



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

CITY COUNCIL AGENDA Wednesday, July 6, 2022

Per the Limited Public Health Emergency Declaration issued by Governor John Carney on March 1, 2022, and the virtual meeting provisions provided in Senate Bill 94, Milford City Council Meetings and Workshops will be held in the Council Chambers at City Hall. Attendees are welcome to participate virtually as well. Public Comments are encouraged on the agenda items designated with a ®. Virtual attendees may alert the City Clerk that they wish to speak by submitting their name, address, and agenda item via the Zoom Q&A function or by using the Raise Your Hand function during the meeting. Those attending in person may comment when the floor is opened for that purpose.

All 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/95859380584>

Members of the public may also dial in by phone using the following number:

Call 301 715 8592 Webinar ID: 958 5938 0584

6:00 P.M. WORKSHOP

Downtown Density
Police Chief Recruitment
Contract Refuse Services

**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.**

THE
STRATEGIC
ROLE OF

DOWNTOWN DEVELOPMENT



Height

Density

Mixed Use



ROI

RETURN

ON

INVESTMENT





	ASHEVILLE WALMART	DOWNTOWN MIXED-USE
--	------------------------------	-------------------------------

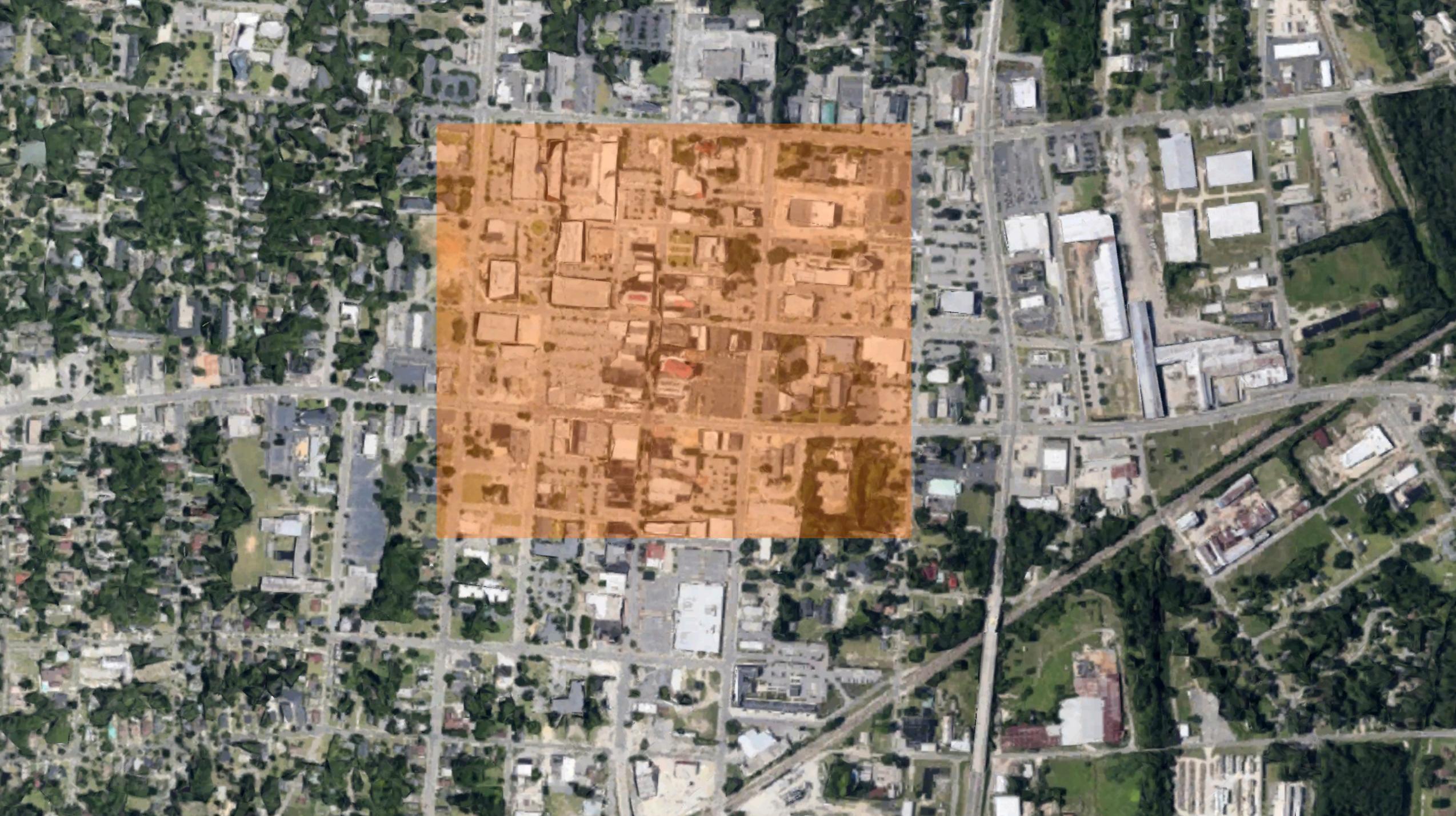
Land Consumed (acres):	34.0	00.2
Total Property Taxes per Acre:	\$6,500	\$634,000
Retail Taxes* per Acre to City:	\$47,500	\$ 83,600
Residents per Acre:	0.0	90.0
Jobs per Acre:	5.9	73.7

*Estimated from public reports of annual sales per sq.ft..











