



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

CITY COUNCIL AGENDA Monday, July 11, 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/99156131279> (Zoom)

or

<http://www.cityofmilford.com/553/Watch-Public-Meetings> (Live Stream)

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

Call 301 715 8592 Webinar ID: 991 5613 1279

6:00 PM 15-Minute Public Comment Period*

COUNCIL MEETING

Call to Order – Mayor Arthur J. Campbell

Invocation

Pledge of Allegiance

Roll Call

Approval of Previous Minutes

Recognition

New Employee Introduction

Staff Reports

Monthly Police Report

City Clerk Report

Monthly City Manager Report:

Public Works Department
Electric Department
Planning & Zoning Department
Parks & Recreation Department
Human Resources
Economic Development & Community Engagement
IT Department
Finance Department

Ward Reports & Communications

Unfinished Business

Ratification/IBEW Local Wage Agreement
Appointment/Reappointment Parks & Recreation Advisory Board
Recommended Changes/Chapter 88
Recommended Changes/Chapter 84
2022 Edward Byrne Memorial Justice Assistance Grant (JAG) Application

New Business

Ordinance Introduction:

ORDINANCE 2022-26

Application of Cypress Hall – Residential – Phase I & II on behalf of Shawnee Farm, LLC for the Final Major Subdivision (Phase I Only) of 91.69 +/- acres of land, in an R-3 (Garden Apartment & Townhouse) Zoning District to be known as Cypress Hall. Property is located on the west side of US Route 113 approximately 3,100 feet south of the Shawnee Road intersection Milford, Delaware. Present Use: Vacant; Proposed Use: Planned Unit Development. Tax Map: 1-30-3.00-261.01, 1-30-3.00-562.00 thru 659.00

ORDINANCE 2022-27

Application of Wickersham on behalf of CCM-Koelig, LLC for the Revised Final Major Subdivision of 39.015 +/- acres of land, in an R-3 (Garden Apartment & Townhouse) Zoning District to be known as Wickersham. Property is located along the north side of Johnson Road adjacent to SR1, Milford, Delaware. Present Use: Vacant; Proposed Use: Townhouse Subdivision. Tax Map: 3-30-16.00-005.00, 3-30-16.00-269.00 through 475.00

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.**

Ⓢ Designated Items only; Public Comment, up to three minutes per person will be accepted.

*Comments restricted to same date's Council agenda items.

The time limit is three minutes per speaker, not to exceed a total of fifteen minutes for all speakers.

050222 060222 062322 062422 062822
070822 Item moved to 072522 Agenda



CITY OF MILFORD
COUNCIL MEETING MINUTES
May 23, 2022

The City Council of the City of Milford met in Regular Session on Monday, May 23, 2022.

PRESIDING: Vice Mayor/Councilmember Jason James Sr.

IN ATTENDANCE: Mayor Archie Campbell
Councilmembers Daniel Marabello, Mike Boyle, Andrew Fulton, Todd Culotta,
Brian Baer and Nirmala Samaroo

STAFF: City Manager Mark Whitfield, Police Chief Kenneth Brown, and PT Assistant Carlene Wilson

COUNSEL: Solicitor David Rutt, Esquire

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 are being held in the Council Chambers at City Hall, with attendees also participating virtually.

CALL TO ORDER

Mayor Campbell called the meeting to order at 7:00 p.m. However, Mayor Campbell was participating virtually, causing a number of associated audio issues. As a result, he turned the meeting over to Vice Mayor James to preside over the remainder of the meeting.

INVOCATION AND PLEDGE

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

PUBLIC HEARINGS

Solicitor Rutt opened with the following statement:

When the Milford City Council holds a public hearing on a zoning application, they engage in the legislative process. Zoning applications are enacted through an ordinance which City Council will approve or deny. City Council will hold its own hearing but will consider the Planning Commission's recommendation made at a prior hearing on each application.

Council will make its own independent decision based upon the record made here tonight.

In its zoning and land use decisions, Milford does not discriminate against persons based on race, color, religion, national origin, disability, familial status, sex, creed, marital status, age, or sexual orientation. Any public comments made on the basis of bias or stereotype considering people within these protected classes, will not be taken into consideration by the City Council in its deliberation.

After each application has been announced, the Planning Director Rob Pierce will review with the Council, the pending application, including the decision of the Planning Commission. The applicant and any witnesses, if they may have, will then be called upon to present and explain the application with reasons supporting its approval.

Councilmembers will have the opportunity to ask questions of the applicant or any witnesses regarding the facts and the merits that are presented. We ask the applicant to limit the presentation to 15 minutes, though leeway will be given if it's a very detailed and complicated matter.

After the applicant's presentation, persons who oppose the application will be given an opportunity to speak, followed by anyone who may have comments in general. We ask anyone speaking at these times to limit your comments to three minutes. Again, Council members may ask questions regarding the facts and merits supporting the comments. There will be no

rebuttal by the applicant and the public hearing will be closed after everyone has spoken, unless the Council or mayor wants answers from any speaker on a specific question that may arise during the hearing.

Further, the applicant will not be allowed to question persons who speak in opposition and persons who speak in opposition will not be allowed to question the applicant or witnesses directly. All questions should be directed to me, and we will secure answers to your questions. If you intend to speak, please come to the podium, and state your name and home address before you make your statement. We have also been asked tonight by some Councilmembers, that if you live in the City to state what ward or subdivision you live in, or if you do not live in the City, what subdivision you may live in.

Because of the number of people in attendance, please use the microphone which can be adjusted so everyone can hear. If you represent or speak for a group or organization, please identify who you represent. When you make your statement, please be concise and do not repeat yourself. If there is more than one witness for the applicant, or more than one person in opposition, please do not repeat points that the prior speaker has already stated.

However, you can state that you are in support of someone who spoke earlier. Have your thoughts organized because you're only going to be permitted to speak one time unless you are being asked a question. All persons in attendance should conduct themselves in an orderly fashion. No applause, no cheers, no jeers, or any disruptive behavior that will prolong the hearing or negatively affect the record being made. If you have a cell phone or other telephonic device, please take the time now to turn it off or switch to silent service.

At the conclusion of the public hearing, Council will take the application under consideration and may either approve it or deny it, or it can be deferred to a later date to consider the record being made here tonight.

Since this has been conducted as a virtual online hearing, we will also check to see if anyone joining remotely has a comment. There is also a room downstairs and anyone in that room will be given an opportunity to join in as well.

Adoption/ORDINANCE 2022-20

Application of 1018 Properties, LLC for a Conditional Use Permit

1.084 +/- acres located along the east side of N. Walnut Street approximately 300 feet south of the N. Rehoboth Boulevard intersection

Address: 909 N. Walnut Street, Milford, DE

Comprehensive Plan Designation: Commercial

Zoning District: C-3 (Highway Commercial District)

Present Use: Former Florist Shop

Proposed Use: Contractors' Establishment

Tax Parcel: MD-16-174.18-02-02.00110

00:34:35.100 --> 00:34:41.970

Planning Director Rob Pierce reviewed Ordinance 2022-20 stating the site is a former floral shop and the applicant is proposing to convert the existing commercial building into a food service equipment and HVAC/R contractor's establishment.

The staff report includes the proposed hours of operation of 8:00am to 4:30pm with approximately one full-time office employee and three service technicians that would deploy into the field from this site. Chapter 230-14(C)(4) states contractors, craftsmen, or general service shops, including welding and similar shops, are conditional uses in the C3 zoning district.

Staff's evaluation of the conditional use criteria is included in the packet. The property on the east by North Rehoboth Boulevard and to the north of another property that is zoned C3 and contains retail service-oriented uses. There are two properties, to the south zoned residential that contain single family detached dwellings. The property to the West across walnut street is the site of a portion of the Community Cemetery.

An existing conditioned site plan is also in the packet showing the proposed buildings on the site though the applicant has indicated that all uses would be within the existing building. There are seven parking spaces in the front that would be utilized by the service technicians and the one employee.

A narrative that was submitted by the owner of the property is included in the packet, along with the zoning ordinance.

A copy of the ordinance public hearings was mailed to all properties within 200 feet and was published in the Milford Beacon on April 27, 2022.

The Planning Commission reviewed this at the May 17, 2022, meeting and recommended approval upon the vote of six to zero.

It was noted that additional screening along the southern property line be installed in the form of the fence and/or similar. Mr. Pierce stated a neighbor spoke in favor of the application at the Planning Commission meeting and she mentioned how good of a neighbor they've been already and did not air any concerns about screening. As a result, the Planning Commission did not place any additional requirements on the application.

Trevor Kramer of Merestone Consultants was present to represent Glenn Clark Service Group. He stated as follows:

We are seeking condition a conditional use using the existing site.

Glenn Clark Service Group is a food service equipment HVAC/R service and repair provider based in Lancaster, Pennsylvania. Their plan is to use the existing buildings and property for a branch office for their organization. Their hours of business operations will be from 8:00am to 4:30pm.

They currently have three service technicians working in the lower portion of Delaware servicing all types of food service operations from chain restaurants, health care facilities, schools, and restaurant groups. They would like to employ at least one person at this location to provide phone support, handle small packages and dispatch service technicians.

The only storage on site would be stored inside the buildings though an occasional customer may stop at the location to pick up a repair part.

The current two door garage building will be used for any large item storage and the existing retail space that was used previously for the garden center will be used for small parts stock and office support personnel.

Mr. Kramer confirmed that if Council approved the application, would the applicant be willing to accept the conditions set forth in the narrative as part of the approval with weekday hours and no weekends.

The floor was then opened to public comment. No one responded and the public hearing was closed by Solicitor Rutt.

Vice Mayor James then asked for a motion.

Councilmember Marabello moved to adopt Ordinance 2022-20 approving the conditional use for 1018 Properties, seconded by Councilmember Baer. Motion carried by the following unanimous roll call vote of those present:

Marabello-Yes there is no adverse effect on the property with the change.

Boyle-Yes it complies with the zoning code and the conditional use application is in line with the zone.

Fulton-Yes and he tried to make a motion but could not be heard.

Culotta-Yes, it is a well-known company and his understanding from the neighbors is they are taking very good care of the property.

Samaroo-Yes based on the Planning Commission's vote to recommend of six to zero.

Baer-Yes and he welcomed them to the third ward.

James-Yes, it is a good repurpose of idle property.

Adoption/ORDINANCE 2022-21

AMENDING AND ADOPTING BY ORDINANCE THE 2018 CITY OF MILFORD COMPREHENSIVE PLAN

Amendment #10

DEEP BRANCH & HERRING BRANCH GREENWAY

3-30-11.00-002.00	3-30-11.00-039.00	3-30-11.13-001.00
3-30-11.00-002.03	3-30-11.00-039.07	3-30-11.13-002.00
3-30-11.00-002.05	3-30-11.00-039.09	3-30-11.13-003.00
3-30-11.00-008.00 (portion)	3-30-11.00-039.11	3-30-11.13-004.00
3-30-11.00-350.00 (portion)	3-30-11.13-004.01	

Director Pierce reviewed Ordinance 2022-21 and related items in the packet. This is a comprehensive plan amendment being initiated by the City of Milford and entitled Deep Branch and Herring Branch Greenway. This is a proposed amendment to the City of Milford 2018 comprehensive plan affecting twelve parcels and a portion of two parcels located along the south side of Deep Branch and Herring Branch between South Walnut Street and Marshalls Pond.

The staff report includes the list of affected parcels and only one of the parcels is currently within City limits and that is a portion of the Rookery North Golf Course. The future land use designation would be changed from low-density residential to open space, which would align with the intent to preserve this as an open greenway or park area.

The City has acquired already Sussex County Tax Map 330-11.00-039 and is working to develop a greenway master plan for this area. The greenway could include passive and active recreational areas, including bike trails, walking paths, picnic areas, ball fields and alike. This would need to be determined through a master planning effort and under the advisement of the City Parks and Recreation Advisory Board, DNREC, City Council, and the public.

A copy of the February 2022 PLUS comments by the Office of State Planning which were very favorable and is consistent with the original goals and objectives of the Southeast Master Plan of trying to create a large open space area to serve the community.

A copy of the public notice is in the packet and was published in the Milford Beacon on April 27, 2022.

The Planning Commission recommended approval of the comprehensive plan future land use map amendment for these parcels by a vote of six to zero at their May 17, 2022, Planning Commission meeting.

There being no questions from City Council, Solicitor Rutt opened the floor to public comment. No one responded.

The public hearing was then closed.

Vice Mayor James asked for a motion.

Councilmember Boyle moved to adopt Ordinance 2022-21, Amendment 10, amending the 2018 Comprehensive Plan, seconded by Councilmember Culotta. Motion carried by the following 7-0 roll call vote of City Council:

Marabello-Yes as approved by the Planning Board and it is proactive to having more open space in the future.

Boyle-Yes in accordance with the recommendation of the Planning Commission.

Fulton-Yes, the greenway will be excellent addition to the City of Milford.

Culotta-Yes based on the Planning Commission's recommendation.

Samaroo-Yes based on the Planning Commission's recommendation.

Baer-I vote yes, based on the Planning's recommendation and I look forward to the additional parkland.

James-I yes, I think it's important to have this additional park and recreational available for the citizens of Milford and the neighbors of Milford who call Milford their home and use our shopping and recreational facilities.

Adoption/ORDINANCE 2022-22

AMENDING AND ADOPTING BY ORDINANCE

THE 2018 CITY OF MILFORD COMPREHENSIVE PLAN

Amendment #11

TRANSPORTATION CHAPTER TEXT AMENDMENT

Director Pierce reviewed Ordinance 2022-22 is an amendment to Chapter 6 entitled Transportation of the 2018 City of Milford Comprehensive Plan. It incorporates the goals and objectives from the City's 2021 bicycle master plan update,

which was adopted or accepted by Council this past fall and identifies some additional transportation priorities that we want in our comprehensive plan to begin coordinating with the Department of Transportation or the Dover Kent MPO. .

The purpose is to analyze several intersections along North Walnut Street and the Rehoboth Boulevard corridor from US Route 113 intersection, down to Southeast Second Street, investigate the feasibility of converting Southwest Front Street, between North Church Street and South Walnut Street to allow for two-way traffic, investigate alternatives for the Canterbury Road and Airport Road intersection to improve safety for vehicles and other modes of transportation. Also investigate potential improvements to the Jefferson Avenue and South Walnut Street intersection to improve vehicle and pedestrian movements around the existing railroad crossing.

The comments from February 2022 meeting are in the packet and looked favorable upon this, as it shows are intended to coordinate with the State agencies on the implementation and study of these particular transportation priorities.

The Public Notice was published in the Milford Beacon on April 27, 2022.

The Planning Commission recommended approval of this comprehensive plan text amendment at their May 17, 2022, meeting by a vote of six to zero.

Councilmember Baer asked if an alternative truck route is being considered for the State Route 14 area; Mr. Pierce stated no study has been requested.

Solicitor Rutt opened the floor to public comment. No one responded and the public hearing was closed.

There being no further discussion, Councilmember Boyle moved to adopt Ordinance 2022-22 to amend chapter six of the transportation section of the 2018 City of Milford Comprehensive Plan, seconded by Councilmember Culotta.

Motion carried by the following 7-0 unanimous roll call vote:

Marabello-Yes as approved by the Planning Board six to zero.

Boyle- I vote yes, as recommended by the Planning Board and it is one step closer to realizing the objectives of the City's bicycle master plan.

Fulton-Yes, the studies are desperately needed.

Culotta-Yes, based on planning and Councilman Boyle's comments.

Samaroo-I vote yes, based on the Planning Commission, and believe it is a great way for families to have outdoor activities.

Baer-I vote yes, based on planning.

James-I vote yes, based on the fact that it does provide safe travel for pedestrians and bicycle riders.

Adoption/ORDINANCE 2022-23

AMENDING AND ADOPTING BY ORDINANCE

THE 2018 CITY OF MILFORD COMPREHENSIVE PLAN

Amendment #12

COUNTRY LIFE HOMES, INC.

3-30-11.00-070.00

Adoption/ORDINANCE 2022-24

AMENDING AND ADOPTING BY ORDINANCE

THE 2018 CITY OF MILFORD COMPREHENSIVE PLAN

Amendment #13

MR. WIGGLES, LLC

3-30-11.00-056.00

Solicitor Rutt stated the next two applications are very similar and properties that are next to each other with common interest. There will be one public hearing on the applications, but there are two separate ordinances which will then be considered separately by City Council.

Director Pierce stated for the record, public notices for Ordinances 2022-23 and 2022-24 were published in the Milford Beacon on April 27, 2022 and all properties owners within 200 feet of the subject parcels were mailed a copy of the public notice.

He presented a summary that reviewed the staff reports, along with a complete history of the property.

The City received a comprehensive plan future land use amendment request from the owner of Sussex County parcel 3-30-11.00-056.00 owned by Mr. Wiggles LLC and Sussex County parcel number 3-30-11.00-070.00 owned by Country Life Homes Inc. The applicant requested a change in the comprehensive plan future land use designation of approximately 110 acres of land located on the east side of State Route 1 from low density residential to commercial.

The amendment request would also impact an existing transfer and development rights receiving area. Those potential receiving credits would be shifted over to the existing transfer development rights receiving area number 3 location on Sussex County parcel 3-30.15.00-024.00.

Mr. Pierce clarified this is a comprehensive plan amendment that was not initiated by the City and is a request of the property owner.

The Planning Department compiles amendment requests annually, whether by staff or private property owner driven for review by the Planning Commission and City Council and to be submitted to the State of Delaware Planning Office in the early part of the year. As part of the preliminary land use service review, State agencies issue comments pertaining to those requests. Upon receipt of the PLUS comments, the City would complete any required or necessary public outreach and then hold the required public hearings with Planning Commission and Council.

For this particular request, the amendment was compiled at the end of 2021. An informational workshop was held with City Council in January to inform Council of the intent to submit these amendment requests, including the previous two that were reviewed tonight. A PLUS application was submitted at the end of January, and the PLUS hearing on February 23, 2022.

An open house was held on May 4, 2022, at the City's Public Works Building as part of the public outreach. It was fairly well attended and estimate 70 individuals attended. Representatives of the State agencies, including DelDOT, also participated.

The Planning Commission held their public hearing last Tuesday.

The first property that is owned by Country Life Homes Inc./Ordinance 2022-23 and involves 40 acres of land that is not currently within the City of Milford. It is zoned AR1 in Sussex County and contains an existing dwelling with some related agricultural buildings. It bound on the West by State Route 1, on the South by an existing nine-acre property zoned C3 and owned by the same applicant. It is bound on the east by residential development known as Knollac Acres and is bound on the north by the Mr. Wiggles property which is zoned R1 in the City of Milford.

The second property under consideration is Ordinance 2022-24 owned by Mr. Wiggles and consists of 70 acres of land currently within the City of Milford and is zoned R1 single family residential district and is currently undeveloped and being used for agricultural purposes. This one is bound on the west by State Route 1, on the east by Bucks Road and a property zoned R2 across Bucks Road and to the south by an existing residential development known as Knollac Acres and the Country Life Homes property that is also under consideration.

The exhibit shows the proposed future land use exhibit which would identify these properties as future commercial and also shows the expanded TDR receiving area on the western half of the southeast neighborhood which is at the northwest corner of Wilkins and Elks Lodge Road.

The applicant provided a concept rendering of the Mr. Wiggles and Country Life Homes' properties. This is not a review of that particular plan. If Council approves the comprehensive plan amendment, additional annexation/site plan/subdivision reviews would be necessary, and the public invited.

He then provided a history of the property and noted that a couple Councilmembers may have been on the Planning Commission at the time of the Southeast Master Planning effort.

The City began to receive some pressure to develop areas use of Route 1 in the early 2000s. The City submitted a comprehensive plan amendment requested to the State of Delaware in 2006 to allow the annexation of the McColley parcel east of route one as indicated. Development of this area was contingent on the development of a Master Plan approved by State of Delaware. The City entered into a Memorandum of Agreement in 2008 was signed by the City, State Planning Office, the Departments of Transportation and Agriculture.

Afterwards, the 2008 Comprehensive Plan was adopted in 2009. It was understood that during the creation of the Master Plan, it was understood that all development in the southeast neighborhood would be restricted until the Master Plan was certified by the State. There was a condition of the MOA that stated any development would be withheld until the master planning effort was done.

During the planning process between 2008 to 2011, the subject parcels were considered for commercial land use during its initial phase. As you can see from the land use pattern of the 2008 plan, there are more intense land uses indicating highway commercial, moderate density residential or future commercial. There was a rather intense development proposed in that area with the 2008 plan. Between the 2008 and the adopted 2011 plan, a lot of that was scaled down to be primarily low density residential with the TD are receiving areas, and the commercial areas concentrated on the west side of Route 1.

The subject parcels that were initially considered for commercial uses during the initial phase of the master plan, was ultimately not recommended due to difficulty gaining access and proximity to surrounding residential lands. Just to note the master plan was developed through an inclusive process, which included many residents, community stakeholders and representatives from various State agencies.

The master plan document was finalized and adopted in 2011 and became an amendment to the 2008 comp plan and provided a predictable shovel ready development which incorporated that proactive preservation of farmland on the east side of Route 1 with the TDR transfer development rights program.

Fast forward to 2015, there was an amendment of the SE Master Plan, which shifted the area that's currently the Sussex Bayhealth Health campus from a future land use designation of commercial to employment.

The next amendment was the 2018 Comprehensive Plan update. The plan became a material part of the comp plan it was no longer an amendment. It was actually made an appendix to the plan which helped intertwine the goals and recommendations of the Southeast Master Plan when it was updated with the 10-year mandate.

The last time, the southeast master plan was amended was in 2019 during the development of the transfer development rights program. No modification of any of the future land use designations were addressed, though the TDR receiving areas were shifted so that it limited the number of parcels that were involved in the receiving area, hoping that would lead to better program success. Otherwise, it would have involved a number of strip lots under individual ownerships that would require a partnership. That is the reason it was restricted to mainly four properties. That was the last time the SE master plan was amended, and the current plan being operated under at this time.

A similar request was received back in 2016 to change the same parcels from low density residential to commercial. City Council held a public hearing in October of 2016 and denied the request upon a vote of six to zero. Those minutes are also included in the packet.

The packet also includes a highway commercial inventory analysis similar what has been done with industrial lands to allow the Planning Commission and Council to see the amount of area that has been developed and/or available for commercial uses within the City of Milford.

There is approximately 322 acres of developed C3 property within the City boundaries and approximately 397 acres of vacant or 'underutilized' C3 lands within the City limits.

Of that 397 acres, 245 acres are located along the Route 1 corridor. Bayhealth owns the largest portion of commercial in this southeast neighborhood of around 50 to 55 acres great adjacent to the health campus.

To summarize State Planning's PLUS comments, the amendment request is a significant change to the southeast master plan which was developed through an inclusive planning process that incorporated input from stakeholders and members of the public. They also mentioned a land use change this significant has a potential effect on quality of life, such as transportation, environmental, and agricultural preservation. One of the main recommendations was to ensure full public consultation and engagement. DelDOT comments included the prohibition of direct access from Route 1 and that the City should assume access to the subject parcels will be by way of Bucks Road. DelDOT did acknowledge in February 2022 that the State is working on a Route 1 master plan that will be the subject of workshops in late spring/early summer and when adopted, may or may not include an access road.

One other point is the proposal is inconsistent with the planning efforts so far with the Milford Transportation Improvement District; however, Council elects to approve the amendment request and the City would require the developer to update the traffic study to amend the varying and trip counts between the planned uses of the property and whatever the proposed uses would be. This would be no different than if they weren't in a TID and came in for a development at which time they would have to go through a traffic impact study process as well.

Mr. Pierce then provided another overview of the proposed request of the 110 acres of land on the east side of Route 1 between Cedar Neck Road, all the way up to the former crossover that DelDOT closed down at Beaver Dam and Bucks Road several years ago. The request is a change from low density residential to commercial. The TDR receiving area of 205 credits would be shifted over to receiving area #3 as part of this request.

He then referenced several letters of support and/or opposition are included in the packet for review.

The Planning Commission reviewed both ordinances at their May 17, 2022 meeting and recommended denial of the comprehensive plan amendments by a vote of 4-2. Reasons for the denial included there was already adequate commercial and inventory already within the City limits and along Route 1, concerns about access to the property and compatible land uses. The two Commissioners who voted against the motion and supported the change to commercial stated the City should give the developer an opportunity to see what can be done with the property and that the proposal would benefit the city from an economic development standpoint.

City Planning Director Pierce then concluded his presentation and asked if Council had questions.

When asked by Councilman Culotta how many units can be constructed on an R1 acre, Mr. Pierce stated that typically an R1 lot is 10,000 square feet so around four units an acre. However, being a TDR receiving area, could increase that to eight units per acre.

Councilman Marabello confirmed that the Red Cedar Farm property will become a low-density residential subdivision with a TDR area of 60%. Mr. Pierce reported the application has been received though he has not yet scheduled it for public hearings.

Councilman Marabello also asked about the property zoned highway commercial owned by Bayhealth on Route 30 and if there is an existing entrance; Mr. Pierce stated that Bayhealth has acquired the existing homes other than the one that has already been converted to a doctor's office.

Vice Mayor James referenced the DelDOT comment regarding access off Bucks Road and that DelDOT is working on a master plan and are expected to have workshops this spring 2022 which would provide additional information. Planner Pierce stated they had indicated that was their plan. They had shared their concept their master plan, then we would know what their master plan was and whether access was included or not.

Approximately 18 months ago, the Planner stated they had shared a concept rendering at which he recommended that somebody present this to the Planning Commission and City Council. However, since the master planning efforts was put on hold. He hasn't heard anything from the State since.

However, he suspects the applicant's engineer will have a better timeline.

He also confirmed that the memorandum of agreement was signed back in 2006 to 2008 by the City and several state agencies, but prior to the adoption of the 2008 Comp Plan. All agreed to the development plan in this area.

When asked what the MOU authorized, Mr. Pierce explained that it stated the memorandum of development set for some perimeters that would lead to the master plan. It basically stated the City would agree to work with the State, the State would agree to work with the City in this planning effort to determine the future land use of that area, plan out utilities, plan for agricultural preservation, which appeared to be a fairly large concern of the State at the time, because of extending into areas where the State had spent a lot of money preserving farmland on that side of Route 1.

It outlined the agreement to work with one another until a master plan was developed. The State would withhold any subdivisions or site plan approvals, and that any future site plan or subdivision approvals would need to be consistent with that plan that would be adopted by City Council which was in 2011.

Vice Mayor James asked if he is correct, in that after 2006, the comp plan or amendments were done in consideration of the memorandum of agreement from 2006 and that it would follow in the spirit of the memorandum of agreement or no; Planner Pierce said yes, but the adoption of 2008 plan was in between the memorandum of agreement and the adoption of the master plan. So, there could be some differences in what was shown in 2008 versus what was finally approved after that master planning effort. But once the master plan was completed, the MOA pretty much replaced the master plan.

Vice Mayor James referenced the 245 acres along Route 1 and asked if the 55 acres owned by the hospital included in the 245 acres and Planner Pierce confirmed that is correct. Vice Mayor James asked if the 190 acres was always vacant or how long it had been vacant and if anything had ever been developed there.

Planner Pierce stated the Hall piece has been commercial since annexed in around the time of the master plan adoption. The commercial area along 36 actually was reduced in size though nothing was built at that particular interchange to date.

The Route 14 interchange has some development along the Silicato Parkway that has occurred over the past decade and since their site plan or subdivision was approved. The McColley farm, which is behind that has remained undeveloped.

Further north up towards Lighthouse Estates is the Hampton Inn and the church that was built in the past 15 years or so. However, since Mr. Pierce has been here over the past seven years, he has reviewed site plan applications along Silicato Parkway adjacent to Route 1.

When asked if there are any commercial services east of Route 1 in Milford, Mr. Pierce referenced the Hampton Inn north of Milford. Councilman Fulton asked if there is any commercial development east of Route 1 and south of the Route 36 interchange; Mr. Pierce stated there is not, though there is an existing nine-acre piece of land located at the northeast corner of the Cedar Neck Road overpass that is vacant.

Considering the possibility of eight homes per acre on this site, Councilman Fulton asked if Bucks Road would be capable of handling this type of traffic. Mr. Pierce prefaced his answer by stating the City continues to work with DelDOT on the development of a transportation improvement district for this area. The current roadways will not be able to handle the future planning of this site, but DelDOT would evaluate the trip requirements based on the future use of the property, along with any proposed units on Red Cedar Farms, the Isaac property, or the Mills property, as well as any other piece of land in that southeast area determined by its future land use plan.

There being no additional questions from City Council, Esquire James Griffin, addressed Council.

Mr. Griffin then introduced himself, stating he is an attorney from the law firm of Parkowski, Guerke & Swayze Sussex County office. He is representing the owners of the two parcels of land for which amendments have been requested to the City's Comp plan that is Country Life Homes Incorporated and Mr. Wiggles LLC, the owners of 40 acres of the former Dugan Farm and the 70 acres formerly known as the McColley Farm.

Also in attendance is Elmer Fannin and Michael Fannin, along with Alex Schmidt from Century Engineering, who had input in the documents that were submitted with the application and will provide information about roadway access and any other questions directed to him.

He is here tonight to discuss the future land use designations for the two parcels. Currently, they are low density residential currently, but he will discuss the history of these parcels. He provided the following information:

When the City adopted the 2008 comprehensive plan 14 years ago, it changed the future land use designations for these two parcels of land. Prior to that change with the adoption of the 2008 comp plan, the future land use designations for these two parcels had been highway commercial. When those highway commercial designations were taken away through the 2008 comp plan, my client did not own these lands and acquired them later. The parties who did own them at that time had not taken any steps to develop them commercially and to our knowledge, did not object to the change which basically amounted to a downgrading of the possible future land use designations.

As Mr. Pierce made clear, the action to take away the future land use designations of commercial in 2008 was brought about to prevent further commercial development in the southeast Milford planning area until the City could adopt its 2011 master plan for what is referred to as the Southeast LPA or land planning area.

Mr. Pierce said that by 2006, there was pressure to develop commercial land in this area, but by 2011 when the master plan was adopted that pressure was increasing. As a result, steps were taken by the city to adopt this 2011 Southeast Master Plan. Between 2008 and 2011 nothing happened, and that was the crux of the MOU to put a hold on matters until the city could come up with a master plan for that entire area.

It also should be noted, that when these two parcels zoning was discussed before 2008, there was much less opportunity for access to and from Route 1. At that time, the Wilkins Road overpass did not exist, and the access roads developed in connection with the Bayhealth campus did not exist. Although the possibility of getting access to Route 1 has improved since 2008, the issue of vehicular access to and from these parcels seems to remain a major point of concern with DelDOT.

Before the adoption of the comp plan, which he believes both happened in February and March, one before the other. The purpose of that MOU was to ensure cooperation between the city and state agencies regarding future development in that southeast land planning area. That agreement didn't say there could never be any commercial development in the southeast land planning area. In fact, paragraph three of the MOU said the city and state agreed to work cooperatively and coordinate their planning efforts to ensure that interested parties, and it mentioned that developers have proper an opportunity to participate in the plan.

That is the sum total of what his clients are asking for---just an opportunity to participate in the plan. And that is why he is asking the City to change the future land use category of these two parcels from low density residential back to the commercial status they had for some years prior to 2008. It has been fourteen years since these parcels were downgraded to residential.

Although the 70-acre parcel, the Mr. Wiggles parcel was already located within the City and could have been developed fairly intensely at 10,000 square feet per lot, or four units per acre that Mr. Pierce referred to. It hasn't been developed residentially and the highest and best use for that parcel and the 40-acre parcel is already zoned highway commercial, the same as the nine acres that that his client already owns immediately adjacent to these two larger parcels.

That would make the future land use categories of those two parcels consistent with the nine-acre parcel. As everybody here knows, since the approval the master plan in 2011, there has been significant commercial development in the southeast land planning area. In 2015, the adopted plan was amended to allow the Bayhealth Hospital to develop their campus. His client sold the hospital 110 acres that he owned only to allow them to develop the campus at that location.

All of the 110 acres had been previously approved by the City for a mixed-use type of development, including both residential and commercial. But it hadn't been developed when Bayhealth expressed an interest in buying it.

Based on information provided in the letter from PLUS, all of the state agencies who participated in reviewing the request of my client to restore these future land use designations back to its original commercial zone, DelDOT seemed to be the agency with the most concerns, and that was about access to Route 1.

DelDOT's concern about the lack of access is based on the fact that future commercial development of these parcels is not even a possibility, as far as its concern, unless the future land use designation is restored back to its pre 2008 highway commercial status. If this is approved and the comp plan is amended, it is not telling his client that he can do anything in particular and instead is just saying it is possible. If that happens, then DelDOT has indicated they will work with his client toward approving a plan to improve access to these two parcels. Until that happens, they won't take any action to review any plan that are specific in nature or even allow my client to come to them with any requests. That is because they know the City has said no to future commercial on these two parcels for the past 14 years. Unless the City says it will give Mr. Fannin the opportunity to try.

Long and short, a commercial development can be handled on these two parcels from Bucks Road and access is needed from Route 1 as is pretty clear.

But considering what the state agencies, other than DelDOT said in the letter to the City from the PLUS hearing about his client's request to change these designations back to commercial. DNREC reviewers had no comments, concerns, or objections to the proposed amendment. The State Fire Marshal's Office said they have no objection to the comp plan update. The State Historic Preservation Division recommended that on the 40-acre parcel, the former Dugan Farm, they would require an archaeological survey. But that is typical in connection with any major commercial development. As to the 70-acre parcel they said the potential for archaeological resources are low.

Although DelDOT said in the PLUS letter that any road access for these two parcels would have to be from Bucks Road, they also did go ahead to say they were working on the concept for the Delaware Route 1 Master Plan. When it is adopted, it may or may not include the access road and flyover connection shown on the master plan submitted to the City by his client in connection with these two applications. That position from DelDOT showing the possibility of the Route 1 access is the change of position for them as they did not hold out any hope for Route 1 access when his client went through the same process and made the same request back in 2016 at the time of the hearings, though the requests were actually filed in 2014. No action was taken for almost two years.

He asks that everyone keep in mind that changing those future land use designations doesn't approve anything. That only means that future commercial is possible.

Although the 70 acres is already inside city limits, the 40-acre parcel would first have to be annexed. Before his client could get a commercial designation and connection with the annexation before his client could file any application to develop those three parcels in a unified way that would use all three of them.

His client has made huge investments in the City by developing Hearthstone Manor, which has been under development since 2003 and contributes heavily to the financial well-being of the City through the collection of transfer taxes at the time of sale. They paid the city for water, sewer, electric, and property taxes for the 500 or so existing housing units that are developed there. He has shown good faith by investing in the City and we're asking only that you give him a chance to further invest in the City by restoring those future land use designations that were taken away from these parcels 14 years ago.

A lot has changed over 14 years and they are asking the City to look forward, instead of remaining static regarding the possibility of future commercial development.

Some issues became apparent during the Planning Commission's vote when it was recorded a vote against. The Planning Commission recommended Council deny these applications. The Commission Member who made the first motion to deny said she was basing her motion on the fact that 50% of the undeveloped C3 commercial land in the City was located along the Route 1 corridor. So, there was no need for any additional commercial land.

The second and third Commissioners voted, also based their votes to deny on the same reasons as the Commissioner who made the motion. That was three out of four Commissioners who voted to deny for the idea that 50% of the land within the

City limits that is located along Route 1 indicated no more was needed. With all due respect, it appears to him that the facts were not accurate because his client's two parcels of land, because 245 acres out of the 497 and if you take away the nine acres out of 497. If you take away the nine acres that his client already has that is highway commercial, drops it down to 47.7% and if you take away the 55 acres owned by the hospital, that drops it much further.

A lot has to do with what the meaning is of the word along Route 1 and the dictionary along may mean adjacent, but it also may mean close by. And the context in which it was used here means close by, because Mr. Pierce told you that the Sunnybrae property, former McColley property was included in that 245 acres.

That property does not have access to Route 1 as his client's two parcels do. It was like apples and oranges, but at least the basis for that motion was factually inaccurate and faulty.

It also included some of the Silicato lands and some of those have since been approved for different uses but have not yet been built. So, there is an even further reduction out of the 245 acres.

The same reasoning would apply that the motion to deny at the Commission level should give you a real concern about making the same decision, because Council feels they should support the position taken by the Commission. In truth, the Commission votes that you should pay attention to were those cast by the President Marvin Sharp and Commissioner Jim Purcell who both voted against the motion to deny.

The Commission gave you a faulty recommendation based on facts that were not supported by the record. But the only vote that counts here tonight is how Council votes on these applications. It is not really relevant how the Commission voted on this or arrived at their decision.

Another point relates to State law relating to amendments to the comp plan. It talks about the fact that there are certain elements that you look for in a comp plan and consider when a plan is adopted, as well as when an amendment is made.

Those considerations were items such as transportation, economic development, utility systems, present and future needs of the City, all and this is a quote in the judgment of the City, meaning the Council best promotes the health, safety, and general public welfare of the City's residents. Though he is not a resident of Milford, he thinks he is on safe grounds to say that the folks that testify live outside the City. The majority were not City residents, although they're entitled to be here and speak, because they get notices or are within 200 feet of the boundaries. What is decided and the end result has to be in the best interests of the residents of the municipality.

He asked Council to please consider approving this application to give this land future land use designations and Council is not approving any commercial land use and this is not a promise to allow that in the future. This will only give Mr. Fannin the right to go to the marketplace, to see if there's a commercial developer that would serve a need for the residents of the City and is willing to consider making a huge investment in infrastructure. They could then locate their business on these tracks of land. Unless he is able to find companies willing to spend that type of money, he will not file a specific application for land use or approval of the site plan. Because he would have to at that point explain what he's intending to have there and how it would fit within the C3 category and serve the needs of the City.

As was said at the Commission level, this will not cost the City a red cent to change these future land use designations to the commercial status it had before 2018. If Mr. Fannin is unable to find a business who is willing to put the money down to locate here, and he can't convince DelDOT to allow the construction of an access road which is sometimes referred to as a collector road. Council will not have done any harm, because these parcels are not going to get developed. But at least this will give his client who owns it and made a substantial investment acquiring it, the chance to try.

Also keep in mind keep in mind that if you say yes to these applications, if DelDOT says yes to an access or a collector road, the funding scheme, through which DelDOT works, which is typically includes 80% federal funds and 20% state funds is not something that happens overnight. So, he stands here talking years and years down the road and it could be five, and it could be ten years, but at least you're letting the owner know that he has the right to talk to people if all these things can fall in place.

You have said no to the development of these two parcels since 2008. After 14 years, it is time to look forward and consider the mere possibility of commercial development of these two parcels.

He appreciates the chance to talk about these applications.

He then reintroduced Alex Smith from Century Engineering who will talk about access issues on behalf of his client Elmer Fannin and hope his applications are approved tonight.

Councilman Marabello asked about the comment Mr. Griffin made about the best use of that property is not low-density housing. Mr. Griffin said we think the highest and best use of those two parcels are for nonresidential uses. Councilmember Marabello added that is the reason he is asking is because the Red Cedar Farm is light residential, and they must have thought low density was the best use of that property.

Councilman Marabello also recalled the other comment of the non-used approved highway commercial on the Sunnybrae Farm and Mr. Griffin mentioned there was no access to Route 1. He asked if they have access to Route 1 through the Silicato Service Road; Mr. Griffin said that unlike his client's plan that is on Route 1 (inaudible).

Councilman Culotta said that essentially Mr. Griffin is essentially saying tonight he is addressing an amendment to the plan to be able to discuss with the State about what type of access could be gotten that would be feasible for commercial. Without that type of access, commercial is pointless. Mr. Griffin said that is correct and agrees with that. He is only talking about future land use designations, and he is not talking about actual land use, in the sense that you're approving anything or we're asking you to approve it. But in addition to working with DelDOT, MR. Fannin would also need to try to shop this in the marketplace to see if there is a company that is willing to put down the infrastructure or invest the infrastructure they would need because surely the State would call on those developers to put up some of the money for the collector road.

Councilman Culotta said so what he is looking at on the screen, is very, very far down the road and will need many, many layers of approval away from that. Instead, tonight is just a change to the master plan. Mr. Griffin agreed with Councilman Culotta adding that without it, it will remain at the bottom of the barrel.

Councilmember Boyle then asked Solicitor Rutt and/or Mr. Griffin that if the long-term future designation is changed, will the City lose control of the zoning on that. Solicitor Rutt explained that one of these properties is not annexed into the City.

This is the comprehensive plan, which is essentially aspirational of the City of what they want to see happen out there. This will have to go back to the State Planning Office for approval before it would become totally effective.

Councilmember Boyle said he understands, but if the City gives it away, can it take it back; Solicitor Rutt said it would be harder to change it back to a residential area and would be putting toothpaste back in the tube. Once it is designated commercial, to change it back to a low density residential would be almost impossible. Mr. Griffin said they did that in 2008.

Vice Mayor James asked Mr. Griffin when both properties were purchased by the current owner; Mr. Griffin said he needed to ask his client. Mr. Griffin spoke with Mr. Fannin and then responded by stating he thinks it was somewhere around 2013 or 2012, in that area. He can be exact about that information if Council needs it.

Vice Mayor James confirmed the purchases were made after 2011 and before 2014; Mr. Griffin said it may show if copies of the deeds were submitted with the application.

Alex Schmidt of Century Engineering then spoke stating he is the licensed professional engineer in Delaware and has been doing this kind of work for over seventeen years. He provided the following information:

His experience is both with private developers doing site development and he has also worked with DelDOT on large capital projects. That benefit gives him a true understanding of what really goes into these kind of entrance issues. It is not as simple as let's just put an entrance here. He was very interested in that it was quite challenging when Elmer came back to him in 2016, and said he has these properties and wants to put an entrance here and what can be done about it.

