions*

Introduced by Mayor Campbell, City Planner Pierce presented the following ordinances:

##### *Ordinance 2021-16*

*CCM-Koelig LLC on behalf of Wickersham Residential Development Revised*

*Preliminary Major Subdivision*

*Comprehensive Plan Designation: Moderate Density Residential Zoning*

*District: R-3 (Garden Apartment and Townhouse) Present Use: Vacant*

*Proposed Use: Townhouse Subdivision*

*Area/Location: 39.015 +/- acres located along the north side of Johnson Road adjacent to SR1 Tax Parcel 3-30-16.00-005.00, 3-30-16.00-269.00 through 475.00*

##### *Ordinance 2021-17*

*Maryland Square LLC on behalf of Wash It LLC Conditional Use*

*Comprehensive Plan Designation: Commercial Zoning District:*

*C-3 (Highway Commercial District)*

*Present Use: Self Storage Proposed Use: Laundromat & Self Storage*

*Area/Location: 1.105 +/- acres located along the south side of Milford-Harrington Highway approximately 230 feet west of the Route 113 intersection*  
*Address: 25 Milford-Harrington Highway Tax*  
*Parcel: MD-16-183.09-01-48.00*

*Ordinance 2021-18 39 North Walnut LLC Conditional Use*  
*Comprehensive Plan Designation: Commercial Zoning District: C-2 (Central Business District)*  
*Present Use: Mixed Use – (6) Commercial Tenant Spaces and (1) Apartment Proposed Use: Mixed Use – (7) Commercial Tenant Spaces and (5) Apartments*  
*Area/Location: 0.26 +/- acres located at the southeast intersection of N Walnut and NE Front Streets*  
*Address: 39 North Walnut Street*  
*Tax Parcel: MD-16-183.10-04-44.00*

They will be reviewed at the August 17, 2021 Planning Commission and return for final action by City Council on August 23, 2024.

EXECUTIVE SESSION

Councilmember Culotta moved to go into executive session, seconded by Councilmember Fulton. Motion carried.

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)(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)(9) Personnel matters in which the names, competency and abilities of individual employees or students are discussed

Motion carried.

Mayor Campbell recessed the Council Meeting at 8:26 p.m. for the purposes as permitted by the Delaware Freedom of Information Act.

*Return to Open Session*

Councilmember Marabello moved to return to Open Session, seconded by Councilmember Boyle. Motion carried.

Council returned to Open Session at 9:45 p.m.

Land Purchase Issue  
 Collective Bargaining Matter  
 Personnel Subject

Councilmember Fulton moved that the City Manager take action as discussed in Executive Session, seconded by Councilmember Marabello. Motion carried.

ADJOURNMENT

Councilmember Marabello moved to adjourn the Council meeting, seconded by Councilmember Fulton. Motion carried.

The Council Meeting adjourned at 9:46 p.m.

Respectfully submitted,

Terri K. Hudson, MMC  
City Clerk/Recorder