Why Walmart is turning its new headquarters into a walkable town square

As retail shifts, the big-box behemoth builds a new neighborhood for talent retention

By **Patrick Sisson** | Nov 19, 2019, 8:00am EST



Wonkblog

Why Wal-Mart, an icon of suburbia, had to urbanize its hometown

Younger recruits want city-style amenities. With the some corporate help, Bentonville is booming.

By Lydia DePillis
July 21, 2015



The bar at the hippest coffeeshop in town, the Pressroom. (Lydia DePillis/The Washington Post)

BENTONVILLE, Ark.— When Jerome Lynch first met a Wal-Mart recruiter at a conference in Washington D.C., he had no intention of joining up. He couldn't even guess where it was based.

A screenshot of a Vimeo advertisement. At the top, the Vimeo logo is displayed. Below it is a stylized illustration of a person sitting at a desk with a computer, with a large video camera icon overlaid. The text reads "Tons and tons of video storage". At the bottom, there is a blue button with the text "Get up to 7TB".



Entrepreneurship



Place



Talent



Tourism



Industry



Entrepreneurship

Place



DOWNTOWN

Talent

Tourism

Industry

PRO FORMA 101



A pro forma is a **financial projection of a real estate project**

PRO FORMA 101



Construction Pro Forma

Operating Pro Forma



CONSTRUCTION

CONSTRUCTION PRO FORMA

- Sources- Where money is coming from
- Uses- Where money is being spent

CONSTRUCTION PRO FORMA

- Sources:
 - Senior Debt
 - Subordinated Debt
 - Equity- Cash
 - Grants
 - Equity- Tax Credits
 - Deferred Fees

CONSTRUCTION PRO FORMA

USES	Amount	% of Project
<u>Senior Debt</u> Bank of Sumter	\$1,000,000	47.6%
<u>Subordinated Debt</u> County Revolving Loan Fund	\$80,000	3.8%
<u>Equity- Cash</u> Owner	\$400,000	19%
<u>Equity- Tax Credits</u> Bank of America	\$520,000	25%
<u>Deferred Developer Fee</u> Owner	\$100,000	4.6%
Total	\$2,100,000	100%

CONSTRUCTION PRO FORMA

- KEY ISSUES:

Lenders may not want to be only debt source -or- want more cushion

- May fund 80% of a strip mall but only 50% of a downtown building

Locally-based lenders are typically easier to work with

Lack of comparable projects (“comps”)

CONSTRUCTION PRO FORMA

- Uses:

Acquisition

Hard Costs

Soft Costs

CONSTRUCTION PRO FORMA

- **Hard Costs:**
 - Construction (Detailed List)
 - Site Work

CONSTRUCTION PRO FORMA

- Soft Costs:
 - Planning, Design
 - Permit Fees
 - Overhead
 - Developer Fee

Figure 1

**Pro-Forma Summary :
Hypothetical Residential Subdivision**

Project Revenues

Number of Units	50
Average Sale Per Unit	\$ 400,000
Gross Sales	\$ 20,000,000
Less Commissions, Fees	<u>- \$ 800,000</u>
Net Project Revenues	\$ 19,200,000

Project Costs

Land Acquisition	\$ 2,575,000
Planning, Design & Approvals	\$ 600,000
Sitework & Building Construction	\$ 12,175,000
Amenities, Off-Site Costs	\$ 100,000
Management & Overhead	<u>\$ 1,760,500</u>
Total Project Costs	\$ 17,210,500

Net Cash Flow Before Financing \$ 1,989,500

Financing Interest \$ 1,102,400

Net Cash Flow to Developer \$ 887,100

Cash Investment \$ 1,020,600

Total Cash-On-Cash Return 86.9 %

Annualized Cash-On-Cash Return 19.9 %

Internal Rate of Return 22.4 %

**Resource:
PlannersWeb.com
Pro Forma 101**

A	B	C	D	E	F	G	H	I	J	K	L	M
Subtotal Hard Costs									\$2,653,186		86.01%	
Other Eligible Costs												
	Machinery & Equipment											0.00%
	Furniture & Fixtures											0.00%
	Architectural & Engineering								\$160,000			5.19%
	Environmental Studies/Soiling Testing								\$2,700			0.09%
	Survey								\$1,000			0.03%
	Other:											0.00%
Subtotal Eligible Soft Costs									\$163,700		5.31%	
Ineligible Soft Costs												
	Other Professional Fees								\$164,650			
	Loan Fees								\$38,030			1.23%
	Construction Interest								\$0			0.00%
	Construction Taxes											0.00%
	Construction Insurance											0.00%
	MEDC Fees											0.00%
	Title Work											0.00%
	Rent-Up Reserve								\$0			0.00%
	Replacement Reserve											0.00%
	Operating Reserve											0.00%
	Other:											0.00%
	Other:											0.00%
	Other:											0.00%
Other Ineligible Soft Costs - Related Party Fees												
	Developer Fee											0.00%
	Project Management Fees											0.00%
	Construction Management Fees (Related Party)											0.00%
	Consulting Fees											0.00%
	Other Related Party Fees								\$30,000			0.97%
	Other:											0.00%
Subtotal Ineligible Soft Costs									\$232,680		7.54%	
TOTAL DEVELOPMENT COSTS									\$3,084,566		100.00%	