They then met several times with DelDOT and were aware of the concerns. This is a high-speed highway, limited access, and is funded with federal highway funds that have certain rules and restrictions about what can be done here. There is a denial of access that exists along certain parts of the highway. So, he had to take a look at this really closely because this isn't just let's put a right-in, a right-out wherever they want and instead there is a lot to consider here.

He looked at several options. The first was just a simple right-in right-out on the existing nine acres that's already commercial. They also looked at realigning the overpass at Wilkins Road which during this time was under construction, but there was an option to realign the overpass so that it lined up directly with the entrance into his client's property. He did consider that which can be done, as far as engineering goes. To rely on this, and then you can take access directly into the nine-acre commercial.

He also looked at realigning the overpass to Rehoboth Boulevard so that you can access into the property using the flyover, with access off of the flyover down into the property.

The one they hit upon and was working collaboratively with DelDOT engineers and Mr. Pierce was in several of the meetings as well, is an access road or frontage road. The best way to describe this is to think about how Route 13 works in New Castle County. Route 13 runs parallel to Route 1, but there is no business access on Route 1 but have business access from Route 13. There is identified off-ramps from Route 1 onto Route 13 which then provides access into the businesses.

He and DelDOT then looked at the development of a frontage road. The way that would work, it would start to peel off of Route 1, south of the Wilkins Road overpass. The Wilkins Road/Route 30 overpass actually tied into this new frontage road and would not have direct access on Route 1. The new frontage road would continue along the property line, separate from Route 1, but will provide the ability to get off at the Rehoboth Boulevard overpass and the frontage road will continue through the property. It would have a right-in right-out on this property and would then tie back into Route 1 northbound south of the Route 36 overpass.

If reading the PLUS comments carefully, DelDOT also referenced the potential for an access road. That is because he has had all these conversations with them, and when that conversation ended, he believes everyone understood this was a potential that could work. The key thing, though, is that DelDOT did not want to get ahead of any of the municipalities. They have learned their lesson in Sussex County with that, when they realized if they start adding entrances where the land use doesn't allow it, or where the land use doesn't support it, then they are already kind of driving the horse for the land use agency.

It is his belief from conversations when he has met with DelDOT, and from the experience of helping other properties, they didn't want that to happen here. It is his opinion that is why they're telling the City to consider access coming off Bucks Road. They do not want to tell the City that access is possible off Route 1 and make it appear that DelDOT has already granted this access and this potential land use to happen.

He believes that DelDOT is trying to leave the decision in the City's hands though they are not saying explicitly that this is impossible. In fact, with what has happened since the last time that Elmer came before Council, DelDOT has already started the TIP process. And he would question why they are looking at putting a TIP here if they're not anticipating any development.

He stated again that his opinion again is in fact that DelDOT may be expecting development will occur on these parcels and they want to make sure that area is encompassed within the TIP so they can reap the benefits from what they get from the developers.

A TID is a designated geographical area where DelDOT is expecting development. They then ask the developers to pay into the TID. Then then take that developer has paid and use it where it is most beneficial to the public. In this case, DelDOT is saying that instead of a developer paying for improvements on his property, maybe it is better that improvements are made elsewhere. DelDOT then has modeling and the back up to do that within their agency.

He also noted that the other thing DelDOT started doing is developing this corridor capacity model.

Mr. Schmidt finds it is interesting the timing of the TID in conjunction with this project and pointed out it is imperative that if the developer was able to get in, now is the time to do that. He wants to make sure this development is included in that corridor capacity model and do not want to come back three or four years later and have to revise the model and change how that affects the TID and have to repeat that process again.

He noted there were questions about why the model hasn't been finished yet, though he is unable to speak for DelDOT, but his opinion is that it is very fortuitous to everybody here that this project gets approved before that model is finished and the public hearing process.

Mr. Schmidt emphasized they do not want to take access off Bucks Road and took into consideration the concerns expressed at the last public hearing. He said that frankly Bucks Road will not work for what is planned here. If the entire parcel is developed completely commercial, they could come off Bucks Road, but there would be improvements to Bucks Road, including widening and drainage improvements. But they do not want to do that.

They do not want to send traffic through the subdivisions on these local roads and want to keep it on Route 1, where it best fits in with the traffic system.

From his previous experience, this is really the right development at the right location. There are great locations with bad developers that aren't well connected, and nothing will ever happen. There can also be great developers on a bad property and again nothing happens. When he looks at the acreage available along or adjacent to Route 1, he would point out that the Lighthouse Christian Church does not have good access to Route 1. There is a need to go down two local roads to get onto Route 1 and when exiting, there is no light. That is not a good access point and a bad location. Even with the best developer, it will not get good development there.

Silicato is a local developer and has got good connections. He has done pretty well developing his strip of land. Behind him is Sunnybrae. Mr. Schmidt cannot speak to how good of a developer, he is, he would also say that in that area, maybe there is a little more saturation of commercial. The things that are coming in there are taking the choice parcels that are along Route 1 and then slowly migrate back into the Sunnybrae area.

Moving further south, Bayhealth has 55 acres. His opinion again is that Bayhealth is holding those 55 acres for their own expansion in the future. He would summarize that they probably do not want to lock themselves in surrounded by either retail or pharmacies and then not be able to future developed that area. This is the right area, and we have developers, we have potential users that want to come here and have talked to his client about it. But they need to know they can get access and that the City supports it.

Mr. Schmidt said Mr. Fannin is the right developer and he is tied in and knows the realtors and the people that want to be here. He said think of the hospital, that is in a farm field. Every hospital in Delaware has medical offices around and restaurants and hotels. It has radiology and other services when a hospital comes in.

According to Mr. Schmidt, he has gone through himself, on the other side of the table. He lives right down the road from DE Turf. He thought the same thing and there would never be any development east of Route 1. But when a big growth creator and job driver, such as a hospital or a sports field, that development will come in one way or another. There had to be a plan where DE Turf ended up. They went through a process of developing of where commercial would be best. Where would residential be best, and it was in the best interest of the businesses and the communities. That is what he is asking for tonight.

He reminded Council this is the really the first step in a long process and they are just asking Council to support potential commercial here. He gets no commission to do this, and they cannot go build any commercial out of this. They cannot even tell people they are going to build commercial because they do not have commercial zoning. However, he is willing to go back to DelDOT and tell that that Milford supports commercial in this area as an idea, as an aspiration. DelDOT would then come back to him and say, the City has already laid it out and this is what they are looking at. DelDOT does not want to push the City but now that they support it, DelDOT will be able to start talking about access, updating the models and corridor capacity.

The next step will be for Mr. Fannin to start talking to some developers and talk to the City about utilities and get all of those ducks lined up. Then they come back and ask for a change of zone. That change of zone has to go through the whole process, PLUS, public hearings, etc. Everyone will have another opportunity to voice their opinion. It could be zoned to C1 or C2 and not just highway commercial. They are not at the point of worrying about the impact with noise, lighting, vehicles, screening, etc. All those things come later.

There being no further witnesses for the developer, Solicitor Rutt asked if there anyone present to speak in support of the application.

Dave Wilson said he is here for two purposes this evening and to clarify a statement that has been made that there was a letter read into the record last week at the Planning Commission meeting that was not created by him and that he was encouraged to write the letter. He wants to stand before Council and tell them tonight that is absolutely not true. No one encouraged him to do it and as a State Senator from the 18th District who represents all these folks that are out here this evening, 98% are in that district.

His reason for being here this evening, is when he looks at what has happened in Delaware and in Milford and in surrounding areas over the last fourteen years he has been in the legislature, he sees where growth is and sees what has happened. In 2007 and 2008, they discussed the highway, the bypass away from Milford and how to get away from Milford. He said that is not the thing to do and he recalls they were going to divide Lincoln. No—let's not divide Lincoln and let's keep Lincoln and Milford together. We are one community, and we stay together.

He was supportive of that. Then he came back and was quoted that day as saying he did not sign the letter. That is his signature and there was one sent to the Council for tonight and it should be in your packet, and one was sent last week. He stands by that letter, for the simple reason that we have got to take a serious look on where we are going to put commercial businesses on the east side of Milford; if you look on the west side, look what you've done to the City on the westside. You cannot get down 113 now on a Friday and Saturday night for traffic. Why is there traffic? He sits at a traffic light, then 76 vehicles go through from Fitzgerald's until he can get out on the highway at his place of business on Route 113.

He is not here to discuss his business he is here to discuss the future growth of what happens in the City of Milford. HE has been here for 72 years and can say that Milford was better served 60 years ago than they are today on commercial businesses.

He said let's go back and talk about what happened in Milford back in the 60s and 70s. A clothing store, Cooper Smith, Fischer's Furniture, JC Penney's, Derrickson's Men's Store, and a lady's stores. A person could go to Milford and buy a suit of clothes and you could go to Milford and do your shopping. A lady could get an evening dress. A man cannot even get a shirt in Milford with a button-down collar. So come on people, we have to attract businesses back to Milford that will take and serve. Why do people go to Dover, why do they go to Seaford, because Milford doesn't have what it needs right here in Milford. He wants to buy lumber, and does he want to go to 84 Lumber? No, they want to sell him a skid. He wants to buy four 2x4's 16 foot long. This is the reason to look at something on the east side of Milford.

The only reason he is here tonight is not because of the Fannin's. He could care less and would not care if it wasn't Joe Biden—he would be here tonight. If Joe Biden had this same application, Dave Wilson would be here tonight because you have got to look at growth.

When he hears there is 110 acres where 4, 6, 8 houses can be built to an acre, where is the traffic going to go. He said \$16 million of the taxpayer's money because Milford Hospital decided to go to the Fannin property. That is the reason \$16 million was spent and he does not know we need to spend \$16 million to get people off Bucks Road.

Everyone wants to go Rehoboth, wants to go to Milford. He appreciates everyone here. He has two comments. Two comments that were opposition to this. One of them said it will cost him his political career. If it costs him his political career, he is willing to give it up for Milford and that is where he stands, and he is willing to do that to save the east side of Milford.

He had one more comment that came over Facebook that they thought he was for farm preservation. Senator Wilson said he 110% for farm preservation. If he had his way, he would not have the development these people are living in. That is the reason issue and if you look at Dave Wilson as their senator.

He is here tonight to say this is not about Elmer Fannin and is about what is right. That area has been overdeveloped.

Knollac Acres is an example, Hearthstone Manor, Shawnee Acres, Matlinds Estates, West Shores, Sara Glen, Sugar Maple, Cedar Creek Landing. He is here to tell these people that there is a need to look at the future of Milford. He concluded by thanking Council for their time.

No one else wished to speak in support of the comprehensive comp plan change.

Cathy Luff of 15 Goldenrod Circle, and she is not in the City boundaries though her husband owns a business in Milford. Her question would this even be going on if the water had not been run under Route 1 to the east side. She has minutes from the time that was done, and City Council never approved the water be run to the east side of Route 1. The minutes state that because of questions from the legislators, public and the media now claiming this was approved as part of the 2008 referendum. When this was presented to the public, the law required the City to be very specific about the money they would use. There was nothing mentioned about extending water services across Route 1.

The residents had asked how that was done and nothing could be found in the minutes. They went back and asked again to show the approval to have this utility approved and the minutes state it was supposed to be approved, but instead it was just done.

There were questions in the minutes about the developer not paying for the extension of the water. It was also mentioned the burden should not fall on one person. They talked about looking at it to see about splitting the costs. She wonders if the water had not been extended east of Route 1, would this developer be willing to pay today, and she doubts it.

Knollac Acres President Steve Griffin of 30039 Stage Coach Circle, Knollac Acres, outside the city. He is also representing the 64 homeowners that live in Knollac Acres. He thanked Mr. Pierce for providing a lot of information today.

His understanding is the Master Plan was adopted in 2011 and zoned that land as low density residential. Mr. Fannin and his company purchased the land around 2016 after that plan was already adopted. He should have done his due diligence when he purchased the property if this was his plan. That is what you do before you purchase land.

Mr. Griffin also referenced Senator Wilson's comment that the Knollac Acres would not be here if he had anything to do with it. He said that may be right, but we are here. The fact is that land is zoned residential, Knollac Acres exists, and there are thirty plus homes around Knollac Acres, plus Hidden Acres and other homes down Cedar Neck Road.

He asked what the commitment to these residents is; he understands some are in the City of Milford and the rest are referred to as neighbors. One of the councilmembers today said that Council has an obligation not only to the citizens of Milford, but also to the neighbors of the City of Milford, which is us. He feels it would be moral injustice to approve this, which would open up the gateway for all of the commercial work, that they plan to chase after.

You want to talk about impeding on my backyard that borders this land. If Route 1 has an access road onto their property it is just going to push their buildings further back to my backyard. He does not want to sit there in the evenings listening to trash trucks, listening to tractor trailers, listening to all the commercial chaos that goes on in a commercial property.

The property is zoned residential, and it needs to stay residential.

Mr. Griffin hopes Council votes against this and to keep that property residential and not change the zoning.

Bryan Shupe of 30048 Stage Coach Circle, Milford, apologized for being a little late. His little girl had little league and it was their night for the concession stand.

He stated that he served alongside of you all as Mayor now the State Representative but comes before Council tonight as a resident of Milford. It has been said that we aren't people of Milford or are not residents in Milford. He knows he surely is and has had a business there for ten years. They recently rehabilitated a 20-year vacant building, and he knows all of these people pay their state and federal taxes which help pay for our state roads, helps pay for our parks, helps park for a lot of things here in Milford. Again tonight, we have heard the applicant representatives say that the City representative or the

representatives of the State agencies are incorrect about something that they've told you. He would like for us to just recognize and listen to the people that we know we can trust.

We know we can trust our City Planner; we know we can trust our Planning Commission; we know we can trust the Planning Office of Delaware and we know we can trust our own comp plan. And that is what he is asking Council to trust in tonight and to trust tonight the things that we know that we can trust. This is the decision today and do not let anyone tell you that it is not. Because here is what does happen though he knows a lot of the Councilmembers already know it.

Once the comp plan says this is commercial, that will be the exact argument that's used to make it commercial and the reason to rezone it to commercial. That is what the comp plan says and that is what you said as City Council. That is what we need it to be. That has been used as an argument over and over and over during the years, so this is the decision tonight that matters.

Now, again, let me reiterate that we have 245 vacant acres of commercial property on Route 1 and 397 acres of commercial property vacant in the City of Milford. We are there and we have the property to become commercial and fill those voids. It is about the density of people that these large commercial property owners are looking for large outlets. We do not have that, and he knows because he has talked with them personally.

All of our commercial properties, right now, whether it be Milford Plaza or Airpark Plaza, all have some sort of road or infrastructure. Even the hospital has some sort of road or infrastructure between them and the surrounding houses or residential areas. This property would not and would back right up to these neighborhoods. And it will allow up to three and a half stories of commercial property butting up to residential areas. He does not think that is the type of town he wants, nor does he think it is the type of town that Council wants. Instead, we want smart, clean, quality growth that takes all residents into consideration. For that reason, he respectfully asks that this comp plan change is denied.

Vicky Pritchett of 107 Hickory Branch Court, Hearthstone Manor, resident. She has lived in Hearthstone Manor since 2007. She would like to address something mentioned by a real estate agent at last week's meeting. He had commented that the Fannin's, Country Life Homes, and Mr. Wiggles were ethical.

This may seem off topic, but I believe that, whether or not we have conducted ourselves in an ethical manner in our past can be an indication of whether or not we will do so today and in our future. She has personal experience she would like to share, that she believes is pertinent to the important decision that we are asking our City Council to make.

About four years ago, many of the balconies failed in some of the condominium in Hearthstone Manor. A claim was made with the association's insurance company. They sent a structural engineer who reported that the failure was due to faulty construction, so the claim was denied. Country Life Homes built the buildings, yet the association of whom Mike Fannin is the President, imposed an assessment of approximately a half million dollars against the homeowners to pay for those repairs.

She had a meeting with Mike Fannin and the Property Manager and asked for an estimate for the repairs. Prior to that, I had written multiple letters to both of them asking for the repair estimate. Three years have passed, and she still does not have a copy of the estimate. She does not know how much the estimate for the repairs was or how much the contractor was paid.

Instead, she was forced to pay the assessment, because a lien was going to be placed on her home.

She has two rhetorical questions. If she was a contractor and, for example, had installed a window in someone's home that ended up leaving because I didn't put the proper flashing on, would it not be ethical for me to make the repairs?

Her second question is if she sent a bill, wouldn't it be ethical for me to be transparent and forthcoming and provide you with any supporting documents that have been requested.

When the applicant says they are simply asking for an opportunity, she says that if a person does not have a strong sense of ethics, one cannot rely on their intentions.

Thank you.

Howard Webb of Cedar Neck Road stated that any decision made tonight should be based on the facts that we have today. Not on what someone hopes will be down the road somewhere. The applicant's property does not have access to Route 1, nor does it have access to Cedar Neck Road. It could be on Bucks Road, but Bucks Road has very limited capabilities. What it boils down to is our applicant's property has a location problem. And that should not be a city problem.

He asked that Council to take that into consideration and thanked Council.

Peter Goldring also lives on Bucks Road, which seems to be about to get significantly infected. To begin with, we have what looks like a forthcoming residential development on the east side of the road which will add to traffic. When we moved there, we were aware that was probably going to happen. This development doesn't seem to have really considered what it is going to do.

He stated he is also an architect. He noticed that although the engineer got up today and 'described' sort of the roadways and what 'might happen' if it all worked out. Their plan, which they did provide, doesn't show those. It doesn't show how it's accessed. If you count the number of parking spaces on that plan, there are 4,500, give or take a few. If you start treating how many cars that means, it goes to a much higher rate.

The State has already sort of stated, the only way they are right now is Bucks Road. It seems to him if they really want to try and propose what they presented, before they come asking for a change, they really have to do their work, their homework. He does not see it as workable or justified for the community. He sees, as others have seen it before, that somewhat the east side of Route 1 was going to remain mostly residential and farmland. Partially because of the way development occurs and partially because Delaware is pretty low and there is this inference that sooner or later, the water is going to start coming up.

There is a question. The hospital is on the other side, it is higher on higher ground, and it has a good term. They looked when they bought their place. Yes, it is higher than if you go farther east, they were fighting that question. They could have bought a residence farther toward the bay, but they would have found themselves in lower land with questions that go along with that.

He does not personally see this development as particularly beneficial to the way the town works. He also notes that Silicato's development has been mentioned. He wasn't here when it got developed or saw it's a design. But Silicato has a service road and works off the service road. And yes, it gets traffic to Route 1 but was planned with a service that mostly in one direction, and you can get across, but it has a limit that way.

Lucius Webb stated he is a resident of Milford, and his property backs up to Buck Road. He graduated from Milford High School with Senator Dave Wilson and are now almost 73. His family has lived in the Milford since 1867.

He respects Council because they have wisdom, and your wisdom becomes and starts by knowing who you are. Some of Council has great integrity or hopefully all of you. I have heard words at some of you, most of your campaign money came from Mr. Fannin, especially when they were running against Archie for the Mayor position.

He respectfully asks that person to recuse yourself from this vote, because you are prejudiced towards this request.

Thinking about traffic counts, the average homeowner does 10 trips a day or unless a senior citizen, does three trips a day.

The average commercial property of 100,000 square feet generates 5,000 trips a day. Extrapolating those numbers and we are talking about 4,000 to 6,000 trips a day as it is currently planned as residences. If it converts to commercial, it goes up to about 55,000 trips a day. Locally, we have a Wawa at the corner of Route 113 across from the bowling alley. From just that site, there are 5,000 trips a day going and coming.

He is here to answer any questions because he has been involved in residential and commercial development and believes commercial development is not the way to go here. He thinks this man who applies is a wise man, even though his integrity

has been questioned. He thinks he is very wise and thinks it is prudent to think residential is the highest and best use unless he is willing to sell it to the City of Milford for open space or farming.

This property was acquired in 2010 and 2014. The 70-acre parcel was bought for \$1 million dollars and the smaller parcel was bought for just over \$500,000. He stated those are really good values for the money and he will make a lot of money, if he sells this. A Wawa or Royal Farm currently pays about \$4 to \$5 million for pad site.

Mr. Webb said he appreciates Council's wisdom and consideration and the right choice to recuse themselves.

Chad Roberts of 20951 Surrey Court in Knollac Acres and his previous address was 7145 Wilkins Road which currently has an overpass over it. So, the thought that people in Knollac Acres are not willing to invest in what is good for the town is false. Because his old living room has an overpass going through it. When they heard about that, they didn't fight it and actually went to the State and encouraged them to get it done early because they watched motorcycle fatalities on two consecutive weekends. The thought that everyone he is against change is not true.

He then noted that there are 63 homeowners in Knollac and every one of those residents made a significant investment in that development with their homes. Mr. Roberts does not think that should be ignored because one developer made an investment of \$1,400,000. The property owners of Knollac Acres have invested far more money in their homes and did so with the thought there would be no development adjacent to the development other than houses.

He walks his dogs in the neighborhood constantly and talks to his neighbors and has never heard anyone say they would not welcome houses which is what this property is zoned for and has been zoned for. No one has said let's bring a convenience store or a big box store next to us. All those residents made investments for quality of life, and he does not think that should be ignored, just so somebody can make a few extra bucks.

Donald Morin of 30051 Stage Coach Circle in Knollac Acres. He stated his wife and he recently retired from the US Air Force after 35 years up in Massachusetts. His wife went from Delaware, and when he retired, were looking for a place to live for the rest of our golden years. His wife wanted to come back here because she liked the place so much. He wanted to go to Florida because it was warmer.

They looked at the areas and both looked at over 100 houses in Milford, Georgetown, Lincoln areas. We chose Knollac Acres because it was a very quiet neighborhood, great neighborhood for kids to grow up in. Like the previous gentleman said, to walk their dogs. He sees everybody walking their dogs around the neighborhood. Everyone is friendly and it's a quiet neighborhood. If we put up commercial property right next to that neighborhood, it is no longer quiet and it is not a neighborhood that he wanted to retire in. Crime will go up; we will have to worry about people climbing the fence in our backyard from the commercial property. People parking their cars overnight there because they have no other place to go.

That all needs to be taken into consideration. The actual amount brought up to the Planning Commission was 62% of commercial property is undeveloped on Route 1. And that was brought up by the three people who voted to deny the request. Putting commercial property in a residential neighborhood is not right for Milford. All you are doing is looking for trouble and it will find us.

I grew up in a small town where they put up a casino in the area and that town went to crap. Obviously, this is not a casino, but it is still a commercial and will still bring in all kinds of crime, riffraff, and everything else. On top of the stores, they could put up two-story apartments and now there is a three-story building looking into his backyard.

He also noted there are commissions in the City, the Planning Commission and this Council, and there is a need to trust our fellow workers and colleagues. The Planning Commission decided that it was not right for this area. The two people that said they wanted to give them a chance, said let's see where it can go. Once it is approved commercial, it will never go back, and Council is stuck with it. There is a need to support the Commission, they know what they are doing, they did their research and decided this was not a good area for this, and voted no.

Olinda Coverdale, of 30069 Stage Coach Circle, said that is her married name and she comes from Lima, Peru, a little country in South America. Milford is the only town in the United States where she has ever lived and that's because she

married her husband, who's family is numerous. All live in the City of Milford, even though they don't live in the City of Milford and all vote in Milford, for reference as what the lawyer expressed.

She came from a capital city with 10 million people and when she came to Milford, she felt like she was living in the middle of nowhere, because it was so quiet and she thought if something happened to her, no one would ever come to rescue her, because it's so desolate. But she lived on Highway One and thought it was too quiet even though there are trucks traveling all the time. But there was a point where, like her other neighbor said, she decided to live somewhere that was safer. They sold that house, used all their savings, and moved to a place where they thought they could have that.

And now the rules are changing, and she appreciates the Planning Commission forming that first meeting in May, because they had the chance to talk to the people from the Department of Transportation, ask them questions and they were very emphatic about it. There was no what if and they said there will be no access to Route 1. Whatever the developer wants to do, will have to come through the back roads. They might form a commission and she requested a number, because she said she wants to participate in those meetings. But they haven't sent me an email to reply back with the dates of the meetings where they are going to have this supposed corridor. So basically, what the developer is asking is to give them a blank check. If maybe DelDOT approves, then we will see. But as the lawyer has said several times, once you change a zoning of a place, you cannot change it back, because then they can then sue you for loss of income.

They have regulated all this with DelDOT, and they have a clear plan of what they have to do. She thinks we need to trust the master plan that so many professionals have worked, and they know the City of Milford and she is respectfully requesting from Council a denial of this request.

Paul Czapowski of 30080 Stage Coach Circle stated that a lot of my thunder and what he wants to say was already said by others. He is also a United States Marine-a proud Marine, but don't hold it against him, that he comes from New Jersey. His wife told him not to say that, and he said why, why wouldn't I say that; that is where I grew up and was born and raised up there.

But being in the Marine Corp and what he has seen and done, is not a laughing matter. But he loves Milford. It is quiet and peaceful. That area where they're talking about building this commercial. He saw it in Jersey and that is why he left Jersey, because it was getting built up, and it became crazy. He just wanted to leave and get out of Jersey and go to a place where it's nice and quiet.

But he found this beautiful town called Milford and Knollac Acres. There are other developments that he didn't realize where there and it is a beautiful area if someone has not been back there. It is just not Knollac Acres, there is a need to talk to the other people that live there, and they are all opposed to this whole commercial concept as well. It is quiet and yes, there is a hospital there, but it's quiet. It does not border right up to the back of somebody's home.

It is not going to change the structure of the flow of traffic in the summertime. He recalled there was a death last year, when he was coming home from Rehoboth, which by the way, has every retail store you can imagine, which is just fifteen to twenty minutes down the highway. Anyone can just go there and get what someone needs, as far as nice shirts and all that good stuff as the Congressman mentioned. That aggravated him me when he said things like that. He was against us. There are people there that will make families and traditions here in this in this town that are just unspeakable what they can do for this town. Meanwhile, they are going to bring in people with big money to come in and make money off of us, and just ruin the town.

And who is going to pay for that? The taxpayer. The hospital is a great thing there. He said he is 55 years old now and he can use that hospital across the road. But they have properties, and he knows they're going to develop it. They are going to put doctors' offices there not a Wawa.

The flow of traffic is not bad there, but once you put in that commercial, it is going to change that area and it will get worse and worse and more accidents are going to happen. Just like last summer when somebody got killed making a u turn there. He doesn't even take that u-turn there. He goes past there and though he doesn't know the name of the road, he goes over the overpass, and he takes what he believes is Bucks Road, which is the backway into his development, because he is afraid to go there. And he is a Marine, but he is afraid to make that u-turn, because it is hard to judge how fast people are moving.

As far as paying for the roads, we are all going to pay for the roads, believe it or not, and our taxes pay for all of that. It doesn't come out of thin air and the developer will find a way to get out of it. He has people waiting to come in there, just salivating to come in there and develop this property and do whatever. Please don't kid yourself. He has stuff lined up or he wouldn't be going through the trouble he's doing by hiring a lawyer.

He is sorry if his investment wasn't well thought out. That is not his problem, but this is a beautiful area and all he is asking is to keep it that way.

Debbie Campbell Gibson, of 103 Hickory Branch Court, Hearthstone Manor, Milford. She stated that back in 2016, we went through this process and a lot of information was provided to us then. At last week's meeting, there was a little bit more than has been offered so far. There are some environmental concerns, and this is not her area of expertise, but I am concerned about having all that additional black topping and how that can affect drainage in the area, especially with the lower water table.

There are environmental concerns and for many of the residents in this area, quality of life. And she did not want to beat the dead horse that everyone has already mentioned. But this kind of development could really change the area, which really is heavily residential and that is what it is zoned for. When that land was purchased, the buyer/owner knew at the time it was zoned for residential. That was then and still is the intention in the master plan that was adopted at that time.

She stated she is all for change and all for development, but there is a need to really look at smart development and really look at do we need something right on Route 1. Mr. Wilson alluded the traffic problems on Route 113 on the weekends. But he also needs to look at Route 1 which is crazy in the summertime and that has already started. Traffic is very heavy and has been.

She made the mistake of not long ago, of going south on a Sunday and realizing how long it was going to take to get home, they ended up taking the back roads home because it is already getting that thick with traffic. She can only imagine adding more commercial development in that area that's going to bring more vehicles that we do not need.

As was just pointed out by the gentleman before, Milford has mostly what the residents need. If she needs a dress shirt, she hates to say it, but she orders it online and it arrives quickly. That is the other point—there are a lot of vacant commercial buildings in Rehoboth, Lewes, and Dover. The Dover mall is falling apart, because so many businesses are not surviving the brick and mortar. The last thing Milford needs is more empty buildings.

She is sure that someone is willing to build there, on the backs of our residents.

Her last point as an owner in Hearthstone, she has been here 15 years, and when she purchased, she was told that once the development was fully done, fully completed that the homeowners would be in control of the Homeowners Association. But Mr. Fannin has chosen not to complete it, according to him. Over the past 15 years, the homeowners in Hearthstone do not control our own Homeowners Association and she honestly does not know if that will ever happen. She was led to believe that the homeowners would be in control of the association and that is who should control it. Realty is the property owners only have one vote and continue to be at the mercy of the builder.

She also questions integrity of the builder and she has no confidence that the development will happen for the betterment of the people. Instead, it will certainly be what he will want. For these reasons, she is asking Council to not approve it and once it is done, it is done and there is no going back. She would hate this development happen and then be stuck with a decision down the road that will be forced upon something that is not for the betterment of the residents and the City of Milford.

There being no additional people on line that wished to speak, Mr. Pierce was asked to read a couple of items that had not been included in the packet.

Planner Pierce stated that the first email was dated May 17th and came in during the Planning Commission meeting but didn't make it in the packet for this evening. It is from Barbara Anderson of 309 Matthew Circle, Matlinds Estates, Ward 1. She stated she opposes the zoning change and the rubber stamp of approval for development.

Milford has got to change and thought needs to be given to people who currently reside in Milford. And to continue to approve development, with no thought given to the increase in traffic is irresponsible. Please vote no.

The second item is a voicemail received by the City Clerk's office back around May 10th. Melody Olsen who lives on Route 36 east of Route 1. She stated she would very much like Council to not approve anything commercial east of Route 1. First, the residents were told there would be no commercial on either side of Route 1, and now there are businesses on the southwest side of Route 1 even though we were told there would be only residential on the east of Route 1.

Kathy Trombello of 6480 Cedar Neck Road stated that a lot of the residents have been through this before. On the other side of Cedar Neck Road, opposite of the land we're talking about now, there was a plan for commercial development that was in Sussex County, so it did not involve the City of Milford. The residents went down to Sussex County Council and had the same kind of discussion with them. Just for the record, she wanted everyone know they understood and sided with the residents and voted down the commercial development on the east side of Route 1.

Solicitor Rutt asked if there was anyone else wishing to speak or anyone who wanted to make a general comment; Larry Trombello of 6480 Cedar Neck Road. He stated we have seen here tonight how much effort and time, thought, and money, including taxpayers' money, has gone into the comprehensive land plan. He feels that after all that work, the zoning they came up with the agricultural and low-density housing, was probably the very best they thought should be in this area. So why again, after all, that work and money, should that zoning be changed because of the request of two individuals.

As he understands from the Planning Commission last week, both Mr. Fannin and Mr. Wiggles knew what the zoning was when they bought the land. So, he will ask the rhetorical question, why would they buy the land if they were not going to use it for what it was zoned for. He certainly wouldn't.

Mr. Fannin and Mr. Wiggles probably thinks the homeowners are trying to keep them from using their land. But they are developers, and they can build single family houses just as easy, as they can build commercial buildings. Let's stick with the plan and keep it residential and let's keep it a neighborhood.

No one else indicated they wished to speak.

Solicitor Rutt asked for a clarification. He stated there were comments by Mr. Griffin and then comments by some others regarding the amount of acreage that is currently within the city limits that is zoned commercial, and the amount of acreage along the Route 1 corridor. Questions were raised about the vote at the Planning Commission.

He stated that Planner Pierce did this inventory analysis on page 75 of the packet. He asked that be explained more and how that was determined so there is clarification for Council as to the basis for the vote at the Planning Commission.

Mr. Pierce stated they took their GIS layer for the C3 highway commercial zoning category, stripped out the right-of-way because the zoning categories sometimes extend completely across the roadway or to the center line. All of that right of way land, or any pieces of property zoned C3 that contained a structure, such as the Delaware Solid Waste Authority or the solar panel field on State Route 14, was removed. It was based or trimmed down to what was usable which leaves a total of 322 developed C3 highway commercial properties. That includes Milford Plaza, Riverwalk Plaza, Airpark Plaza, Cypress Hall Commercial and all those C3 properties that serve the existing community. All of that is situated on 322 acres of land.

He further explained that the remaining property, shown on the map as the darker red, is what the Planner consider as undeveloped are underutilized. That includes either an agricultural field or something that maybe underutilized that could contain a house or a couple of old homes that have been converted into commercial uses but could be purchased and conglomerated into something that could mass a commercial development, Within the undeveloped or underutilized areas, there was a total of 397 acres. That means everything that Milford has existing in the C3 zone on this available land.

He emphasized this is just C3 land and does not include the hospital health campus, it does not include the business park or office complex off Airport Road, or the downtown central business district. He is referring to only C3 highway commercial.

Mr. Pierce referenced the left-hand side that contains the values for the developed land, underutilized developed areas that were trimmed out for rights-of-way, or things that might be used for solar panels or quasi government uses. Also noting

there is another 40 acres in our comprehensive plan for some properties that we would allow to transition to commercial. However, those were not factored into some of the percentages that are in the column on the left. Though they could be considered for potential growth.

He reiterated the percentages are 55% of the C3 land currently within city limits is either vacant or underutilized which is the 322 to 397. And along Route 1, the southeast area has around 60 acres in between a property that is owned by Key Properties on the west side of Route 1 and the properties owned by Bayhealth. There is about 35 acres at the old marina on Route 36 and about 115 acres at the Route 14 grade separated interchange that is adjacent, has pretty good transportation access to Route 1, Route 14, Tenth Street, and that general area.

The Planner confirmed that there is also land still available up north of the city near Lighthouse is about 35 acres.

The analysis was done similar to what was recently done on the City's industrial inventory to help give Planning Commission and City Council an idea of what is somewhat in the pipeline for commercial growth.

When asked by Council if a service road was put into the property in question, how much acreage would that consume; Planner Pierce stated about 10% of the land or ten to eleven acres.

City Planner said he does not know the details about the construction contract of the water line, but the adoption of the Southeast Master Plan nailed down the City on certain commitments in this particular region and one was to design and construct a regional water facility which included the water tower and the water mains. That is how some of the water has been installed and Bayhealth has installed some of it through the site. Future developers can install portions of it, but the City is a partner in putting in the central water utility for the southeast area based on the approved plan. However, he can not speak to the specific that were referenced but did want to point out the City did make a commitment and the State was aware of that commitment. The document is on the City's website.

A question of whether some of underutilized C3 land would be able to support something as large as a Lowes or similar. Mr. Pierce stated one property that sticks out is the conglomeration of two large lots south of the Cypress Hall property that are owned by Capano Management who is also doing the Cypress Hill residential. That will have a service road constructed behind Route 113 that will come out at the red light south of the Seabury Avenue intersection.

He stated that in his opinion, that property could service a large box store if they wanted to move to the Milford area. There are also several pad sites out front that could support something similar to what has been developed along Silicato Parkway. It is not as large a project but could be set up similar to what is seen on the southside of Camden with restaurants and businesses out front. Though not quite as large, it could accommodate one or two box stores.

He shows it as being improved, but there are spaces between the commercial buildings in the shopping center that could still warrant some infill for some additional strip commercial.

Depending on what Bayhealth has planned, their property could house something large. The McColley Farm is certainly the largest conglomeration of undeveloped land that is in the City that could generate a large commercial center if the market warranted it.

When asked how the Bayhealth campus will be developed, Mr. Pierce prefers not to speak on behalf of Bayhealth.

Mr. Griffin then asked that of the 245 acres that was said to be C3 along Route 1, how many acres were in the southeast planning area; Mr. Pierce stated that the land planning area was originally east of Route 1, but the whole southeast area is about 60 acres and would include the nine acres currently owned by the Key Properties or one of the entities owned by Mr. Fannin. The tract of land across the street is about seven to nine acres and the 55 acres owned by Bayhealth which is 60 to 65 acres in that general area.

Mr. Griffin continued to speak but was inaudible (not at microphone). Mr. Pierce responded by stating that everything has a denial of access on Route 1, but the 50 acres at the Route 30 interchange he would consider having pretty good access. The 35 acres at the Route 36 interchange has pretty good access.

The Planning stated that the 245 acres, minus the Lighthouse Estates portion, maybe 35 to 40 acres could come off that would have pretty good access. He agrees with the statements made earlier that access to this general area in the north part of town is tough where the Hampton Inn is located.

Solicitor Rutt confirmed that no one else wished to speak and that those that wished to speak were able to speak at least once, and he closed the public hearing.

In addition to the two applications that need to be considered by City Council, Solicitor Rutt stated that Chapter 230-58D of the zoning code states that if the planning Commission recommends a denial, the change or amendment cannot become effective unless quote 'by a favorable vote of three quarters of the City Council'.

He explained that to reverse the Planning Commission, a vote of six votes would be needed.

Councilman Culotta stated he wanted to address Mr. Webb's comments about being financially supported. When he ran for mayor, he was financially supported by 20 or 30 people--all residents of Milford, State Cops, business owners, a wide variety of people that supported his vision for what he was running for at the time. In no way does he believe this is a conflict of interest because he voted on other things with the folks who gave him money were involved, both for and against, so there is a limit to how much can be donated to your campaign, and it is \$600 per person. That was all reported through the campaign finance reporting, which all this information is public, and anyone can find it on a web. It also demonstrates how it was spent and none of that money went to him personally, or anything like that. It was spent on campaign signs, buttons, things like that, so he does not believe there is a conflict of interest here.

Vice Mayor James stated that if there was a conflict of interest, Solicitor Rutt would have stated such.

Solicitor Rutt stated that everybody is free to donate to a campaign. As Mr. Culotta pointed out there was many people that donated, and it is all public disclosure. He does not see how someone can recuse themselves for that purpose. He knows that some people may think they should, but we are a small community, and he does not think that is a reason, in and of itself, to be recused. But that is up to the individual to make that decision.

Councilman Culotta said he could understand if he had a business relationship and built houses for the developer, or something like that, there would certainly be a conflict of interest there. But that is not the case here at all. He has to report that money and once over \$2,000 total is raised, it has to be reported to the Campaign Finance Committee for the State of Delaware and it's all public information.

Vice Mayor James stated with all the information being heard and all comments made, he will entertain a motion for the two applications.

Councilmember Boyle moved to deny the applicant's request to change the future comprehensive plan land designation for Ordinance 2022-23, seconded by Councilmember Baer. Motion carried by the following 6-1 roll call vote:

Marabello: I want to preface his decision and his decision is not personal at all and I will still greet Mr. Fannin and say hello to him. Any comments I make are not personal, but I have to do what I feel is best in his heart for the people in Milford. I would like to just make a few accounts. I am going to vote for the denial for a couple of reasons. I commented to Mr. Griffin, and I thought the viability of single-family homes across our area, from the Meadows at Shawnee, is probably very good. The houses in my development, which is almost a mirror image, are selling within weeks because they are designed right with spaciousness. That is one item. The need for commercial is suspect and you see malls failing and one person on the phone I think said so much more is purchased online now, and a lot of private little stores are failing. Overall, and I still think this there is enough room in town, even if it is set back, like the farm behind the Wawa. There are similar malls up in Camden. The main reason I feel it is not compatible with the residential feeling of that area and I have to deny it.

Boyle: I will vote yes to support the motion. Again, like Councilmember Marabello, there is no animosity here, no disdain for anything. I have looked at this with an open eye and full disclosure, I helped write the comprehensive plan in 2016 when I was on the Planning Commission. I understand it and I know why it's there. It is a commitment from the City to look to the future and decide what the City wants the areas to look like. I still find this is probably one of the hardest pieces

of property in the City to use for anything else but residential because of its access, its location, and in all honestly, it was bought with the full knowledge and understanding that it was going to be zoned as residential in the comp plan. And I find it hard to really go against the comp plan. I haven't heard anything new in the last four years about this, so my vote is to sustain the recommendation.

Fulton: I will vote with the denial. I was on the Planning Commission on the original denial, and nothing has changed. I do hope that other property has found where commercial can be brought in, but I don't think that this property with the access that's there is capable of supporting the traffic patterns. There is really not enough distance between where this commercial property would be and the residents that live there already. They are our neighbors, and we need to support them as well.

Culotta: I vote no to the denial, for the simple reason that this is just a change to the master plan and only allows a discussion about what possibly could go there. It does not guarantee that they can build anything tomorrow that can't break ground and there will be a whole lot of approvals necessary to get to that point. We are not even close. My concern is that urban sprawl with more housing over there and it is likely that the golf course will become a development.

And it is possible that if a Lowes were to go where Redners is now, in that shopping center, a lot of those folks that live in that part of town are going to come through Milford Ponds. Then we are going to get complaints about people driving through those developments to get over to those retail areas. I appreciate the residents that don't want this right next to them. I do understand that. But I was elected to represent the taxpayers and voters of Milford and not the 64 households that just simply don't want it next to them again. I don't disagree with them in this particular scenario, but he would rather look at the big picture here, so I vote no for the denial.

Samaroo: I vote for the motion to deny the application. I have nothing against economy growth. The reason I moved here is because everything is close by like the shopping center. But based on the citizen concerns and the Planning Commission recommendation of 4 to 2, and the traffic issues, are all concerns and I vote to deny the application.

Baer: Yes, I am going to vote yes to deny and the main reason I vote that way is because I really think it's important to take into consideration all the public comments that we've heard today. I don't think that neighborhood would really suffer with commercial development over there. I also want to support the Planning Commissioners' vote as well and they do good work.

James: I am going to vote yes for the motion that is on the floor. My reasons are this. I know that the issue with DelDOT in their approach to access is stalled and that needs to be fixed and worked out so Milford can know how to address the comp plan. He has also been on the Planning Commission and participated in writing comprehensive plans also. I know that the comprehensive plans' intents are and is relied upon for developers. It has been for and against us when people come back and make an applications for land use in the City of Milford. I am also concerned about the existing inventory of commercial also. That is not a fault of this developer that Milford has an inventory of commercial that hasn't developed, but it is a concern for the City of Milford. Before any further action is taken is recommended, he thinks there needs to be a lot more work done specifically with the City of Milford, the developers, and other stakeholders as well as DelDOT.

Motion was adopted by a vote of 6 to 1.

Councilmember Boyle then moved to deny the request to amend the Comprehensive Plan for Ordinance 2022-24, seconded by Councilmember Marabello. Motion carried by the following 6-1 vote:

Marabello: I vote yes for the same reasons I stated for the other one. It is just not compatible to be simple.

Boyle: I vote yes in accordance with the recommendation from the Planning Commission and also again, this is just a location that just is not going to work. I cannot see that it enhances anything, if it was approved as a commercial development, it would only acerbate the problem of traffic and congestion in the southeast area.

Fulton: I vote yes to deny. It could be a different situation if there were access roads, but there are not and there are no plans for them, and I vote to deny.

Culotta: I will vote not for the same reasons I stated earlier.

Samaroo: I vote yes for the same reasons I stated before.

Baer: I vote yes, and I just want to see the City Master Plan held up and supported.

James: I vote yes with concerns about the contingency of the master plan from DeIDOT.

The vote passed by a vote of 6 to 1.

A short recess was taken at 9:32 pm.

Council resumed at 10:05 pm.

Adoption/ORDINANCE 2022-25/Chapter 84 Bicycles, Skateboards, and Other Conveyances

Article II/Bicycle Registration

Due to a problem with the publication, City Manager Whitfield asked that the matter be postponed.

Councilmember Marabello moved to postpone action on Ordinance 2022-25, seconded by Councilmember Fulton. Motion carried.

COMMUNICATIONS & CORRESPONDENCE

None.

MONTHLY FINANCE REPORT

Finance Director Lou Vitola reported the financial statements for the year to date ended April 2022 were included in the packet starting on page 211. Due to some personal time off to attend an event with his daughter out of state, he unable to meet with the City Manager and Councilman James to review a draft of financial statements though there were no major developments.

All four utilities remain stable and ahead of the FY22 budget through April. The general fund also remained ahead of the FY22 budget in total. The amount of the surplus dropped a little bit although the variance of the year-to-date budget was still sound and is expected and incorporated into the new seasonalized budget.

The cash movements in the utilities and the general fund mirror the operating results, so the cash balances and all four utilities are slightly up. The general fund operating cash balance decreased by about a half million dollars, which is the net driver in the total, also expected this time of year and should continue in May and June and through September in the general Fund until next year's tax levy is received.

The March and April reports are important, with respect to the budget. The year-to-date mark activity generally serves as the basis for the first draft of FY22. The budget projection that was reported in the initial address of the budget that was circulated to you before the hearings last week. The year-to-date March activities services as the basis for the first draft of the FY22 budget projection. And the year-to-date April is valuable to further refine the projection.

There was a lot of stability across the report from March to April. We do have greater clarity on the interim tax rolls and that helped refine the property tax projection for the year which is up a little bit.

Another period of Kent County sewer costs and I&I experience helped to refine the production and the budget for sewer, especially considering April had 42% more rainfall than April 2021. It was only 27% higher in volume and only 21% higher in terms of financial impact compared to last April.

Though not comprehensive date, it shows that something, over and above the weather, is helping with I&I at least April 22 verses April 21.

Councilmember Marabello moved to accept the April 2022 Finance Report, seconded by Councilmember Fulton. Motion carried.

UNFINISHED BUSINESS

Adoption/Resolution 2022-07/Updated Council Rules & Procedures

City Manager Whitfield reported the exhibit is missing and the City Clerk has asked to postpone action until the June 13th meeting.

Councilmember Marabello moved to postpone Resolution 2022-07, seconded by Councilmember Fulton. Motion carried.

NEW BUSINESS

Adoption/Resolution 2022-08/Schedules Board of Revision & Appeal Hearing

Required by the City Charter, the following resolution schedules the Property Tax Appeals, though our assessor normally handles such concerns in house.

Being a resolution, the floor was open for public comment. No one responded and the floor was closed.

Councilmember Fulton moved to adopt Resolution 2022-08, seconded by Councilmember Culotta:

RESOLUTION 2022-08 Schedules Board of Revision & Appeal Hearing

WHEREAS, the provisions of Article VII, Section 7.05 of the Charter of the City of Milford state that Council shall cause a copy of the General Assessment, as adjusted, to be posted in two public places in the City of Milford and there to remain for the space of ten days for public information; and

WHEREAS, attached to said copies shall be notice of the day, hour, and place that Council will sit as a Board of Revision and Appeal for said General Assessment.

NOW, THEREFORE, BE IT RESOLVED, that on Monday, July 25, 2022 at 6:00 p.m., the City Council of the City of Milford will sit as a Board of Revision and Appeal for the 2022-2023 General Assessment.

IN WITNESS WHEREOF, I hereunto set my hand and caused the Seal of the City of Milford to be affixed this 23rd day of May 2022.

Motion carried.

Adoption/Resolution 2022-09/Further Clarification of City of Milford Poll Workers' Salaries ©

Following the adoption of Resolution 2021-22 on November 21, 2022, relating to the payment of City election workers, additional clarification regarding full-time and part-time City employees was required. No other changes were made.

The floor was open for public comment related to the resolution. No one responded, and the floor was closed to further comments.

Councilmember Fulton moved to adopt Resolution 2022-09, seconded by Councilmember Culotta:

RESOLUTION 2022-09

Further Clarification of City of Milford Poll Workers' Salaries

WHEREAS, the City of Milford Charter mandates an annual municipal election to elect a Mayor and City Councilmembers, based on staggered two-year terms of office; and

WHEREAS, there is a need from time to time to hold special elections and referendums for certain annexations, city council vacancies, borrowing scenarios, and other reasons as governed by the Charter and Code of the City of Milford and/ or authorized by City Council; and

WHEREAS, over the past few years, we have seen the critical role our election workers have and how stressful the job can be; and

WHEREAS, these workers have been in short supply in recent years resulting in the need to ensure proper compensation is received for the rigorous work they do; and

WHEREAS, Resolution 2021-22 addressing Election Workers' pay for the purpose of retaining and hiring experienced poll workers to ensure City elections continue to be conducted fairly and efficiently was adopted on November 22, 2021 and became effective ten days later; and

WHEREAS, there is a need to clarify the rate that will be paid to City of Milford Full-time Employees and Part-time Employees.

NOW, THEREFORE, BE IT RESOLVED:

Poll Workers, including Non-City and City Part-Time and Full-Time Employees, shall be paid based on the job they perform on Election Day and any associated training as determined in the following table:

	Normal Work Day			Saturday	
	Non-City Employee	City Employee Exempt	Full-Time City Employee Non-Exempt	City Employee Exempt* & Part-Time City Employees	Full-Time City Employee Non-Exempt
Board of Elections	\$240	\$0	Hourly rate + OT over 8 hours	\$240	1.5 x hourly rate
Judges	\$200	\$0	hourly rate + OT over 8 hours	\$200	1.5 x hourly rate
Clerks	\$200	\$0	hourly rate + OT over 8 hours	\$200	1.5 x hourly rate
Training	\$50	\$0	hourly rate + OT over 8 hours	\$50	1.5 x hourly rate

Motion carried with Resolution 2022-09 replaces Resolution 2022-22

*Exempt City Employees that have election responsibilities as part of job description are ineligible for pay.

Motion carried with no one opposed.

ADJOURNMENT

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

Vice Mayor James adjourned the Council Meeting at 10:16 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Transcriber

CITY OF MILFORD
COUNCIL WORKSHOP MINUTES
June 6, 2022

The City Council of the City of Milford convened in a Workshop Session on Monday, June 6, 2022, beginning at 6:03 p.m.

PRESIDING: Mayor Archie Campbell

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

STAFF: City Manager Mark Whitfield and City Clerk Terri Hudson

COUNSEL: Solicitor David Rutt, Esquire

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 were held in the Council Chambers at City Hall though attendees were able to participate virtually.

Comcast Presentation

Chris Comer, Government & Regulatory Affairs

Mr. Comer addressed Council stating it has been a crazy two years and there has some positives that have come out of it. Comcast is constantly investing in our network and trying to make it a faster, more reliable network. That is something ongoing and not just a one-time capital investment. When there were many people working at home, the reason that the network didn't fail was because of that and that investment continues today

During the pandemic, a couple things were done to keep people connected for families that were struggling to pay their bill or couldn't afford service. School was shut down which was a trying time for families. He has children and appreciates the challenges that came with having kids at home while the parents were trying to work.

With the internet, they offered essential service 60 days of free service for anyone that signed up. The speeds were doubled for the internet essential service, which is their low-income service for \$9.95 a month.

There are 6 million Wi-Fi hotspots throughout the country, and they were opened for non-Comcast customers, so people could go in and tie into those networks and stay connected.

The pandemic was the kind of importance of having broadband and the spotlight and recognition of that. Comcast worked with the State of Delaware and when there were some care funds available, they worked to extend service to a number of homes and believes there were around 150 homes. Now with some of the additional funds available, there are over 7,000 unserved homes in Kent and Sussex Counties they will be working to connect over the next two years.

Comcast continues to look towards the future. Currently, the highest end of the standard residential service is around 1.2 gigs (G) that's available. Fiber can be brought to a business and to a residential customer if they are close to their nodes. The 1G seems to be sufficient, but looking towards the future, they are working to offer 10G service and that is being tested in the labs with a new cable modem.

Right now, the fiber optic nodes that serve communities have gotten smaller over time.

When Mr. Comer first started back in 2000, perhaps there 1,500 or 2,000 homes being served by a node. Now those nodes are being pushed closer to the homes serving 10 or 20 homes. With those nodes, some of the electronics are analog and they are being switched to digital and is part of the path toward 10G.

In March, the following upgrades were offered at no additional cost to the customer:

Extreme Pro will increase download speeds by more than 12 percent and upload speeds by 33 percent, from 800/15 Mbps to 900/20 Mbps

- Blast! will increase download speeds by 50 percent and double upload speeds, from 400/10 Mbps to 600/20 Mbps

- Performance Pro will increase download speeds by 50 percent and double upload speeds, from 200/5 Mbps to 300/10 Mbps
- Performance upload speeds will double from 100/5 Mbps to 100/10 Mbps
- Performance Starter upload speeds will double from 50/5 Mbps to 50/10 Mbps

With Xfinity Gateway, they are focusing on the Wi-Fi coverage within the home and making sure it is the best coverage available. With that, there's an advanced security that has Norton's virus and other anti-virus anti-phishing software to prevent a customer from purchasing that for each computer.

Xfinity mobile is a new product that relies on a partnership with Verizon Wireless. They use their backbone and the Wi-Fi in the home or the Wi-Fi hotspots to connect and are able to provide that service at a discounted price.

For low to moderate income individuals, there is a new federal program called the Affordable Connectivity Program (ACP). The affordable connectivity program was launched in March and provides a \$30 discount toward broadband service. There are a number of providers participating in that program. For Comcast, it can be used for the Internet Essential Service. Traditionally, 50MG was offered for \$9.95. During the pandemic, they determined the larger families or someone streaming video service see on YouTube or Disney Plus or Netflix, it may not have been robust. With this new service was offered called Internet Essentials Plus for \$29.95. It is 100MG and allows streaming or anything else to be done in the home without any issues.

If a customer is happy with the service at home, and perhaps someone signed up for a \$99 promotion, the customer can still keep that current service you have. If eligible for the credit, it can be applied to the broadband service.

They are talking to community partners and Mr. Comer appreciates opportunities like this to come in and let people know. He wants to make sure anyone that is eligible can sign up and take advantage of it.

Eligibility Criteria:

- At or below 200% of the Federal Poverty Guidelines; or at least one of the following:
- Participates in certain assistance programs, such as SNAP, Medicaid, Federal Public Housing Assistance, SSI, WIC, or Lifeline;
- Participates in the National School Lunch Program or the School Breakfast Program, including through the USDA Community Eligibility Provision;
- Received a Federal Pell Grant during the current award year; or
- Meets the eligibility criteria for a participating provider's existing low-income internet program (e.g., Comcast Internet Essentials)

During the pandemic, Lift Zones was started. Comcast partners with a community partner in an area and try and offer free Wi-Fi service up to 1G that could handle 30 students at a time. In Delaware, they partnered with First State Community Action Agency. There is a site in Milford where this service was installed, and they are getting free Internet.

Another priority is helping small businesses, but also social justice. They set up a program called Comcast Rise and for minority-owned or women-owned small businesses to get either a technology makeover or have someone from their business services side and our advertising side, meet with the business and find out how they are doing things and offer advice to the business owners. More information can be found at ComcastRISE.com.

Mr. Comer then spoke about their products, including Xfinity Internet, Xfinity X1, and Xfinity flex. The number of streaming companies have changed today. First there was Netflix and now there are five or six large companies and many small ones. For customers who are interested in just Internet service, but still want to have the flexibility of signing up for different services, this the Flex box comes free for Internet customers only.

Xfinity Mobil comes unlimited for \$30 a month and uses that Verizon wireless back and balancing it with Comcast's hotspots or in-home Wi-Fi helps deliver that with the best price possible.

He referenced the questions about the different channel lineups between Kent County and Sussex County and the fact that Milford is unique and part of two different counties.

Mr. Comer's understanding is the DMAs are set by the Nielsen ratings company and they are the ones that determine what is considered local to each community. Comcast does not have control over that, but Sussex is part of the Rehoboth DMA. That is primarily the Salisbury channels that are the in-market broadcast channels.

In March, Comcast removed a number of out of market channels in Sussex County. Most of those channels were under non-duplication requirements or protections. If the in-market station invokes the non-duplication requirements or protections for any of the national programming that is distributed out of market, Comcast has to blackout that program. The in-market want you to watch a popular show or game on their channel and wants that programming blacked out on other channels.

Syndication requirements invoke that and involve any syndicated programs like Friends or Seinfeld, that are available to purchase. If they invoke that protection, then the in-market has the rights to Seinfeld. When the out of market carries it, it has to be blacked out. It becomes a challenge to try and block all those out. But it is also a lot of duplicated programming other than the local news, which anyone can watch live on a news website.

Comer stated that if Comcast did not follow those rules, they could be fined by the FCC.

Dover is part of the Philadelphia DMA and Philadelphia are considered in-market stations.

Layton

They do some of the Salisbury stations, which are out of market stations in the Kent County area but because they are Nielsen or rating powerhouses in the Delmarva area. However, they do not have any blackout protections and it is a little easier to carry those.

While they provide fliers in English and Spanish, Mr. Comer confirmed they have fliers in Creole and will send a digital version and order the others which takes a few days to receive.

Employee Introduction/Electric Director Tony Chipola

City Manager introduced Director Chipola who began May 23rd. He is responsible for the direction and supervision of our electric department, including operating and maintaining the City's electrical system, couple calls, installing new aerial and underground lines, and performing the maintenance of those existing lines, as well as planning for future infrastructure, modernization of our system, SCADA, and everything electric.

He joins the City with 17 years of electrical engineering experience, including substation and distribution engineering, relay development, SCADA system knowledge, electrical planning, forecasting and solar experience. He is a graduate from Drexel University with a bachelor's in electrical engineering. He began at the City of Vineland, New Jersey and served at Exelon his past fourteen years.

Director Chipola said he very excited to be here and everyone has been fantastic so far and has taken time to show him the ropes. He hopes he will do the City proud and hopes to bring a lot of knowledge here and hopes to keep improving the reliability rates and start being prepared for all the new technologies coming in. He believes this is a very exciting time to be in the in the industry and he definitely looks forward to work with everybody.

DEMEC Presentation/Indian River Generator

The City Manager then introduced President and CEO Kimberly Schlichting of DEMEC who will be updating Council on the cost of power and things that will be affecting us in the very near future.

She stated she wishes it was better news, but we are not alone in what she will be talking about.

She then proved a very quick overview of DEMEC stating DEMEC is a joint action agency that represents the eight municipal electric utilities in the State of Delaware and Milford is one of its members. Primarily the biggest service they have done from the beginning is power supply, but there are also other services for renewables, legislative representation, training, and a host of other things. DEMEC was formed in 1979 and since has provided its members with the different types of services.

Tonight, she will talk about what is happening with Indian River, and natural gas prices and how they are affecting the power supply rates that the City and its customers are ultimately going to be responsible for paying.

Indian River generator is located in the southern part of Delaware and has provided a lot of reliability to out peninsula, supplying power needed and some other related services. Over the years, legislation leaders wanted to get away from coal and clean up our energy portfolio. However, DEMEC was very concerned years back when the conversation started about closing down Indian River. If it goes out, at one point they were concerned the peninsula could go black because we were dependent on it. Though not as dependent on it today, is still needed.

Indian River decided they were going to file and close. PJM, the regional transmission owner, had responded back and said it cannot show down, your reliability must run unit and it is needed.

Indian River responded by stating if they have to stay on, they will make the filing so they could be made whole and stay on as long as PJM requires. On April 1st, a filing was made for cost-of-service rate recovery. They were going to get into some of the costs to show some of the outrageous costs that will be imposed.

They put in the rates that they had to recover, and PJM agrees and says they will be made whole and receive those payments. Ms. Schlichting also found that the DP&L zone, which includes all utilities in Delaware, will go in effect June 1st. That provides no time to plan, and DEMEC has already provided all their members, including Milford, what the power supply would look like. Now, midstream of the year, and we're seeing some really heavy costs. DEMEC filed a motion to intervene and followed up later with additional comments. Seeing those impacts, they went to FERC, protest and to file a hearing.

Just approved this past Tuesday, it will be set for a settlement hearing and that will give the FERC attorneys and other the chance to talk about why the costs are exorbitant to the ratepayers.

Some calculations were done, and Indian River was claiming they needed almost \$70 million a year for their cost of service to stay online. That would occur over a four and a half to five-year period. That would be an additional \$460,000 a month that DEMEC would have to pay, or \$5.5 million a year, adding this is the lower end of the costs. There are additional charges that can added though Ms. Schlichting is unaware of all of them.

This did go into effect June 1st. DEMEC will know nothing until sometime in July, when all the bills from PJM for June usage are received.

The most frustrating part is there was no planning. Indian River being shut down has been discussed for years and DP&L knows about it, State Leadership and PJM. But where were people planning, so some replacement generation could have been in place, or the transmission would have been built.

When considering energy filing for \$70 million a year, she believes the fix is transmission lines. From what she knows today, for \$30 million a transmission line could do away with this which is less than half of what they are going to charge in one year. DEMEC continues to work their FERC legal attorneys and will be working with other partners to get some consultants in place to start challenging the costs that they are adding. Some of the costs that make up the \$70 million a year, DEMEC feels are unjust and unfair, and go back to costs that were paid that were paid to take care of certain emission issues, like back in 2008. Because of how long ago that was, they are going point out they cannot recover those costs that needed to keep the unit open for reliability. There is a host of other things they will be pushing at to try and reduce this.

She stated that unfortunately, DEMEC will be paying these charges, however they come through on the PJM bill and will be passed on to the members because DEMEC is non for profit and aggregate power supply for all members. DEMEC pays the suppliers and then the members pay DEMEC as the wholesale supplier to Milford.

The hope is to have the hearings done soon. Best case scenario would be to get a ruling in the fall that would reduce the amount of money being paid. But in reality, she does not see the costs done away with and believes we will pay it.

She also understands all this money is being paid for Indian River to stay online because in the case of an emergency, we need them and there is nothing that will make them perform. This means we will pay them to be ready, but if not, and they can't run, she does not believe they will be penalized and have to pay money back.

This will result in paying for a unit for reliability must run, and there's no guarantees that at the time that we need them that they'll even be available.

Ms. Schlichting shared that this unfolded rather quickly and caught a lot of people by surprise. She continues to ask how the closing going to impact DEMEC, and everyone was assuring her that everything will be fine. Then DEMEC receives this cost to serve rate filing. Not good for DEMEC, but they will do what is possible to help reduce the cost that will ultimately be paid.

She also noted that DEMEC does not count on Indian River for power supply and have no power supply agreements with them. But the way the grid works and is interconnected, it supplies other types of services. So even when it is not supplying services, there are other ancillary services they can receive revenues for. Even though DEMEC is not getting power from them, we will still be caught up in the costs to keep them able to run, and not only supply power, but any other reactive type services.

She confirmed that the charge will be based on the load percentage that Milford makes up of DEMEC. DEMEC, as a whole, is going to pay at minimum the \$460,000 because of the total number that PJM says we are going to be paying. We make up about 7 to 8% of the DP&L zone load. So that is how she came up with the \$460,000 and there are other charges that can be added that she has no knowledge of at this point.

Ms. Schlichting confirmed the \$30 million is the cost to have that transmission line coming from Maryland into Delaware. They are looking at a \$70 million a year for the DP&L zone charge. Then the \$30 million is a fix. But they are saying four and a half to five years.

Other Entities that have filed with FERC related to this docket include:

1. Independent Market Monitor (IMM)
2. PJM Interconnection
3. Delaware Division of the Public Advocate (DE DPA)
4. Delaware Public Service Commission (DE PSC)
5. Maryland Office of People's Counsel (MD OPC)
6. Southern Maryland Electric Coop (SMEC)
7. Delaware Energy Users' Group (DEUG)
8. Old Dominion Electric Coop (ODEC)
9. Maryland Public Service Commission (MD PSC)
10. City of Dover, DE

These utilities are not in the DP&L zone, but many utilizes are concerned.

The same type of thing happened in Mystic in New England. Customers got stuck with a high bill to give to a generator and was it really uneconomical for them to run or were they just looking for an easy revenue stream. People are watching Delaware to see what will happen because generation in other states is old and trying to be phased out.

The good news is the independent market monitor watches between PJM rulings and generation and advocates for things that are right to prevent market manipulation practices. As a result, there are a lot of other people who are fighting against this.

She recalled the Artificial Island, when Delaware was going to get stuck with a lot of the costs for only 10% of the benefit of the line going from New Jersey, passing through Delaware, and going west. People came out against that because we were going to be stuck with some really high costs and these costs are even higher than that issue.

Senator Carper was meeting with DEMEC and had to clear the items they originally planned to discuss and shared with him this information that she had not even presented to the DEMEC board. He was surprised and said this is not what they told him. This cannot be right and left rather flustered and his staff was going to be looking into this.

DEMEC hopes to partner with a couple maybe one of the or couple people on this list as they go out and get rate consultants to do the digging to find out what can be challenged. That partnership will be a cost savings to DEMEC too and the next step.

She again reiterated that these charges will not be eliminated but they will work to reduce them. The consultant said that perhaps it can be reduced from \$5.8 to \$5 though that will not move the needle very much. A \$60,000 a month savings over 12 months does add up, but it is not significant when you look at the total.

City Manager Whitfield reported that DEMEC has a rate stabilization reserve fund that the board uses to take care of substantial increases in utility rates. The board did vote for the first two months to take the money out of the rate stabilization reserve in order to pay for the first two months bills. That will provide an idea of what those bills are going to be moving forward before a power cost adjustment would be done in Milford, based on the charge from DEMEC.

The rough rate was around 5% and Ms. Schlichting believes it would add \$4 onto the wholesale power supply costs.

The public advocate was saying their residential customer base was going to see on average of a \$5 increase though she does not know what consumption that was based on.

She said the good news for Milford, when compared to the other members, are ranked fourth from the lowest rates. In her opinion, it is almost money for nothing and a lot of money for very little. But there is a need to have Indian River sitting there ready.

Ms. Schlichting confirmed this will impact all utilities in the DP&L zone which is the entire State of Delaware.

In addition to the increases in natural gas, Co-Op and DP&L will be raising rates. The Co-Op President informed her they were preparing for another rate increase, and she confirmed that did not include Indian River.

She spoke with one member who had calculated the Indian River increase and it was increasing their residential bill by \$3 to \$4. Today we are seeing high prices at the gas pumps, grocery stores, and other things, that they may not be surprised at the high prices being thrown at them.

Ms. Schlichting confirmed that a lot of this has to do with the drive towards the green energy and when you start bringing in those types of generation, the renewables, and especially the solar that's coming in, it competes in the capacity market and other PJM markets. Generation is great and can be diversified, but 100% solar but the sun is not shining in the middle of the night. It just can't work, and the batteries are not made yet. Pushing more renewables and solar in is taking away some of the capacity payments, so the capacity markets that generators get to help incentivize to stay running, is dropping. That is making very hard for them to be competitive, or to stay in.

She also talked about net metering legislation that she believes will be adopted this year. That will put the onerous task back on the developers or solar implementers who are putting things in and are paying their true costs. People who are not implementing it are not stuck paying for someone else's project.

They have also advocated as the State wants to increase the RPS. The sound of 100% renewable sounds very attractive, clean air and no emissions. The reality is the sun does not shine at night, there is a need to run the refrigerator all night and the batteries are not in place to make 100% sustainable energy.

Recently the State just passed legislation for a 40% renewable target. She thinks that when generation is producing, it should fall in those hours with the load it is doing. But legislation is taking those hours when solar is producing and letting it be applied to evening hours and that is not science. Councilman Fulton agreed adding it is just politics.

Solar has its place, but it is not 100% and there is a need to recognize it for what it is. There is a lot of moving pieces according to Ms. Schlichting, though DEMEC remains very active.

She also emphasized that when the City Managers sends out a call to action from DEMEC, there is a need for local legislators to get involved. The Governor wants to push through a piece of last-minute legislation related to climate change. And when Covid kicked in, they were no longer going to do these last-minute pieces of legislation. Instead, that everyone was going to work together, come together as the representative bodies to determine and negotiate what we can live with and come to a place of common ground. That was recently done with the net metering which she is hoping will go through this month. But now the Governor comes through with a piece and there has been no time to evaluate it. The Governor's office is saying this has to be passed because we are not going to meet our goals in 2030, noting that DEMEC members have already met the goals.

As a result, they need local legislators to call the state legislators and strongly oppose it.

Natural gas continues to increase and today it was at \$8. There are some projections for 2023 that it will come back down to \$4 or \$5. A lot of people in the industry feel that the increase is really being driven by fear. What we need to do is start getting more natural gas out of the ground and do production. We are at historic lows for storage.

The war in Ukraine is playing a part of it. There is just a lot of unrest and uncertainty going around. But really the fundamentals don't support that because there is enough in the ground that we can do this. They have to bring it out and people cannot keep sustaining these higher costs.

They are actively managing the purchase power costs as best as they can, with the resources they layer in at the right times. She anticipates the 100-day moving average will start creeping up in future years if we don't start seeing better natural gas prices. A good hedging policy is in place, and they know how to roll their purchases.

But if the fundamentals of the natural gas and fuel sources keep increasing, there is nothing DEMEC can do about that other than to say all utilities will be experiencing the same misery.

When talking about natural gas and electricity, Mr. Whitfield pointed out the price of power is very much linked to the price of natural gas. Councilman James added that natural gas has always been an indicator of electric prices because they're competing sources of energy.

When his business would hedge, block pricing--part variable and part fixed. When working with experts, they looked at natural gas futures, to provide an indication on what the electric futures will look like. That will closely predict the increase on a percentage basis.

When asked about wind solar, she noted that DEMEC was the first utility in the United States to enter into a power agreement with Blue Water Winds in April 2017. DEMEC along could not make that project to move forward. It was with the Mayors and Councils of DEMEC's membership to be a partaker in that project. Then it never happened. Now Maryland is looking into it and have approached DEMEC. They are looking at the costs and there remains a lot of uncertainty.

They have the Laurel Hill Wind Farm in Pennsylvania that is a 69-megawatt facility and is still not cheap energy. Though as other energy prices increase, it looks better. But there is only power when the wind is blowing and variable and not dispatchable like the Beasley Power Station in Smyrna.

Ms. Schlichting concluded by stating the City Manager will be receiving a form of resolution from DEMEC stating its positions and concerns with Indian River and encouraging our State officials to get involved and do something too. That may be sent out to Council for signatures or individual action.

FY23 Budget Wrap-Up

City Manager Whitfield hopes this is the final review of the budget and hopes Council will take final action at the next Council meeting due to the two-weeks needed by the Finance Department to switch over to the new budget.

He noted some adjustments, many of which were brought about by Council and the one being the additional \$65,000 added for Carlisle Fire Company. He believes there is a need for some type of performance-based criteria which can be discussed by Council.

Councilman Fulton pointed out the State of Delaware requires a scratch rate from them for funding. That is based upon them getting out for a call and that information can be obtained from the State and used as a performance marker.

There is a plan to have Carlisle come in for a workshop to talk about the future and how the City can assist them.

In addition, there was \$68,000 added for Office 365 that was previously scattered through various departments. About \$80,000 additional funding was added into the police and some of that relates to some liability with the upcoming retirements, as well as some money for the recruitment of a police chief.

Other items are fairly mundane. Changes in health insurance coverage for employees resulted during the recent open enrollment when some chose different health coverages that resulted in about \$260,000 in the operating budget. Also added was \$690,000 in capital expenditures.

All the questions asked are listed along with the responses.

Finance Director Lou Vitola referenced page 103 in the packet which is a change map and recaps those amendments.

That provides a complete summary of the initial draft of the budget (May 13th) and the current (June 3rd) draft.

Though there is close a million dollars added, the only true adds are called substantive adds on the next page. The \$267,000 in O&M and \$30,000 Parks Capital. All the additional dollars down in the utility funds in column F, total \$691,000, almost, after the reduction in general fund capital.

There is about \$765,000 in utility capital in F15, F16 and F18 for water, sewer, and electric capital. That is not new capital, but capital projects already approved in FY23 CIP. After another month of looking at balances and working through general fund reserve levels and funding availability, he was able to actually recommend funding for those additional projects with utility reserves. That is in addition to all the other projects that are already being funded with utility reserves.

Two numbers went up on each side of the ledger. There is more capital being funded out of reserves and greater application of reserves of roughly the same amount. That means we have a series of projects that we will really only be able to do and fund if successful achieving grants that we expect to get.

However, in the latest pass of the budget, it was the goal to try to fund and get as much of the CIP program approved with reserves as possible. In that way, if we are not successful with the grant, those projects can still be undertaken. Also, if the grant is only a match, we have the funding available in the approved budget for the project.

As much as could possibly fit within the constraints of the reserve funding was added to be approved in advance. He reiterated they are not new projects, just more funding approved through reserves.

When asked why the change, Director Vitola explained that really one more month of projections of the budget and the reserve balance. Also, the experience that we had as a department, and probably the input from department directors. There may have been a project that was planned for in the CIP, but wasn't able to be funded through the reserves, because we may have been a little bit too conservative. There was a need to apply and be approved for a certain grant and be awarded that grant funding before any dollars were loaded into the budget. Last year everything from the CIP was fit into the operating budget with reserves. Though we were conservative by leaving as we could to keep the reserves healthy.

In the latest round, Director Vitola took another pass through the reserves, and there was around \$380 or so thousand, after the reserve requirements and existing projects. If there is a handful of parks projects where the funding source was identified as a grant hopeful projects that were in the CIP for FY23 that Council backed by virtue of the approval in April, if that could be funded with what is in the reserves, why not fund them. If the grant funding comes through, it will be rolled back and reimburse ourselves.

But this is really just a one step forward from the May 13 budget.

When asked how Council will know the work will continue to obtain those grants and other money, noting this is very different that the way it was done in the past, Director Vitola explained this is based on all department's talents and efforts. When they look for grants, there is a handful that administration is responsible for and very few that finance is responsible for. They are on the back end of the grant and submit invoices and proof of payment to receive the funding.

It is the operating departments that are responsible for trying to solicit the grants. In most cases, there is funding that has been applied for in advance of the deadline.

Looking through the CIP, the total for FY23 should only be \$30,000 higher in this version for two of P&R's \$15,000 mowers from FY22 that are \$5,000 higher each. One other mower needs to be advanced in the FY23 which is \$20,000.

There are other projects that we already know cannot be started and involve \$1 and \$2 million projects unless we achieve the funding.

There is no guarantee, but all the department directors are responsible for making those efforts to minimize the City's out of pocket cash expenses.

Councilmember James pointed out that all of the enterprise business type funds and the amounts budgeted are lower than projected in previous years. The electric has \$2 million less or so, which is not zero that we are projecting to go into reserves. That means we still have an anticipated revenues greater than budgeted expenses.

When talked about rates and cost of service, Council looks at return on investment to make sure we are solvent in these funds long term. There remains the minimum cash requirement balance and the equipment replacement amounts. He asked Council to look at those two reserve amounts. He suggested they look through the budget line items to determine what has changed. If questions, they need to be asked of the City Manager and Finance Director.

Director Vitola agreed the FY23 budget is assuming less in surpluses in each of the utility funds than the FY22 projections and 21 actuals. Two years of uncertainty with Covid, where in FY21, there was an actual administrative directive to minimize costs because there was revenue uncertainty. Then in FY 22 we felt we were on solid footing and let's catch up on projects. But we could not find anyone to do the work, so expenses accidentally came in under.

He continued by stating the contributions to reserves in 21 actual and the 22 projections are just artificially high. Even though we are trying to work out being overly conservative in the budget, there is certainly still some conservative in the budget.

They will continue to be in front of Council with grant proposals, funding requests and bids.

Councilmember James said that Council wanted a lot of things done and wanted to be active. This reflects what Council had asked for. City Manager Whitfield agreed it is very aggressive. He believes we are going to tax our personnel to pull it all off.

He understands the concern about adding the \$690,000, but the alternative is to leave it out and then bring each individual project back to Council. Typically, each project is brought back before Council for some type of bid award. But we just know now, there is money available to be able to move forward. This is much easier for staff to know that there is a

committed funding source to move the project forward. There are always the hopes to have means of other funding and are always looking for that.

Once we learn what is in the infrastructure bill and the process, any project will be leverage with those dollars.

The City Manager also noted there are more needs that what we receive in funding dollars, particularly when it comes to lead service lines and water lines. He believes it is a high priority to address and it should be done as quickly as possible.

What the Finance Director has come up, with save Council and staff time, but we can always go backwards as well. That is Council's call.

Council commended the Finance Director and his staff for all their work. Director Vitola noted that Sandra Pack is the City Accountant and tons of credit goes to her and the department directors for meeting the deadlines and requests early in the process.

When asked about Carlisle's request for the additional \$12,500 for City residency incentives, it was noted that was offered by the City. Director Vitola added that was already in the May 13th draft. We received a property listing and were able to get a ballpark and it was around that number.

It was also noted that Council has a responsibility to make sure that fire protection is provided to the City as is required in the City Charter. However, that does not come down to forking over a lot of money to them or trying to meddle into other people's affairs. Council agreed it has to be a partnership.

There being no further business, the Workshop concluded at 8:16 pm.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

CITY OF MILFORD
COUNCIL MEETING MINUTES
June 13, 2022

The City Council of the City of Milford met in Regular Session on Monday, June 13, 2022

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 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 are held in the Council Chambers at City Hall with attendees able to participate remotely as well.

CALL TO ORDER

Mayor Campbell called the meeting to order at 6:02 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 April 25, 2022 and May 9, 2022 Council Meetings. Motion to approve made by Councilmember Fulton, seconded by Councilmember Boyle. Motion carried.

RECOGNITION

None.

STAFF REPORTS

Monthly Police Report

Councilman Boyle provided the monthly police statistics on behalf of Chief Brown.

Please see packets for staff reports. Monthly report highlights were provided by City Clerk Hudson, City Manager Whitfield, Public Works Director Mike Svaby, Planning Director Rob Pierce, Parks and Recreation Director Brad Dennehy, HR Director Jamesha Williams, Economic Development and Community Engagement Administrator Sara Bluhm, and Finance Director Lou Vitola provided monthly updates for each of their departments/offices.

City Clerk Report

Newspapers were discussed for future public notices due to the cessation of the Milford Beacon.

Monthly City Manager Report:

Public Works Department

Planning & Zoning Department

Parks & Recreation Department

It was suggested by Council that the various entryways into town be reviewed, and beautification improvements considered.

Also reported, the boards going out to the launch by the dog park are warped and need attention.

Though Chief Brown nor P&R Director Dennehy were aware, it was noted that several people have been seen carrying bags and are suspect of setting up domiciles there. Chief agreed to have additional patrol there during the evening.

Human Resources

Chief Brown reported the department continues to have four police vacancies and he is unaware of any additional officers considering leaving for another agency.

Economic Development & Community Engagement IT Department

IT Director Dale Matthews was not in attendance though his report was available for review in the packet.

Councilmember Wilson complained about the length of the mandatory cyber training and asked that Director Matthews consider shorter sessions.

Finance Department

Finance Director Vitola reported that at a minimum, a draft report of the FY21 Audit will be provided at the June 27th Council meeting.

Councilmember Fulton moved to accept all Staff Reports as presented, seconded by Councilman Baer. Motion carried.

WARD REPORTS & COMMUNICATIONS

Councilmember Wilson personally thanked the City of Milford, and in particular, Mayor Campbell and his wife, and City Clerk Hudson and her husband for the support given their family during the recent loss of her father-in-law who passed away at the age of 90.

UNFINISHED BUSINESS

Adoption/Resolution 2022-10/FY23 Operating Budget & Capital Improvement Plan

City Manager Whitfield referenced the resolution that adopts the City's fiscal year 2022-23 budget and the capital program and also authorizes the increase in real estate property tax.

The highlights from the four budget hearings were included in the packet, in addition to the questions asked throughout the process and the subsequent responses.

This year's property tax increase will be increased by one cent per \$100 of assessed property value, which is needed to balance the FY23 budget. The operation and maintenance budget is \$46,837,891; debt service is \$1,102,067; capital program is \$5,921,880 for a total budget of \$53,861,838. The real estate tax assessment will increase to .49275 per \$100 of assessed value.

Councilman James noted that the one cent tax increase was a decision by City Council and will occur each year for the next three years. This decision was made to prevent a five-cent increase needed to balance last year's budget.

The City Manager also noted the one cent increase is offset by again transferring \$100,000 from the real estate transfer (RTT) tax and moving it to capital. Because RTT is unsustainable and fluctuates each year, using it for capital is more prudent because capital items can be deferred though operational expenses cannot.

Mayor Campbell opened the floor to comments from the public. No one was present and no one participating virtually responded. The floor was closed.

Councilmember Fulton moved to adopt Resolution 2022-10, authorizing the FY23 operating budget and capital improvement plan and the tax increase of one cent, seconded by Councilmember Boyle:

RESOLUTION 2022-10
ADOPTING THE CITY OF MILFORD FISCAL YEAR 2022-2023 BUDGET & CAPITAL PROGRAM
AND AUTHORIZING AN INCREASE IN REAL PROPERTY TAXES

WHEREAS, the operating and capital budgets of the City of Milford for the Fiscal Year 2022-2023 were prepared and submitted to the City Council by the City Manager in accordance with Article VI 'Financial Procedures' of the City Charter; and

WHEREAS, the City Council was presented with the proposed budget following a comprehensive study and review while meeting in public sessions on May 16, 2022, May 18, 2022, May 19, 2022, and June 6, 2022; and

WHEREAS, this budget includes a property tax increase to pay for the overage of general fund operating expenses above what is presently received in real property tax revenues; and

WHEREAS, it is the responsibility and duty of the City Administrative and Finance Staff and Mayor and City Council to ensure the budget is balanced with future revenues equal to or greater than current expenditures/expenses; and

WHEREAS, a proposed increase in the property tax of \$0.01 per \$100 of assessed property is required in the FY23 budget; and

WHEREAS, in the opinion of the City Council, the budget accurately, as possible, reflects the city's anticipated revenues and expenditures for the fiscal year beginning July 1, 2022 and ending June 30, 2023.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MILFORD, that the City of Milford's Operating Budget for Departments shown under General Fund as Administration, Planning and Zoning, Code Enforcement and Inspections, Finance, Information Technology, Police, Streets Division, Parks and Recreation and Council; and the Water, Sewer, Sanitation and Electric Divisions was adopted and approved as the budget of the City of Milford for Fiscal Year 2022-2023 in the following amounts:

Operations and Maintenance - \$46,837,891
Debt Service - \$1,102,067
Capital Program - \$5,921,880
Total Expenditures - \$53,861,838
Real Estate Tax Assessment - \$0.49275 per \$100 of Assessed Value

Motion carried by a roll call vote of 8 to zero.

NEW BUSINESS

Parks & Recreation Advisory Board Vacancy

P&R Director Dennehy reported he does not currently have any applicants, but asked it be placed on the next agenda.

Councilmembers were encouraged to inform constituents of the vacancy on the board and to complete the on-line application for anyone interested.