OPERATING

OPERATING PRO FORMA

- Income (Instead of Sources)
- Costs (Instead of Uses)



**Sources of
Income**

Residential Unit Leases
Commercial Leases
Other



Operating Costs

Utilities

Property Management

Taxes

Reserve Requirements

OPERATING PRO FORMA

Revenue - Expenses =

Net Operating Income

OPERATING PRO FORMA

Net Operating Income - Debt Service =

Net Cash Flow



How Developers Make Money

Developer Fee

- 5-10%

Cash Flow

At Sale of Property

HOW TO HELP DEVELOPERS

- Market Data
 - Retail + Residential Lease Rates
 - Vacancy Rates
 - Construction Costs
- Connections to Lenders
- Incentives

INCENTIVES

Purpose

The purpose of financial incentives should be to **make marginal deals feasible**, not to make a bad project good.





INCENTIVES

Other Reasons:

Public Purpose

Save an Irreplaceable Historic Resource

Net Community Impact



THE SETUP

KNOW YOUR DATA

- Rent Rates Per Square Foot
- Construction Cost Per Square Foot
- Current Lending Rates

KNOW YOUR DATA

- Rent Rates (Per Square Foot)
- What does it mean?
- $\$6.00/\text{sq ft} \times 1,500 \text{ sq ft} = \$9,000$ annually
- $\$9,000 / 12 \text{ months} = \$750 / \text{month}$
- Commercial
- Residential

KNOW YOUR DATA

- Work Backwards

Local building owners charging \$750/month for 1,500 sq ft space

$\$750 \times 12 \text{ months} = \$9,000 \text{ annually}$

$\$9,000 / 1,500 = \$6.00/\text{sq ft}$

KNOW YOUR DATA

- Construction Costs (Per Square Foot)
- Construction Companies HATE to Give This Number
- More Detailed Construction Pro Forma, the Better

KNOW YOUR DATA

- Current Lending Rates
- Has Long Lasting Implications
- Typical:
 - 6%
 - 20-Year Amortization
 - 7/10-Year Balloon



DETERMINING FEASIBILITY

DETERMINING FEASIBILITY

Can existing rent rates support new construction costs?

- New construction = \$200/sq foot
- 1,500 sq ft x \$200 = \$300,000
- \$300,00 x 20% (Owner Equity) = \$60,000
- \$240,000 @ 6% for 20 Years = \$1,719/month mortgage
- \$1,719/mo x 12 months = \$20,628
- \$20,628 / 1,500 sq ft = \$12.90 / sq ft
- Rent Rates need to be around **\$13.75** sq ft to be feasible



IMPACT OF INCENTIVES

IMPACT OF INCENTIVES

Federal Historic Tax Credit - 20%

- New construction = \$200/sq foot
- 1,500 sq ft x \$200 = \$300,000
- \$300,000 x .20 = \$60,000 (Syndicated value of \$51,000)
- \$300,000 - \$60,000 (Equity) - \$51,000 = \$189,000
- \$189,000 @ 6% for 20 Years = \$1,354/month mortgage
- \$1,354/mo x 12 months = \$16,248
- \$16,248 / 1,500 sq ft = \$10.83 / sq ft
- Rent Rates need to be around **\$11** sq ft to be feasible



INCENTIVE TYPES



INCENTIVE TYPES

Tax Abatements

Loans

Tax Credits

Grants

INCENTIVE TYPES

Tax Abatements

Affect only taxes - Operating pro forma

No impact on construction pro forma

No cash needed by the community

INCENTIVE TYPES

Loans

Affects construction (lending costs) + operating pro forma (debt service)

Larger the discount - Larger the impact

6% to 4%: some impact, but not much

6% to 1%: much bigger impact

Money gets paid back

Loan needs to be serviced

INCENTIVE TYPES

Tax Credits

Affects construction (sources) + operating (lowers debt service)

Second biggest impact of the there types

Legal + Consultant Fees

INCENTIVE TYPES

Grants

Affects construction (sources) + operating (lowers debt service)

Biggest impact of the there types

Money doesn't get paid back*

Biggest opportunity for bad actors

*clawback provisions recommended



PITFALLS

PITFALLS

Be transparent!

Do your homework!

Know your data

Due diligence on the developer

Study the pro forma

Ask questions

PITFALLS

Where Numbers are “Fudged”

Construction cost per sq ft (overstating)

Lease rate per sq ft (understating)

Inflated developer fee

Inflated lending rates

Milford, DE Police Chief

RECRUITMENT BROCHURE DISCUSSION OUTLINE

CANDIDATE EXPERIENCE AND BACKGROUND:

Type of Experience Required/Preferred:

- Agency the same size or larger
- Labor relations background
- Very challenging job, person needs to have a high capacity
- Savvy politically but not political
- Not a new chief job-experience as a captain or higher
- Well respected in the profession-similar size agencies
- 10-15 years progressive, successful leadership years experience
- 5 years in supervisory, leadership, management
- Demonstrated success includes mentoring, coaching, developing others
- Education: Min of bachelor's degree, masters preferred
- Experience in facilities development
- Relationship builder with all areas of the department, city hall and community

Management Style:

- Strong, secure leadership style
- Personable
- Communicator
- Diverse career
- Set the example
- Don't manage by memos
- Coach, mentor all staff including civilian staff
- Promote a work a work/life example for staff
- Should not stay in the office all day-get out and about
- Understand and develop relationships with city hall
- Not a micromanager-let people do their jobs
- Develop command staff members
- Appreciate and build relationships with civilian staff

Qualities and Traits:

- Unquestioned honesty
- Integrity above all else
- Caring

- Empathic
- Set the example everyday
- Accountability
- Focus more attention inside the building to what is going on

Necessary Skills:

- Knowledge and understanding of budgeting critically important
- Working in a union environment
- Coach/mentor of all staff
- Experience with facility building and renovation

INTERNAL/ORGANIZATIONAL CHALLENGES & OPPORTUNITIES

- Short Term – within the first year: Facilities-staffing-leadership-strategic plannings
succession planning-community involvement and relationships-get to know staff
- Longer Term – two to five years:

EXTERNAL/COMMUNITY ISSUES CHALLENGES & OPPORTUNITIES • Short Term – within the first year:

- Longer Term – two to five years:

OTHER COMMENTS

Name:

Phone number or email for follow up:



EXECUTIVE SEARCH SCHEDULE

Client: Milford, DE

Position: Chief of Police

NOTE: GovHR USA contracts state that recruitment process will take approximately 90 - 120 days from the time the contract with the client is signed until the date the client is able to make an appointment

<u>Date</u>	<u>Action</u>
<u>6.16.2022</u>	Laurie will receive signed contract or authorization to begin recruitment process.
<u>6.28.2022</u>	Laurie will connect Client & Consultant via email or phone to get the process started Consultant will reach out to client to connect.
<u>7.1.2022</u>	Consultant will send client a draft recruitment timeline/schedule.
<u>7.1.2022</u>	Consultant will provide Recruitment Coordinator with the approved recruitment schedule.
<u>Week of 7.5.2022</u>	Consultant will schedule stakeholder interviews to gather information of the position brochure and job announcement. (Brochure template in shared drive)
<u>Week of 7.11.2022</u>	Consultant writes brochure (text only) based on template format.
<u>7.1.2022</u>	Recruitment Coordinator will send a suggested Ad source list to the consultant based on the advertising budget in the proposal.
<u>7.1.2022</u>	Consultant will review ad source list with the client and make adjustments and send final list back to the Recruitment Coordinator.
<u>Week of 7.11.2022</u>	Consultant - Draft ad & Brochure (text only) sent to client (should be two separate documents). Client should send consultant some photos for the brochure. Once client approves Ad – send to RC for placement
<u>Week of 7.18.2022</u>	Consultant will send the final brochure (text) and photos from the client to Maura to put the brochure into final format. (Clients should have already reviewed the brochure text and once that is approved by the client we do not expect any changes to the brochure text after the graphics are added and the brochure is designed.)

<u>Week of</u> <u>7.25.2022</u>	RC - Ad placed in publications and on websites.
<u>Week of</u> <u>7.25.2022</u>	Maura will send final brochure to Consultant and RC along with a link for the RC to post to the website.
<u>Week of</u> <u>7.25.2022</u>	RC - Contact emails sent to contact list determined by RC and Consultant
<u>9.2.2022</u>	<p>Resume deadline. Resumes can be viewed at any time on Jazz system. Consultants will review and use the “star rating” to mark candidates to move forward. 5 Stars for Tier I or FI’s. 4 Stars for possible to move forward, etc. In addition to the Star rating, please use the Reject or Advance buttons for each applicant. For the Advance Option, select “Reviewed” from the drop down.</p> <p>NOTE: The position will remain in Jazz and on the GovHR career center until the job is closed (for any late applicants to apply). Please monitor Jazz for any late applications. If your client is not willing to accept late applications, notify your RC to place the job “on hold” so it will be removed from our website but can still be accessed in the Jazz system by GovHR staff.</p>
<u>9.2.2022</u>	Consultant emails the RC and RS when the Star rating is completed
<u>Week of</u> <u>9.5.2022</u>	RC will send FI form to all 5 Star candidates
<u>Week of</u> <u>9.5.2022</u>	RS will locate all prior references and notify RC and Consultant of any other recruitments the candidates are in. Consultant will advise RS of any special instructions or Reference questions they would like asked.
<u>Week of</u> <u>9.5.2022</u>	Consultants will schedule their own Zoom interviews with each FI candidate. (RC’s will schedule Zoom interviews for all Senior VP’s and GovHR Owners). If a new consultant is in training, RC’s can assist with that consultants Zoom interview scheduling if the new consultant is training with a GovHR Senior VP or GovHR Owner.
<u>Week of</u> <u>9.5.2022</u>	Reference Specialist contacts Google search on FI candidates and will report back the results as soon as possible. RS will contact 2 references for each FI candidate. RS will load completed references in Jazz in candidate file and email reports to RC and consultant. RC’s and RS’s will use the 1 st book date as a guideline for when references need to be completed and for when books are sent out. The entire recruitment team should make sure this date is accurate on the Weekly Status Report.
<u>Week of</u> <u>9.5.2022</u>	Consultant finalizes candidates and advises RC and RS of any additions or deletions to FI group.
<u>Week of</u>	Recruitment Coordinator transmits electronic report (1 st books) containing recommendations to client. (Background Checks (including education verifications have NOT been