Introduction/Ordinance 2022-19/Building Code Chapter 88

This ordinance amends Chapter 88 Building Construction by adopting the 2018 version of the International Residential Code, the International Building Code and the International Swimming Pool and Spa Code. Public comments will be heard at the June 27th Council meeting.

Authorization/Contract Renewal FY23 Contract/Planning & Code Department/First State Inspection Agency, Inc

Planning Director Pierce reported the Planning Department has utilized First State Inspection Agency, Inc. (FSIA) for residential and commercial building plan review and inspection services since 2017. The City has renewed contracts annually with FSIA for on-call services to assist the City's Building Code Official during vacation days, leaves of absence and/or increases in building permit activity. A copy of the proposed FY23 contract and fee schedule for review. There is no proposed increase in the fee schedule from last year's contract.

Councilmember Boyle moved to authorize the Mayor to execute the FY23 First State Inspection Agency, Inc. contract for ongoing on-call residential and commercial building plan review and inspection services, seconded by Councilmember Baer. Motion carried with no one opposed.

Re-establishment/Tree Preservation and Advisory Council

City Manager Whitfield referred to a current ordinance within the City Code related to a Tree Preservation and Advisory Council. Because we have an in-house arborist, there is a desire to establish the board that will provide guidance for a tree plan for the City, as well as species that would be acceptable for planting both in the public spaces and our parkland.

It would be beneficial to appoint individuals with some expertise, whether it be a horticulturist, arborist or landscape architect or those with expertise in this field.

Council was asked to contact individuals within their wards that are experienced in this area to submit the on-line application in order to get the Council established.

Adoption/Resolution 2022-07/Updated Council Rules & Procedures

Solicitor Rutt recalled during a recent workshop and meeting, the updating of Council's rules and procedures were discussed. The packet includes the result of those discussions.

Councilman Boyle questioned the roll call order that is alleged to change with each vote and asked if that was necessary; Solicitor Rutt said it does not, but it gives Mayor Campbell the flexibility. It could be amended, to say the order of the roll call may be changed at the discretion of the mayor. In that way, Councilman Marabello does not have to be first in all roll call votes.

Several Councilmembers agreed it would be beneficial not using the same order. It was agreed the Mayor would have the ability to change the order. Other items were also discussed including stronger language related to the distribution of items.

The floor was opened for public comment. No one replied and the floor was closed.

Councilman Boyle moved to adopt Resolution 2022-07, as amended, seconded by Councilmember Baer. Motion carried.

Authorization/MSD School Resource Agreement

It was noted that Finance Director Vitola negotiated the Police Agreement with Milford School District administrators.

Director Vitola noted that there are not a lot of changes, only that the costs have increased due to the MOU becoming stale over the past few years. Initially, it appeared this was a lot for the district to digest at first and were looking for ways to lessen the impact on the budget. The City was hoping to take a step toward the full cost recovery.

When he presented those numbers, based on a time split of when the officers serve the school district, which is nine to ten months a year. That split ended up being too much for the budget to sustain and the MOU somewhat muddled the responsibilities of the crossing guards. Then other services came into play such as Parks and Recreation. Instead, it was agreed to address those services separately and keep this agreement focused on the SRO's and the police.

A five-year period was used to get some stability and work toward the full cost recovery model. By then, it will be four- or five-years stale and the City will most likely be slightly under collecting.

He noted there is \$7,500 in increasing revenue every year FY27. The starting point is \$145,000 for two SRO's if elected though they now have the flexibility to select the number of officers. In addition, there is a \$5,000 50/50 cost share for the crossing guards which is equal to the \$150,000 previous costs. Then it will increase by \$7,500 for two officers, every year for five years.

Director Vitola noted there is also a provision in the MOU to auto renew with a cost escalator of 1.05%.

He feels this is fair for Milford residents to receive full cost recovery for any services from any City Departments, but also believe it is a fair contract for the school district.

The contract is also before the MSD Board for review and approval tonight.

Mayor Campbell expressed concern about only having two SRO's. Director Vitola shared that there was a period of time when only one SRO serving them, and the contract was rebated accordingly from \$150,000 to \$125,000. Chief said that is correct.

There is no longer three SRO's provided several years ago. Instead, they have hired Constables at a couple schools to backfill.

When asked how the elementary schools are covered, Chief Brown said one officers floats between all three elementary schools. In addition, there is one SRO on the Central Academy/High School campus.

The Chief noted this is because of staff shortages in his department.

The Mayor reiterated he is very uncomfortable with only two SRO's. Chief noted there are constables in those schools.

When asked if the agreement could be more open and based on the needs of the school district; Director Vitola stated it is and the school district has the ability to choose zero, one, two or three SRO's. But the police department has to be able to accommodate the choice. His understanding is they are comfortable with the two-officer model. If they prefer three SRO's, they will pay the additional costs as long as the department is able to provide the coverage.

When asked how many constables the school has hired, in addition to these two SRO's. Chief Brown said he does not know that number, though he is aware there is one at Banneker and another one at the Lincoln School.

It was agreed that the school district needs to determine the security requirements and needs. Then there is a need for our police department to be able to accommodate them.

Mayor Campbell said for the record, he does not agree with providing only two SRO's considering today's environment.

Councilman James emphasized the City is not in a position to dictate to the school such decisions; instead, the school district is a separate entity and needs to tell the City what is needed. Then the police department can be addressed how to accomplish that as far as the number of SRO's and resources they need. He said this is the responsibility of the School Superintendent and the school board. Councilmembers agreed.

Councilmember Fulton moved to authorize the Milford School District School Resource Officer/Crossing Guard Memorandum of Understanding, seconded by Councilmember Wilson. Motion carried.

Appointment/Search Committee/Chief of Police Vacancy

Mayor Campbell said a professional search firm is being considered. Wants they provide candidates, he would like a committee will review them, after which it would be brought before City Council for final action.

When asked if the committee will screen the candidates and provide the short list of candidates. Ultimately, City Council will interview the candidates and Council will make the decision.

Council agreed with the search firm doing the ground work, but all of that information should be presented to Council as a whole and not a separate committee that filters the information. Councilmember Culotta agrees the decisions should be made by Council though the group should not be too large because that can become chaotic. He does not want a committee to provide Council with the short list.

Mayor Campbell said he is open to suggestions, and this was only an idea. It was agreed to develop a list of what Council is looking for in the candidates. It was agreed that is critical and current topics and interests need to be highlighted such as behavior health, community policing or five or so top characteristics or interests needed in the next police chief.

It was agreed to develop a good list of what Council is looking for.

City Clerk Hudson noted that there was no outside contractor in the last police chief search. However, that was done for the City Manager. They basically handle all the advertising, publications, they make the contacts, arrange the appointments for the interviews before Council and do the actual backgrounds. They are the ones in contact with the applicants on a regular basis.

The backgrounds are very thorough and involve a number of areas, and not just a criminal and workplace investigation. It is an intense selection process that included personal finance, family backgrounds, etc.

She said that from the nationwide search that was done by the City for the police chief and the initial application was very detailed and it became very clear, based on Council's expectations, who was right and who was wrong for the position. And anyone on the bubble was interviewed and Council would rank the candidates. Eventually it came down to two finalists and Chief Brown of course, was selected.

Councilman James said he has seen those firms miss the mark by a lot and end up with something not wanted. He hopes that when the search firm is selected, they have experience in recruiting a police chief.

City Manger Whitfield said he was given two recommended firms from other City Managers. One has some experience in Delaware and Rehoboth Beach and Milton being two. There is also another firm whose chief recruiter is actually a former police chief and has FBI and law enforcement experience. He does recommend one based on feedback and remarks from other City Managers.

It was suggested Chief Brown be an advisor because of his experience and is very familiar with the characteristics of a good chief. He also believes that Milford Police Department is capable of finding out about the candidates.

The City Clerk also added that the International Association of Chief of Police has a search team that does worldwide. That team consists of current and former police chiefs and executives who specialize in this type of work.

It was agreed that a deep and strong list of what they are looking for, including what is a qualifier and a disqualifier. That will whittle down the number of applications while being assured that Council helped with the screening process.

When asked if a workshop was needed, it was noted that the search firm selected will actually be in touch with council in the beginning to determine their wants and needs. It will also involve individual interviews with the Mayor and Council.

It was confirmed that Chief Brown's resignation date is July 31st.

The meeting temporarily recessed at 7:36 pm and resumed at 7:40 pm.

EXECUTIVE SESSION

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

Legal-

Teamsters Agreement-

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

Property Purchase-

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

Motion carried.

Mayor Campbell recessed the Council Meeting at 8:41 p.m. for the purpose permitted by the Delaware Freedom of Information Act.

Return to Open Session

Councilmember Marabello moved to go back into regular session, seconded by Councilmember Wilson. Motion carried.

Council returned to Open Session at 7:59 p.m.

Potential Vote:

IBEW Agreement

Councilman Fulton moved for approval of the City Manager to negotiate in good faith with the IBEW as was discussed in Executive Session, seconded by Councilmember Boyle. Motion carried.

Property Purchase

No action needed at this time.

ADJOURNMENT

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

The Council Meeting adjourned at 8:00 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

CITY OF MILFORD
COUNCIL MEETING MINUTES
June 27, 2022

The City Council of the City of Milford met in Regular Session on Monday, June 27, 2022.

PRESIDING: Mayor Archie Campbell

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

STAFF: City Manager Mark Whitfield, Police Captain Edward Huey, and City Clerk Terri Hudson

COUNSEL: Solicitor David Rutt, Esquire

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 are being held in the Council Chambers at City Hall, with attendees also participating virtually.

PUBLIC COMMENTS

The Comment Session was not held due to no persons signing up.

CALL TO ORDER

Mayor Campbell called the meeting to order at 6:03 p.m.

INVOCATION AND PLEDGE

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

ROLL CALL

All Councilmembers present.

ORDINANCE ACTION/PUBLIC COMMENTS

Adoption/Ordinance 2022-25/Amendment to Chapter 84/Bicycles, Skateboards and Other Conveyances

ICMA Fellow Melody Barger provided another presentation related to the proposed ordinance.

The big change to Chapter 84 was the removal of bike registrations by Milford Police Department. Some antiquated language was also removed. Bikes are also required to be parked at bike racks. Definitions were cleaned up and motorized scooter and a mobility scooter were added with applicable definitions.

The skateboarding requirements will remain with designated facilities and privately owned lots allowed to be used with the property owner's permission. They are prohibited from all other public spaces.

Councilman Boyle pointed out that the ordinance only allows skateboards in designated skateboarding facility. He suggests Parks and Recreation look into the feasibility of creating and providing one considering a lot of kids like to skateboard.

Councilman Culotta asked if skateboarders are not permitted anywhere except in a skatepark; Ms. Barger said in a private parking lot with permission.

Councilman Fulton also asked what occurs if a bike rack is not available, can the bike be left on the sidewalk or some nearby area. Ms. Barger explained the idea of the bike rack is to prevent bicycles from being attached to signs and poles and not

obstruct pedestrians. It states when bike racks are not available, no bike shall be attached to a post, tree, bench or fence location on sidewalk, street, or public place, in a manner that would impede pedestrian travel.

Councilman Marabello noted the ordinance states a white light lamp is required and asked why the same is not required in the rear; Ms. Barger explained that a reflective red light is required in the rear. It was also noted the different colored lights indicate the travel direction of the biker.

Captain Huey added that the lights on a motor vehicle have to be specific colors based on the direction they shine. Headlights can only be white; the front marker lights can only be amber, and the rear lights have to be red with the exception of the tag light.

Further concern was expressed about the mandate to park bikes in bike racks due to the lack of bike racks in town. Confirmed were the penalties of a written warning for the first offense, second offense is a fine of \$10, third offense is a fine of \$25, fourth offense is a fine of \$50, and fifth offense includes a fine of \$100. Fines may be doubled in areas where signs are posted.

Councilmember Wilson recalled the many meetings involving the skateboard ordinance with input from all parties. At one time, the City provided a skateboard park to accommodate them. Unfortunately, that came with a number of maintenance, noise, and other related items, that the skateboarders and their families agreed to take care of initially. As a result, the park was closed, and the equipment removed.

The consensus of Council was that skateboarding opportunities be included in the recreational plan for future parklands.

Councilman Baer asked if there were any meeting with skateboarders before this ordinance was submitted; Ms. Barger explained there were no changes to the skateboard section so there was no outreach as a result. However, scooters were added to the ordinance.

The floor was open for public comments. No one responded and the floor was closed.

It was agreed to revisit the matter at a later date to address the skateboarding restrictions.

Councilmember Baer moved to postpone action on Ordinance 2022-25, seconded by Councilmember Culotta. Motion carried by a unanimous roll call vote.

Adoption/Ordinance 2022-19/Amendment to Chapter 88//Building Code

City Planning Director reviewed a history of the proposed 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 (ISPSA). 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 amendment includes additions, insertions and changes to the IRC, IBC and ISPSA. 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.

City Council held workshops on January 10, 2022, and February 23, 2022, to discuss a proposed 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 discussions involved several stakeholders, including representatives from the Delaware Fire Sprinkler Coalition, State Fire Marshal's Office, and Carlisle Fire Company.

Adoption of the 2018 IRC would include a requirement to install automatic fire sprinkler systems for new one- and two-family dwellings and townhouses.

The City currently operates under the 2012 version of the IRC and IBC, which was adopted by City Council in March 2018. The City elected not to require automatic fire sprinkler systems for residential dwellings and deleted this code section in its entirety during the 2012 code adoption.

Kent County operates under the 2018 IRC and IBC but does not mandate automatic fire sprinkler systems for residential dwellings. Sussex County recently adopted the 2021 IRC and IBC and voted not to require automatic fire sprinkler systems for residential dwellings. The City of Newark, City of Lewes, and Town of Milton are the only three jurisdictions in the State of Delaware that mandate automatic fire sprinkler systems for one- and two-family dwellings. There are a total of 57 municipalities and 3 county jurisdictions in Delaware.

Councilman Fulton asked if sprinklers would be required when renovations were done to a home; Mr. Pierce pointed out that 2018 IRC states an automatic residential fire sprinkler system shall not be provided where additions or alterations are made to a townhouse and for one and two-family dwellings and it would only be required with new construction. However, if a home were stripped down to the studs or gutting the entire building would warrant the installation of the sprinkler system.

When asked about historic preservation houses, Mr. Pierce said the previous exemptions would apply.

Councilwoman Wilson asked about insurance savings, Councilman Culotta reported that there will not be an actual savings if a home has a sprinkler system, however, there are insurance company that will refuse to insure a home without the system. There are some savings options available if the system is installed.

When asked about multi-family buildings, Mr. Pierce explained that apartment buildings are treated as commercial properties and are already required to have sprinklers. Row homes and townhouses and are exempted at this time. The differential is a residential and commercial use. Multi-units fall under the commercial code.

All mobile homes and tiny houses fall under the residential code and the new requirement, if adopted, for a sprinkler system. Presently, the City requires any mobile home to be in a mobile park though he is unaware of any in City limits.

Councilman James pointed out that the proposed ordinance, if adopted, would not become effective until January 1, 2023. He asked if any thought had been given to the current economic state and whether the delay should be pushed out even further. Mr. Pierce said the intent of the delay was to allow the building industry time to adapt to the new requirement though Council has the power to prolong the adoption date.

It was noted the actual amount of additional costs of construction that include utility impact fees, Kent County sewer fees, Carlisle Enhancement Fund, Municipal Enhancement Fund, and the building permit is around \$11,000 on a \$250,000 home.

The Mayor opened the floor to public comment.

Derec Parker of 11010 Sunnyside Road, Bridgeville, stated he has built many homes in Milford and throughout Delaware. He has also built 78 homes in Maryland where sprinklers are mandated. The vast majority of the homeowners he has built homes for did not want them nor pay for them. He has actual numbers related to sprinkler system. The average cost for a sprinkler system is \$4 to \$5 a square foot and an average 2,200 square foot home will cost approximately \$10,000.

Mr. Parker also reported that some of his homeowners' insurance premiums were increased with the sprinkler system due to insurance companies realizing these homes are at a great risk of a claim due to the potential for water damage.

Sprinkler systems also do not increase home values in a home appraisal. That makes it even more difficult particularly for a first-time home buyer to qualify for a home mortgage.

He also noted that in the 2022 Code, there are already additional items required that will increase the overall cost of the home aside from the sprinklers. Concluding, he pointed out that if affordable housing is a concern in Milford, adding the cost of a mandated sprinkler system will only make it more difficult for homebuyers.

Jeff Bowers of 606 Hopkins Cemetery Road, Harrington, stated he would live in Milford, though it does not have 30 acres in town for him to put his milk farm on. His children live in Milford, and he hopes his grandchildren will live in Milford someday. His daughter and her husband are building a house in Milford, and Milford has a lot of great employees, including Mr. Pierce and especially City Building Inspector Fred Coppock.

Mr. Bowers mentioned the various municipalities and counties that have voted against the mandated sprinkler system for several reasons, but he will only talk about three. He is also a home builder stating that there has been an astronomical amount of increased engineering over the past ten to fifteen years. He has been building affordable housing for the past twenty-eight years. He was also a state trooper and very much believes in safety and believes what it stands for. He noted that a new home is already very safe. It is not the new homes that are creating fires, but instead the older homes that have the knob and tube wiring. He will take the \$10,000 average cost for a sprinkler system and invest in \$10,000 worth of smoke detectors, because he feels that is what saves lives.

What the sprinkler installation guys do on new electrical systems is fire stopping. They are required to fill every teeny hole in a new home with fire blocking materials. He noted that is what prevents fires. He cannot imagine someone forcing him to install a sprinkler system and his family going away for a few days, knowing he has thousands of gallons of water in his ceiling. If his electric would go out, that water would end up in his basement.

He also reported that new construction homes had a 64% decrease in fires because of all the rules already in place.

They just built a home on North Church Street, and if he had to add another \$10,000, he does not think these nice folks would be able to afford it anymore. This is taking away from programs such as the Downtown Development District and erasing that savings with a bigger increase to pay for sprinklers. As an investor, he is going to build in towns that don't have this requirement. This is not greed, but he is already embarrassed with how much he has to charge now because prices have gotten so crazy. He does not think adding another \$10,000 to a home is going to make it impossible for a lot of people to become homeowners. He would rather use that money to invest in smoke detectors which he knows will save lives in these situations.

Nina Pletcher of 428 South Walnut Street, stating she appreciates hearing these comments and she agrees with Mr. Bowers and would not want all that water in her basement either. She recalled at one of the recent workshops when the Fire Chief talked about the problem with manpower and the response time of these volunteers. She does not have an opinion one way or another, but just wants to make sure the big picture is being looked at in terms of response time. She especially thinks about Simpsons Crossing and how close those homes are, and the one gentleman said that if one of the homes go up, they may all go up.

Ms. Pletcher just thought that it was important enough to bring up again this evening.

Paul Eichler, Chairman of the Delaware Fire Sprinkler Coalition then addressed Council noting he is also a firefighter in the City of Dover and is employed by the Anne Arundel County Fire Department in Maryland.

He asked Council to keep in mind the 2018 IRC is the 4th edition and includes the requirement for residential sprinklers. It has gone through the code process several times and has remained in the code.

Mr. Eichler said regardless of the techniques employed in construction, they encounter contents fire that extend to the structure. As great as the drywall maybe, his primary concern is the items in the house that will immediately catch fire and extend to the structural components. These days, polyester covered/polyurethane foam type furniture burns hotter and faster. The intent of a residential fire sprinkler system is flat out for life safety. The design of the systems takes into consideration costs and are specifically designed around where fire fatalities take place.

The State of Delaware has suffered fifteen fire fatalities so far this year. For all of 2021, there were only ten. Though all fifteen people may not have been saved by sprinkler systems, but it would have decided in some of the fires.

He also asked Council to consider the aspect of smoke alarms. They are wonderful devices and specifically notification devices in the event they are properly maintained. There are many times a fire marshal's investigator finds his investigators are on scene specific to smoke detectors not being in a working condition to be able to provide the early notification. The smoke alarms are simply a sound and no other suppression reaction which is what the sprinklers are designed to do and operate within a very quick time frame. They will activate and control a fire prior to the arrival of the firefighter and will do so at a minimum water flow that has been discussed in the past with City Council.

The economics is important, and he sympathizes with that. At the same time, think about the backside of an expenditures into a dwelling. As long as the interest write-off is still there, a person will have a very minor benefit.

Speaking to State Farm Insurance, one of the larger insurance companies in Delaware, he was told there is a 7% discount off the homeowners policy. As a result, there are savings on the backend with the initial cost.

With the popularity growing, as the City of Lewes and the Town of Milton have done, the demand for sprinkler installation is growing. The economies of scale with regard to those installation is going to come down. The prices being charged these days are only going to come down with a level of competition that increases with more contractors vying for that business.

He added that the State has worked toward variations for the availability of installers, as in allowing plumbers to do this work as well.

To provide fire protection throughout the State, the City has received information about recruitment and retention, and the Carlisle Firefighters were involved with the Dewey Beach fire several months ago, along with 13 other fire companies from Kent and Sussex Counties. While that did a lot to assist Rehoboth Beach and Bethany Beach, it took Milford's firefighters out of this City and raises the aspect of the ability of the fire company to provide protection for those people who were the second to call and needed that assistance. That is the environment throughout the State and continually strip regions now for that first response to get enough firefighters to the site.

That trend will continue to transition to combination fire departments throughout the State, because the volunteers are just not available.

Having those residential sprinkler systems installed with 24/7 coverage and minimal water flowing from them so the conversation with regard to water damage is minimized and a 90/10 conversation. They use about 10% of what the firefighters are going to use when they drag water hoses into the house.

Mr. Eichler is very much in support of leaving the sprinkler requirement in the code and believes this trend will continue throughout the State.

While Sussex County took the initial steps to remove the requirement out of their latest IRC code, they are also working toward an ordinance that will be effective though it is open ended right now. That conversation continues.

The City of Dover is in the same process as Milford and are updating their building codes and taking the sprinklers into consideration.

Dustin Parker of 7660 Hidden Meadow Lane, Greenwood, stated he is an investor in Milford on several residential and commercial properties. He was also a volunteer firefighter for about ten years and sees this from both the economic and the safety perspective.

He owns a real estate brokerage and insurance brokerage and sells roughly 1,000 homes each year. From an economic perspective, sprinklers do not add values to those homes. Not a single penny is added when they look at a home as far as the market analysis or appraisal. That is something a homeowner will not recoup.

When they insure homes, about 90% of the providers they use for their insurance actually do charge more for the home to be insured because of the sprinkler systems and the possibility of malfunctioning.

He asked Council to take this into strong consideration and the economic impact it will have though that does not mean the safety perspective should not be considered. In ten years as a firefighter, there were very few instances where he went to a new home construction and there was a serious fire. Most of the incidents are happening in older, historic homes and involve the older method of wiring which is not built to today's standards.

Tyler Nichols of 408 Northwest Front Street, Milford, and has lived her for many years. He and his wife love the town and they are currently building their dream home on Silver Lake in Milford and have a very vested interest in the City's future.

He is in deep opposition to enforcing sprinkler systems in these homes. He is an investor and a real estate agent and has done full gut renovations in the City of Milford and built new construction homes in Milford over the past year and is currently building multiple homes in the City limits. If this added cost becomes a reality, investors, including himself, will be looking elsewhere to build. Places where the costs are lower and where it will be easier to build.

Mr. Nichols is currently building two homes on Canterbury Road just outside the City but is also building some within the jurisdiction. But he will go outside the City all day long if this is enacted.

The City has done a lot to pull investors in such as the Downtown Development program. This is going to be something to push and noted the builders in attendance, who will be pushed outside the City. He thinks that home renovations will no longer be done to the standard as in other Cities, so Milford homes will be reduced in value and as a place where people want to live.

He noted that \$10,000 will not completely stop it, but it will greatly impact it.

As a real estate agent, he has sold over 25 homes this year, and have not had a single client ask if a home had a sprinkler system. It is not something buyers want and will only be an added cost that is forced on people and will be ultimately passed down to the buyer and will impact affordability.

In the City of Milford in May of 2021, the average home price was \$279,000. This past May, it was \$311,000 which is an 11% in the City alone and interest rates have more than doubled. Affordability has been reduced and this will be massive to push potential homebuyers out.

Mr. Nichols noted that he owns a building with a sprinkler system, and he has spent more than \$7,000 this year alone in maintenance. He has had to replace the sprinkler heads, sprinkler panel and had to flush and inspect all the lines. Not only is this an added cost initially, but it is also an ongoing annual inspection and applicable maintenance.

He believes it will hurt this City which will be devastating for those that live here.

Delaware State Fire Marshal Office's Duane Fox said he lives in Milford just outside the jurisdiction at 6217 Old Shawnee Road.

He has 129 13-b systems that have been installed over the past three to four years. He is only able to go on what clients tell him about the installation costs and the square footage. His numbers say it is around \$2 a square foot without a pump and tank and about \$250 with a pump and a tank. It does not take into consideration the infrastructure that has to come into the house because the sprinkler company does not do that work. Though that is a pipe that already comes to the house, depending on what the City does for an impact fee will be based on the size pipe, so there is a cost there.

Mr. Fox agreed that no one is arguing there is a cost and there is maintenance, just like anything else. The sprinkler system gets a bad rap when a pipe freezes and breaks. There are ways to make that not happen including anti-freeze. The pipe should not be in the attic unless there are no other options with pipe. If it is there, there is a need to make sure it is insulated properly. The pipe on top of the insulation does not stand a chance because the heat in the house has to get up there.

He noted there is already water in the house without the sprinklers. There should not be a pipe in the attic unless the home has a big cathedral ceiling and there is no other way to get in the ceiling.

He also agreed there is new technology, new engineering that allows a home that is massive. The reason the prices are up in the \$300,000 to \$400,00 not because it is a 1,500 square foot building. It is because someone is living in a McMansion. That is the reason for the high cost.

When Mr. Fox built and his parent and grandparents built, because that is what his family did for a living, they built with conventional lumber. In the fire service, that means the house has about twenty minutes before it is going to flashover and that is where someone dies. Today, with the construction materials used today, that is five minutes.

The fire trucks do not hit the street in five minutes. The house is going to flashover in three minutes before the firefighters pull out of the fire house potentially. The sprinklers are there to save lives. Mr. Fox has no idea what a life costs, though there was a lot of discussion about costs relating to the sprinklers and the homebuyers are not going to get the entire discount. But Mr. Fox's children and grandchildren are invaluable, and he does not know how to put a price on that.

He agrees with the builders that it typically involves older homes, but new homes burn as well. They burn from unattended cooking and similar causes. He referenced the fatality caused by a fire that was started by a live Christmas tree though they had smoke detectors.

Mr. Fox said the houses here, there is a potential to burn down. The houses that are not here will eventually be 10, 15, 20 years old and that is where some of that malfunction and electric problems occur. There is a need to think about the longevity of the town and the safety that goes with that.

He recalled in 1993, smoke detectors were encouraged. There were a lot of opposition to smoke detectors because it was going to cost more money to build and remodel. Houses built since 1993 have smoke detectors of some sort. Eleven people died with no smoke detector in one home in Long Neck. About 15 years ago, there was a big push to put smoke detectors in home. They also pushed to require landlords to put at least battery-operated smoke detectors in homes.

Slaughter Beach has houses that are built very close as the homes in the Simpsons Crossing. Slaughter Beach had three houses burnt down, two different times over the past five years. Legislators need to think about what is going to happen in the future. Though the fire department representatives are not in attendance, Mr. Eichler already talked about the lack of volunteer firefighters. All that needs to be considered.

Right now, Mr. Fox said there are only about five contractors installing sprinklers in homes. There are 129 systems in Sussex County itself. The County requires sprinklers, but only on residential homes that are four stories or more. At four stories, the home has to be sprinklered and that changed in 2005 when they went to the IRC/IBC. He was doing a lot of townhomes because under the Southern Building Code, which was their legislation, said a three-story townhouse had to be sprinklered. Now it is a four-story townhouse. When they went with the IRC, that became less restrictive.

Brendan Warfel of 968 Northeast Front Street, Milford, stated he is a local contractor that started his business in Milford. Most are familiar with the home he is building on Lakeview Avenue. He received a price on the sprinkler system because by law, he is required to offer it to every homeowner he builds for. In this case, it was \$17,885 to install sprinklers in that home. He does not care, and he will add that to the home and mark it up 10%.

He is not here saying it is all about money, but asked if this is only money, why isn't it already required in every home and why isn't it in your home.

Mr. Warfel agrees it is a deep question when putting a dollar on a life. He asked Council to wait to see how the Counties react to this, with Milford in Kent and Sussex. That will provide a little more guidance on how to move forward.

When asked if anyone else wished to speak, no one responded. The floor was then closed.

Council then discussed the options adding there is not argument about the cost of losing a loved one.

Councilman Culotta said it will cost the builders more and will have an impact on people who want to build a new home. He suggests Milford follow the lead of the County. Comparing Milford to Lewes and Milton, who requires it, but the average home in Lewes is considerably higher in Milford, as well as Milton. Milford is a growing City that is attracting investors and people to relocate here and are not yet bursting at the seams yet.

If it is agreed to do this, he suggests incentivization. If the average home is \$11,000 in impact fees, he suggests crediting back \$2,000 or higher.

The normal setback in Milford is eight feet off the property line or sixteen feet between structures. That is a good distance according to Councilman Culotta. The comparison is Slaughter Beach, but he noted that Milford does not have the high

winds and as often as Slaughter Beach does. If allowing closer setbacks as in Simpsons Crossing, then he agrees to mandate sprinklers. But at the current setbacks for the single homes there is adequate space not to require them.

Councilman Boyle agrees and reducing the impact fees would incentivize the homebuilder. He has lived long enough to understand that every time a standard has been proposed, they hear the same complaints that it costs too much money. Then we lose sight of the fact of what the intention is. He can remember when seatbelts were going to cost too much to put in vehicles. The technology is there and the ability to enhance living conditions, and he believes the costs will come down as more homes are built. He understands the intent of the sprinklers and likes the idea of a reduction in the impact fees to incentivize this.

He also agrees with Councilman James that this should be delayed until the next fiscal year.

Councilman James stated his concern is life and safety compared to the response time. Mr. Fox pointed out some important timelines and the time to get to the station, when you can get enough firefighters, the time it takes to get to the fire. If a person can buy additional time by enacting that sprinkler system and suppressing that fire, thus giving the person more time for life, he thinks that is priceless. While in an unprecedented, in his lifetime, economic situation, and the City is trying to stimulate homeownership and encourage Carlisle Fire Company to focus on putting more effort toward recruiting and response. But Milford has an obligation to fire safety and if really focused on it, why don't we incentivize it and put some skin in the game to make it happen if it is that important, which he believes it is.

Councilman Fulton said he has gone back and forth on this. When fire equipment is moved to one fire, there is a thing called backfill and part of the normal command process where once the units are dispatched, then the emergency dispatcher starts calling additional fire companies to start sending resources to the area/station affected. He agrees that all fire companies have a problem with response time. Perhaps it will get better with more recruitment and retention, but the volunteer system is becoming harder to fill as most of the volunteers are getting older.

Other points were the cost of building, the initial cost of homeownership. Those are all things that say perhaps we should not do sprinklers. But compare that to the safety and lifesaving side.

Councilman Fulton noted that most people die from smoke inhalation than the fire itself. The fire sprinklers are really there to put out the fire which is damaging the structure and while that may reduce the smoke, the smoke will be generated first because the heat releases it. The first warning should be the smoke alarms that sound off to give people the time to get out and get to safety. He sees a lot of people trying to stay inside and fight the fire. Most people do not even have a fire extinguisher in their kitchen.

He also noted that the smoke and water damage are the two biggest thing that occur during a fire, besides the fire itself. If someone stops a small fire in the house, the smoke will remain, plus any water that was brought into the home.

Councilman Fulton also agrees with incentivizing, and he feels that up to \$5,000 on a graduated system on how large the home is because that requires a larger sprinkler system. However, he does not think in this economy a mandate is good at this time, but an incentive program to allow people to voluntarily install a sprinkler system is a good first step.

Councilman Marabello agrees with incentivizing and one feasible way, instead of taking a big lump sum, perhaps tax abatement over a ten-year period could be considered and the impact would not be as harsh. Many people buying homes here are coming from out of state where they were paying exorbitant taxes. They move here and have to pay \$2,000 in property taxes and he does not believe that would impact someone from putting in a sprinkler system.

He is also concerned about the decreasing number of firefighters.

The Councilman suggests deferring this matter until at least July 1, 2023, or January 1, 2024, though to him the most important thing is safely though he understands the safety issue. He referenced hearing impaired people who may not hear the smoke detector and would need the sprinklers. However, he is in favor of the sprinklers but prefers to defer it and provide some form of incentivization.

Councilman Boyle moved to postpone action until a future meeting to incorporate some of the ideas suggested for this ordinance, seconded by Councilman Culotta. Motion carried by roll call vote and the matter was deferred.

Councilman Culotta asked to take a break. The meeting was temporarily recessed at 7:33 pm.

The meeting resumed at 7:38 pm.

RECOGNITION

New City Employees

City Engineer James Puddicombe introduced one of his Engineering Interns A.J. Nash. He graduated from Milford High School and will be attending the University of Delaware this fall.

Public Works Director Mike Svaby introduced two new full-time Equipment Operators in the Streets/Utilities Section.

Brandon Keller worked at DelDOT as an equipment operator II and resides in Milford. His first day was June 6th.

Scott Girardi also worked at DelDOT as an equipment operator II also resides in Milford. His first day was today, June 27th.

MONTHLY FINANCE REPORT

Finance Director Lou Vitola reported the eleven months thru May is closely following the trend established the second half of the year, if not all year.

The general fund in total, and all five funds including utilities, remain favorable to the budget. The four utility funds are also ahead of the prior year, but the general fund is lagging the prior year. There was some minor improvement in May with personnel costs the driver. The negative variance will not correct itself through the end of FY22.

The 2020 Combined Streets and Utilities Project, which involved a number of CIP items, has been gaining steam through the spring. As we wait for the second tranche of ARPA funding, the first tranche has been expended with the progress on that project.

It was noted that Milford qualified for \$6,333,000+ in ARPA funding, with \$3.17 million has been received and consumed. The balance is expected sometime in June.

Councilmember Boyle moved and Councilmember Marabello seconded a motion to accept the May 2022 Finance Report. Motion carried with no one opposed.

WARD REPORTS & COMUNICATIONS

South Walnut Street Speeding

Councilmember Culotta reports he continues to receive complaints about the speeding issue on South Walnut Street.

City Manager Whitfield reported that DelDOT has confirmed that South Walnut between McCoy and Jefferson Street does qualify for traffic calming. With the adoption of the new budget, there are monies set aside for a traffic calming solution to discuss with Century Engineering who handles these situations to provide a concept. One problem with South Walnut is the number of competing interests in 1) the road is in bad shape and needs attention; 2) there is missing curb and sidewalks and is also included in the City's Bike Plan list. Several improvements are looming for the area over the next couple of years.

In the meantime, he has asked the City Engineer the Public Works Department to look at some possible short-term solutions to implement, as well as long term solutions.

North & Church Street Intersection

Councilmember Wilson reported it is a slightly better situation with the stop sign being relocated. However, she is still receiving complaints about drivers coming from Church Street driving south and turning the corner headed towards Route 113. They continue to run over the curb. She asked that it be reviewed again to determine if anything else is possible to improve it.

Councilmember James also acknowledged the work that was done adding that many of the residents were pleased. However, there are still some issues making a right off Church going toward Route 113. He was behind one of the City trucks today who could not make the turn completely without going over the sidewalk on the south side of North Street. He had to back up in order to head toward Route 113.

Juneteenth Holiday

Councilmember Wilson also thanked the City for acknowledging Juneteenth as a legal holiday in the City on behalf of herself, her ancestors, and other people of color throughout the world.

Seawatch Factory

Councilmember Baer said he continues to receive complaints about the smell coming from Seawatch and asked if the City could encourage some sort of smell abatement program.

It was noted that in the past when that occurs, a phone call was made by City Hall to Seawatch, and they have reacted quickly over the years.

UNFINISHED BUSINESS

Adoption/Resolution 2022-07/Final Clarification/Council Rules & Procedures

City Clerk Hudson explained that the packet includes an updated Exhibit to Resolution 2022-07 and simply incorporates Council comments from the last meeting and adds language to the Public Comment Session area. There were some questions as she read it, and this should make the process more distinct in the exhibit.

Councilmember Wilson moved to re-adopt Resolution 2022-07, seconded by Councilmember Boyle.

UDATES 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, Resolution 2022-02 was approved by unanimous vote of City Council on February 14, 2022, adopting amended Milford City Council Rules of Procedure; and

WHEREAS, Council has requested a 15-minute Public Comment Period be added prior to the start of the official Council Meeting; and

WHEREAS, some additional agenda items have also been incorporated based on comments of City Council during reviews of the Rules of Procedure; and

WHEREAS, exhibit A5 provides final clarification of the Rules of Procedure for future Council meetings.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Milford, during a lawful session duly assembled on the 27th day of June 2022, by a favorable majority vote adopt the Procedural Rules hereto attached as Exhibit A(3), as amended, are hereby adopted.

Motion carried with no one opposed.

City of Milford FY21 Audit Draft

Finance Director Vitola presented a final draft of the Fiscal 21 Financial Statements noting that Kimberly Stank is the Lead Auditor with Zelenkofske Axelrod LLC, the new audit firm, and is available on the phone in case anyone has any questions. There is still some time before the opinion is rendered for the audit and testing.

FY21 was as strong as expected and as was reported back on June 21 YTD finances were presented to City Council. Citywide revenue exceeded the FY21 budget with expenses below. Compared to FY20, revenues were up by 10% (general fund, utility funds and minor funds) and expenses were held to a 5% increase. If the net position can be increased in all four utilities and the general fund, that result is a good year.

GASB 84 required a prior period adjustment that boosted the City's opening balancing net position in the general fund. It also added revenue to FY21 that was not previously reported as revenue.

Director Vitola then reviewed MDA (management, discussion, analysis) Schedule 1 noting it is an important component of the audited financial statement package. The tables do not show the variance, but the bottom lines show net position. The first two columns compared FY20 and FY21 for just the governmental activities. The net position increased by \$1.2 million from \$26,518 to \$27,679 or 4.4%.

The next two columns show the same (FY20 & FY21) but for the business type activities or utility/enterprise funds. That net position was a positive movement of \$67,998 to \$73,915 or \$5.9 million or 8.7% increase.

The two columns on the right show the totals and a citywide figure. The total increase in net position was \$7.1 million or 7.5%.

Though it is always good for the net position to increase, the quality of the components of the increase matter too. For governments (GASB), this involves assets minus liabilities equals net position. Breaking the component parts of assets into current and non-current and apply the same for liabilities, current and non-current, results in a figure referred to as working capital. Working capital in the governmental funds and working capital in the business type funds both increased from FY20 to FY21.

The vast majority of the non-current assets are investments in fixed assets—vehicles and equipment, land, buildings, infrastructure, etc. The increase in net fixed assets was greater than the increase in long term liabilities from FY20 to FY21 for both governmental funds and the business-type funds.

Director Vitola referenced MDA Schedule 2, a condensed version and summarizes revenues and expenses in the same format FY20 versus FY21 for governmentals, business-type, and totals. The top line revenue growth in FY21 was strong and higher in both governmental and enterprise fund activities. Top line revenue growth is always good, but more important than the direction of revenue alone are the corresponding movement and expenses and the quality of the revenue.

He believes that the increase in the revenue was healthy and sustainable. This is based on increased tax base in the form of assessed value growth. With that came natural growth in rate base—more electric meters, more water meters, more sewer accounts, increase number of trash customers.

One slice of the revenue growth was in volume driven by customers and taxpayers. The other part was not in the general fund, but in the utility funds' rate increases. Both type of increase is sustainable.

Citywide expenses, total consolidates expenses, increased just 5% compared to the 10% increase in revenue. However, the 5.1% is overstated. First one the utility side, we had a nominal year in sewer. Part of our sewer operating expenses are infiltration and inflow (I&I). The year we had in FY21 was 50% higher than the previous year and almost 60% higher than the five-year average and in the sixteen or so years of data compiled, this was the second worst. It is possibly attributed to weather and open job sites due to the large amount of construction.

About \$950,000 was spent on I&I in FY21 and about half that in FY22. He is viewing that as a one-time increase.

If the cost of utility service is backed out of the operating expenses, the change in cost from FY20 to FY21 was actually 2.3% lower. Items outside of the department director's control such as the volatile cost of electric, I&I costs, and water-related treatment costs could be volume based and removing them results in well controlled budgets in FY20-21.

The one-time charge in the general fund related to post-appointment benefits is a portion of our compensated absences and the sum of the second vacation time owed to employees. A portion of that is long term and traditional wasn't carried on RGL but was on the face of the financial. That was an amount that artificially inflated the general fund over and above our ordinance operating expenses as a non-cash charge. The Director noted they are very favorable in FY21 compared to FY20 on the cost side.

In summary, Director Vitola noted that revenue was strong, expenses were controlled, net position up and all in a good way.

The FY21 year to date that were presented in August 2021, were very close to the year end results. He disliked the delay, but mainly it was due to personnel. He followed up with a synopsis of what occurred due to the shortage of finance employees and duty reassignments, fill-ins, and the issues related to a new audit firm.

In the FY22 budget, the budget costs are allocated citywide, so there was just a marginal increase in a handful of accounts. If necessary, another firm may be needed for the production of the financial, so it does not fall on staff.

In addition, more cross training is needed across the board. The new payroll administrator is doing phenomenal in her first half year with a focus on cross training and be prepared in the event someone is missing in the department. Tyler Technology will be replacing Central Square and plans are being made for the reconstruction of the GL. A lot of progress has been made on the monthly reports, but if he was forced to produce something closer to what is done externally each month, it would be like clockwork doing it year end.

The audit firm will come in much stronger in year two and in a much better position to help.

It was recommended that someone from the audit firm be present when the final report is presented. Director Vitola said it could take the auditing team through July to get through the legwork. After that the peer and partner review will take place and it may easily be August before a signed version is received.

Ms. Stank then added they have received the drop to the financial so they will be digging through them and working to complete the audit. However, it will take a little bit of time to do that though they will try to get through it as fast as possible. They hope the field work will be done by the end of July and issue the audit in August.

Ms. Wilson moved to accept the report given by Finance Director Vitola, seconded by Councilmember Baer. Motion carried.

NEW BUSINESS

None.

EXECUTIVE SESSION

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

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 8:29 p.m. for the purpose as is permitted by the Delaware Freedom of Information Act.

Return to Open Session

Council returned to Open Session at 8:44 pm.

Potential Vote/Authorization/Extension of Pay

General Teamsters Local 326D

Councilmember Fulton moved to authorize the City Manager carryout the plans, as discussed, in Executive Session. Councilmember James seconded the motion, which carried unanimously.

ADJOURNMENT

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

The Council Meeting adjourned at 8:49 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

Please welcome Cody Lahman to our team. Cody comes to us from the State of Delaware where he was a Conservation Technician III.

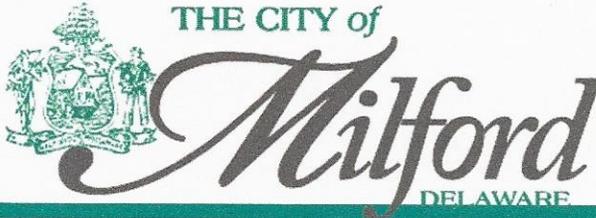
Cody lives in Harrington, DE. In his free time, he enjoys spending time with his family, wife and playing softball.

Cody's first day was Monday, June 27, 2022, with the Parks and Recreation Department as an Arborist Ground Helper.





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 *(KLB)*
 DATE: July 1, 2022
 RE: Activity Report/June 2022

Monthly Stats:

A total of 302 arrests were made by the Milford Police Department during June 2022. Of these arrests, 107 were for criminal offenses and 195 for traffic violations. Criminal offenses consisted of 40 felony and 67 misdemeanors. Traffic violations consisted of 1 Special Duty Radar, 8 Drunk-Driving charges, 186 others.

Police officers investigated 53 accidents during the month and issued 93 written reprimands. In addition, they responded to 1036 various complaints including city requests and other agency assistance.

Monthly Activities:

Throughout the month of June, 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 Rural Subcommittee Diversion Workgroup Monthly Meeting held via Zoom on June 2, 2022.

Conference call with attorney in reference to ongoing litigation on June 2, 2022.

Retirement interview with Delaware State News on June 2, 2022.

Made a Challenges in Policing Presentation at the Lions Club on June 9, 2022.

Attended SLEAF meeting held at the Dover Police Department on June 14, 2022.

Met with City Manager, HR, and Employment Lawyer in reference to OHS Special Duty Pay via Zoom on June 16, 2022.

Attended the Annual Torch Run on June 23, 2022.

Training –

All officers participated in four hours of Spring Range Qualification throughout the month of June.

All officers participated in four hours of O.C/Taser & Critical Policy Review throughout the month of June.

Once officer attended Basic S.W.A.T. (NTOA) training held in Yardly PA. from June 13, 2022 – June 17, 2022.

One officer attended COPS Trauma in Law Enforcement training held in Wilmington, DE. From June 13, 2022 – June 15, 2022.

Three officers attended FBI-LEEDA IA training held at the Dover Police Department from June 20, 2022 – June 24, 2022.

Two officers attended FBI-LEEDA Supervisor training held at the Dover Police Department from June 27, 2022 – July 1, 2022.

Public Information/Social Media Update –

June statistics are not available at this time as the Community Policing Officer is on vacations.

SRO –

Sgt. Masten met with Lt. Skinner (Delaware State Police, Deputy Director of the Traffic Section), Delaware Department of Transportation staff, and Milford School District staff about plans for improvements for pedestrians in the area of Milford Senior High School and Milford Central Academy. Several plans were discussed and future discussions will be planned to advance one idea in particular about crosswalks.

Sgt. Masten assisted Milford Senior High School with their final intruder drill of the school year. Under the Omnibus School Safety Act schools in Delaware are required to conduct intruder drills and a safety related tabletop exercise.

Sgt. Masten and S/Cpl. Bloodsworth completed assessments required for all the schools in the City by Delaware Emergency Management. The plans are completed for the upcoming school year and submitted through the Navigate 360 web program.

Sgt. Masten met with Milford School District officials about school safety in a review of our current procedures and ideas for the upcoming school year.

S/Cpl. Bloodsworth attended the annual field day to celebrate the end of school at Evelyn Morris Early Childhood Center.

Sgt. Masten participated in a Zoom meeting coordinated by Sara Bluhm, to discuss the City joining the initiative, Keep Kids Alive Drive 25. The initiative is in its early stages with the hope to start a kick off campaign on August 2nd at our annual night out.

K9 Unit –

For the month of June 2022, the Milford Police Department K9 Unit had the following stats:

K9-1 (Mason)

- CP/Demo 4
- Area Search 1
- Drug Sniff 1
- No-Bite Apprehension 1
- Track 1

* K9 Mason performed a track of a violent suspect fleeing from an assault involving a firearm. K9 Mason was able to locate a shirt that the suspect discarded.

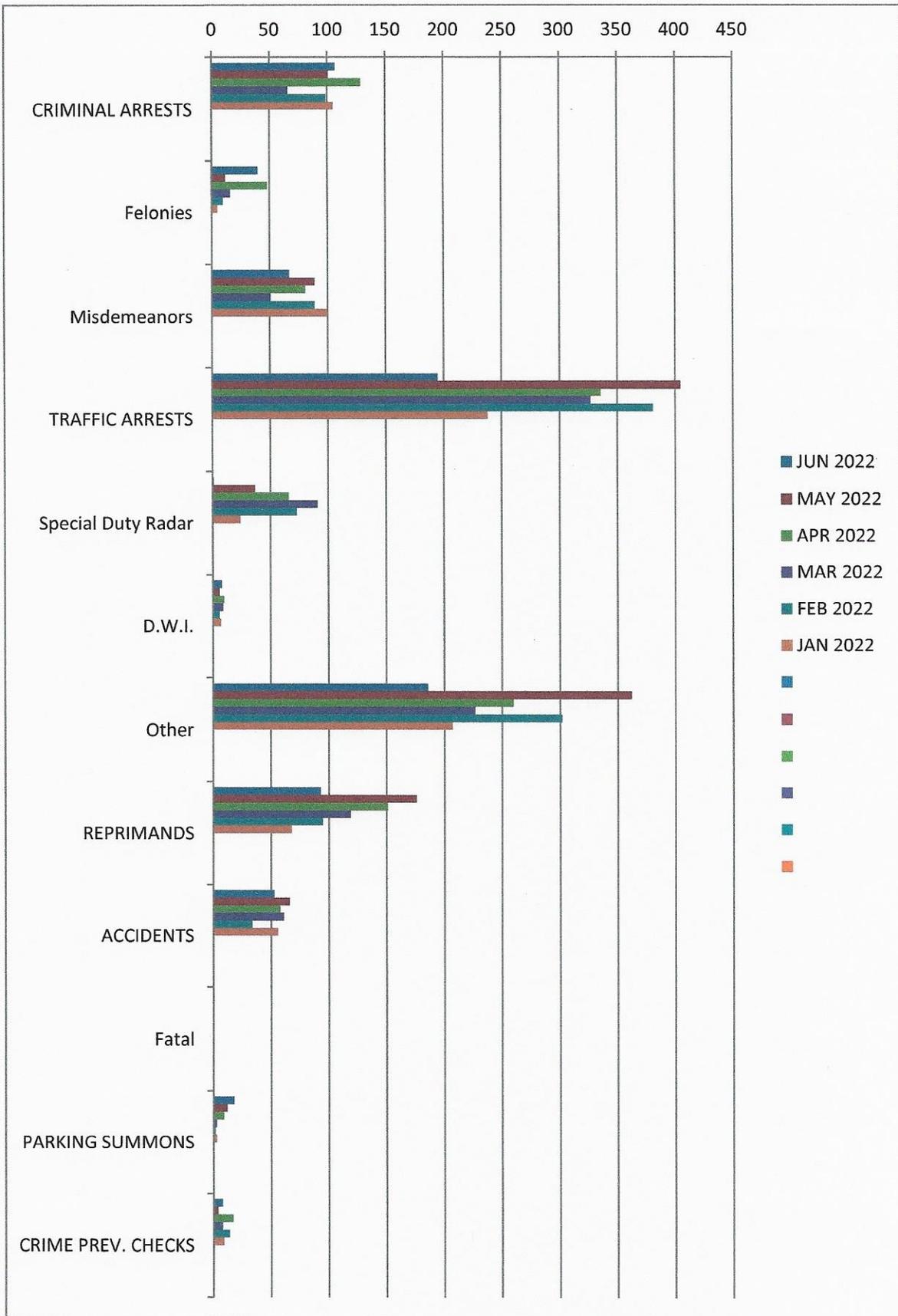
K9-2 (Raven)

- Building Searches 3
- CP/Demo 3
- Drug Sniff 4
- No-Bite Apprehension 1
- Track 1
- Assist Other Agency 1

* K9 Raven was deployed to start a track on a suspect that had fled police twice in one week. K9 Raven successfully tracked the suspect into a heavily brushed area. The suspect then gave up during K9 announcements. The suspect was wanted out of DSP Troop 7 (3 times), Troop 5, Milford P.D. (2 times and had numerous capias' out of the Kent / Sussex CCP's

JUNE 2022 ACTIVITY REPORT

	JUN 2022	TOTAL 2022	JUN 2021	TOTAL 2021
COMPLAINTS	1036	6795	1247	6469
CRIMINAL ARRESTS	107	607	115	648
Felonies	40	131	14	105
Misdemeanors	67	477	101	543
TRAFFIC ARRESTS	195	1882	357	1794
Special Duty Radar	1	292	93	431
D.W.I.	8	46	10	43
Other	186	1544	254	1320
REPRIMANDS	93	702	89	469
ACCIDENTS	53	328	59	268
Fatal	0	0	0	0
PARKING SUMMONS	18	47	2	13
CRIME PREV. CHECKS	8	60	14	63
FINES RECEIVED	\$6,400.85	\$ 36,316.73	\$4,088.46	\$23,372.52



Dates	Hours Worked	Meetings Attended/Hosted	Trainings/Events Attended	# of NEW Contacts	New Contact Notes	# of Diversions from Arrest	# of Diversions from ER	# of Follow-Up's
May 30- June 5, 2022 (Memorial Day)	45	1. Rural Subcommittee Diversion Meeting 2. Milford Homeless Committee Meeting 3. Brandywine Narcan Event	1. Compassionate Trauma Victims Treatment	12	Referrals to Services: 10-81 Domestic Assist Other Agency Overdose Check the Welfare Victim Services	1	1	9
June 6- June 12, 2022	53	1. Statewide Rural Subcommittee Meeting	N/A	11	Referrals to Services: 10-81 10-91 Victim Services Domestic Public Assist	1	2	15
June 13- June 19, 2022	57	1. Comprehensive Opioid Program Meeting	1. Understanding the Modern Opioid Epidemic	13	Referrals to Services: Public Assistance 10-81 Check the Welfare Assist Other Agency	1	1	11
June 20- June 26, 2022 (Juneteenth)	45	1. Addressing Homelessness in a Rural Community	1. Special Olympics/LEO Torch Run	15	Referrals to Services: Public Assistance 10-81 Victim Services Assist Other Agency	2	1	12
June 27- July 3, 2022	48.5	N/A	1. Racial Disparity in Behavioral Health Treatment	10	Referrals to Services: 10-81 Victim Services Public Assistance	0	2	10
Totals:	248.5			61		5	7	57
Overall Totals:	2281.6			502		36	53	485

Milford Police Department - June 2022 BHU Statistics
Jenna Haines, LMSW, MSW, DE-CMHS
Gregory Bisset, LCSW, C-AADC
Danielle Blackwell, LMSW

DATE: July 1, 2022
TO: Mayor and Members of City Council
FROM: Terri Hudson, City Clerk
RE: June 2022

- University of Delaware Virtual & Hybrid Training
- IIMC Professional Development Program (see attached for 'one' of Katrina's certificates)
- Coordinated DLLG Dinner registrations and payments
- Coordinated SCAT Dinner registrations and payments
- Coordinated SCAT Breakfast registrations and payments
- Continuing Work to establish a new Pennsylvania Municipal Clerks Institute in Reading:

Along with the Pennsylvania Municipal/County Clerks, the PA Clerks Institute Ad Hoc Committee, consisting of IIMC Executive Director Chris Shalby, Region 2 Director Diane Pflugfelder (New Jersey) and me again met with Director Paul Janssen of the Center for Excellence in Local Government (CELG) to review an early format (see attached) for the program. The document is a draft of how the Institute will function at CELG and Albright College. Each session continues to be expanded and testing procedures are being developed.

Dr. Michael Armato, Professor of Political Science, joined us during the meeting and will become an integral part of this program. The official start should occur within the next few months, but possibly in January 2023.

- Completed Design Work of City Flags with Champion Flags (Wilmington). See below for final design:



- Continued Administrative & Council budget transfers to assist with the close out of FY22 Budget
- Multiple Updates to IIMC Region II Facebook Page
- Continued Working with IIMC Region 2 Director Travis Morris (Virginia)
- Assisted other Delaware Municipalities with Policy and Procedural Items
- Continued Search/Records Management & Storage Contractor/Vendor Meeting tentative
- Requests/Assistance from City Departments (17)
- Created/revised/reloaded June Council Packets (35)
- Created/revised/reloaded June Council Agenda (23)
- Created/revised/reloaded Board of Adjustment Notices
- Created/revised/reloaded Board of Adjustment Agenda
- Created/revised/reloaded Planning Commission Applications
- Created/revised/reloaded Planning Commission Public Notices
- Created/revised/reloaded Parks & Recreation
- Provided Notary Public Services (5)
- Transcribed and proofread Minutes from City Council Meetings
- Transcribed and proofread Minutes from Planning Commission
- Transcribed and proofread Minutes from Board of Adjustment (2)
- Distributed recordings of Council Meetings to various media outlets
- Communicated with DLLG Director
- Proclamations Created (1)
- Resolutions Created (3)
- Completed Minutes by Deputy City Clerk (10 sets):
 - ✓ 3 BOA
 - ✓ 1 Cemetery
 - ✓ 6 Planning Commission
- Special Event Permits to Date (28)
- Upcoming Event Applications Received:
 - ✚ 2022 20 Jesus Love Temple/Gospel in the Park 7/2/2022
 - ✚ 2022 15 Food Bank/Inaugural Out Run Hunger 5K 7/7/2022
 - ✚ 2022 24 More Sure Word Church/Funday 7/9/2022
 - ✚ 2022 14 DMI/Ladybug Music Festival 7/30/2022
 - ✚ 2022 25 Word of Life Community Church/Take It To The Streets 7/15/22, 7/16/22, 7/18/22
 - ✚ 2022 03 Library/Music in the Park/Wednesday 07/06/2022 07/13/2022 07/20/2022 07/27/2022

A great deal of time has been spent on Special Duty events the past couple of months. We continue to see an increase with new events being scheduled throughout the community. It appears we will be seeing some new events this fall.

DCC Katrina White spends a great deal of time, working with City departments and State agencies to ensure each event is properly planned with safety of the attendees and residents her primary goal. She deserves a lot of credit for the time and effort she puts into each application/permit. I have seen as many as 100 (approximate) emails sent back and forth making sure that all concerns have been addressed and that all departments are on board prior to the release of the permit.

A close eye has been kept on the many pending legislative items that were being reviewed at Legislative Hall throughout the month of June for impact to the City. Many of these items and related information can be found in the latest newsletter issued by Delaware League of Local Governments at:

<https://mailchi.mp/c8ae3e417dc4/dllg-june-2022-link-eneews-7301423?e=7b35e7af8d>

The City Clerks hosted members from the Delaware Municipal Clerks Association for a luncheon Meeting on June 16th. The meeting was held in the private dining room at Arena's and though it was an extremely rainy afternoon, it provided an opportunity to showcase the Mispillion River and Walkway from within.

As a follow up to the problem created by Milford Beacon ceasing publication, we are continuing to publish notices in the Delaware State News. It is actually much more convenient since it is a daily publication versus prior weekly publications. In addition, we also advertise bid and RFP notices in the News Journal in order to reach a larger audience.

Attached:

Albright College PA Initial Curriculum

DCC White's Training Certificate

Format for the operation of the PA Municipal Clerk Institute/ International Institute for Municipal Clerks

- The program involves 4 annual cycles of programming. Each cycle has seven class TEAMS gatherings and an annual in person conference gathering.
- Annual Program would consist of 7 monthly sessions by TEAMS format of 4 hours on the last Wednesday of each Month scheduled for 8:00 AM to 12:00 Noon. Total 28 hours of class time.
- The program would have one annual gathering in person on the third week of June each calendar year. The gathering would be for two and a half days with social gatherings and academic classes. The classes would total 8 additional hours and the conference would total an additional 10 hours of experience. The conference would convene at 5:00 PM on Wednesday and run until Friday at 2:00 PM with a concluding lunch at 12:30 PM.
- The curriculum runs once every four years in four annual cycles, covering all topics over the four-year cycle.
- Cost would be \$1,000.00 - \$1,500.00 annually for the Webcast Sessions and a cost to be determined for the Annual Conference. Room, board, and speakers probably dictate a fee of \$400 to \$600. It is anticipated that rooms would be provided on campus with the option to secure a separate hotel room. Meals would be provided on campus at campus rates unless the participants would like to do an off-campus restaurant.

First Year Cycle

2/22/2023 **Introduction to Public Administration** – We will take a look at the implementation of public policy, administration of government establishment, management of non-profit establishment and also preparing civil servants specially for administrative purpose for working in the government and nonprofit sector(so much municipal work is dependent on strong understanding of nonprofit operations. Public administration is "centrally concerned with the organization of government policies and programs as well as the behavior of officials (usually non-elected) formally responsible for their conduct". We will examine how public employees can be considered to be public administrators, including heads of city, county, regional, state and federal departments such as municipal budget directors, human resources (HR) administrators, city managers, census managers, state mental health directors, and cabinet secretaries. Public administrators are public employees working in public departments and agencies, at all levels of government.

3/29/2023 **Social and Political Systems** – We will examine political systems and how they function and impacted by their social systems where they exist. The course examines how institutions or even groups and their relations to each other both political and social, their patterns of interaction within political systems and to political regulations, laws and the norms present in political systems in such a way that they constitute the political landscape.

4/26/2023 **Public Organizations** – We will examine many forms of Public Organizations from Nonprofits who function in the public arena to many levels of Government and governmental support. Examples include all of the forms of local government in PA as well as the different levels of County Government. Authorities, utilities, Multi-state jurisdictions, and tribal concerns will all be examined as well as how they operate.

5/31/2023 **Introduction to Communication** – We will examine consistent communication skills essential to being a successful Public Clerk. Showing respect, active listening, positive body language, asking questions, being open minded, and giving feedback. How you exhibit these skills and how can you emphasize better use of both.

6/21/2023 - 6/23/2023 - summer in person conferences - The Municipal Clerk Profession Reception, Opening Dinner and Keynote Speaker on Wednesday Evening, June 21, 2023, 5:00 PM. Check - in from 4:00 to 5:00 PM. Reception – 5:00 – 6:00 PM Dinner 6:00 to 7:00 PM Program: Speaker will present on making effective presentation skills. Presentation skills are the abilities one needs in order to deliver compelling, engaging, informative, transformative, educational, enlightening, and/or instructive presentations. Central to effective presentation skills are public speaking, tone of voice, body language, creativity, and delivery.

Thursday, June 22, 2023 8:00 AM – 12:00 Noon: **Budgeting for Municipalities**, We will examine the many components of a Municipal Budget from operating to capital to proprietary and the forms of municipal revenue. From taxes to fees to assessments. 12:00 Noon -1:00 PM Lunch and free social time. 1:00 PM to 5:00 PM: Written Communication Part One: A ‘Written Communication’ means the sending of messages, orders or instructions in writing through letters, circulars, manuals, reports, telegrams, office memos, bulletins, emails and Instagram, etc. Provides formal permanent directions. We will examine the proper format for each type of written format. What are the draw backs of all forms of written communications? 6:00 PM reception, 7:00 PM Social time, dinner and Speaker on timely topic of the day.

Friday, June 23, 2023 8:00 AM to 12:00 Noon, **Evaluating you message and constructing the most effective form of written communication.**

12:00 Noon to 1:30 PM: Lunch and conference evaluations and closing.

9/27/2023 **Introduction to Law** - Municipal Law is the law specific to a particular city or county (known legally as a "municipality"), and the government bodies within those cities or counties. In Pennsylvania these are known a political subdivisions. This can cover a wide range of issues, including everything from police power, zoning, education policies, and property taxes. Critical terms:

- By laws: A set of rules by which a municipality conducts its business. Bylaws tend to govern activities such as meetings, votes, record taking, and budgeting.
- Land Use: Otherwise known as zoning, land use laws govern the purposes for which land may be used.
- Municipal Charter: A municipality's founding document.
- Municipal Corporation: The legal structure assigned to a municipality which allows it to buy and sell property, and how to sue or be sued.
- Police Power: The legal term for the ability to use police to regulate the behavior of a municipality's residents.
- Ordinance: The technical term for the "law" issued by a municipality.

10/25/2023 **Records Management** – We will examine the myriad of records which must be maintained in accordance with the PA Historical & Museum Commission. What are the forms of approved records management?

11/22/2023 **Records Management 2** – We will examine the corporate records which must be maintained for a municipalities and counties in Pennsylvania and the specific retention methods for each type of record.

Thanksgiving 11/29/2023

Second Year Cycle

2/28/2024 **Public Management** – We will examine the discipline of conducting managerial activities in a public organization. Best practices for managing people and programs from development to administration to modification to react to a changing environment or programmatic goals. What are expectations for management in the public sector, supervision, reporting, and citizen input.

3/27/2024 **Local Government** – We will focus on Pennsylvania Local Government and depending on class registration curriculum will be added for other state systems. We will look at the 67 County Government systems in PA from 1st Class to 8th Class, We will look at Cities from 1st to 3rd class, Townships, both 1st and 2nd Class, Boroughs and the town of Bloomsburg. We will examine the Home Rule and Optional Plan law in PA and what ties all of the forms together to form our system of local government.

4/24/2024 **Accounting for Municipalities**, What is GASB, Cash, Modified Accrual, and Accrual? What do they mean? We will examine operational accounts, Capital Accounts, Proprietary Accounts, and Sinking funds.

5/29/2024 **Introduction to Fiscal Management** - We will examine the aspects of fiscal reporting to ensure your government is and stays healthy. Factors such as recommended reserves by fund type, the components of a comprehensive snapshot of the overall health of your government. Depreciation, accrued future costs, emerging liabilities,

6/19/2024 - 6/21/2024 - **Summer in person conferences** - The Municipal Clerk Profession Reception, Opening Dinner and Keynote Speaker on Wednesday Evening, June 19, 2024, 5:00 PM. Check - in from 4:00 to 5:00 PM. Reception – 5:00 – 6:00 PM Dinner 6:00 to 7:00 PM Program: Keynote Address – What is effective leadership!

June 20, 2024 8:00 AM – 12:00 Noon **Ethics** - We will explore ethical principles and while they do not provide a straightforward guide that guarantees the making of an ethically correct decision, they can offer guidance when the principles appear to conflict with one another. The IIMC Code of Ethics will be reviewed and detailed.

12:00 Noon -1:00 PM Lunch and topical presentation on a breaking issue in profession.

1:00 PM to 5:00 PM: **Media Relations** – Do you want to be the prepared to be person behind the microphone when the media has 100 questions about the big event that happened that morning. What can you do to prepare for that event? How do you build on relations with all media sources so there is a connection before the event? Critical issues to remember when you have a difficult message to transmit to the media!

6:00 PM reception, 7:00 PM Social time and dinner and Speaker on timely topic of the day.

June 21, 2024 8:00 AM to 12:00 Noon **Comparative Clerkship** – What are the similarities for clerks positions and where do issues differ. We will examine the typical roles which Clerks function in Local and County Government and where those functions create special needs. Based on registration we will

examine states where registrants come from is not PA. 12:00 Noon to 1:30 PM: Lunch and conference evaluations and closing!

9/25/2024 - Financial Management- We will examine how the day-to-day operations of a local government require day to day management of the budget. Included are long-term investments in equipment and infrastructure and obtaining sound financing for these projects is also key to successful municipal operations. When do you borrow and when do you spend reserves on capital projects?

10/30/2024 The Planning Process – From preparing for tomorrow, next, week, next month, next season, next year, and in five years, planning is critical to success and timely effective work. We will examine how you can begin to lay out a vision and direction for yourself, your department, and your municipality. Stop lurching from one crisis to another and start developing a roadmap to effective operations that anticipate issues and have the required resources to manage responses.

11/20/2024 Introduction to Project Management – Whether you have to move your office or you have to build your office, there are principals of Project Management which will assist you in securing success in that 8-hour project or that 8-month project. How to develop a GANTT chart to ensure that you organize your project for success. Sequence each step and ensure that you have the supplies and personnel ready when they are needed.

Thanksgiving 11/28/2024

Third Year Cycle

2/26/2025 Agendas and Minutes – We will explore the art of establishing Agenda's and developing minutes which fit the responsibility of recording the meeting content. Do your meetings last hours and require multiple meetings to solve every problem? Establishing an agenda process that streamlines meetings and decisions is critical to effective relationships

3/26/2025 Resolutions and Ordinances

4/30/2025 Meeting Administration

5/28/2025 Administrative Law

6/18/2025-6/20/2025 Conference – Community Development, Team Building and Group Dynamics, Public Personnel Management, Sustainable Economic and Community Development.

9/24/2025 Environmental Policy and Management

10/29/2025 Public Sector Economics

11/19/2025 Technical Writing

Thanksgiving 11/27/2025

Fourth Year Cycle

2/25/2026 Knowledge Management

3/25/2026 Organizational Management

4/29/2026 Intro to Informational Management
5/27/2026 Emergency Management
6/17/2026-6/19/2026 – Conference - The American Municipality, Public Organizations, Strategic
Planning for Not – for Profit and Government Entities, Research Skills
9/30/2026 Employment Law/HR Management
10/28/2026 Project Management
11/18/2028 Project Risk Assessment
Thanksgiving 11/27/2026



CERTIFICATE OF COMPLETION

This certifies that:

Katrina White

has successfully completed

Servant Leadership

June 9, 2022

TRACY BORST

Institute Director

This session has been approved for
1 CMC Education or 1 MMC Advanced Education Point

NEMCI&A
New England Municipal Clerks' Institute & Academy
Grow and Learn with us...





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: June Monthly Report
Date: July 8, 2022

- Sgt Masten and I met with downtown merchants/residents regarding late night activities occurring on Walnut Street that has raised some concerns. Sgt Masten will be notifying patrols of the issues and we plan to meet with other business owners to discuss possible solutions.
- I attended DEMEC's annual Legislative Luncheon at Legislative Hall second floor Senate Hearing Room on Thursday June 9 from 11:30am – 1pm.
- Mike Svaby, James Puddicombe, Solicitor Rutt and I met regarding on-going issues at Milford Ponds. We will be meeting with the developer and their attorney later this month.
- Melody, Lou, Sandra and I finalized the budget, as well as listing all of Council's questions, with answers, that were asked during the budget hearings.
- Tony Chipola and I met regarding the Electric's RP3 application (Reliable Public Power Provider) that will go to the American Public Power Association.
- Councilpersons James and Marabello, Mayor Campbell and I attended the SCAT dinner in Ocean View and heard a presentation by Dr. Tam of Beebe Health.
- Councilpersons James, Marabello, Boyle, Mayor Campbell and I attended the WIIN Focus Group meeting.
- Mayor Campbell and I attended the SCAT breakfast and hear a presentation from Comcast. We will have a very similar presentation at the June 6 Council meeting.
- We have had a rash of property code complaints over the past couple month. I have been forwarding onto Code Enforcement for follow up.
- There were two very important ribbon cuttings at the Milford Wellness Center. On Wednesday, June 15 at noon, the University of Delaware Disabilities Studies Assistive Technology Resources. On Thursday, June 16 at 11am, Pace Your Life ribbon cutting.
- Mayor Campbell, Councilman James and I along with Rep. Shupe and School Board President Jason Miller attended a combined middle school civics class to discuss current issues in local and state government.
- Steve Zeveney, Tony Chipola, Lou Vitola and I met with Tripp City Ohio staff regarding AMI meters. They are about the same size as Milford and plan to deploy AMI meters in the near future.
- Solicitor Rutt, Lou Vitola and I attended the Senate Elections and Government Affairs Committee hearing on the City's charter change (to allow us to use County tax assessments in lieu of doing separate assessment).
- I met with a property owner regarding concerns with the Rental License process.
- At our Department Head meeting on Wednesday, we discussed the coordination and tracking of Capital Projects. Melody Barger is taking on the task of organizing all the

projects with assigned “owners”. We will be meeting monthly to ensure projects are moving forward.

- Solicitor Rutt, Mike Svaby, James Puddicombe, Rob Pierce and I held a meeting with subdivision developer regarding outstanding bonds and payments.
- Rob, Sara and I met with developer regarding a potential development project downtown.
- I attended the monthly Chamber Executive Board meeting.
- Jamesha and I met with Jon Fehlman of GovHR regarding the Police Chief recruitment process. Jon will be sending a questionnaire via email to Council with questions regarding the next Chief of Police.
- Jamesha, Chief Brown, Captain Huey, Attorney Mike Stafford and I met with regarding to funding changes by the Federal Government for special duties
- I have had several correspondences with the Armory Lessee regarding the roof repairs at the Armory. It is under contract.
- I am please to announce that all hardware and software is in place for the live streaming of Council meetings. The first meeting to be live streamed will be on July 11. Withing about 30 minutes of the end of the meeting, the live stream will be automatically uploaded to the City’s website for viewing by the public.
- I attended the DEMEC executive board meeting
- Sara, Melody and I met with Becker Morgan, Emory Hill and Tsionas regarding the master plan for the Milford Corporate Center. We are very close to a final plan and Becker Morgan will be getting ready to submit to the Planning Commission.
- Councilpersons Marabello, James (and Pam), Wilson, Mayor Campbell, Tony Chipola and I attended the DEMEC Annual Dinner on Wednesday night in Smyrna.
- Councilman James (and Pam), Mayor Campbell, Brad Dennehy and I attended the DLLG dinner in Dover. We heard a very interesting presentation on the need for planting native plants in Delaware.
- I attended the APWA Board meeting in Smyrna.
- I had discussion with the Dispatcher Union steward about FY23 pay increases.
- We have been made aware of several large trucks traversing the SW Front Street bridge. The weight limit on the bridge is 3 tons. We have notified trucking companies of the weight posting. I will be contacting DELDOT to see if two way traffic on SW Front can be expedited.
- Rob and I met with DELDOT and Century Engineering regarding the SR1 Corridor Capacity Study.

TO: Mayor and City Council
THRU: Mark Whitfield, City Manager
FROM: Michael Svaby, Director, Public Works
DATE: July 8, 2022
RE: June 2022 - Public Works Department Staff Report

The following input represents a high-level list of activities and accomplishments for the month of June 2022.

Director's Office

- Employment Interviews Held: 1 for Equipment Operator
- Worked with Engineering and legal council on evaluating options for Milford Ponds development and Front Street Lead Service Line Replacement project.
- Coordinated 1st round of Crew Leadership training.
- Followed up on grant opportunities and open permits with DelDOT and Homeland Security.
- Coordinated TAP Project meeting for NE Front Street
- Attended Safe Streets for All (SS4A) Grants webinar
- Worked with DEMA on completing the Emergency Response Plan Library

Engineering Division

- Supported document gathering and billing/scope research process for Milford Ponds meeting
- Completed paving on North Street ; striping and minor repairs remain
- Completed paving on Barker Street.
- Advertised bid for and held pre-bid conference for the sidewalk repair program.
- Continue coordination with DelDOT on the Front Street Lead Service Line Replacement project

Public Services Division - Streets/ Utilities/Water/Sewer/Solid Waste Sections

- Assisted Schrock in installing the altitude valve for the City's Water tower at Caulk/Dentsply.
- Repaired replaced street signage as needed on Airport Rd, and Routes 14 and 113.
- Sprayed weeds (bi-weekly) and swept streets (daily) on usual schedule .
- Assisted in setting up street configuration for third Thursday.

PW Administration

- Coordinated multiple events that were held in the PW Conference room for both the Police and public Works organizations.
- Continued to fill in as Facilities Coordinator in the absence of a hired person for this role.
- Supported logistics for Solid Waste vehicles in terms of scheduling outside work, switching trucks when disabled and working with garage top ensure trucks are properly maintained for safe operation.
- Coordinated fiscal close out of FY 22 issuing multiple budget change transactions, soliciting final invoice submissions, etc.
- Supported Solid Waste Collection Vehicle research effort to analyze best operating model.

New Employee Starts

- None in Public Works Department since the announcement of the last two new employees at the June 27th meeting.

Public Works Department -June 2022	June 2021	June 2022	FY21 YTD (07/01/21-06/30/21)	FY22 YTD (07/01/21-06/30/22)
Electric Division				
Trouble Service Call	6	14	170	262
Work Orders Completed	35	26	365	466
Outages	6	16	70	123
LED Street Lights Replaced	5	5	324	165
New Service Install	8	3	8	81
Poles Replaced	6	12	47	30
After Hours Calls	11	25	102	151
Technical Services Division				
New Electric Service Installed/Meter Set	32	6	316	235
New Water Service Installed/Meter Set	2	4	222	89
Electric Meter Replacement	37	8	111	51
Water Meter Replacement	37	85	359	512
Work Orders Completed	801	745	8,437	5,999
After Hours Calls	3	8	55	61
Streets/Utility Division				
Signs Installed/Replaced	30	26	251	242
Curb Miles Swept	120	110	1,665	5,700
Sewer Lines Flushed (in feet)	1,250	1,725	25,680	29,510
Sewer Back-up Response	6	3	44	35
Sewer Line Repaired	X	0	8	4
Water Hydrants Flushed	125	8	542	381
Fire Hydrants Replaced/Installed	3	0	10	10
Water Line Repair	2	1	22	15
Water Valves Exercised	27	24	189	245
De-icing Salt Used (tons)	X	0	61	104
Potholes Filled - Cold Patch	60	53	590	574
Potholes Filled/Spray Patch - Gallons Emulsion Used	7	4	123	11
Leaves Collected (Tons)	X	0	31	102
After Hours Calls	8	9	62	71
Crack Sealing (pounds of sealant used)	X	0	650	600
Work Orders Completed	54	10	255	226
Storm Sewer Inlets Cleaned	75	83	1,237	791
Street Closures/Festivals	X	3	23	34
Engineering Division				
Utility Locates Completed	278	187	2,577	1,977
Infrastructure Work Orders Completed	3	0	29	94
Backfill Inspection Work Orders Completed	16	0	234	127
Operations Division				
Fleet Work Orders Completed	5	37	243	273
Fuel Use-Diesel (Gallons)	2,489	2,740	26,555	7,699
Fuel Use-Gas (Gallons)	4,027	4,208	47,976	44,061
Blue Def (Gallons) (May 23-27,2022)	X	104	X	120
Solid Waste & Facilities Division				
Refuse Collected (Tons)	297	265.64	3,413	2,987
Recycle Collected (Tons)	66	57.68	783	774
Yard Waste Collected (Tons)	72.99	48.45	555	587.22
Diversion Percentage (%)	3200.00%	X	35.50	0.31
Bulk/Brush Collection Requests Completed	73	48.00	666	648
Containers Delivered	49	56.00	575	507
Containers Serviced (Swap, Replacement, Removed)	26	23.00	221	580
Water & Waste Water Facilities Division				
Water Treated (Millions of Gallons)	92,687,700	X	494,018,200	306,614,200
Waste Water Transferred (Millions of Gallons)	78,753,000	X	466,390,000	224,840,000

Work Orders Completed	53	57	555	502
Pump Stations Cleaned	X	X	11	2
After Hours Calls	4	5	65	30

Public Works Projects - June 2022	Planning Stage	Bid/PO Award	In Progress	Complete
Electric				
DEL2 Substation Testing				
Traffic Signal Head Refurbish. - Church/Walnut/Washington				
Water				
Install Automated Blow-off Valves 2 in stock	X			
Protection Upgrades Caulk & 10th Street Towers				
Water Tower Altitude Valve at Caulk Tower			X	
Water Trtmt Monitoring & Process Control Upgrades (4&5)				
City-wide Valve & Hydrant Replacement/Improvements			X	
Standardized Water Treatment Facility Controls				
DNREC Water Allocation Permit			X	
Sewer				
Truitt Avenue PS Groundwater Investigation & Repair			X	
SCADA Instrumentation Upgrades & Integration				
Targeted Inflow and Infiltration Investigation & Repair			X	
North Shore Pump Station Hatch Replacement				
Streets				
Mispillion, McColley, Marshall Streets Reconstruct/Paving				X
Fisher Ave				X
Financing for Private Sidewalk Improvements	X			
Street Resurfacing and Rehabilitation, ADA Ramps			X	
Installation of ADA Compliant Ramps			X	
Walnut Street Pedestrian Crossing (Landscaping)	X			
Truck Turning Study	X			

PARKING				
BUILDINGS		Data Unavailable		
Council Chambers Recording System Upgrade				
Monitors in Council Chambers				
City Hall Basement Renovation Phase 2-Training Rm/Ofc				
PW-Complex Security				
City Wide-LED Replacement Project				
DMI Project (BEING SOLD)				
Customer Service-Basement Waterproofing				
Customer Service-Concrete Repair Drive-Thru				
Facilities Management Binder				
PW - Bldg 100 Paint/Flooring (fall 2021 project)				

PW Facility Air Infiltration				
PW Facility Roof Drainage Repair/Replacment				
Public Works Equipment & Vehicles - June 2022	Planning Stage	Bid/PO Award	In Progress	Complete
ELECTRIC				
Replacing Vermer Trencher (E128)				
TECHNICAL SERVICES				
WATER				
Replace W-16 IR Compressor				
Replace W-8 F250 2022				
Replace W-15 Pick up 2022				
SEWER				
Replace SE-2 Ford F250 Pickup 2022	Ordered	Hertich	Ordered	

STREETS				
SOLID WASTE				
GARAGE				
Active Developments - June 2022	Plan Review	Utility Mains Installation	Utility Service Line Inspection	Complete
Hearthstone Manor I			X	
Lighthouse Estates II			X	
Brookstone Trace			X	
Brookstone Trace II		X		

Orchard Hill			X	
West Shores at New Milford			X	
Watergate			X	
Walnut Village			X	
Milford Ponds Phase I		X	X	
Hearthstone Manor II	X			
Milford Ponds Phase II	X			
Simpson's Crossing Phase 1a			X	
Simpson's Crossing Phase 1b		X		
Cypress Hall Phase I		X		
Wichersham	X			
Mispiration Landing	X			
Riverwalk Villas	X			
Windward on the River			X	
Cypress Hall Phase II	X			
Milford Ponds Phase III	X			
200 NW Front				X
Hickory Glen	X			
Knights Crossing	X			
Commercial Developments - June 2022	Plan Review	Utility Mains Installation	Utility Service Line Inspection	Complete
Microtel				
La Kramer				
Deep Branch Plaza				
Laundry Mat-24 Milford-Harrington Hwy				
Delaware Mini Storage				
La Kramer				
Deep Branch Plaza				



PUBLIC WORKS FACILITY

180 Vickers Drive
Milford, DE 19963
www.cityofmilford.com

Anthony J. Chipola III, Electric Director
PHONE 302.422.1110, Ext 1137
achipola@milford-de.gov

To: Mayor and City Council
From: Anthony Chipola, Electric Director
Subject: June 2022 Electric Dept Staff Report
Date: July 11, 2022

Director's Office

- Reinstated Monthly Substation Inspections
 - Minor issues noted and being resolved
- Meeting w/ City Engineer and GIS Dept for Electric Infrastructure asset tracking within GIS
- Attended mtg with Tripp City regarding AMI infrastructure currently in use by City of Milford
- Meeting with S. Zeveney & Progressive Engineering (Engineering Consultant) to discuss current and future state of SCADA System
- Attended mtg regarding weather reporting application
 - Able to identify and alert for significant weather events
 - Tracks Ground Strike Lightning Locations
- Attended Customer Service Team Mtg. Met with team for introductions
- Attended DEMEC Joint Council Briefing
- Held Mtg w/ Dale Matthews and Jamesha Williams to discuss APPA RP3 application and responses.
- Attended DEMEC Training on Disaster Recovery Funding and submittal requirements

Electric Lines

- Monthly Inspections of Del1, Del2 and Tap Stn Completed
 - Involved training of less experienced linemen / apprentices
- Attendance of Crew Leader Training
- TVPPA / DEMEC Lineman Training Assessment Coordination Call
- Review facilities along northside of NE Front East of Rehoboth for DelDOT project
- Continued response to various outage and service requests

Technical Services

- Resolved Issue with AMI Software not reporting restoration times
- Continued review of Solar Applications
- Repaired chlorine machine solenoid valve 10th St Water Plant
- Replaced level transducer South East Pump Station
- Repaired SCADA RTU at Washington St pump station (failed communication board)



TO: Mayor and City Council

FROM: Rob Pierce, AICP - Planning Director

DATE: July 5, 2022

RE: June 2022 – Planning Department Staff Report

- During the first five months of the 2022 calendar year, the City has issued 22 new residential construction permits. The total construction investment in Milford through the end of June 2022 based on issued building permits was \$12,496,534.
- The City of Milford has seen 129 projects with a committed investment of over \$25.8 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 \$2.75 million in grant funds for both large and small commercial and residential projects in Milford. The City has waived over \$543,000 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 revised final major subdivision application for the Wickersham Development, a revised final major subdivision application for Cypress Hall Phase I, a revised final site plan application for Cypress Hall Phase II, and the Milford Police Station final site plan at the July meeting.
- The Board of Adjustment will review one variance application at the July meeting for a rear setback encroachment for a concrete patio around a swimming pool.
- The City received an amended conditional use application for Feebs Distilling Co. which will be placed on the August Planning Commission and City Council agendas for review.
- The City received a preliminary conditional use site plan application for the 1st State Self Storage project on Route 113 and provided plan review comments to the applicant.
- The City reviewed a preliminary conditional use site plan application for the PAM Milford project on the Sussex Health Campus and provided plan review comments to the applicant. The applicant resubmitted plans for review and the item will be placed on the August Planning Commission and City Council agendas for review.
- The City received a preliminary major subdivision application for Knights Crossing – Phase 2A which is currently under review.
- The City received a preliminary major subdivision application for Knights Crossing – Phase 2B which is currently under review.
- The City reviewed the final site plan application for the Teal Creek Plaza expansion and provided comments to the applicant.
- The City reviewed the final site plan application for the Food Bank project and provided comments to the applicant.