<u>9.12.2022</u>	conducted at this time)) 2 references have been checked and Google search has been conducted.
<u>Week of 9.12.2022</u>	Consultant meets with client to review recommendations. Consultant finalizes/coordinates interview schedule with client.
<u>Week of 9.12.2022</u>	Consultant advises all FIs of their status (even if not recommended). And confirms with interview candidates they would like to move forward. Consultant will work with the client on schedule all candidate interviews and establish the interview schedule.
<u>Week of 9.12.2022</u>	Consultant advises RC and RS of the specific candidates that have agreed to interview.
<u>Week of 9.12.2022</u>	Recruitment Coordinator proceeds with background checks on candidates scheduled for an interview. At this point RC conducts Factiva news media search on interviewees. RC sends an invitation via email to all interview candidates, each candidate will reply to Choice Screening email and fill out a form. After this is complete, Choice Screening will conduct Ed Checks, SS Verification, DL check and if requested, Credit Check, Felony/Misdemeanor court records check, and Employment Verification (if client approves).
<u>Week of 9.12.2022</u>	Reference Specialist contacts additional references for each interview candidate if requested by consultant. Consultant must notify RS if additional references are needed, these are not assumed and not always conducted. It is the discretion of the consultant.
<u>Week of 9.12.2022</u>	Consultant prepares Interview schedule, questions and evaluation form and discusses with client for approval.
<u>Week of 9.12.2022</u>	Consultant sends the approved Interview schedule, questions and eval form to the Recruitment Coordinator. RC prepares and sends 2 nd Books (interview books).
<u>Week of 9.19.2022</u>	Interviews held.
	Offer made and agreement/contract negotiated with candidate.
	Candidate appointed. Consultant notifies other candidates interviewed, GovHR staff (Recruitment Coordinator and Donna for final billing). RC sends final letter to all applicants via email once the candidates has been appointed by the board.
	RC will request Minority status of the 1 st book candidate list and Hired candidate from Consultant and will report to Julie Snyder. Along with Private Sector information.
	RS will load references into appropriate files for future reference. RC will add all FI's to the master RC FI Database and close out the recruitment.

Chapter 193 SOLID WASTE¹

ARTICLE I General Provisions

§ 193-1. Definitions.

The following words, terms and phrases when used in this chapter shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

APARTMENT — A room or suite of rooms in a multifamily structure which is arranged, designed, used or intended to be used as a housekeeping unit for a single family.

ASHES — The residue from burning of wood, coal, or other combustible materials for the purpose of heating or cooking.

AT-DOOR SERVICE — The collection of a single refuse container at the point where a customer stores their container, including, but not limited to, the exterior front, side or rear of house or apartment.

ALLEY — Any public way, generally of less width than a street, used for public utility purposes and right-of-way, and as an alternate secondary or emergency route for vehicle and pedestrian traffic, generally situated at the rear of or alongside a tier of lots.

BULK TRASH — Solid waste that is too large to be contained in a bin. Bulk trash may include, but is not limited to, oversized or overweight refuse not capable of being disposed of in specified container, such as scrap metal, appliances, furniture, BBQ grills, cardboard boxes or other items exceeding five feet in length.

BRUSH — Woody material trimmed from trees or shrubs too large to be placed in the specified City container, in accordance with the Solid Waste Rules and Regulations.

CONSTRUCTION AND DEMOLITION DEBRIS — Any and all refuse or residue resulting directly from building construction, reconstruction repair or demolition, from grading or other incidental work in connection with any premises.

CONTAINER or CART — A receptacle for the deposit of solid waste.

GARBAGE or REFUSE — Solid waste consisting of all putrescible waste including food waste, and non-putrescible waste both combustible and non-combustible, originating from residences, including paper, cardboard, plastic or metal food or household chemical containers, wood objects, glass, bedding, crockery, metals, and other similar objects or materials, but specifically excluding bulky waste, animal offal and carcasses.

LITTER — All waste material, garbage, trash, refuse and other substances including, but not limited to, cigarette butts, plastic and paper wrappings which, if thrown, scattered or deposited, as herein prohibited, tends to injuriously affect public health, safety and welfare or tends to have a detrimental or unsightly impact on the environment.

¹Editor's note(s)—Ord. No. 2018-11, § 1, adopted July 9, 2018, repealed the former Ch. 193, §§ 193-1—193-23, and enacted a new chapter as set out herein. The former Ch. 193 pertained to solid waste management and derived from Ord. No. 2016-20, §§ 1—7, adopted Oct. 24, 2016.

MULTI-DWELLING UNIT — A building designed for occupancy by three or more families living independently of each other and containing three or more dwelling units.

OCCUPANT — The person residing in a dwelling unit, specifically the head of such household.

OWNER — The record title holder of real property.

OUTSIDE PREMISES — Streets, alleys, sidewalks, ditches, yards, lots, fields, streams, and exterior portions of buildings.

PROPERTY LINE — The peripheral boundary of real estate.

PUBLIC EASEMENT — A right-of-way used or dedicated to be used by any public utility, including, but not limited to, services such as electricity, telephone, gas, solid waste collection, water, sewer and drainage.

PUBLIC WAY — Any street, alley, easement or other right-of-way.

RECYCLING (SINGLE-STREAM) — A system in which all paper fibers, acceptable plastics, metals, and other containers are mixed in a collection truck instead of being sorted by the depositor into separate commodities (newspaper, paperboard, corrugated fiberboard, plastic, glass, etc.) and handled.