- The City received a Utility Feasibility Study Request from Southern States for a vacant industrially zoned parcel located along the north side of Route 14.
- The City received a final site plan application for the proposed Arby's located on Route 113.
- The City received a final site plan application for the Helmick Milford, LLC project located at the former Wendy's site.
- Attended the Waterways and Infrastructure and Investment Network (WIIN) focus group meeting at City Hall.
- Met with representatives from Sussex Habitat for Humanity to discuss potential projects in Milford.
- Attended a project coordination meeting between DeIDOT and the developer of Hearthstone Manor II regarding the status of their DeIDOT approval.
- Met with representatives from the Bayshore Byway Program to discuss potential grant funding for improvements along the section of the byway within Milford.
- Attended the Delaware Bayshore Byway Management team meeting.
- Attended the Dover/Kent County Metropolitan Planning Organization (MPO) Technical Advisory Committee (TAC) meeting.
- Attended the Keep Kids Alive Drive 25 kickoff meeting hosted by Sara Bluhm.
- Attended a NE Front Street TAP project design progress meeting.
- Attended an SR1 Corridor Capacity Preservation Program (CCPP) meeting hosted by DeIDOT. The meeting discussed updates to DeIDOT's SR1 corridor plan from Cedar Creek to the Dover Air Force Base. The meeting included representatives from DeIDOT, Century Engineering and Kent County.
- Attended the sidewalk program pre-bid meeting hosted by the City Engineer James Puddicombe.
- Met with various developers to discuss possible projects.
- Staff continue 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	37
Closed Cases	4
Open Cases at Start of Period	387
Open Cases at End of Period	420

*181 open cases are for tall grass, which stays open the entire growing season.

Violation Activity:

New Violations Cited	Total
Abandoned Vehicle	2
Dangerous Tree	3
Furniture Violation	0
Generic Violation	14
Property Maintenance Violation	2
Rubbish & Garbage	4
Weeds & Grass	10
Zoning Use Violation	2
Total	37

Rental Licenses Issued: 67

Vendor Licenses Issued: 1

Contractors Licenses Issued: 27

Business Licenses Issued: 10

Building Permits Issued:

Permits Issued by Type	Count
Commercial Demolition	1
Commercial Foundation	0
Commercial Building Permit	8
Construction Trailer	0
Residential Demolition	0
Residential Building New Construction	1
Residential Renovation/Accessory	26
Roof/Siding Permit	3
Sign Permit	4
Solar Panel Permit	4
Utility Permit	3
Total	50

Inspections Performed:

Inspections Performed by Type	Count
Footer	9
Foundation	8
Framing	17
Insulation	1
Final	46
Residential Rental	14
Total	95

**Municipal Comprehensive Land Use Plan
Annual Report**

** New Question added - - #4 Opportunities for technical assistance**

Name of Municipality: MILFORD

Date of Plan Certification: 01/22/18 **Date of Report:** 06/07/22

In accordance with 22 Del. C. §702 (g) Municipalities shall provide to the Office of State Planning Coordination a report describing implementation of their comprehensive plan and identifying development issues, trends* or conditions since the plan was last adopted or amended. The report shall be due annually no later than July 1.

*Please note that the development trends data is collected each year to further supplement this requirement. Please contact the Office of State Planning Coordination with questions regarding development trends or this annual report.

1. Please review the recommendations, goals and implementation items within your comprehensive plan and Please indicate which items are complete, underway, or not yet started. Also please include any other comments you may wish to add.

See attached documentation for the 2018 Comprehensive Plan and SE Master Plan goals and objectives.

The City continues to work with DelDOT on the SE Milford Transportation Improvement District (TID) with the goal of adopting the TID before the end of the 2022 calendar year. The Planning Commission completed a 12-month process of reviewing the City's zoning and subdivision ordinances and amendments were adopted by City Council in January 2022. The City worked with DelDOT on the 2021 Bicycle Master Plan update which was adopted by City Council in November 2021.

2. Please highlight any significant accomplishments development issues, trends or conditions since the plan was last adopted or amended that may either have enhanced or hindered the implementation of your plan. These accomplishments may be used in the annual report to the Governor.

Residential construction has slowed over the past 12 months; however, new developments have begun site construction and existing developments are moving into new phases. The City continues to see infill development demand in and around the City's central business district with several residential and mixed use projects completed during the reporting period and others in the planning stages.

Commercial growth has remained steady with additional projects on the Sussex Health Campus and the Route 113 and Route 1 commercial corridors.

3. Are there any planning issues that the municipality is currently facing? Do you anticipate any comprehensive plan changes for which the Office of State Planning Coordination may be able to offer technical assistance? If yes, please describe below.

Congestion continues to increase along Route 113 associated with seasonal beach traffic and there may be a need to revisit the Route 113 north/south bypass study to develop a plan to alleviate long-term traffic congestion through Milford.

4. Opportunities for technical assistance, planning help, and funding for resiliency related projects arise throughout the year. What resiliency projects* or efforts might your town need help with? *Resiliency projects might include (but are not limited to) addressing flooding impacts, energy efficiency/sustainability efforts, identifying vulnerability to climate change, etc.

The City may need assistance with collaborating with DelDOT to conduct a climate change vulnerability analysis of at-risk transportation assets, specifically in the downtown area, and develop strategies for mitigating those risks as outlined in the City's Comprehensive Plan.

5. Please help update our mailing list by supplying the following information:

Mayor: Arthur J. Campbell e-mail address: mayorcampbell@milford-de.gov

City/Town Manager: Mark Whitfield e-mail address: mwhitfield@milford-de.gov

Planning Director: Rob Pierce e-mail address: rpierce@milford-de.gov

Town/City Clerk: Terri Hudson e-mail address: thudson@milford-de.gov

Council/Commission Members:

Ward 1 – Michael Boyle

Ward 1 – Daniel Marabello

Ward 2 – Todd Culotta

Ward 2 – Andrew Fulton

Ward 3 – Brian Baer

Ward 3 – Nirmala Samaroo

Ward 4 – Katrina Wilson

Ward 4 – Jason James, Sr.

Planning Commission Members:

Marvin Sharp, Chair

Shelby Nash DiCostanzo

Ian Wright

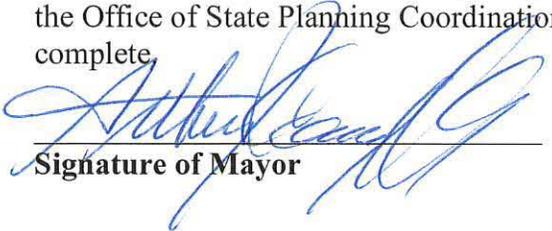
Mark Redden

Charles Hammond, Jr.

Jim Purcell

David Sauls

On behalf of the City of Milford, I respectfully submit this comprehensive plan annual report to the Office of State Planning Coordination. The information contained in the report is correct and complete.



Signature of Mayor

6/8/22
Date

Arthur J. Campbell
Printed Name of Mayor.

Milford’s Vision Statement

Milford takes great pride in the beauty of its riverfront and its rich historic and cultural heritage, which dates back to the eighteenth century. The City wishes to build upon these enduring and desirable attributes while enhancing community resiliency and see Milford grow into the “Riverfront Gateway to Southern Delaware.”

With a commitment to thoughtful economic development, appropriate growth that is resilient to environmental change, and preservation and protection of its most cherished assets, the City envisions itself as a year-round, vibrant, employment and economic center that stays true to its small-town roots and feel.... A small-town city where residents are able to live, work, go to school, and recreate.

Community Character

Term

GOAL

Encourage compatible, resilient, connected development, redevelopment, and growth within Milford’s municipal boundary.

OBJECTIVES

<ul style="list-style-type: none"> Maintain a dialogue with Milford’s major employers and industries to anticipate and maximize potential investment in the city. 	Ongoing
<ul style="list-style-type: none"> Ensure connections for all modes between commercial and residential uses, existing and proposed residential uses, and the southeast area and greater Milford. 	Completed 2021 Bicycle Master Plan Update and added projects to 5 year CIP
<ul style="list-style-type: none"> Consider pursuing Certified Local Government (CLG) status to potentially access technical and financial assistance through the national CLG Program, administered by SHPO. 	Not Yet Started
<ul style="list-style-type: none"> Consider an updated survey of municipal lands with Sussex County that may be eligible for the National Registry of Historic Places. 	Not Yet Started
<ul style="list-style-type: none"> Review and update the city’s sign ordinance. 	Completed
<ul style="list-style-type: none"> Investigate the development of architectural design standards for new projects, specifically those within the city’s designated historic districts. 	Voluntary Standards Developed by DMI.
<ul style="list-style-type: none"> Review and update site plan design requirements. 	Completed January 2022

GOAL

Prioritize growth on the significant developable and vacant areas within the existing municipal boundaries.

OBJECTIVE

- Encourage infill and redevelopment of vacant, underutilized, or in-need-of-repair properties, particularly within the Downtown Development District.

Ongoing

GOAL

Entertain annexation or growth opportunities within the municipality's established Urban Growth Boundary (UGB), provided cost-effective services can be provided.

OBJECTIVE

- Systematically consider and evaluate annexation requests from within the existing UGB, accounting for projected revenues from annexation, the cost of service provision, capacity and capability of municipal service providers, and preservation of adequate utility capacity for growth expected or desired already within the city.

Ongoing

Government, Community Services, and Infrastructure

GOAL

Ensure the safety and security of Milford's residents with first-class police, EMS, and fire protection services and provide adequate public utilities to provide for planned and desired growth in a managed, cost-effective manner.

OBJECTIVES

- Consult police, fire, and EMS personnel when considering significant development and redevelopment proposals, particularly with regard to response time and access.

Ongoing

- Plan for and provide adequate utilities and services to accommodate occurring and planned for growth in Milford.

Ongoing

- Consider additional electricity demand from increased air conditioning usage into electric infrastructure planning processes to ensure that power supply and system reliability are maintained during periods of sustained high temperature.

Ongoing

<ul style="list-style-type: none"> Encourage the appropriate use of low-impact development and resilient stormwater management practices contained in the Delaware Green Infrastructure Primer. 	Ongoing
<ul style="list-style-type: none"> Review mutual aid agreements with surrounding jurisdictions and confirm the adequacy of Advanced Life Support (ALS) services for Milford residents. Milford may wish to pursue offering these services. 	Not Yet Started
<ul style="list-style-type: none"> Work with natural gas provider to service residential, commercial, and industrial customers within city limits. 	Ongoing
<ul style="list-style-type: none"> Incorporate language in the code related to commercial recycling and making recommendations on commercial site plans for space for recycling dumpsters and other facilities. 	Not Yet Started
<ul style="list-style-type: none"> Engage with DNREC's Allocation Division to ensure all wells in service appear on a revised allocation permit for the city and that Milford is able to document sufficient supply for present needs. 	Underway
<ul style="list-style-type: none"> Engage with DNREC's Allocation Division to proactively coordinate anticipated future water allocation demands and needs and ensure that any new wells or infrastructure upgrades are coordinated with DNREC's approval process. 	Underway

Housing

VISION

The City of Milford envisions itself transitioning into a year-round economic and employment center. It strives to provide and maintain a balanced housing inventory capable of accommodating residents from senior-level executives to the many hourly wage employees Milford hopes to attract.

GOAL

Encourage a balanced range of housing types and homeownership opportunities for existing and future residents.

OBJECTIVE

- Engage DSHA in the city's planned Northeast Area Master Plan, particularly with regard to Census Tract 425, which DSHA characterizes as having an oversupply of subsidized rentals. Not Yet Started

GOAL

Promote opportunities for the creation of new clean, safe, and affordable housing and ensure the continued quality of the existing stock of affordable units.

OBJECTIVE

- Market the low-income home weatherization assistance program that is designed to improve energy efficiency for low-income households.

Ongoing

GOAL

Encourage the construction and maintenance of housing that is resilient to current and future hazards such as flooding and heat waves.

OBJECTIVES

- Update the city's floodplain ordinance and consider adopting a freeboard requirement.
- Consider upgrading the city's building code standard from the International Building Code 2006 to the most recent 2015 version that recommends stronger energy efficiency measures.

Completed

Completed
Considering
adoption of the
2018 IRC/IBC
Summer 2022

Transportation

GOAL

Enable the safe and efficient mobility of residents utilizing all modes of travel, be they pedestrians, cyclists, drivers, or transit riders—via a safe and interconnected transportation system.

OBJECTIVES

- Work to address deficiencies and maintenance issues in the city's bicycle and pedestrian network by cataloging identified issues, engaging with DelDOT, and programming any available transportation funding.
- Incorporate key recommendations from the city's Bicycle and Pedestrian Master Plan into its subdivision and street design standards.
- Study and/or address parking deficiencies in the central business district.

Completed
2021 Bicycle
Master Plan
Update and
added projects
to 5 year CIP

Completed
January 2022

Completed

<ul style="list-style-type: none"> • Ensure connections for all modes between commercial and residential uses, existing and proposed residential uses, and the southeast area and greater Milford when considering development or redevelopment applications. 	<p>Completed 2021 Bicycle Master Plan Update and added projects to 5 year CIP. Added Sidewalk Gap construction initiative to 5 year CIP.</p>
<ul style="list-style-type: none"> • Continue to make use of the Mispillion Riverwalk as a first-class recreational opportunity and the connected pedestrian spine of the community. 	<p>Ongoing</p>
<ul style="list-style-type: none"> • Coordinate with DeIDOT/DART regarding future transit needs and opportunities. 	<p>Ongoing – Local Route started May 2018</p>
<ul style="list-style-type: none"> • Preserve traffic capacity and prevent undue future congestion on the city’s highways and arterials by planning for future growth and development with connected local streets and bicycle/pedestrian networks. 	<p>Ongoing</p>
<ul style="list-style-type: none"> • Coordinate with DeIDOT and local businesses to address noted concerns of congestion, truck traffic, and difficult pedestrian crossings. 	<p>Underway</p>
<ul style="list-style-type: none"> • Collaborate with DeIDOT to conduct a climate change vulnerability analysis to identify at-risk transportation assets and strategies for mitigating those risks. 	<p>Not Yet Started</p>
<ul style="list-style-type: none"> • Install electric vehicle charging stations in the central business district with designated parking spaces. 	<p>Underway. Public Works Department is seeking grant funds for downtown charging stations</p>

GOAL

Pursue, in coordination with DeIDOT, the creation of a Transportation Improvement District (TID) for areas subject to the updated Southeast Master Plan.

OBJECTIVES

- Enter into a written agreement or MOU with DeIDOT regarding a TID for the southeast area, and develop an agreed-upon schedule of implementation steps.

Modeling, concept plans and cost estimates complete. Awaiting final TID fee structure before presenting to City Council for consideration

- Collaborate with DeIDOT to investigate an east–west transportation solution between US 113 and the new Bayhealth Health Campus.

Delayed. Need State legislative support

Economic Development and Redevelopment

VISION

The City of Milford is dedicated to providing a quality living and working environment that will ensure a balanced mix of commercial development and employment opportunities, that serve its residents, and promote its image as a desirable and economically stable community.

GOAL

Pursue land use, growth, and preservation strategies that will ensure that farms, agricultural properties, and agri-businesses remain an economically viable anchor to the Milford economy.

OBJECTIVES

- Promote preservation of agricultural and environmental resources beyond the city limits of Milford.

City Council adopted TDR Ordinance. Completed

- Systematically consider and evaluate annexation requests from within the existing UGB, accounting for projected revenues from annexation, the cost of service provision, capacity and capability of municipal service providers, and preservation of adequate utility capacity for growth expected or desired already within the city.

Ongoing

GOAL

Ensure Milford's future land uses and zoning accommodate and allow for a variety of commercial and employment activities.

OBJECTIVES

- | | |
|--|-----------------|
| • Encourage infill and redevelopment of vacant, underutilized, or in-need-of-repair properties, particularly within the Downtown Development District. | Ongoing |
| • Consider the development of a vacant building ordinance to address blighted and abandoned properties, possibly including a vacant building registration program. | Not Yet Started |

GOAL

Implement the policies and recommendations within the Southeast Master Plan and the Downtown Development District, both key tools for future development and redevelopment.

OBJECTIVES

- | | |
|---|---------------------------|
| • Incorporate and adopt the Southeast Master Plan as part of the Comprehensive Plan. | Completed |
| • Amend the municipality's zoning and subdivision ordinance, and any other relevant procedures, to reflect the updated master plan. | Completed
January 2022 |

GOAL

Broaden Milford's economic activity beyond the Monday to Friday, nine-to-five workweek by encouraging businesses, activities, and festivals that will help develop Milford's identity as a great place to have fun, as well as work and live.

OBJECTIVES

- | | |
|---|--|
| • Encourage and promote nightlife and cultural destinations in the town center. | Ongoing |
| • Consider the city's desire for cultural and evening destinations when deliberating conditional use applications. | Ongoing |
| • Consider relaxing parking requirements, or permitting shared parking arrangements, for adjoining uses or areas, where peak demands would be expected to occur at different points in the day/evening. | Completed
Zoning Code
review January
2022 |

GOAL

Enhance Milford's economic resiliency by reducing the risk of flood damage and promoting the long-term cost savings of energy efficiency and renewable energy upgrades.

OBJECTIVES

- Support energy efficiency and renewable energy upgrades in new and existing developments by taking advantage of state-sponsored financial incentives. Ongoing

- Promote electrical vehicle charging in the central business district. Underway. Public Works Department is seeking grant funds for downtown charging stations

Natural Resources

GOAL

Coordinate with relevant agencies and committees to improve water quality in the Mispillion River and its tributaries.

OBJECTIVES

- Consider refining the city's buffering regulations to distinguish between built-up areas where the existing ten-foot buffer is the default and more open areas where a more effectively sized buffer may be feasible. Completed the zoning code and subdivision code update 2022

- Continue to pursue and support living shoreline installations along hardened sections of the Mispillion River. Underway

- Review parking and loading standards to ensure new site plans have adequate parking while limiting the amount of impervious coverage. Completed the zoning code and subdivision code update 2022

- Consider relaxing parking requirements, or permitting shared parking arrangements, for adjoining uses or areas, where peak demands would be expected to occur at different points in the day/evening. Completed the zoning code and subdivision code update 2022

<ul style="list-style-type: none"> Review and update the city's impervious coverage standards to ensure environmentally friendly site design. 	Completed the zoning code and subdivision code update 2022
<ul style="list-style-type: none"> Enhance the urban tree canopy by planting new trees in sparsely planted areas, for instance near parking lots and other impervious coverage areas near the downtown core. 	Updated Tree Preservation Ordinance January 2022. Tree planting in 5 year CIP
<ul style="list-style-type: none"> Continue to avoid development in ecologically sensitive and flood-prone areas. 	Ongoing
<ul style="list-style-type: none"> Participate in the Mispillion River Tributary Action Team to assist in the development of pollution control strategies for the river. 	Not Yet Started
<ul style="list-style-type: none"> Promote the elimination of individual septic systems where feasible near and adjacent to the Mispillion River. 	Ongoing

GOAL

Pursue agricultural preservation of high-value agricultural parcels, consistent with the master plan.

OBJECTIVES

<ul style="list-style-type: none"> Incorporate and adopt the Southeast Master Plan as part of the Comprehensive Plan. 	Completed
<ul style="list-style-type: none"> Develop and implement a TDR program in the Southeast Neighborhood and expand the developed program into the anticipated Northeast Master Plan. 	Completed
<ul style="list-style-type: none"> Amend the municipality's zoning and subdivision ordinance, and any other relevant procedures, to reflect the updated master plan. 	Completed the zoning code and subdivision code update 2022

GOAL

Limit the growth of harmful atmospheric emissions attributable to Milford.

OBJECTIVES

- Support energy efficiency and renewable energy upgrades in new and existing developments by taking advantage of state-sponsored financial incentives. Ongoing

- Promote electrical vehicle charging in the central business district. Underway. Public Works Department is seeking grant funds for downtown charging stations

- Reduce future congestion, distance commuting, and emissions by developing as a year-round, live-where-you-work community. Ongoing

GOAL

Protect Milford’s social and economic assets by enhancing environmental resiliency.

OBJECTIVES

- Form a Climate Change Adaptation Committee that will review Milford’s climate vulnerabilities, evaluate appropriate adaptation options, and make recommendations to the city. Not Yet Started

- Consider a partnership with the Delaware Coastal Program’s (DCP) Resilient Community Partnership to potentially access staff support, technical assistance, and funding in the coming years. Not Yet Started

- Utilize new data and analytical techniques to begin planning for elevated water levels and increasing periods of heat. Ongoing

Parks, Recreation and Open Space

VISION

Milford is committed to providing high-quality public open space facilities and services. It recognizes that public open space and recreational activities are an integral part in the development of the city.

GOAL

Continue to enhance, improve, and promote the Mispillion Riverwalk as a cornerstone of the community and make practical use of it as a connection to established and future recreational open spaces and parks.

OBJECTIVES

- Promote recreational activities and events.

Ongoing

- Consider existing, smaller, vacant, or preserved parcels for use as community gardens.

Ongoing

GOAL

Encourage the inclusion of connected, accessible parks and open spaces in new development.

OBJECTIVES

- Incorporate recreational opportunities into redevelopment plans and programs.

Ongoing

- Actively support a regional blueway canoe and kayak trail from Abbott's Mill Nature Center through Haven Lake and Silver Lake to Goat Island, and extend the remaining length of the Mispillion River to the DuPont Nature Center at Slaughter Beach.

Not Yet Started

- Establish a unified open space and greenways network that connects with city parks, areas adjacent to the riverwalk, and bicycle and pedestrian ways.

Ongoing. May 2022 Comprehensive Plan Amendment for Open Space network in SE Neighborhood along Deep Branch & Herring Branch

GOAL

Encourage the preservation of areas along all streams, lakes, and ponds as recreational uses.

OBJECTIVES		
<ul style="list-style-type: none"> • Preserve and enhance buffer areas around water bodies to mitigate environmental and visual impact from adjacent uses and activities. 		Completed the zoning code and subdivision code update 2022
<ul style="list-style-type: none"> • Develop and implement a TDR program in the Southeast Neighborhood and expand the developed program into the anticipated Northeast Master Plan. 		Completed
<ul style="list-style-type: none"> • Consider refining the city’s buffering regulations to distinguish between built-up areas where the existing ten-foot buffer is the default and more open areas where a more effectively sized buffer may be feasible. 		Completed the zoning code and subdivision code update 2022
<ul style="list-style-type: none"> • Engage with DDA’s Forestry Section to explore urban forestry programs. 		Not Yet Started. City recently hired Arborist position.

Land Use and Growth Management

GOAL

Encourage compatible, resilient, connected development, redevelopment, and growth within Milford’s municipal boundary and entertain annexation or growth opportunities within the municipality’s established Urban Growth Boundary, provided cost-effective services can be provided.

OBJECTIVES

<ul style="list-style-type: none"> • Create a variety of suitable zoning categories and targeted land use areas within the city to accommodate the assortment of business sectors. 		Ongoing
<ul style="list-style-type: none"> • Update the zoning ordinance to reflect the objectives of the city’s Comprehensive Plan. 		Completed the zoning code and subdivision code update 2022
<ul style="list-style-type: none"> • Refer to the Comprehensive Plan for rezoning and annexation agreements. 		Ongoing
<ul style="list-style-type: none"> • Use State Strategy mapping to guide growth. 		Ongoing

<ul style="list-style-type: none"> Ensure that the design of new developments complement and enhance the city's unique character by developing and implementing architectural review standards for major residential and commercial developments. 	Voluntary Standards Completed for Downtown by DMI.
<ul style="list-style-type: none"> Encourage infill and redevelopment of vacant, underutilized, or in-need-of-repair properties, particularly within the Downtown Development District. 	Ongoing
<ul style="list-style-type: none"> Prioritize growth on the significant developable and vacant areas within the existing municipal boundaries. 	Ongoing
<ul style="list-style-type: none"> Establish a process to review comprehensive plan amendment requests once a year, which may be needed to harmonize proposed development plans with the Milford Comprehensive Plan. 	Informal Process Established. Need to codify.
<ul style="list-style-type: none"> Prioritize growth on the significant developable and vacant areas within the existing municipal boundaries. 	Ongoing
<ul style="list-style-type: none"> Systematically consider and evaluate annexation requests from within the existing Urban Growth Boundary, accounting for projected revenues from annexation, the cost of service provision, capacity and capability of municipal service providers, and preservation of adequate utility capacity for growth expected or desired already within the city. 	Ongoing
<ul style="list-style-type: none"> Review and update Chapter 230 zoning, specifically the use and area regulations, to ensure the code is modern. 	Completed the zoning code and subdivision code update 2022
<ul style="list-style-type: none"> Review and update Chapter 200 subdivision to update project review and approval procedures, inclusion of a sunset provision, and the allowance for administrative review of minor applications. 	Completed

GOAL

Conduct a Master Plan for Milford's Northeast Neighborhood.

OBJECTIVES

<ul style="list-style-type: none"> Work with OSPC to develop a Memorandum of Agreement and identify key stakeholders and state agency partners for master planning. 	Not Yet Started
<ul style="list-style-type: none"> Undertake a master plan exercise, similar to that conducted for the city's southeastern area, for its Northeastern Neighborhood. Adopt the master plan's findings and results as an addendum to this document and fully incorporate it during the next comprehensive rewrite of Milford's Comprehensive Plan. 	Not Yet Started

2011 SOUTHEAST MASTER PLAN

CITY OF MILFORD

1. The City will develop and adopt an ordinance to enable to use of transfer-of development rights (TDRs) credits in receiving zones. This ordinance will enable developers build at up to eight (8) units per acre by-right through the purchase of TDR credits from farms in the sending areas.

Completed in 2019.

2. A stormwater utility is a legal and financial structure to allow stormwater management facilities to be constructed, managed, and maintained in common by a local government or other entity. This master plan area is well suited to such a utility, although there are many ways to structure such an entity. Both the City and DNREC agree to explore this option in more detail as this area develops in accordance with this master plan.

This has not been explored to date.

3. The City will construct a public water system as described in Chapter 9 to serve the Master Plan Area. This is a funded project.

The City has designed the entire water system for the SE Neighborhood and has constructed the core components on the west side of Route 1. A water main extension has been constructed east of Route 1 in the vicinity of the large employment parcel. Estimates for improvements have been added to the City's 5-year Capital Improvement Plan.

4. The City will design and permit a sewer system to serve the Master Plan Area as described in Chapter 9. Private developers will be responsible for funding and constructing this system. The City will discuss various financing and construction options with any developer.

The City has designed in concept the sewer improvements required for full build-out of the SE Neighborhood. A sewage pumping station has been constructed to serve Bayhealth and the surrounding properties within City limits west of Route 1 along Route 30. Estimates for improvements south of Johnson Road and east of Route 1 have been added to the City's 5-year Capital Improvement Plan.

DEPARTMENT OF AGRICULTURE

1. The Delaware Department of Agriculture (DDA) and the Delaware Agricultural Lands Preservation Foundation (DALPF) will partner with the City to establish a Transfer of Development Rights program as described in the Agricultural Preservation chapter of this document (Chapter 4).

Completed in 2019.

2. By partnering with DALPF, the City will avoid the initial financial expenditures required to preserve a parcel of land. These expenditures include paying to survey the property, paying the legal costs of a real estate settlement, and other associated administrative costs. DALPF would bear those costs.

3. The City would avoid the future obligation of monitoring the preserved farms to make sure they remain in compliance with the preservation agreement (easement). DALPF would assume that responsibility and add any properties preserved by Milford to the hundreds of permanently preserved farms it already monitors. In addition, should any future litigation be required to uphold the preservation easement, the City would not have to incur any legal costs.

4. DDA will assist the City in the creation and administration of a TDR bank as described in the Agricultural Preservation chapter of this document (Chapter 4). This includes assistance with appraisals to set the fair market value of TDR units.

Completed in 2019.

5. In addition to any funds the City would have for agricultural preservation and the TDR bank, they would also be eligible for state matching funds from DALPF, as well as any federal matching funds from United States Department of Agriculture (USDA) Farm and Ranch Lands Protection Program (FRPP). As allowed by law, these matching funds would be awarded to the city based on availability. If the City were able to capture state and federal matching funds, it could significantly leverage its funds with additional money and preserve additional farmland.

Completed in 2019.

DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL

1. There is an opportunity for greater communication and coordination between DNREC and DelDOT with regard to stormwater management and road improvements. This coordination will be ongoing throughout the development of this master plan area. Opportunities to share facilities and streamline the review process will be continually evaluated and implemented as individual properties within the master plan area develop and re-develop. Streamlined review and approval processes will only be available in return for implementing “best practice” designs.

This has not been explored to date.

2. DNREC will work with the city to explore and implement the concept of a stormwater utility in the master plan area as development occurs.

This has not been explored to date.

DEPARTMENT OF TRANSPORTATION

1. DelDOT will fund and construct the grade separated interchange at SR 1 and SR 30 as per the current Capital Transportation Plan (CTP). The current timeline involves construction in 2012 and 2013, with completion in late 2013. Please note that the CTP is subject to amendment annually.

The work has been completed.

2. Work with the City of Milford to adopt this master plan area as a Transportation Improvement District (TID) to enable equitable and timely funding for roadway improvements within the area in accordance with the recommendations in this Master Plan.

The City Council authorized execution of a TID agreement with DelDOT to begin the more detailed analysis of the SE TID. DelDOT has completed modeling along with preliminary concept drawings and cost estimates. A draft TID fee structure needs to be developed before the final concepts, cost estimates and TID fee is presented to City Council for consideration. We will continue to work with DelDOT to complete the TID process.

3. DelDOT will work with the City to ensure that the road improvements identified in this report are implemented by the public and/or private sector in a phased manner that is paced with the timing of development activities.

No road improvements identified yet.

PARKS & RECREATION DEPARTMENT
207 Franklin Street
Milford, DE 19963



PHONE 302.422.1104
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www.cityofmilford.com

TO: Mayor and City Council

FROM: Brad Dennehy-Parks and Recreation Director

DATE: July 5th, 2022

RE: June 2022 – Parks and Recreation Staff Report

Parks

- Weekly trash runs of all municipal trash cans continued.
- Grass continued to be cut on all park land and right of ways.
- Two seasonal park technicians were assigned to maintaining grass at City owned water, sewer, and electric facilities.
- 3 large oval tubs with dirt were placed at the dog park for owners to make repairs when their dogs dig holes.
- All three faucets at the dog park were repaired.
- Several repairs were made to the dog park fences to prevent small dogs from “escaping”.
- Some loose boards were fixed on Bicentennial and Memorial foot bridges.
- A sink hole was filled alongside the Riverwalk.
- Parks crews worked with the arborist to chip several tree branches on City owned parkland.
- Park crews line trimmed and sprayed the Tony Silicato Memorial parking lot and cleaned up around the TSM park sign.
- Park crews worked with the arborist to trim back several trees along the Riverwalk from the old state services building to Mill street.
- Park crews and the arborist worked together to trim several trees and shrubs at City Hall and the Finance building.
- Flags from the Rotary were removed in Bicentennial Park so the grass could then be mowed.
- DMI started installing foreign country flags on light poles in Bicentennial park.
- Our new part time flower planter continued to plant flower beds with native plantings. Flower beds and hanging baskets continued to be watered.
- Crews cleaned up several areas of the Riverwalk from goose droppings.
- One landscaper was sent out to have repairs made and a new high-pressure hose was installed on the flower watering truck.

Arborist

- Trimmed trees on 2nd street, trimmed hedges at municipal parking lot and trees surrounding Marvel Square and the Parks and Rec. building.
- Handled a complaint from see, click, fix app on Shawnee Road, and cleaned up several large piles with Public works crews.
- Cleared as stop sign on Lemuel street, and trimmed limbs along Pop Warner field and cleaned up debris.
- Cleared vegetation around electric poles on Rehoboth Blvd after the drawbridge and applied herbicide.
- Removed Sumac trees at customer service building, vegetation control at old marina on rte. 36 electric poles and guy wires. Removed vines and blocked access and applied pesticide.
- Worked with park crews at City Hall to trim trees and shrubs. Began vegetation control at Marshalls' pond.
- Performed a tree removal (trunk and crown) on Bucks road which was impeding electric transmission line. Responded to a see, click fix complaint on Church Street (vegetation control).
- Began vegetation control on City building on Maple Avenue.
- Worked with Parks crew to cut back along the Riverwalk.
- Performed some pedestrian impedance concerns on trees on McColley Street and S.E Front Street.
- Trimmed trees for Public Works at several locations on Charles Street, Fisher Avenue and S. Walnut Street.
- Trimmed trees, chipped brush for the Electric Department behind the Riverfront shopping center, applied herbicide.
- Completed a dead tree removal (trunk and crown) at Memorial Parks. Trimmed several trees and shrubs in Memorial park.
- Performed vegetation control at Union cemetery.
- Trimmed a large tree behind Milford PD and alongside the boat ramp.

Recreation

- The beginning of the month of June was spent finishing our spring program and preparing for our summer programming.
- This included "Summer Fun Club", outdoor soccer, football, and our tennis program.
- We also tried a new program called "Tiny Tykes". This is aimed at 4-5-year old's and was a 5-session clinic focusing on fun and sports related activities. This program was extremely well received, and we plan on holding another one in the Fall.
- Spring programming was impacted a lot by rain and storms which pushed programming past Memorial Day.
- Our "Summer Fun Club" began with rave reviews and we are completely full in terms of participation numbers. Thus far we have gone on field trips to Little Creek petting farm, the Kalmar Nyckel ship in Wilmington, the movies at Milford and the Killen's pond swim park.

- Further trips include visits to the Delaware Air Museum, Killen's Pond State Park, Shell we bounce, Cape Henlopen State Park, the State Fair, and a trip to see the Washington National's Baseball team play.

Other

- Director continued to meet weekly with the WIIN coalition and attended a public meeting at the Slaughter beach fire house.
- Director continued to work with landscape architect to advance capital projects, we are very close to finalizing plans for the railing project and playground and pickleball court project.
- Director and Park Superintendent attended the Freedom Festival meeting at the Chamber of commerce.
- The arborist helper position was filled, and Cody Lahman started with the City on June 27th.
- The Mayor, Councilman James, the City Manager and Parks and Rec. Director attended the Delaware League of Local Governments dinner and had a good presentation on the importance of planting native species.
- Staff had their first training session on the new recreation software and will be upgrading to the new software system in coming months.









HUMAN RESOURCES
10 SE Second Street
Milford, DE 19963

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TO: Mayor and City Council
FROM: Jamesha C. Williams, MBA, MSL- Human Resources Director
DATE: July 7, 2022
RE: June 2022 –Human Resources Department Staff Report

-
- Onboarded new hires for the following positions:
 1. Arborist Ground Helper (1 employee)
 2. Engineering Interns (2 employees)
 3. Part-Time Police Dispatcher (1 employee)
 4. Public Works Equipment Operator (2 employees)
 - Held meeting with Safety Committee on June 22, 2022.
 - Ensured all salary increases were updated effective July 1, 2022, for the July 8, 2022, pay date.
 - Finalized retirement with the Pension Office for Chief Kenneth Brown effective August 1, 2022.

Job Opening Status:

1. Water & Wastewater Technician (1)-New posting (recent turnover)
2. Public Works Equipment Operator-Solid Waste (2)-Continuing to interview and recruit. Job offer extended but candidate never called back. 2 interviews were scheduled for July 7, 2022. No show for 1 of the candidates. Will meet with the Department Director & Economic Development and Community Engagement Administrator to brainstorm new recruitment ideas to attract candidates.
3. Photographer/Videographer Intern-(1) New posting (new position)
4. Recreation Coordinator-(1) Resumes given to Department Director on June 15, 2022, for review.
5. Network Technician-(1) Resumes consistently being reviewed. A new advertisement will be posted in the Delaware State News to attract more qualified applicants.
6. Facilities & Maintenance Coordinator-(1). Initial job offer declined due to a personal matter. Additional interviews set up for July 13th and July 14th.
7. Cash Operations Clerk & Billing Clerks-(2) Resumes given to Department Director & Cash Operations and Revenue Supervisor on May 2, 2022.

To: City Council and Mayor
From: Sara Bluhm, Economic Development & Community Engagement Administrator
Subject: June Monthly Report
Date: July 6, 2022

Economic Development

- Attended JT James Performance ribbon cutting and created highlight reel
- Attended SmartStart Learning Center ribbon cutting
- Met with potential developer for a large downtown property/project
- Attended UD DATI ribbon cutting at the Milford Wellness Village
- Attended PACE Your LIFE ribbon cutting at the Milford Wellness Village
- Met with potential Milford Corporate Center investor and DPP representatives
- Attended Milford Advocacy for the Homeless ribbon cutting with ICMA Fellow; discussed ARPA grant
- Attended Benvenuto ribbon cutting and joint Chamber mixer with Fur-Baby Pet Resort
- Chatted with Jack Riddle, president of Community Bank and sponsor of the local municipal segment on WGMD 92.7, on the radio about Milford's latest and greatest

Community Engagement

- Attended full day WIIN Focus Group sessions with City Council, public and economic development stakeholders
- Began working with Milford Wellness Village execs to establish new community festival slated for 9/23 – one initial meeting and one full committee meeting
- Kicked off Keep Kids Alive, Drive 25 task force by meeting with organization executive director, city staff and community members and businesses
- Created current job listings ad

Meetings/Trainings

- Facilitated weekly NE Front St. Update meetings with Engineer and Project Manager on 6/3, 6/10 and 6/17.
- Attended CivicPlus resident engagement webinar
- Continued to work toward Council livestreaming implementation
- Attended WIIN Coalition Focus Group Follow-up and viewed branding options
- Met with PlanetPress to discuss internal bill printing options
- Attended Kent County Tourism Board Meeting
- Attended monthly TAP Project Update meeting
- Attended DMI Economic Vitality Committee monthly meeting
- Attended recurring SeeClickFix meetings for technical and marketing assistance
- Attended monthly Milford Corporate Center project meeting; reviewed round 2 of concept drawings
- Met with Public Works Director and City Engineer to discuss tactics for road work communication dissemination
- Attended Comcast's Internet Essentials Partner Webinar

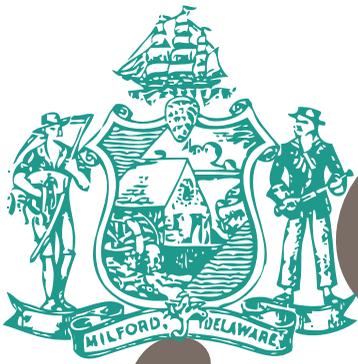
- Attended Sidewalk Program Prebid Meeting

Social Media/Website

- June 2022 Insights:
 - City of Milford Facebook: 21 new likes (total: 2,541); 10.222 reached (9,219 last month); 388 page visits (522 last month)
 - Parks & Rec Facebook: 33 new likes (total: 2,665); 5,656 reached (5,591 last month); 532 page visits (777 last month)
 - Instagram: 27 new likes (total: 1,019); 801 accounts reached (860 last month); 83 profile visits (71 last month)
 - Twitter: 5 tweets, 476 impressions, 507 profile visits, 2 mention, 1,352 followers
 - Website: 8,987 users (59,563 last month); 13,444 sessions (64,303 last month); 27,906 pageviews (28,444 last month) – this is very abnormally low usage and I've emailed CivicPlus to find out why our analytics are so low and includes an above average bounce rate
 - ChatBot: 72 self-service resolutions; 52.2% self-service resolution rate; \$360 cost savings
 - MyMilford: 37 issues created; 33 issues closed; Average Days to Close: 2.8, 160 registered users
 - App Store: 53 downloads (419 all-time downloads)
 - Google Play Store: May downloads: 25; June downloads: 11

Email Campaigns

- June utility newsletter to customers who receive e-bills (3,618): 52.5% open
- June business newsletter (audience: business license holders, 603): 27.8% open



Milford

River Town • Art Town • Home Town

DELAWARE

Happy New (Fiscal) Year!