RESIDENCE — A structure intended for use and occupancy as a one-family dwelling unit.

STREET — Any public thoroughfare for the passage of vehicle and pedestrian traffic.

YARD WASTE — Any vegetation such as grass, weeds, leaves, tree trimmings, plants, shrubbery, pruning, limbs and materials which are generated in the maintenance of yards and gardens.

[Ord. No. 2018-11, § 1, 7-9-2018]

§ 193-2. Authority

In order to protect the health and safety of the people of the city, the city manager is hereby authorized to administer Chapter 193 of the City of Milford Code pertaining to the solid waste collection system. The City Manager shall promulgate and publish such collection schedules and solid waste rules and regulations as necessary for the efficient and economical collection of garbage, recycling and yard waste materials. Adequate notice of the collection schedule and solid waste rules and regulations shall be provided to all customers and any changes thereto.

[Ord. No. 2018-11, § 1, 7-9-2018]

§ 193-3. General provisions.

- A. Residential properties. The maintenance of the public health, safety, sanitation and aesthetics requires that all residential properties in the City of Milford accept, arrange and pay for solid waste collection and disposal services in accordance with this chapter. Residential properties include detached homes, duplexes, townhouses and condominiums.
- B. Non-residential and multi-unit rental complex. Solid waste services are optional for non-residential entities and multi-unit complexes in common ownership. Upon request, containers may be provided in accordance with the fee as set forth in the Solid Waste Fee Schedule. Those opting not to utilize solid waste collection through the City shall be required to make arrangements for the disposal and/or collection of the same by a private collector/hauler at no cost to the City.
- C. Payment. The cost of such service and the responsibility of payment shall be borne by the owner of premises from which said refuse is collected or upon which premises said refuse to be accumulated and disposed of. In

addition, the actual occupant of any such premises shall be responsible for the payment of fees as hereafter specified and the City may require from either the owner, the occupant or any other person producing refuse or responsible existence of disposal thereof of for whom such refuse is removed. No agreement between an owner and occupant or other person shall relieve the owner of any premises from liability for payments as set forth hereinafter.

- D. General collection. It shall be unlawful for any person to collect, convey over any of the streets or alleys of the City or dispose of any refuse in any manner not approved in this ordinance or subsequent regulations. All collection of solid waste and recycling materials within the City shall be by city public works crews or contractors hired or contracted by the City Council. Customers shall keep all materials separate in accordance with all collection program guidelines.
- E. Private haulers. Private haulers who desire to collect refuse in the City shall be licensed and shall register each vehicle collecting in the within City. The City will collect a fee as set forth in the Solid Waste Fee Schedule for the hauler license and each registered vehicle. Each vehicle will receive a collection registration sticker that shall be displayed in a prominent and legible manner on both sides of all vehicles used in the collection and transportation of solid waste within the City. Private haulers collecting in the City are responsible for a self-inspection of their vehicles. This inspection is to include all seals and hoses. Any company found to be using substandard equipment in the City of Milford may have license and collection registration suspended or terminated.
- (1) Haulers authorized to operate within the city limits of Milford and required to obtain a license issued by the City, are required to file semi-annual reports with information determined by the City Manager or his/her designee on the City provided form.
 - (2) Semi-annual reports. Reports are due December 31st and June 30th of each year. When the specified semi-annual reports fall on a Saturday, Sunday or legal holiday, the report is due on the next business day. Failure to submit required information within 30 days after the due date shall constitute an ordinance violation and will be subject to suspension or termination of hauler license.
- F. Containment. The City shall furnish individual containers to be used for each specific collection. Use of containers other than those furnished by the City is prohibited. The City will provide containers to the customer as required by the desired service type at no up-front cost to the customer. If any container is lost or destroyed, another container shall be provided at a cost to the customer. Multi-unit rental complexes under common ownership may utilize a City approved dumpster. Owners and/or designee of multi-unit rental complex desiring to utilize containers for mass storage may do so, provided that the container and the placement of the container is approved by the City Manager or his/her designee.
- G. Littering. No solid waste or any other similar materials shall be placed in the street, drainage gutter or on the sidewalk. No solid waste of any description shall be disposed of within the limits of the City in any manner other than that prescribed herein. The deposit, placement or abandon of any advertising material, paper, refuse, garbage, yard debris, brush, etc. upon any land, alley, street, public place, vacant lot, watercourse, ditch or any other method of disposal not in accordance with this chapter shall be a violation as prescribed herein and subject to a fine set forth on the Solid Waste Fee Schedule.
- (1) No person shall permit any refuse to remain in any street, alley or other public place or upon any private property, whether owned by such person or not, within the City, except when placed in proper receptacles for collection, unless such material is placed for bulk or brush collection as set forth under Section 193-6 and proper arrangements made for its collection.
 - (2) Any unauthorized accumulation of refuse on any premises is hereby declared to be a nuisance and shall be deemed a violation of this ordinance and is subject to a fine as stated in the Solid Waste Fee Schedule.

-
- (3) It shall be unlawful for any person other than the occupants of the premises on which collection containers are stored, or the collector, to remove the covers of any of the containers or to remove the refuse stored in such containers.
 - (4) Ownership of refuse material set out for collection shall be vested in the Municipality.

[Ord. No. 2018-11, § 1, 7-9-2018]

§ 193-4. Rates and fees, delinquent accounts, unincorporated customers, rental accounts.

- A. Rates and fees. The Solid Waste Fee Schedule for the collection, disposal and other fees in accordance with the Solid Waste Rules and Regulations shall be as approved by City Council on an annual basis. The City Manager or his/her designee shall bill residents in accordance with the rates established by the council and shall be in charge of collecting these charges.
- B. Delinquent accounts. Delinquent accounts will have a 1.5% penalty added to the unpaid balance for each month the account is delinquent. The charges imposed under this ordinance shall be a lien against any owner-occupied property served and shall be and remain a lien for ten years from the date of assessment of such charge.
- C. Customers not annexed in the City. Nonpayment of two consecutive months will trigger suspension of trash collection and removal of all city-issued containers.
- D. Rental accounts. Are required to pay a reimbursable deposit. Unpaid balances will be applied when account is terminated. Excluded from this is a multi-unit rental complex under common ownership.

[Ord. No. 2018-11, § 1, 7-9-2018]

§ 193-5. Collection procedures.

- A. Pre-collection practices. Containers shall be placed for collection by 7:00 a.m. day of collection, shall be within three feet of the curb and three feet from any object, and shall not be in any other container. Materials should be prepared for collection as set forth in the City Solid Waste Rules and Regulations.
- B. Point of collection. For the purpose of collection, refuse, recycling and yard waste containers shall be placed within three feet of the curb, edge of alley of street pavement and at least three feet from any objects. All containers placed at the curb, street or alley for collection shall be removed to a point at the side or rear of the structure no later than 7:00 p.m. on the day of collection. Failure to remove containers from the curb, street, or alley shall constitute an additional charge for services for each day the container remains within the right-of-way.
- C. Frequency of collection. On designated days as set forth by the City Manager or his/her designee containers shall be placed just behind the curb line or edge of pavement without interfering with vehicular or pedestrian traffic.
- D. Downtown area collection.
 - (1) Containers; time of placement, removal. The collection of solid waste materials from the downtown area as described in subsection (d) of this section shall be governed by all the provisions of this chapter pertaining to apartments, institutions, and commercial establishments, except that no solid waste materials or containers of any kind shall be placed for collection on the public streets, sidewalks, alleys or easements of the city prior to 7:00 a.m. on the day of collection, and all containers which must be manually emptied shall be removed not later than 10:00 a.m. on the day of collection.

Created: 2022-04-28 13:17:26 [EST]

(Supp. No. 24, Rev.)

-
- (2) Application of chapter. Where collection service is furnished by the City to these premises, all provisions of this chapter which are applicable to residences and duplexes shall apply.
 - (3) Placement in public way. At any of the establishments in the downtown area where there is insufficient space between any structure and the alley property line, the easement property line, or street property line to permit the placing of waste containers as required by the provisions of this chapter relating to residences and duplexes, the containers may be placed in such public way at the very boundary thereof so as to permit the passage of pedestrian and vehicular traffic, or at a time other than as set out in subsection (a) of this section, subject to the approval of the City Manager.
 - (4) Boundaries. The downtown business area shall include that area bounded by Northeast (NE) Front Street, Walnut Street and Washington Street from Southeast (SE) Front Street.
- E. Alternative service collection. The City Manager or his/her designee may provide alternative collection of service to a customer, if the he/she determines that the customer cannot be adequately served with standard collection service. The City Manager may prescribe the receptacles and removal methods to be used for alternative collection.
- (1) At-door collection. The service is available to city business customers only. The at-door collection shall be for regular refuse only, for a single container per unit, and at an additional fee as set forth in the Solid Waste Fee Schedule.
 - (2) Assisted collection. The service is available to any resident in need of special assistance of pulling a city container to/from the curb for collection. Owner and/or occupant must provide proper medical documentation from his/her physician stating the nature of the disability and reason he/she is unable to move the container to/from the curb. Medical documentation must be renewed on an annual basis in order to continue service. This special assistance collection shall be at no cost to the customer.
 - (3) Missed collection. Each customer is entitled to one courtesy collection in a 12-month period; after such a fee will be charged if the customer desires the collecting of a missed collection.
 - (4) Special request collection. Upon the approval of the City Manager or his/her designee, this service is available to any resident in need of a special collection of trash, recycling or yard waste services for an additional fee as set forth in the Solid Waste Fee Schedule.

[Ord. No. 2018-11, § 1, 7-9-2018]

§ 193-6. Removal of bulk/brush and leaves.

- A. The City Manager shall establish procedures to allow each residential property two scheduled collections of bulk/brush items in a twelve-month period, at no charge, up to eight cubic yards. Additional collections shall be subject to a fee as set forth in the Solid Waste Fee Schedule.
- B. Customers are required to contact Customer Service to schedule a collection as set forth in the Solid Waste Rules and Regulations.
- C. Bulk/Brush items must not be placed for collection prior to 24 hours prior to the scheduled collection day.
- D. Leaves are collected twice a year through an automated leaf collector at the curb or street. The City Manager will publish a schedule each year and notify customers of such collection dates.

[Ord. No. 2018-11, § 1, 7-9-2018]

§ 193-7. Items prohibited.

- A. Construction and Demolition. The scope of services rendered by the City in the collection and removal of solid waste materials is intended to serve the needs of its customers' related activities. It is considered to be beyond the scope of such service to collect or remove solid waste materials generated by clearing, construction, demolition and any other such activity producing quantities of solid waste.