City Council voted unanimously on June 13 to pass the FY23 budget. Be on the lookout in your mailbox for a complete budget newsletter later this month. And while we're celebrating, let's take a moment to honor the 13th issue of this newsletter - we've been providing this additional information to you for one year! HBD!

July Community Happenings

Visit the new Community Calendar on the City website (<http://cityofmilford.com/calendar.aspx?CID=14>), to view the latest community events and public meetings. If your organization is hosting a public event and you'd like it included on the calendar, submit your event under the How Do I... drop down on the website.

City Council Meetings:

- **Monday, July 4:** City Offices Closed Due to Holiday
- **Wednesday, July 6, 6pm:** City Council Workshop
- **Monday, July 11, 6pm:** City Council Meeting
- **Monday, July 25, 6pm:** City Council Meeting

Free Home Internet Program

Over the next 10 years, Comcast is committing \$1 billion to reach 50 million people from low-income families with the tools and resources they need to succeed in a digital world. Get Internet Essentials or Internet Essentials Plus for FREE when you qualify for the Affordable Connectivity Program (ACP). ACP provides eligible households a credit of up to \$30/month toward Internet services. Apply today if you're eligible for programs like the Federal Pell Grant, National School Lunch Program, SNAP, Medicaid, housing assistance, and others. Visit InternetEssentials.com, call 1-855-846-8376, or hold your phone's camera over the code.



City Council Round-up: June

At the June 6 Workshop, Council heard a presentation from Comcast regarding their Affordable Connectivity Program (ACP) and from DEMEC regarding the Indian River Generator and electric rate increases. They also wrapped up the budget and voted to adopt the FY23 budget at their June 13 meeting, where they also renewed the First State Inspection Agency, Inc. contract, re-established the Tree Preservation & Advisory Council and authorized the MSD School Resource Officer agreement. In the final meeting of the FY22 fiscal year, Council tabled both the adoption of the updated Bicycle Ordinance and Building Code changes. They did review a draft of the FY21 Audit and adopted updated Council Rules & Procedures.

In July, City Council will review the tabled items and a few new subdivision plans. Public meeting and workshop dates are to the left.

Volunteer Opportunities

The City of Milford is looking for volunteers to join the Parks & Recreation Advisory Board and the newly re-established Tree Preservation & Advisory Council. The P&R Advisory Board reviews all Parks & Recreation projects, programming and expansions. The goal of the Tree Preservation & Advisory Council is to ensure the City will realize the benefits of trees by proposed policies, regulations and standards. Apply online <https://bit.ly/COMBoard>

The Food Bank of Delaware is looking for volunteers for their Out Run Hunger - South 5k Run/Walk. Thursday, July 7, 5:15pm-8:30pm. Sign up online <https://bit.ly/FBofDE>

Ladybug Music Festival

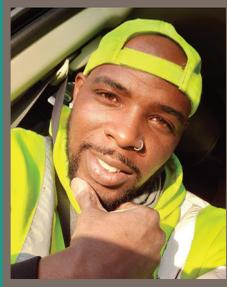
The third annual Milford Ladybug Music Festival is set for Saturday, July 30, 2022 (rain date: July 31) from 2-9pm. Walnut St. from NE to SE Front and Park Ave. will be closed 11am-10pm. More info www.theladybugfestival.com



Public Utility Education

Solid Waste Collection – Not Flashy, Not Fun, But Very Necessary

Did you ever wonder why the rules about something are what they are? The Solid Waste rules and regulations published on the City’s website are the product of years of trial and error; the success of countless ideas and plans measured by the public reaction and positive outcomes in the way of safe operations, sustainable citizen responsibility and the greenest and best possible community housekeeping throughout the City’s Solid Waste service area.



Without a doubt, the most important component of the provision of any City service is safety. Darryl Tilghman, Milford’s senior-most Public Works Equipment Operator-Solid Waste of more than two years tenure, is very concerned about traffic safety all over the City. Specifically, he wants the public to be extra cautious as they attempt to pass Solid Waste trucks in the process of collecting and emptying containers. Like all Solid Waste truck operators, Mr. Tilghman has a Commercial Driver’s License (CDL) and must maintain a very high level of awareness of his physical surrounds including vehicular traffic, pedestrians and continuing to accomplish the primary mission of safe vehicle operation while collecting and emptying trash, recycle and yard waste cans. During the complexity of doing his daily job, Mr. Tilghman experiences frequent starts/stops, difficulty with containers being situated too closely together, cars parallel-parked in front of containers and containers overfilled.

The City of Milford is very fortunate to have Darryl Tilghman as its senior-most Solid Waste Operator. It is obvious that he cares about his work and the safety of the public. Let’s heed his concern – only pass Solid Waste vehicles when you can do so legally and safely.

Employee Spotlight

Lisa Levis Permit Technician I



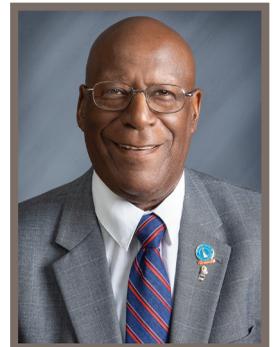
1. How long have you worked for the City of Milford? I started with the City in October of 2019.
2. Have you always worked in this role? No, my first role with the City was in the Public Works Department as an Administrative Assistant.
3. What is your favorite thing about working for the City? I like seeing the positive growth that the City of Milford is having. I also enjoy working with the dedicated team that I work with.
4. What do you enjoy doing in your free time? I enjoy spending time with my family, reading, gardening, crafting and getting outdoors or to the beach as much as possible.

“Lisa has been a great addition to the Planning Department since joining our office in January 2021. She has managed to maintain an effective level of customer service during many personnel and workflow changes in the office over the past 18 months. She has met department challenges head on and is committed to the overall success of the City. I am glad she is part of our team.”

- Rob Pierce, Planning Director

Council Spotlight

Archie Campbell Mayor



1. How long have you been a member of the City Council? I have been on City Council for 6 years, two terms as Mayor and 2 years as Councilman for the 1st Ward.
2. What previous city roles have you held? I was on the City of Milford’s Planning & Zoning Commission for 8 years.
3. What is your favorite thing about being a Councilmember? My favorite thing is being the Mayor of Milford. I represent the city as it’s first Mayor of color and I take pride in being that person. I enjoy being out and about in Milford, hobnobbing with the people.
4. What is your full time job? Representing Milford and being part of the growth and expansion of our great city. We are the fastest growing city in Delaware.
5. What do you enjoy doing in your free time? In my free time I enjoy watching movies and going to our new movie theatre, and going target shooting.

Do you have what it takes to be a public servant?

Join the City of Milford for a career that matters!

Now hiring the following positions:

Cash Operations Clerk II \$37,398.44	Equipment Operator-Solid Waste \$45,252.11
Billing Clerk II \$37,398.44	Commercial Driver’s License Required Facilities & Maintenance Coordinator \$60,230.56
Recreation Coordinator \$54,755.06	Photographer/Videographer Intern \$33,998.58, part-time
Network Technician \$66,253.62	Water & Wastewater Technician \$45,252.11

Apply Online @ www.cityofmilford.com



**KEEP KIDS
ALIVE**

DRIVE

25





INFORMATION TECHNOLOGY
201 South Walnut Street
Milford, DE 19963

PHONE: 302-422-1098
www.cityofmilford.com

Date: July 1, 2022
To: Mayor and City Council
From: Dale Matthews, IT Director
Re: June 2022 Information Technology Department Staff Report

Below are updates for IT open projects:

- Security:
 - We are exploring potential federal cybersecurity funding opportunities. (The grant funding is through the Cybersecurity and Infrastructure Security Agency (CISA).)
 - Security policy reviews are underway. Once reviewed and approved, we will ensure staff is aware of the policies and compliance requirements.
- Council Livestreaming:
 - Livestreaming will begin July 11.
- ERP Implementation:
 - The project status is green; no additional updates.
- Network:
 - Migration to the new Comcast fiber is complete. We are decommissioning the old, slower connections. Also, we are exploring redundancy options.
 - Network redesign efforts have begun. Due to a few unexpected absences, we will push the completion time frame out to late August.
 - The vendor was delayed in their assessment of the fiber ring. They expect to complete their work by late July.



FINANCE DEPARTMENT
 10 SE Second Street
 Milford, DE 19963

PHONE 302.424.5140
 FAX 302.424.5932
 www.cityofmilford.com

To: Mayor and City Council
 From: Louis C. Vitola, Finance Director
 Date: July 8, 2022
 Re: June 2022 Finance Department Staff Report

- Monthly Financial Reporting
 - The Report for the FYTD period through 5/31/22 was distributed to Council, approved and posted
- Staffing
 - Suzannah Frederick and I reviewed Billing Clerk applications and look forward to interviews in July
 - We continue to explore staffing options to insource bill print operations and support the Tyler ERP System Implementation
- FY23 Budget Processes continued in June
 - The June 6 budget hearing covered the updated, comprehensive budget draft
 - On behalf of the Finance team and everyone involved in the budget process, I can't thank Council enough for your contributions, active discussion, and support of the FY23 CIP and Budget Process through budget adoption on June 13, 2022
 - Sara, Mark and the Finance group are working on the second annual budget recap announcement
- Police Facility Project – Planning and Design
 - The USDA Financing Application Process remains open
 - Becker Morgan and John Hynes & Assoc are preparing technical application requirements
 - Mike Svaby and I met with RYJ to preview the billing process; RYJ received the first pre-construction invoices for June activity
- External Reporting Requirements
 - FY21 Audit: we are working on the final push to satisfy audit requirements and look forward to completing and publishing a successful audit
- Billing & Customer Service Department
 - May's pilot of auto-calls for past due customers eligible for disconnection was successful throughout June; we will continue to deploy auto-calls every week to augment staff efforts
 - The City's payment processing software upgrade is in process; the current payment processor is no longer supported by Central Square, the City's utility billing software
 - Outstanding property taxes are reported below by year and by current versus previous tax levies.
 - The past due amounts compare favorably in total to the amounts reported one year ago¹:

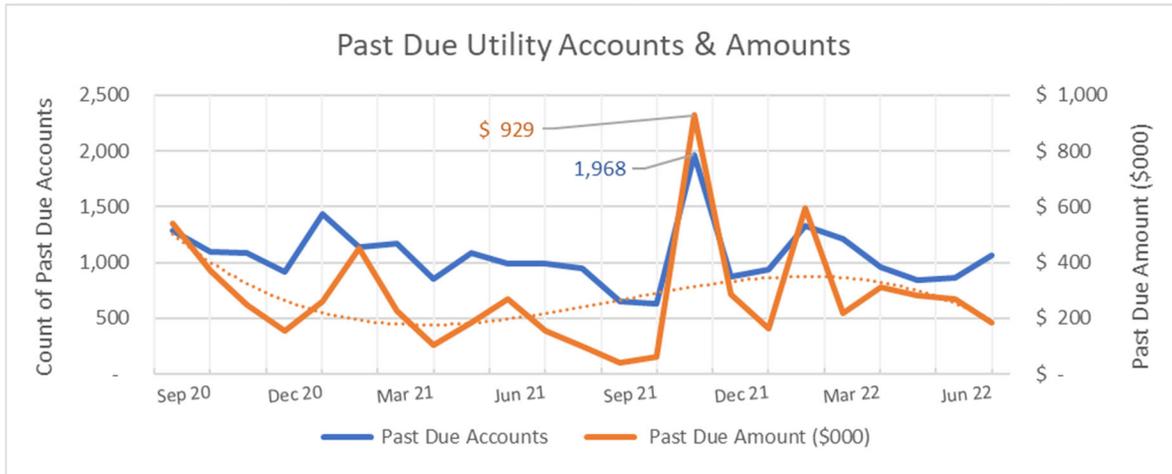
Property Tax Levy	Past Due (\$000) as of:								
	11/1/21	12/1/21	1/3/22	2/1/22	3/2/22	4/1/22	5/2/22	6/1/22	7/1/22
2021 (FY22)	\$279	\$189	\$145	\$131	\$119	\$97	\$86	\$73	\$64
2020 & Prior	\$213	\$185	\$173	\$172	\$163	\$140	\$144	\$162	\$159
Total	\$491	\$374	\$319	\$303	\$282	\$236	\$230	\$235	\$222

Property Tax Levy	Past Due (\$000) as of:								
	11/5/20	12/11/20	1/8/21	2/1/21	3/3/21	4/1/21	5/4/21	6/1/21	7/1/21
2020 (FY21)	\$229	\$133	\$108	\$102	\$95	\$95	\$77	\$77	\$68
2019 & Prior	\$250	\$230	\$221	\$218	\$208	\$208	\$193	\$184	\$171
Total	\$479	\$362	\$329	\$321	\$303	\$303	\$270	\$260	\$260

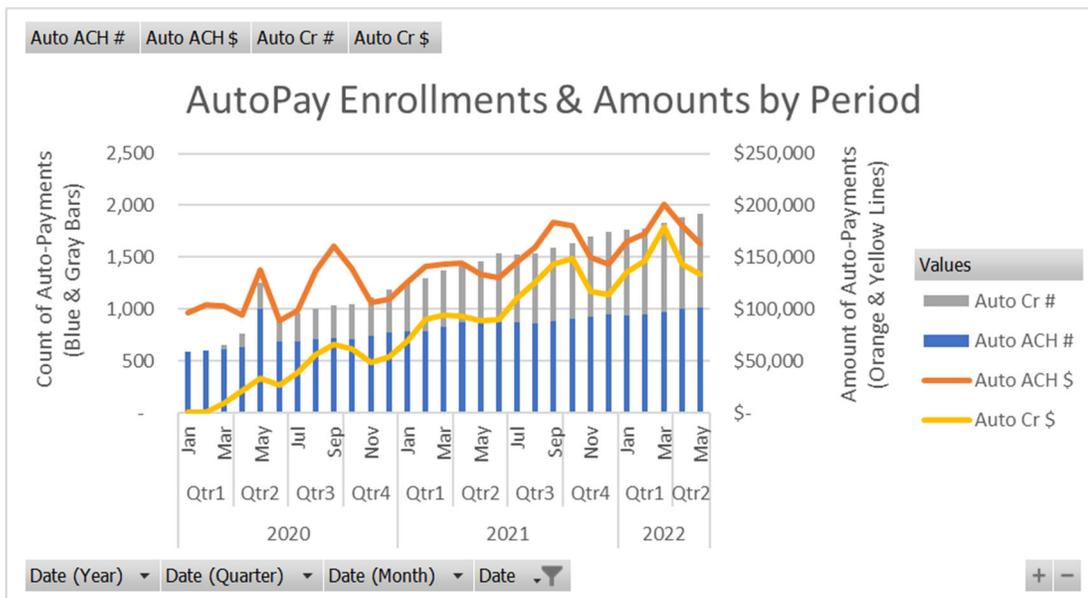
¹ The amount reported in the FY22 (Maroon) table in the "2020 & Prior" row starting with 2/1/22 excludes \$21,560 in code enforcement amounts transferred to the property tax system during to retain comparability by showing only property tax levies

- Billing & Customer Service Department, Continued

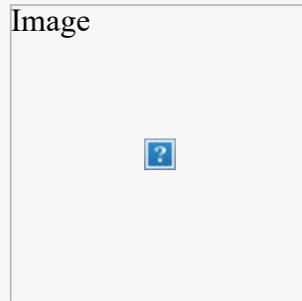
- Past due utility balances have settled and stabilized following the systems outages and third-party support problems that caused spikes in the fall and spring
- This month's activity shows the continued recovery of cashflow and collections management



- The dollar amount past due (solid orange line) is 35% lower than the average for graphed periods but 18% (\$28,000) higher than last June
- The count of accounts having any amount past due (blue line) is 1% higher than average
- The City's ability to enforce the dunning and collection methods at its disposal are dependent upon constrained variables (such as staffing authorization and technical constraints), the regulatory environment, and items outside of the City's control (such as weather, systemic economic conditions).
- Dunning and collection are measures to overcome undesired behavior, while the City's services like budget billing and auto-payment are measures to encourage desired behavior.
- The graph below exhibits the number and dollar amount of automatic payments by type and period since 2020. We will continue to build on the efforts made in the last two years to increase enrollment.
 - From FY21 to FY22, the AutoPay Count and Amount have increased 42% and 50%, respectively, demonstrating the success in the team's drive to enroll customers
 - Quarterly enrollment has increased for nine consecutive quarters dating back to 3/31/20



From: [Milford Museum](#)
To: [Hudson, Terri](#)
Subject: Join Us for the SDARJ Town Hall!
Date: Monday, July 11, 2022 9:48:05 AM



Join us for the SDARJ July 12th Town Hall Featuring the Milford Museum!

The Southern Delaware Alliance for Racial Justice (SDARJ) will present “Spotlight: The New Milford Museum African American History Exhibit” at their next town hall meeting on Tuesday, July 12, 7:00 to 8:30 p.m., via Zoom.

On Saturday, April 30, 2022, Milford Museum unveiled its new African American exhibit. The new exhibit highlights the contributions African Americans have made to the growth of Milford.

“This history needs to be preserved and it is time to recognize our shared history would be lost if we did not work to preserve the past and present everyday lives of residents of color from Milford.” — Claudia Leister, Executive Director of the Milford Museum

Speakers will include Mr. Charles Hammond, President of the Museum’s Board of Directors, Ms. Nicole Rogers, Museum Operations Manager, and other speakers. The program will also include oral histories from some of Milford’s long-time African American residents.

To register, please click the link below and sign up! We hope to see all of you there.



July 12th, 2022

7:00pm -8:30pm
on Zoom

Register Here

Friends of Milford Museum Inc
121 S Walnut St
Milford, DE 19963
Email not displaying correctly?
[View it in your browser](#)
[Unsubscribe](#)



**WAGE AGREEMENT
AMENDING THE 2020-2024 AGREEMENT
BETWEEN
IBEW LOCAL 126
AND
THE CITY OF MILFORD**

WHEREAS, the Agreement between the IBEW Local 126 and the City of Milford executed the 23rd day of July 2020 included a wage reopener for the period July 1, 2022 to June 30, 2024, and;

WHEREAS, the Local and the City have agreed upon the wages for those employees covered by the Agreement for the time period, and;

WHEREAS, amendments to Article XXIII as well as the Exhibits mentioned therein outlining the agreed upon wages are as follows:

**ARTICLE XXIII
WAGES**

The regular salaries of all employees shall be in accordance with schedules set forth in Exhibit A-1 and Exhibit A-2.

Year 1: July 1, 2020, step adjustment for all employees to correspond with the 2021 Wage Scale. 2-step merit increase on the pay period following their anniversary date, provided that: i) they have received a performance evaluation of Meets Expectations or higher; and ii) they have worked at least 12 months at their current step.

Year 2: July 1, 2021, 1.5% general wage increase for all employees. 1-step merit increase on the pay period following their anniversary date, provided that: i) they have received a performance evaluation of Meets Expectations or higher; and ii) they have worked at least 12 months at their current step.

Year 3: July 1, 2022-June 30, 2023, a 6% general wage increase for all employees and, for employees not at the top of their pay scale, a 1-step merit increase on the pay period following their anniversary date provided that: i) they have received a performance evaluation of Meets Expectations or higher; and ii) they have worked at least 12 months at their current step.

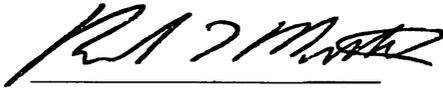
Year 4: July 1, 2023-June 30, 2024, a 6% general wage increase for all employees and, for employees not at the top of their pay scale, a 1-step merit increase on the pay period following their anniversary date, provided that: i) they have received a performance

evaluation of Meets Expectations or higher; and ii) they have worked at least 12 months at their current step.

NOW THEREFOR IT BE RESOLVED, IN WITNESS WHEREOF, the parties hereto have set their hands and seals on this _____ day of June 2022.

Arthur J. Campbell,
Mayor, City of Milford

Dated: _____



Richard Muttik
Business Manager, IBEW Local 126

Dated: 6/22/22

Attest/City Clerk

Dated: _____

2023 WAGE SCALE 6% GENERAL WAGE INCREASE; 1.5% STEP INCREASE; 1 STEP MAX FOR MERIT

EXHIBIT A-1

2023 % Increase 6.00%
Step = 1.015

FY-22-23 Effective 7/1/2022	Electric Division Ground Tech	Electric Division Line Tech 3rd	Electric Division Line Tech 2nd	Electric Division Line Tech 1st	Electric & Technical Services Divisions Meter/SCADA LT 1st/Crew Ldr	Technical Services Division Meter Tech I	Technical Services Division Meter Tech II
Steps	Step = % Increase (1.5%)	Step = % Increase (1.5%)	Step = % Increase (1.5%)	Step = % Increase (1.5%)	Step = % Increase (1.5%)	Step = % Increase (1.5%)	Step = % Increase (1.5%)
	G05	G07	G08	G09	G10	G06	G05
1							19.28
2							19.57
3							19.86
4						22.18	20.16
5						22.51	20.46
6						22.85	20.77
7						23.19	21.08
8						23.54	21.40
9						23.89	21.72
10						24.25	22.05
11						24.62	
12						24.99	
13						25.36	
14						25.74	
15						26.13	
16						26.52	
17						26.92	
18						27.32	
19						27.73	
20						28.15	
21						28.57	
22						29.00	
23						29.43	
24						29.87	
25						30.32	
26						30.78	
27						31.24	
28						31.71	
29							
30							
31	30.14	36.46	40.11	44.12	48.53		

*Promotion: Employee will be placed at the step, for the new position, nearest to the rate of a 5% promotion increase.

**Step Movement: Employee will be moved to the next step, for their position, on anniversary date of employment with the City and after receipt of a satisfactory performance evaluation, and at least 12 months at their current rate.

2024 WAGE SCALE 6% GENERAL WAGE INCREASE; 1.5% STEP INCREASE; 1 STEP MAX FOR MERIT

EXHIBIT A-2

2024 % Increase 6.00%

Step = 1.015

FY-23-24 Effective 7/1/2022	Electric Divison	Electric Divison	Electric Divison	Electric Divison	Electric & Technical Services Divisons	Technical Services Division	Technical Services Division
	Ground Tech	Line Tech 3rd	Line Tech 2nd	Line Tech 1st	Meter/SCADA LT 1st/Crew Ldr	Meter Tech I	Meter Tech II
Steps	Step = % Increase (1.5%)	Step = % Increase (1.5%)	Step = % Increase (1.5%)				
	G05	G07	G08	G09	G10	G05	G05
1							20.44
2							20.74
3							21.06
4						23.51	21.37
5						23.86	21.69
6						24.22	22.02
7						24.58	22.35
8						24.95	22.68
9						25.33	23.02
10						25.71	23.37
11						26.09	
12						26.48	
13						26.88	
14						27.28	
15						27.69	
16						28.11	
17						28.53	
18						28.96	
19						29.39	
20						29.83	
21						30.28	
22						30.74	
23						31.20	
24						31.66	
25						32.14	
26						32.62	
27						33.11	
28						33.61	
29							
30							
31	31.94	38.65	42.52	46.76	51.44		

*Promotion: Employee will be placed at the step, for the new position, nearest to the rate of a 5% promotion increase.

**Step Movement: Employee will be moved to the next step, for their position, on anniversary date of employment with the City and after receipt of a satisfactory performance evaluation, and at least 12 months at their current rate.

ARTICLE VI – Parks and Recreation Advisory Board

§ 165-14. - Parks and Recreation Advisory Board.

A. There is hereby created and established a Parks and Recreation Advisory Board. The Parks and Recreation Advisory Board shall be composed of five (5) persons. The members shall be appointed by the Mayor, with the approval of City Council, for staggered terms of three (3) years each. At the time of the initial appointment, pursuant to this Chapter, the Mayor shall designate the length of term for each member to provide for staggered terms.

B. At least four members of the Advisory Board shall be residents of the City of Milford. If it is deemed beneficial to the work of the Advisory Board, one member may be a non-resident, but shall be a resident of the Milford School District.

C. Any member who is absent from three (3) consecutive meetings without being excused shall be considered as having vacated his/her appointment.

D. The members of the Advisory Board shall serve without compensation.

E. The Advisory Board shall meet at least quarterly.

§ 165-15. - Responsibilities.

A. Advisory Board members shall deal with Parks and Recreation employees or contractors solely through the Parks and Recreation Director or, if unavailable, the City Manager. The Advisory Board shall make decisions with respect to its recommendations and/or advice to the Director or the City Council collectively in public meetings in accordance with requirements and provisions of the Delaware Code. Any such recommendations to the City Council shall be communicated in writing in the form of minutes or memos.

B. The Parks and Recreation Advisory Board is responsible for advising the City Council on policy matters relating to:

- (1) The development of City parks and recreational facilities,
- (2) The recreation programs of the City,
- (3) The fees and charges for the use of parks and recreation facilities and for recreation programs,
- (4) Other subjects that may be referred to the Advisory Board by City Council or the Parks and Recreation Director.

C. The Parks and Recreation Advisory Board shall assist the Parks and Recreation Director with educating the public about the benefits of recreational activities, parks and open space, trees and their proper care.



TO: Mayor and City Councilmembers

FROM: Rob Pierce, AICP - Planning Director

DATE: June 27, 2022

RE: Chapter 88 – Building Construction – Code Amendment

City Council held workshops on January 10, 2022 and February 23, 2022 to discuss a proposed 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 discussions involved several stakeholders, including representatives from the Delaware Fire Sprinkler Coalition, State Fire Marshal’s Office, and Carlisle Fire Company.

Adoption of the 2018 IRC would include a requirement to install automatic fire sprinkler systems for new one- and two-family dwellings and townhouses.

The City currently operates under the 2012 version of the IRC and IBC, which was adopted by City Council in March 2018. The City elected not to require automatic fire sprinkler systems for residential dwellings and deleted this code section in its entirety during the 2012 code adoption.

Kent County operates under the 2018 IRC and IBC but does not mandate automatic fire sprinkler systems for residential dwellings. Sussex County recently adopted the 2021 IRC and IBC and voted not to require automatic fire sprinkler systems for residential dwellings. The City of Newark, City of Lewes, and Town of Milton are the only three jurisdictions in the State of Delaware that mandate automatic fire sprinkler systems for one- and two-family dwellings. There are a total of 57 municipalities and 3 county jurisdictions in Delaware.

Staff recommends approval of Ordinance 2022-19 to adopt the 2018 International Residential Code (IRC), the 2018 International Building Code (IBC), and the 2018 International Swimming Pool and Spa Code (ISPSC), including adoption of the automatic fire sprinkler system requirement for townhouses and one- and two- family dwellings. Staff recommends delaying the effective date of this ordinance to January 1, 2023.

CITY OF MILFORD PUBLIC NOTICE
NOTICE OF ORDINANCE REVIEW
Chapter 88 BUILDING CONSTRUCTION
Ordinance 2022-19

PUBLIC COMMENTS: Monday, June 27, 2022 at 6:00 p.m.
Joseph R. Rogers Council Chambers, Milford City Hall, 201 South Walnut Street, Milford, DE

NOTICE IS HEREBY GIVEN that the proposed Ordinance is currently under review by the City of Milford City Council. City Council has the option to approve, deny, or make changes to the proposed language. By adopting the ordinance, City Council will approve the amendment to the Code which is the reason for the language being written in the affirmative. This form of writing is not used to influence any decision of City Council:

WHEREAS, the Mayor and City Council of the City of Milford are charged with the protection of the public health, safety and welfare of the citizens of the City of Milford; and,

WHEREAS, the City regulates construction practices and standards by means of technical codes prepared by the International Code Council; and

WHEREAS, the Mayor and City Council desire to amend the City of Milford Code Chapter 88 Building Construction to adopt the 2018 editions of the International Residential Code, International Building Code and International Swimming Pool and Spa Code; and

WHEREAS, Milford City Council held a Public Comment Session on June 27, 2022 to allow the public to comment, followed by a final review and determination of the ordinance.

NOW, THEREFORE, the City of Milford hereby ordains:

Section 1. An Ordinance to amend Chapter 88 Building Construction of the City of Milford Code.

Section 2. Sections 88-1, 88-2, 88-4, and 88-5 are hereby amended.

Section 3. Sections 88-26 and 88-27 are hereby added.

Section 4. Strikethrough text denotes deletion; underlined and bold text denotes an addition.

ARTICLE I - International Residential Code

§ 88-1. - Adoption of code.

That a certain document, three copies of which are on file in the office of the Department of Planning of the City of Milford, being marked and designated as the International Residential Code, ~~2012~~**2018** edition, including Appendix Chapters C, ~~G, E, and J,~~ **and Q** be and is hereby adopted as the Residential Code of the City of Milford, in the State of Delaware, for regulating and governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal, and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with separate means of egress as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions, and terms of said Residential Code on file in the office of the City of Milford are hereby referred to, adopted, and made a part hereof, as if fully set out in this article, with the additions, insertions, deletions, and changes, if any, prescribed in § 88-2 of this chapter.

§ 88-2. - Additions, insertions and changes.

The following sections are hereby revised:

A. Chapter 1, **Scope and Application** Administration.

- (1) Section R101.1. Insert: City of Milford
- (2) Section R105. Permits.

(a) Add: Section R105.1.

[1] Delaware Department of Transportation Approval. The building official may require an entrance/exit permit from the Delaware Department of Transportation upon application for a building permit for all nonresidential and residential buildings on state-maintained roads.

[2] Other permit approvals. Before a building permit is issued, additional agency approvals may be required. Such agency approvals include, but are not limited to, Delaware State Fire Marshal, Kent/Sussex Conservation District, Delaware Division of Public Health, Delaware Department of Natural Resources and Environmental Control, and a Delaware-recognized electrical inspection agency.

[3] Energy code compliance. An energy code compliance certificate shall be submitted with each single-family dwelling permit application, or meet the prescriptive requirements of Section 402 of the International Energy Conservation Code currently adopted by the State of Delaware.

(ab**) Section R105.2, Work exempt from permit, is deleted in its entirety. Remove language under "Building:" and replace with the following;**

[1] One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 24 square feet.

[2] Fences not over six feet in height.

[a] Exceptions:

[i] Fences required for pools

[ii] Fences required by the State of Delaware for home-based day cares.

[iii] Fences required by the City of Milford Planning Department as part of an approved subdivision or land development application.

[3] Retaining walls which are not over four feet in exposed height, unless supporting a surcharge or impounding class I, II or III-A liquids.

[4] Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.

[5] Water tanks supported directly on grade if the capacity is not greater than 5,000 gallons and the ratio of height to diameter or width is not greater than 2:1.

[6] Sidewalks and driveways.

[7] Replacement of roof covering that does not involve the repair or replacement of more than 25 percent of the roof.

[8] Prefabricated swimming pools accessory to a one- or two-family dwelling, which are less than 24 inches deep, do not exceed 5,000 gallons and are installed entirely above ground.

[9] Swings and other playground equipment accessory to one- and two-family dwellings.

[10] Window awnings supported by an exterior wall which do not project more than 54 inches from the exterior wall and do not require additional support.

[11] Non-fixed and movable fixtures, cases, racks, counters and partitions not over five feet nine inches in height.

(b)c) Add: R105.5.1. Time limitation of permit. A permit for any activity for which a permit is required shall be valid for one year from the date of issuance.

(e)d) Add: R105.5.2. Completion of construction. All construction for which a building permit is required must be completed and pass final inspection within one year after issuance of a building permit. One extension of six months, accompanied by a renewal fee of a minimum of \$50 or 10% of the original building permit fee, whichever is greater, may, at the discretion of the Code Official, be granted.

(3) Section R108, Fees.

(a) Add: R108.6.1. Violation fee. When obtaining a building permit after the start of construction, the building permit fee shall be assessed a violation fee as outlined in the adopted Planning and Economic Development Department Fee Schedule.

(b) Add: R108.7. Delinquent taxes and fees. No building permits, certificate of occupancy, or certificate of completion shall be issued for a property if any of the following parties, having an interest in the application or the property the application is filed for, are not in good standing with the city: the applicant, the property owner, the equitable owner, the permit holder, or any individual with a controlling interest in the property (controlling interest means the acquisition of sufficient dominance to determine the operational and financial policies, including disposition of its assets, of any legal entity that is an applicant, property owner, equitable owner or permit holder, but excluding mortgage holders). "Not in good standing" means that at the time of the request a municipal lien has been imposed upon the property or any of the above enumerated parties are delinquent in the payment of monies owed to the city.

(4) Add: 109.1.1.1. Waterproofing inspection. A waterproofing inspection will be required for all dwelling units with basements. The inspection will be required before the basement walls are backfilled.

(5) Add: 109.1.1.2. As-Built Survey. An as-built survey prepared by a State of Delaware licensed professional surveyor or civil engineer shall be required for new structures and additions to existing structures as follows:

(a) Foundation as-built survey shall be provided once the foundation has been constructed and prior to commencement of framing in the following instances:

1. All new structures other than residential accessory structures.

2. At any time when a variance from required area requirements was required for construction approval.

3. Where required by the building/code official.

(5) ~~(6)~~ **Replace:** Section R112. Board of Appeals, ~~is deleted in its entirety and replaced with the following:~~

R112.1. General. Appeals of orders, decisions, or determination made by the Building and/or Code Official relative to the application and interpretation of this code, shall proceed as described in Article III of this Chapter.

(6) ~~(7)~~ **Replace:** R113.4. Violation penalties. Any person who shall violate a provision of this code or fails to comply with any of the requirements thereof or who shall erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the Building Official, or of a permit or certificate issued under the provisions of this code shall be guilty of a misdemeanor, punishable by a fine of not more than \$500. Each day that a violation continues after due notice has been served shall be deemed as a separate offense.

(7) ~~(8)~~ **Replace:** R114.2. Unlawful continuance. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as the person is directed to perform to remove a violation or unsafe condition shall be liable to a fine of not less than \$500.

B. ~~Chapter 2, Definitions. Adopt without changes.~~

~~C.—Chapter 3, Building Planning.~~

(1) Add: TABLE R301.2(1)

Climatic and Geographic Design Criteria

Ground Snow Load	Wind Speed (mph)		Seismic Design Category	Subject To Damage From			Winter Design Temp	Ice Barrier Underlayment Required	Flood Hazards	Air Freezing Index	Mean Annual Temp	Assumed Soil Bearing
	Speed (mph)	Topographic Effects		Weathering	Frost line depth	Termite						
25	90	NO	A	SEVERE	24"	MOD-HEAVY	14	YES	9/14/92 3/16/15 7/7/14 1/6/05	368	55.7F	2000 psf

Ground Snow Load	Wind Design				Seismic Design Category	Subject to Damage From			Winter Design Temp	Ice Barrier Underlayment Required	Flood Hazards	Air Freezing Index	Mean Annual Temp
	Speed	Topographic Effects	Special Wind Region	Wind-Borne Debris Zone		Weathering	Frost Line Depth	Termite					
25 lbs./sq. ft.	115 mph	No	No	No	A	Severe	24"	Mod-Heavy	18° F	Yes	9/14/1992 1/06/2005 7/7/2014 3/16/2015	596	54° F
Manual J Design Criteria													
Elevation	Latitude	Winter Heating		Summer Cooling	Altitude Correction Factor	Indoor Design Temp	Design Temp Cooling	Heating Temp Difference					
23 ft.	39°	18° F		89° F	1.0	72° F	75° F	56° F					
Cooling Temp Difference	Wind Velocity Heating	Wind Velocity Cooling	Coincident Wet Bulb		Daily Range	Winter Humidity	Summer Humidity						
14° F	15 mph	7.5 mph	75		M	50%	50%						

(2) Add: Section 310.2.5.1. Replacement Window. At least one emergency escape and rescue opening complying with Section 310.2 is required in any sleeping room that is being added or gutted due to renovation to a structure.

(23) Replace: Section R311, Means of Egress. Replace the following:

~~(a)~~ **(a)** Section R 311.7.5.1 Risers. The maximum riser height shall be 8-1/4 inches (209.6 mm). The riser shall be measured vertically between leading edges of the adjacent reads. The greatest riser height within any flight of stairs shall not exceed the smallest by more than 3/8 inch (9.5 mm). The riser height at landings with hinged doors shall be measured from the landing vertically to the top of the threshold (not the compression strip). The riser height at landings with sliding doors shall be measured from the landing vertically to the top of the highest projection of the door track. Risers shall be vertical or sloped from the underside of the nosing of the tread above at an angle not more than 30 degrees (0.51 rad) from the vertical. Open risers are permitted provided that the opening between treads does not permit the passage of a 6-inch-diameter (102 mm) sphere.

Exceptions:

~~The opening between adjacent treads is not limited on stairs with a total rise of 8 1/4 inches (209.55 mm) or less.~~

(a) The opening between adjacent treads is not limited on spiral stairways.

(b) The riser height of spiral stairways shall be in accordance with Section R311.7.10.1.

~~(4)(b)~~ **(4)(b)** **Replace:** R311.7.5.2 Treads. The minimum tread depth shall be 9 inches (229 mm). The tread depth shall be measured horizontally between the vertical planes of the foremost projection of adjacent treads and at a right angle to the tread's leading edge. The greatest tread depth within any flight of stairs shall not exceed the smallest by more than 3/8 inch (9.5 mm).

~~(3)~~ **(3)** Section R313. Automatic Fire Sprinkler Systems. Deleted in its entirety.

~~(4)~~ **(4)** Section R319. Site Address.

~~(a) Add: R319.1. Street Identification. Permanent street signs shall be in place prior to the issuance of the Certificate of Occupancy.~~

(5) Replace: R315.2.1. New Construction. For new construction, carbon monoxide alarms shall be provided in dwelling units.

(6) Replace: R324.6. Roof access and pathways. Roof access, pathways and setback requirements shall be provided in accordance with Sections R324.6.1 and R324.6.2, through R324.6.2.1. Access and minimum spacing shall be required to provide emergency access to the roof, to provide pathways to specific areas of the roof, to provide for smoke ventilation opportunity areas, and to provide emergency egress from the roof.

(7) Replace: R324.6.1. Pathways. A 36" pathway shall be provided on all edges, valleys and hips of roofs. Pathways on townhomes shall maintain at least 18" from the property line if the roof on either side of the property line shares the same plane. If the plan of the roof is different, a 36" pathway shall be provided on each side.

(8) Replace: R324.6.2. Setback at ridge. A 36" clear setback is required on each side of the horizontal ridge.

(9) Delete: R324.6.2.1. Alternative setback at ridge.

CD. Chapter 4, Foundations. ~~Adopt without changes.~~

(1) Replace: R403.1.1. Minimum Size. All continuous footings shall be a minimum of 8" depth by 16" width. Footings shall be sized to support the imposed loads. Footing projections, P, shall not be less than 2 inches and shall not exceed the thickness of the footing. Footing thickness and projection for fireplaces shall be in accordance with Section R1001.2. The size of footings supporting piers and columns shall be based on the tributary load and allowable soil pressure in accordance with Table R401.4.1. Footings for wood foundations shall be in accordance with details set forth in Section R403.2, and Figures R403.1(2) and R403.1(3). Footings for precast foundations shall be in accordance with details set forth in Section R403.4, Table 403.4, and Figures R403.4(1) and R403.4(2).

Exceptions:

(a) Minimum footings for single-story decks shall be 3 times the widest nominally measured side of the post. Footings must also be sized to support the imposed loads; interior post locations support more weight than perimeter posts.

(b) Decks having vertical members spaced 6 feet on center or less may be placed on a 4-inch concrete pad, provided the vertical members are placed 12 inches inside the perimeter of the pad and are anchored on all corners with approved anchoring devices. Decks 20 feet or more in length shall have two additional anchors installed on each side mid-span.

(c) Residential accessory structures less than 300 square feet in area, with the exception of a pole building or garage, shall be leveled and secured with tie-downs or equivalent manufactured home anchoring devices, one in each corner. Structures 20 feet or more in length shall have two additional anchors installed on each side mid-span. All lumber and wood siding is to be pressure treated from grade to 8 inches above finished grade. Pressure-treated lumber shall meet the requirements set forth in Section R317.

(d) Prefabricated room enclosures are to be placed on an approved support system per the manufacturer's installation instruction.

- (2) Replace: R405.1. Concrete or masonry foundations. Drains shall be provided around concrete or masonry foundations that retain earth and enclose crawl space/basements of habitable or usable spaces located below grade. Drainage tiles, gravel or crushed stone drains, perforated pipe or other approved systems or materials shall be installed at or below the top of the footing or below the bottom of the slab and shall discharge by gravity or mechanical means into an approved drainage system. Gravel or crushed stone drains shall extend not less than 1 foot above the top of the footing and be covered with an approved filter membrane material. The top of open joints of the drain tiles shall be protected with strips of building paper. Except where otherwise recommended by the drain manufacturer, perforated drains shall be surrounded with an approved filter membrane or the filter membrane shall cover the washed gravel or crushed rock covering the drain. Drainage tiles or perforated pipe shall be placed on not less than two inches of washed gravel or crushed rock not less than one sieve size larger than the tile joint opening or perforation and covered with not less than six inches of the same material.

Exception: A drainage system is not required where the foundation is installed on well-drained ground or sand-gravel mixture soils according to the unified Soil Classification System, Group 1 soils, as detailed in Table R405.1

- (3) Replace: R405.2.3. Drainage systems. In other than Group 1 soils, a sump shall be provided to drain the porous layer and footings. The sump shall be not less than 24 inches in diameter or 20 inches square, shall extend not less than 24 inches below the bottom of the crawl space or basement floor and shall be capable of positive gravity or mechanical drainage to remove any accumulated water. The drainage system shall discharge into an approved sewer system or to daylight.