Rock, scrap building materials or other trash resulting from construction, remodeling or destruction by fire, the elements, acts of God or other causes resulting from a general cleanup of vacant or improved property or trees, brush and/or debris cleared from a property in preparation for construction or landscaping shall not be collected and removed by the City. Such materials will be removed at the expense of the customer.

- B. All refuse is subject to inspection at curbside or designated collection locations by the City Manager or his/her designee to determine proper separation and segregation of trash, recyclable refuse and yard waste as set forth in this ordinance.

[Ord. No. 2018-11, § 1, 7-9-2018]

§ 193-8. Temporary suspension of services.

The City Manager or his/her designee may suspend refuse collection services for owner-occupied residences only if the home is unoccupied between a minimum of three months and a maximum of 12 months.

- A. An application to suspend service must be completed at least five days prior to start of suspension period in order to place the service on hold.
- B. The Solid Waste Division will collect the trash, recycling and yard waste (if applicable) containers at the start of the suspension and redeliver them on the expected date of return.
- C. Partial or retroactive payments of monthly fees are prohibited.
- D. At the time of the suspension request, the fee for removal and redelivery of the container(s) as set forth in the Solid Waste Schedule of Fees shall be paid by the customer.
- E. Noncompliance of this article will result in the immediate reactivation of the solid waste services and the immediate billing of the entire suspension period. In addition, a fee for account reconciliation will be assessed for noncompliance.

[Ord. No. 2018-11, § 1, 7-9-2018]

§ 193-9. Violations and enforcement.

- A. It shall be the duty of the City Manager, or his/her designee to enforce provisions of this ordinance upon their own observation or knowledge. In addition to any other penalties, if any owner and/or occupant neglects, after proper notice, to comply with the published Solid Waste Rules and Regulations as required in this ordinance, the City Manager shall cause to remove container(s) and/or bill the owner and/or occupant the total cost of the contaminated truck load. Upon failure to make payment of the entire amount due within 30 days from the date of the billing for said removal/delivery and/or disposal fee, the City may enter a lien, as provided by law. This right herein prescribed in Section 193-4(b).
- B. The City reserves the right to remove the trash, recycling and/or yard waste containers if customers, upon proper notice, fail to abide by the published Solid Waste Rules and Regulations, consistently place excess materials outside the container, improperly place the container for collection, or cause contamination by placement of garbage, yard waste or other unsuitable materials in the inappropriate container.

-
- C. The City reserves the right to provide additional containers if customers, upon proper notice, fail to abide by the published Solid Waste Rules and Regulations and consistently place excess materials outside the container. An additional charge for the container will be added to the customer's monthly bill in accordance with the Solid Waste Fee Schedule.
 - D. Any person convicted of violating any provision of this ordinance shall be fined in an amount as set forth in Solid Waste Fee Schedule, and if the violation amounts to an unlawful deposit of rubbish, refuse or other offensive matter in the city limits, he shall be directed to remove the same, and in the event of his failure to do so, the offensive matter shall be removed by the City at the expense of the violator.

[Ord. No. 2018-11, § 1, 7-9-2018]



SOLID WASTE FEES							
Description		Fee Per Month	Fee Per Month effective 07/01/2020	Fee Per Month effective 07/01/2021	Fee Per Month effective 07/01/2022	Fee Per Month effective 07/01/2023	Fee Per Month effective 07/01/2024
Trash, Recycle, Yard Waste Collection	Residential, per unit	\$26.00	\$27.05	\$28.15	\$29.30	\$30.50	\$31.75
	Non-Residential, per unit	\$26.00	\$27.05	\$28.15	\$29.30	\$30.50	\$31.75
	Multi-Unit Rental Complex, 95-gallon, Weekly Collection, per unit	\$25.00	\$27.05	\$28.15	\$29.30	\$30.50	\$31.75
	Multi-Unit Rental Complex, 3 CY, Weekly Collection, per unit	\$150.00	\$175.00	\$200.00	\$200.00	\$200.00	\$200.00
	Multi-Unit Rental Complex, 3 CY, Twice Weekly Collection, per unit	\$300.00	\$320.65	\$370.65	\$370.65	\$370.65	\$370.65
Bulk/Brush Collection	First & Second Request in 12 Months	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Third & After Request in 12 Months	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00
Additional Container	Trash, each	\$5.00	\$5.25	\$5.50	\$5.75	\$6.00	\$6.25
	Recycle, each	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Yard Waste, each	\$3.00	\$3.50	\$3.75	\$4.00	\$4.25	\$4.50
<i>Description</i>						<i>Fee</i>	
Deposit, Rental Unit						\$100.00	
At-Door Collection	Commercial, per month					\$10.00	
	Special Assistance, per month					\$0.00	
Missed Collection	First Request					\$0.00	
	After First Request Through 12 Months, per collection					\$25.00	
Special Collection Request, per collection						\$25.00	
Container Left Curbside After Collection Day, per day						\$5.00	
Temporary Suspension of Collection	Container Removal					\$35.00	
	Container Return					\$35.00	
	Account Reconciliation					\$100.00	

SOLID WASTE PERMITTING FEES		
Description		Fee
Private Hauler	License	\$150.00 per year
	Vehicle Registration	\$250.00 per truck, per year