DE. Chapter 5, Floors. ~~Adopt without changes.~~

- (1) Add: R502.3.4. Deck floor joist spans. Deck floor joist spans shall be in accordance with American Forest and Paper, Design for Acceptance #6, Prescriptive Residential Wood Deck Construction Guide.
- (2) Add: R502.5.1. Deck girder spans. Deck girder spans shall be in accordance with the American Forest and Paper, Design for Acceptance #6, Prescriptive Residential Wood Deck Construction Guide.

EF. Chapter 6, Wall Construction. ~~Adopt without changes.~~

- (1) Replace: R602.10. Wall bracing. Buildings shall be braced in accordance with this section or, when applicable, Section R602.12. Where a building or portion thereof, does not comply with one or more of the bracing requirements in this section, those portions shall be designed and constructed in accordance with Section R301.1.

Exception: Porches with roofs and screen porches shall not be required to comply with the requirements of R602.10 Wall Bracing, when constructed with approved translucent or transparent plastic not more than 0.125 inch in thickness.

- (2) Add: R611.1. Definitions. POST FRAME BUILDING: A structural building frame consisting of a wood truss or rafters connected to vertical timber columns or sidewall posts, which function as the principal gravity and load resisting elements of the building. A building used for motor vehicles is considered a garage and must meet the requirements in Section R309 as well as Section 614 of this code.
- (3) Add: R612.1. Design loads. Plans are required to meet the minimum design loads noted in Table 301.2(1). Uplift reaction forces involved are required to be provided.

- (4) Add: R612.2. Truss design drawings. Truss design drawings are required at the time of plan submittal. The building plans should specify the permanent bracing for cords and webs to meet the bracing requirements shown on the truss design drawings.
- (5) Add: R612.3. Size, grade and species of wood members. All lumber shown on the submitted drawings should identify the size, grade and species or species group. Any engineered lumber should be identified by the product name, size and stress grade.
- (6) Add: R612.4. Isolation of siding. Methods and materials to isolate siding from preservative treated lumber should be specified 26 and detailed on the submitted plans.
- (7) Add: R612.5. Construction of truss carrier to bearing post. Submitted plans shall specify a bearing notch, properly designed bearing block, or other means for positive load transfer.
- (8) Add: R612.6. Fastener schedule. Submitted plans are required to include a fastener schedule completely describing the fasteners and quantities required at each connection. Power-driven nails should specify the type, diameter and length.
- (9) Add: R612.7. Roofing and siding diaphragms. Submitted plans shall include metal roof and wall panel thickness, fastener type and size, and the fastener pattern for roof and siding panels. If stitch screws are required to attach metal sheet-to-sheet, the plans should show the locations. Shingles roofs shall meet the requirements of Section R905.
- (10) Add: R613.1. Footing depth. Footings for post frame structures shall extend a minimum of 40 inches below grade.
- (11) Add: R613.2. Footing size. Footings for all post frame structures shall be sized to support the loads imposed. Minimum footing sizes for all post frame structures shall be 18 inches diameter and a minimum of 12 inches thick concrete under the support posts.
- (12) Add: R613.3. Resistance to uplift. A lumber cleat shall be attached to the bottom of all vertical support posts to resist uplift. Exception: Other means to resist uplift may be used and should be noted on the submitted plans.
- (13) Add: R614.1. Preservative treatment. All wood in contact with the ground shall be preservative-treated meeting the requirements of Section R319.
- (14) Add: R614.2. Support posts. Support posts fabricated from multiple plies shall have the number of plies of lumber, lumber species, grade, and connection system between plies noted.
- (15) Add: R614.3. Truss carrier spans. The allowable spans for truss carriers shall support the load of the proposed roof structure and floor system if present. Fabricated or dimensional lumber shall not exceed the values set forth in Tables R617.4(1) through R617.4(3). Spans exceeding the values set forth in Tables R617.4(1) through R617.4(3) shall be engineered.

G.— Chapter 7, Wall Covering. Adopt without changes.

H.— Chapter 8, Roof Ceiling Construction. Adopt without changes.

I.— Chapter 9, Roof Assemblies. Adopt without changes.

J.— Chapter 10, Chimneys and Fireplaces. Adopt without changes.

K.— Chapter 11, Energy Efficiency. Deleted in its entirety. Refer to the current adopted State Energy Code

L.— Chapter 12, Mechanical Administration. Adopt without changes.

- M.— Chapter 13, General Mechanical System Requirements. Adopt without changes.
- N.— Chapter 14, Heating and Cooling Equipment. Adopt without changes.
- O.— Chapter 15, Exhaust Systems. Adopt without changes.
- P.— Chapter 16, Duct Systems. Adopt without changes.
- Q.— Chapter 17, Combustion Air. Adopt without changes.
- R.— Chapter 18, Chimneys and Vents. Adopt without changes.
- S.— Chapter 19, Special Fuel-Burning Equipment. Adopt without changes.
- T.— Chapter 20, Boilers and Water Heaters. Adopt without changes.
- U.— Chapter 21, Hydronic Piping. Adopt without changes.
- V.— Chapter 22, Special Piping and Storage Systems. Adopt without changes.
- W.— Chapter 23, Solar Systems. Adopt without changes.
- X.— Chapter 24, Fuel Gas. Adopt without changes.
- Y.— Chapter 25, Plumbing Administration. Delete in its entirety. Refer to current adopted State Plumbing Code.
- Z.— Chapter 26, General Plumbing Requirements. Delete in its entirety. Refer to current adopted State Plumbing Code.
- AA.— Chapter 27, Plumbing Fixtures. Delete in its entirety. Refer to current adopted State Plumbing Code.
- BB.— Chapter 28, Water Heaters. Delete in its entirety. Refer to current adopted State Plumbing Code.
- CC.— Chapter 29, Water Supply and Distribution. Delete in its entirety. Refer to current adopted State Plumbing Code.
- DD.— Chapter 30, Sanitary Drainage. Delete in its entirety. Refer to current adopted State Plumbing Code.
- EE.— Chapter 31, Vents. Delete in its entirety. Refer to current adopted State Plumbing Code.
- FF.— Chapter 32, Traps. Delete in its entirety. Refer to current adopted State Plumbing Code.
- GG.— Chapter 33, Storm Drainage. Delete in its entirety. Refer to current adopted State Plumbing Code.
- HH.— Chapter 34, General Requirements. Delete in its entirety. Refer to current adopted State Electrical Code.
- II.— Chapter 35, Electrical Definitions. Delete in its entirety. Refer to current adopted State Electrical Code.
- JJ.— Chapter 36, Services. Delete in its entirety. Refer to current adopted State Electrical Code.
- KK.— Chapter 37, Branch Circuit and Feeder Requirements. Delete in its entirety. Refer to current adopted State Electrical Code.
- LL.— Chapter 38, Wiring Methods. Delete in its entirety. Refer to current adopted State Electrical Code.
- MM.— Chapter 39, Power and Lighting Distribution. Delete in its entirety. Refer to current adopted State Electrical Code.
- NN.— Chapter 40, Light Fixtures. Delete in its entirety. Refer to current adopted State Electrical Code.

~~OO. Chapter 41, Appliance Installation. Delete in its entirety. Refer to current adopted State Electrical Code.~~

~~PP. Chapter 42, Swimming Pools. Delete in its entirety. Refer to current adopted State Electrical Code.~~

~~QQ. Chapter 43, Class 2 Remote Control, Signaling and Power Limited Circuits. Delete in its entirety. Refer to current adopted State Electrical Code.~~

~~RR. Chapter 44, Referenced Standards. Adopt without changes.~~

FSS. Appendix C, Exit Terminals of Mechanical Draft and Direct-Venting Systems. **Adopt without changes.**

GTT. Appendix ~~E~~**G**, ~~Swimming Pools, Spas, and Hot Tubs~~ **Manufactured Housing as Dwellings.**
Adopt without changes.

(1) ~~Section AG102. Definitions.~~

(a) ~~Add: Swimming Pool: Any structure intended for swimming or recreational bathing that contains or is capable of containing water over 24 inches (610 mm) deep or more water. This includes in-ground and on-ground swimming pools, hot tubs and spas.~~

(2) ~~AG105.2 Outdoor swimming pool. Add:~~

11. ~~For split rail fences, 14 gauge wire with opening no greater than 2 inches (51 mm) wide and 4 inches (102 mm) high shall be permitted. The fence must be 48 inches (1219 mm) high with the top edge securely fastened to the top rail. The wire must be applied on the side away from the pool (outside).~~

HUU. Appendix J, Existing Buildings and Structures. Adopt without changes.

I. Appendix Q, Tiny Houses. Adopt without changes.

§ 88-3. - Fee schedule.

Permit fees shall be set by resolution adopted by City Council and maintained by the City Clerk's Office.

ARTICLE II - International Building Code

§ 88-4. - Adoption of code.

A certain document, three copies of which are on file in the office of the Department of Planning of the City of Milford, State of Delaware, being marked and designated as the International Building Code, ~~2012~~**2018** edition be and is hereby adopted as the Building Code of the City of Milford for regulating and governing the conditions and maintenance of all property, buildings, and structures, by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary, and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations; provisions, penalties, conditions and terms of said Building Code on file in the office of the City of Milford and hereby referred to, adopted, and made a part hereof, as if fully set out in this article, with the additions, insertions, deletions, and changes, if any, prescribed in § 88-5 of this chapter.

§ 88-5. - Additions, insertions and changes.

The following sections **of the International Building Code, 2018 edition, are revised as follows.**
References to the International Fire Code, 2018 edition, as published by the International Code Council, specifically are not adopted. Provisions of the International Fire Code are addressed through

the adoption of the National Fire Prevention Association (NFPA) Codes and Standards and the Delaware Fire Prevention Regulations as adopted by the Delaware State Fire Marshal's Office. ~~or~~
portions are hereby revised as follows:

A. Chapter 1, Scope and Administration.

- (1) Section R101.1. Insert: City of Milford
- (2) Section 105, Permits.

(a) Add: Section R105.1.

[1] Delaware Department of Transportation Approval. The building official may require an entrance/exit permit from the Delaware Department of Transportation upon application for a building permit for all nonresidential and residential buildings on state-maintained roads.

[2] Other permit approvals. Before a building permit is issued, additional agency approvals may be required. Such agency approvals include, but are not limited to, Delaware State Fire Marshal, Kent/Sussex Conservation District, Delaware Division of Public Health, Delaware Department of Natural Resources and Environmental Control, and a Delaware-recognized electrical inspection agency.

[3] Energy code compliance. Any energy code compliance certificate shall be submitted with each single-family dwelling permit application, or meet the prescriptive requirements of Section 402 of the International Energy Conservation Code currently adopted by the State of Delaware.

~~(a)~~ b) Section 105.2. Work exempt from permit. Remove language under "Building:" and replace with the following;

[1] One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 24 square feet.

[2] Fences not over six feet in height.

[a] Exceptions:

[i] Fences required for pools

[ii] Fences required by the State of Delaware for home-based day cares.

[iii] Fences required by the City of Milford Planning Department as part of an approved subdivision or land development application.

[3] Retaining walls which are not over four feet in exposed height, unless supporting a surcharge or impounding class I, II or III-A liquids.

[4] Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.

[5] Water tanks supported directly on grade if the capacity is not greater than 5,000 gallons and the ratio of height to diameter or width is not greater than 2:1.

[6] Sidewalks and driveways.

[7] Replacement of roof covering that does not involve the repair or replacement of more than 25 percent of the roof.

[8] Prefabricated swimming pools accessory to a one- or two-family dwelling, which are less than 24 inches deep, do not exceed 5,000 gallons and are installed entirely above ground.

[9] Swings and other playground equipment accessory to one- and two-family dwellings.

[10] Window awnings supported by an exterior wall which do not project more than 54 inches from the exterior wall and do not require additional support.

[11] Non-fixed and movable fixtures, cases, racks, counters and partitions not over five feet nine inches in height.

(b)c) Add: 105.5.1. Time limitation of permit. A permit for any activity for which a permit is required shall be valid for two years from the date of issuance.

(e)d) Add: 105.5.2. Completion of construction. All construction for which a building permit is required must be completed and pass final inspection within two years after issuance of a building permit. One extension of six months, accompanied by a renewal fee of a minimum of \$50 or 10% of the original building permit fee, whichever is greater, may, at the discretion of the Code Official, be granted.

(3) Section 109. Fees.

(a) Add: 109.4.1. Violation fee. When obtaining a building permit after the start of construction, the building permit fee shall be assessed a violation fee as outlined in the adopted Planning and Economic Development Department Fee Schedule.

(b) Add: R109.7. Delinquent taxes and fees. No building permits, certificate of occupancy, or certificate of completion shall be issued for a property if any of the following parties, having an interest in the application or the property the application is filed for, are not in good standing with the city: the applicant, the property owner, the equitable owner, the permit holder, or any individual with a controlling interest in the property (controlling interest means the acquisition of sufficient dominance to determine the operational and financial policies, including disposition of its assets, of any legal entity that is an applicant, property owner, equitable owner or permit holder, but excluding mortgage holders). "Not in good standing" means that at the time of the request a municipal lien has been imposed upon the property or any of the above enumerated parties are delinquent in the payment of monies owed to the city.

(4) Add: 110.3.1.1. As-Built Survey. An as-built survey prepared by a State of Delaware licensed professional surveyor or civil engineer shall be required for new structures and additions to existing structures as follows:

(a) Foundation as-built survey shall be provided once the foundation has been constructed and prior to commencement of framing in the following instances:

1. All new structures other than residential accessory structures.

2. At any time when a variance from required area specifications was required for construction approval.

3. Where required by the building/code official.

(4) ~~(5)~~ Section 113, Board of Appeals, is deleted in its entirety and replaced with the following;

113.1. General. Appeals of orders, decisions, or determination made by the Building and/or Code Official relative to the application and interpretation of this code, shall proceed as described in Article III of this Chapter.

(5) ~~(6)~~ Replace: 114.4. Violation penalties. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the Code Enforcement Official, or of a permit or certificate issued under the provisions set forth under this code shall be guilty of a misdemeanor, punishable by a fine of not more than \$500. Each day that a violation continues after due notice has been served shall be deemed as a separate offense.

(6) ~~(7)~~ Replace: 115.3. Unlawful continuance. Any person who shall continue any work in or about the structure after having been served with a stop-work order, except such work as would be necessary to correct said violation(s) or unsafe conditions, shall be liable to a fine of not less than \$500.

~~(7) Replace: 116.5. Restoration. A building or structure condemned by the Code Enforcement Official is permitted to be restored to a safe and fully code compliant condition, provided that said restoration or repairs do not exceed 50% of the value of said building or structure as determined by the assessment given by the City for tax purposes. This valuation figure shall be exclusive of foundations. Said repairs shall be made to comply, in all respects, with the requirements for materials and methods of construction of structures hereafter erected. To the extent that the repairs, alterations or additions are made or a change of occupancy occurs during the restoration of the structure, such repairs, alterations, additions or change of occupancy shall comply with the requirements of Section 105.2.2 and Chapter 34.~~

~~B. Chapter 2, Definitions. Adopt without changes.~~

~~C. Chapter 3, Use and Occupancy Classification. Adopt without changes.~~

~~D. Chapter 4, Special Detailed Requirements Based on Use and Occupancy. Adopt without changes.~~

~~E. Chapter 5, General Building Heights and Areas. Adopt without changes.~~

~~F. Chapter 6, Types of Construction. Adopt without changes.~~

~~G. Chapter 7, Fire Resistance Rated Construction. Adopt without changes.~~

~~H. Chapter 8, Interior Finishes. Adopt without changes.~~

~~I. Chapter 9, Fire Protection Systems. Adopt without changes.~~

~~J. Chapter 10, Means of Egress. Adopt without changes.~~

~~K. Chapter 11, Accessibility. Adopt without changes.~~

~~L. Chapter 12, Interior Environment. Adopt without changes.~~

~~M. Chapter 13, Energy Efficiency. Delete in its entirety. Refer to current State Energy Code.~~

~~N. Chapter 14, Exterior Walls. Adopt without changes.~~

~~O. Chapter 15, Roof Assemblies and Rooftop Structures. Adopt without changes.~~

~~P. Chapter 16, Structural Design.~~

~~1612.3. Establishment of flood hazard areas. Insert: "City of Milford" for Name of Jurisdiction and "dated most recently enacted" for Date of Issuance.~~

~~Q. Chapter 17, Structural Tests and Special Inspections. Adopt without changes.~~

- ~~R. — Chapter 18, Soils and Foundations. Adopt without changes.~~
- ~~S. — Chapter 19, Concrete. Adopt without changes.~~
- ~~T. — Chapter 20, Aluminum. Adopt without changes.~~
- ~~U. — Chapter 21, Masonry. Adopt without changes.~~
- ~~V. — Chapter 22, Steel. Adopt without changes.~~
- ~~W. — Chapter 23, Wood. Adopt without changes.~~
- ~~X. — Chapter 24, Glass and Glazing. Adopt without changes.~~
- ~~Y. — Chapter 25, Gypsum Board and Plaster. Adopt without changes.~~
- ~~Z. — Chapter 26, Plastic. Adopt without changes.~~
- ~~AA. — Chapter 27, Electrical. Delete in its entirety. Refer to current adopted State Electric Code.~~
- ~~BB. — Chapter 28, Mechanical Systems. Adopt without changes.~~
- ~~CC. — Chapter 29, Plumbing Systems. Delete in its entirety. Refer to current adopted State Plumbing Code.~~
- ~~DD. — Chapter 30, Elevators and Conveying Systems. Adopt without changes.~~
- ~~EE. — Chapter 31, Special Construction. Adopt without changes.~~
- ~~FF. — Chapter 32, Encroachments into the Public Right of Way. Adopt without changes.~~
- ~~GG. — Chapter 33, Safeguards During Construction. Adopt without changes.~~
- ~~HH. — Chapter 34, Existing Structures. Adopt without changes.~~
- ~~II. — Chapter 35, Referenced Standards. Adopt without changes.~~
- ~~JJ. — Appendix E, Supplementary Accessibility Requirements. Adopt without changes.~~
- ~~KK. — Appendix F, Rodentproofing. Adopt without changes.~~
- ~~LL. — Appendix H, Signs. Adopt without changes.~~

§ 88-6. - Fee schedule.

Permit fees shall be set by resolution adopted by City Council and maintained by the City Clerk's Office.

ARTICLE III - Board of Appeals

§ 88-7. - General.

In order to hear and decide appeals of orders, decisions, or determinations made by the building or code official relative to the application and interpretation of the code, there shall be and is hereby created a board of appeals. The Board of Appeals shall be appointed by City Council and shall hold office at its pleasure. The Board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official.

§ 88-8. - Limitations on authority.

An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.

§ 88-9. - Membership of the board.

The Board of Appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction. City Council shall appoint three members for terms of three years, provided that the terms of the original members shall be established in a manner that the term of at least one member shall expire each year and the successor shall be appointed for a term of three years.

§ 88-10. - Alternate members.

City Council shall appoint an individual of its choice to be an alternate during those times where one of the permanent members is unable to attend an appeals hearing or in cases where a conflict of interest may exist. Said appointment shall be made for a two-year term.

§ 88-11. - Chairperson.

The Board shall annually select one of its members to serve as chairperson.

§ 88-12. - Disqualification of member.

A member shall not hear an appeal in which that member has a personal, professional or financial interest.

§ 88-13. - Secretary.

The City Manager shall designate a qualified clerk or staff as Secretary to the Board. The Secretary shall file a detailed record of all proceedings with the office of the City Clerk. Secretary shall have no right to vote on matters coming before the board.

§ 88-14. - Compensation of members.

Compensation of members shall be determined by ordinance of City Council.

§ 88-15. - Application for appeal.

Any person directly affected by a decision of the Code Official or an notice or order issued under this code shall have the right to appeal a decision of the Code Enforcement and/or Building Official to the Board of Appeals provided the application is filed within 20 days of the day the decision, notice, or order was served. An application for appeal shall be based on a claim that the true intent of the code or the rules legally adopted thereunder have been incorrectly interpreted, that the provisions of this code do not apply or that an equivalent form of construction is to be used.

§ 88-16. - Hearing fee.

The following nonrefundable fee schedule shall apply for hearings of the Board of Appeals:

International Residential Code: \$300.00

International Building Code: \$1,000.00

International Property Maintenance Code: \$300.00

§ 88-17. - Notice of meeting.

The Board shall meet upon notice from the Chairperson. The meeting date and time shall be scheduled in accordance with the state guidelines for public hearings. Surrounding property owners within 200 feet of the property or building in question shall be notified by mail.

§ 88-18. - Open hearing.

All hearings before the Board shall be open to the public. The appellant's representative, the Code Official and any other person or persons that may be deemed necessary as witnesses and all other persons whose interests are affected shall be given an opportunity to be heard.

§ 88-19. - Procedure.

The hearing shall address only those issues or items that may be deemed relevant to the case being heard. The Board shall adopt and publish, for public information, the procedures under which the hearing will be conducted.

§ 88-20. - Postponed hearing.

When there are fewer than two members of the Board available and the authorized or appointed alternate is unavailable, notification shall be given to the interested parties.

§ 88-21. - Board decision.

The Board shall affirm, modify or reverse the decision of the Code Official by means of a simple majority.

§ 88-22. - Records and copies.

The decision of the board shall be recorded. Copies shall be furnished to the appellant and to the appropriate Building or Code Official.

§ 88-23. - Administration.

The appropriate Building or Code Official shall take immediate action in accordance with the decision of the Board.

§ 88-24. - Court review.

Any person, whether or not a previous party of the appeal, shall have the right to apply to the Superior Court of the State of Delaware in the applicable county for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law, following the filing of the Board's decision in the Office of the City Clerk.

§ 88-25. - Stays of enforcement.

Appeals of notices and orders (other than Imminent Danger Notices) shall stay the enforcement of the notice and order until the appeal is complete or the stay is lifted by the Superior Court.

ARTICLE IV - International Swimming Pool and Spa Code

§ 88-26. - Adoption of code.

A certain document, three copies of which are on file in the office of the Department of Planning of the City of Milford, State of Delaware, being marked and designated as the International Swimming Pool and Spa Code, 2018 edition be and is hereby adopted by the City of Milford for regulating and governing the conditions and maintenance of all swimming pools, spas, hot tubs and aquatic facilities. Any additions, insertions, deletions, and changes, if any, are prescribed in § 88-27 of this chapter.

§ 88-27. - Additions, insertions and changes.

A. Chapter 1, Scope and Administration.

(1) Section R101.1. Insert: City of Milford

(2) Section 105, Permits. Replace. Permitting and fees for residential permits shall be subject to the permit requirements of the IRC as adopted by the City of Milford. Permitting and fees for commercial permits shall be subject to the permit requirements of the IBC as adopted by the City of Milford.

(3) Section 107, Violations. Replace. Violations for residential permits shall be subject to the violation requirements of the IRC as adopted by the City of Milford. Violations for commercial permits shall be subject to the violation requirements of the IBC as adopted by the City of Milford.

(4) Section 108, Appeals. Replace. Means of appeal for residential permits shall follow the appeal procedures of the IRC as adopted by the City of Milford. Means of appeal for commercial permits shall follow the appeal procedures of the IBC as adopted by the City of Milford.

Section 5.

Dates.

Council Introduction: June 13, 2022

Council Adoption: June 27, 2022

Section 6.

Effective Date is Ten Days Following Adoption by City Council



Chapter 88 - Building Construction 2018 IRC/IBC

Draft Revisions
January 10, 2022



Purpose of the Code Review

- ▶ Update the City Building Code for residential construction from the 2012 International Residential Code (IRC) to the 2018 IRC.
- ▶ Update the City Building Code for commercial construction from the 2012 International Building Code (IBC) to the 2018 IBC.



Draft Revisions

- ▶ Enclosed are draft revisions of Chapter 88 Building Construction.
- ▶ Language to be added is underlined.
- ▶ Language to be removed is stricken.



Article I - International Residential Code

▶ Chapter 1 - Administration

- ▶ Added State agency requirements associated with building permit applications.
- ▶ Defined which construction activities were exempt from permits. Previously, nothing was exempt from needing a building permit.
- ▶ Added language related to “clean hands.”
- ▶ Added requirement for as-built survey of building footprint between foundation and framing inspections to ensure proper placement of building.



Article I - International Residential Code

- ▶ Chapter 3 - Building Planning
 - ▶ Updated Climatic and Geographic Design Criteria.
 - ▶ Added statement requiring proper egress window to be installed in any sleeping room being added or gutted due to renovations.
 - ▶ Added requirement for the installation of carbon monoxide alarms in dwelling units.
 - ▶ Added language to require a 36” pathway along the perimeter of a roof and at the ridge clear of any solar panels.
 - ▶ Will need to determine whether the City wants to require domestic sprinklers. Currently, we are proposing residential sprinkler systems to be optional. (Second half of the presentation is devoted to this subject)



Article I - International Residential Code

▶ Chapter 4 - Foundations

- ▶ Revised footings language to allow exceptions for decks, residential accessory structures and prefabricated room enclosures.
- ▶ Revised concrete or masonry foundation language to include both crawlspaces and basements. Standard language only pertains to basements.
- ▶ Revised drainage systems to include both crawlspaces and basements. Standard language only pertains to basements.



Article I - International Residential Code

- ▶ Chapter 5 - Floors

- ▶ Added language to refer to the American Forest and Paper, Design for Acceptance #6, Prescriptive Residential Wood Deck Construction Guide for deck floor joist spans and deck girder spans.



Article I - International Residential Code

- ▶ Chapter 6 - Wall Construction
 - ▶ Added exception to wall bracing requirements for walls made of translucent or transparent plastic not more than 0.125 inch in thickness.
 - ▶ Added design and construction requirements for Post Frame Buildings.



Article I - International Residential Code

- ▶ 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.



Article II - International Building Code

▶ Chapter 1 - Administration

- ▶ Added State agency requirements associated with building permit applications.
- ▶ Defined which construction activities were exempt from permits. Previously, nothing was exempt from needing a building permit.
- ▶ Added language related to “clean hands.”
- ▶ Added requirement for as-built survey of building footprint between foundation and framing inspections to ensure proper placement of building.



Article IV - International Swimming Pool and Spa Code

- ▶ Adopted 2018 International Swimming Pool and Spa Code
- ▶ Directs applicants to the permit procedures, violation procedures and appeal procedures for the IRC or IBC depending on whether the application is for a residential use or for a commercial use.



FIRE SPRINKLER INITIATIVE
Bringing Safety Home



Delaware Fire Sprinkler Coalition: An Overview

Fall 2015 | Paul Eichler | Chairman

America's Home Fire Problem

In 2019:

- More than **361,500** U.S. home fires
- Close to **3,700** civilian fire deaths
- Nearly **16,600** civilian fire injuries
- **75 percent** of all civilian fire deaths resulted from home fires



Source: 2019 NFPA Fire Loss in the U.S. Report



Delaware's Home Fire Problem

In 2013:

- **10** civilian fire deaths (All)
- **9** civilian fire deaths (1 & 2 Family)
- **1** civilian fire deaths (Type Other)
- **90-100** percent of all civilian fire deaths resulted from 1 & 2 family home fires

Source: USFA Home fire fatalities in the news



Delaware's Home Fire Problem

For FY2020:

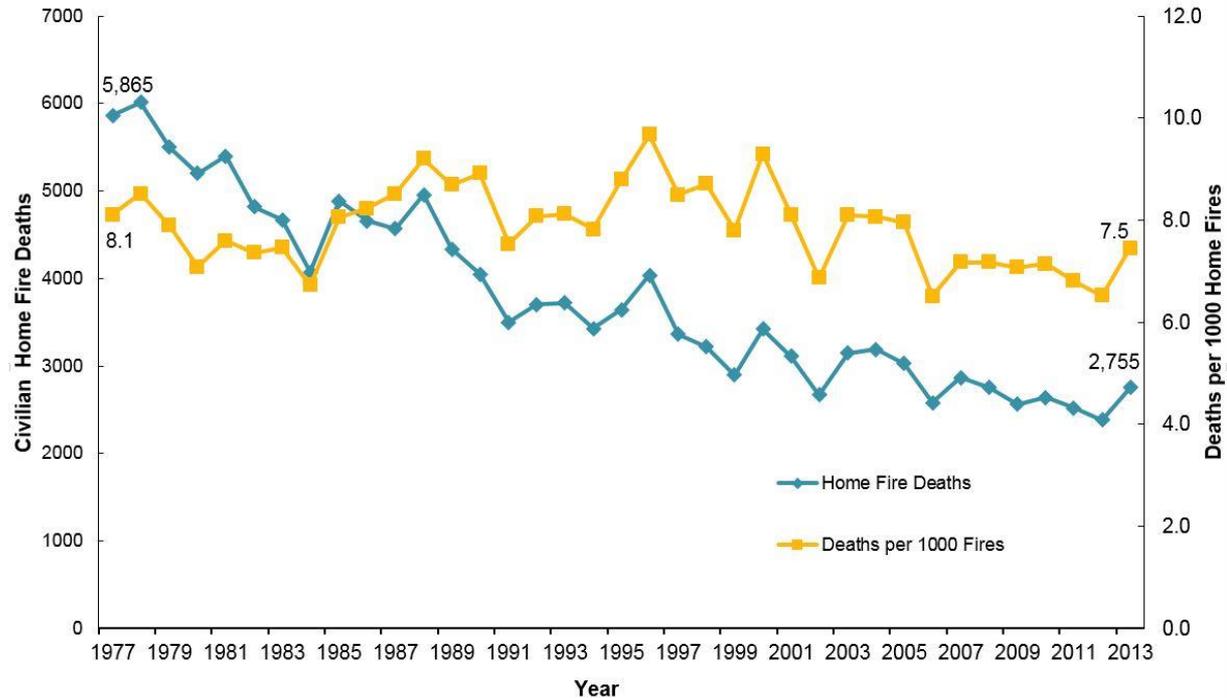
- **10** civilian fire deaths (1 & 2 Family)
- firefighter death (1 & 2 Family)
- firefighter injuries
- **\$31.2 Million** damage to 1 & 2 family homes

Source: DE SFMO



America's Home Fire Problem

Figure 3. Civilian Home Fire Deaths and Rates per 1000 Fires, 1977-2013



Who is at Highest Risk?

Children under **five years old**

Adults over **65 years old**

Groups unable to exit on their own, even if working smoke alarms are present



The Solution Exists

Home Fire Sprinklers: An Historical Perspective

1975: NFPA 13D, *Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes*, is first issued

2006: NFPA 5000, *Building Construction and Safety Code®*, includes first-of-its kind requirement in a U.S. building code for sprinklers in one- and two-family dwellings.

2009: All model building codes in the U.S. include mandate for sprinklers in all new, one- and two-family homes; NFPA launches Fire Sprinkler Initiative



NFPA's Fire Sprinkler Initiative



FIRE SPRINKLER INITIATIVE®
Bringing Safety Home

*A coordinated effort to provide resources for the
fire service and other sprinkler advocates*

NFPA's Fire Sprinkler Initiative

Campaign Objectives

Increase the number of jurisdictions considering and implementing home fire sprinkler mandates across North America

Increase the number of those involved in public safety who are actively engaged in getting such mandates passed



FIRE SPRINKLER INITIATIVE
Bringing Safety Home

Delaware Fire Sprinkler Coalition

The Delaware Fire Sprinkler Coalition is dedicated to promoting home fire sprinklers. This voluntary coalition is a resource for information about home fire sprinklers in Delaware. The coalition actively works to educate stakeholder groups on home fire sprinklers and collaborates with key state fire service organizations to address and overcome barriers to home fire sprinkler requirements.



FIRE SPRINKLER INITIATIVE
Bringing Safety Home

FireSprinklerInitiative.org

The screenshot shows the homepage of FireSprinklerInitiative.org. At the top left is the NFPA logo, and next to it is the Fire Sprinkler Initiative logo with the tagline "Bringing Safety Home". A search bar is located at the top right. Below the logo area are navigation links for "ABOUT", "CONTACT", and "FOR THE MEDIA". A red navigation bar contains the following categories: "Advocacy Tools", "Research", "State Coalitions", "Legislation & Adoptions", and "Blog".

The main content area features three featured articles:

- Tragedy strikes twice for family**: Two separate home fires, years apart, result in death. Includes a video player with a progress bar.
- Emotional torment follows home fire**: A video player with a play button and the text "Firefighter Survivor story 'FACES OF FIRE'".
- Firefighter Survivor story 'FACES OF FIRE'**: A video player with a play button and the text "More videos".

Below the featured articles are two columns of content:

- POPULAR**:
 - > Quiz: Test your knowledge on home fire sprinklers
 - > Free presentation: the dangers of lightweight construction
 - > Report: The cost of home fire sprinklers
 - > Report: Sprinkler successes in one- and two- family homes
 - > What builders need to know about home fire sprinklers
- BLOG**:
 - > Entire town considers sprinkler ordinance following sprinkler successes in one of its communities
 - > Two families say hello to their sprinklered homes, courtesy of Habitat of Humanity
 - > State's code-making body "dysfunctional" for not updating its building code
 - > Tragedy strikes twice as separate home fires, years apart

At the bottom right is a "Read our newsletter" section with a thumbnail image of the newsletter.



Website Resources

- Home fire and sprinkler research reports
- Sprinkler legislation information
- State sprinkler coalition information
- Fact sheets countering sprinkler myths
- Op-ed templates
- Infographics
- Fire Sprinkler Initiative blog
- Videos

Make a Convincing Case for
Home Fire Sprinklers

Home fire sprinklers are cost effective

A report commissioned by the Fire Protection Research Foundation places the average national cost of installing sprinklers in new homes at \$1.35 per sprinklered square foot, or about **one percent** of the total construction cost. While costs can vary from jurisdiction to jurisdiction, people tend to pay more for granite countertops.

FireSprinklerInitiative.org
Visit NFPA's Fire Sprinkler Initiative website for more information.

NFPA FIRE SPRINKLER INITIATIVE Bringing Safety Home

*Data referenced by NFPA and other sources

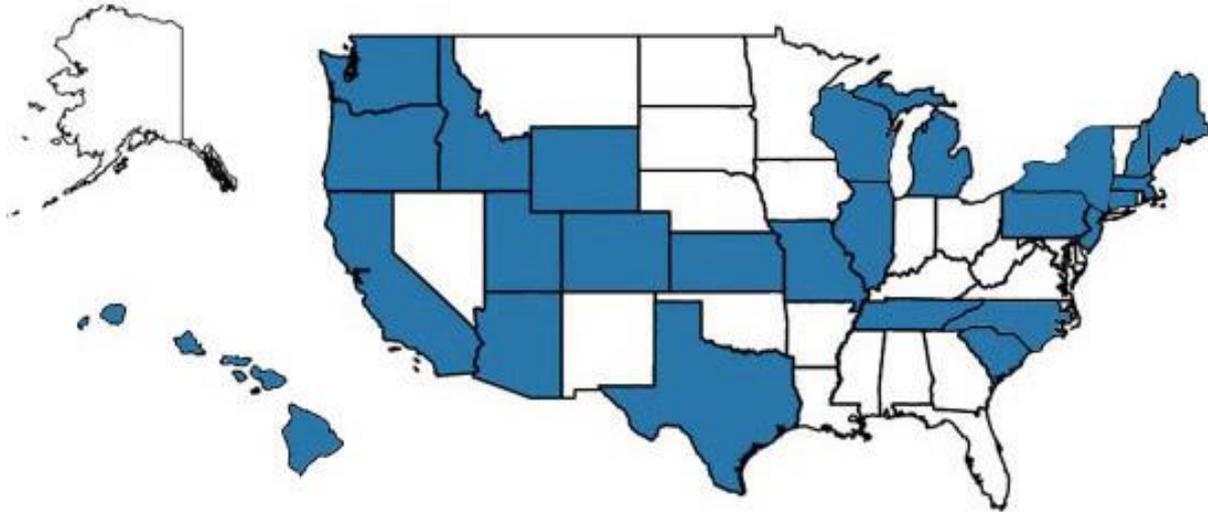


“FACES OF FIRE”



FIRE SPRINKLER INITIATIVE
Bringing Safety Home

Take Action: Join a State Sprinkler Coalition



Wanted: Sprinkler Myth Busters

- Join a coalition and use Fire Sprinkler Initiative tools to combat the many myths perpetuated by sprinkler opponents

“Sprinklers are expensive!”

“One sprinkler activates, they all activate!”

“Newer homes are safer homes!”

“Sprinklers are ugly!”



Home Fire Sprinklers 101

- Only activated by heat, not smoke
- Rapid response, typically between 135-160 degrees Fahrenheit
- Only the sprinkler nearest the fire will activate
- More than 90 percent of fires controlled by single sprinkler
- Most new sprinkler heads are unobtrusive



Sprinkler Myths: Delving Deeper

“Smoke alarms offer adequate protection during a fire!”

FACT

Smoke alarms are still critical in cutting the risk of dying in fire, but do nothing to suppress fire



Sprinkler Myths: Delving Deeper

“The fire problem is in older homes, since newer homes are safer!”

FACT

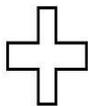
New homes have larger open spaces, lightweight construction materials, and furniture stuffed with combustible materials—all factors that lead to homes burning hotter and faster



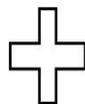
Characteristics of Modern Homes



Larger homes



Open Spaces



Increased fuel loads



Void spaces



Changing bldg. materials



- **Faster fire propagation**
- **Shorter time to flashover**
- **Rapid changes in fire dynamics**
- **Shorter escape times**
- **Shorter time to collapse**

Characteristics of Modern Homes



Large rooms



Open floor plans



Open foyers

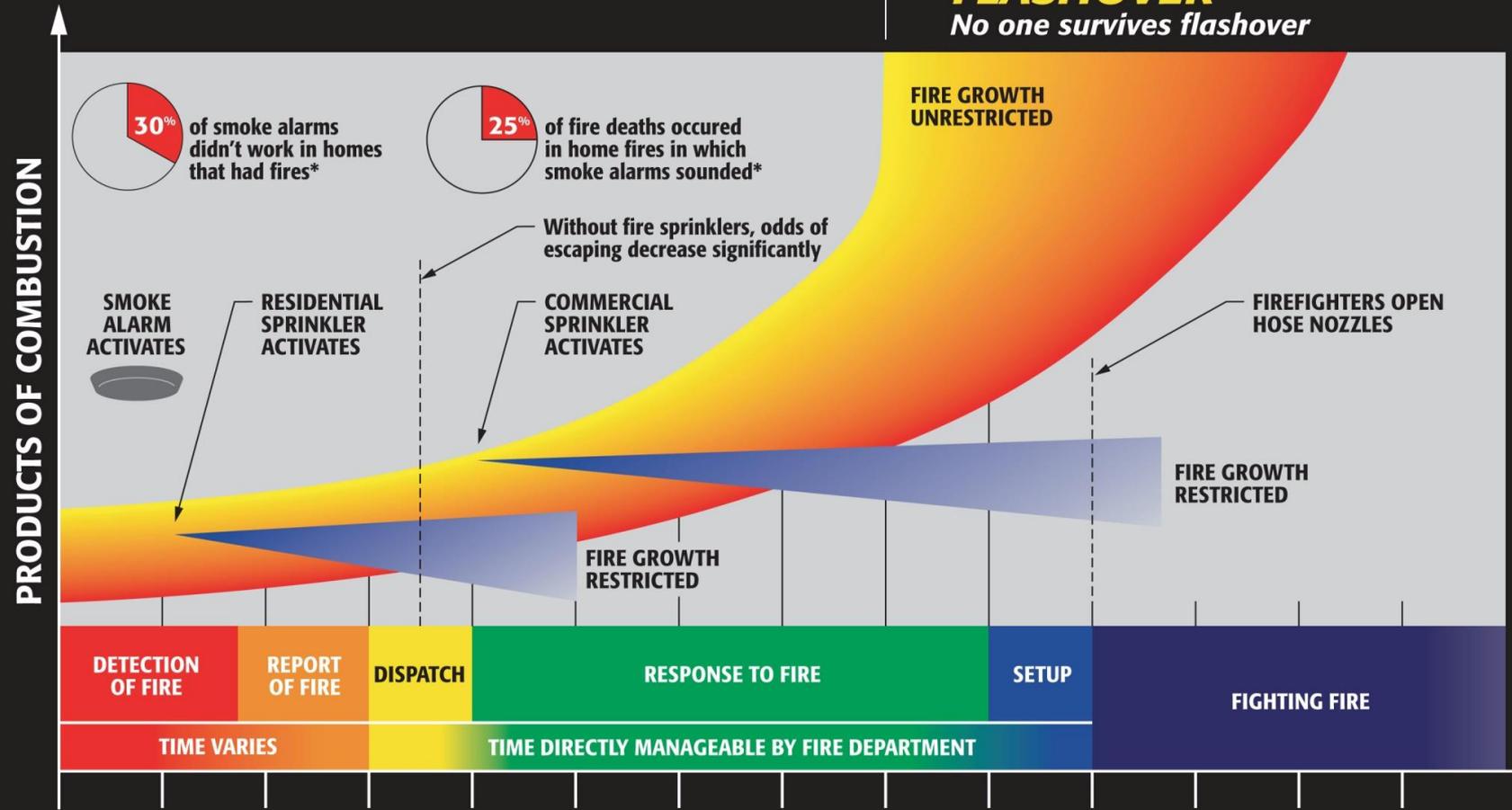


High/Vaulted ceilings

These features add volume/air contributing to faster smoke and fire spread

TIME vs. PRODUCTS of COMBUSTION

FLASHOVER
No one survives flashover



Sprinkler Arguments: Delving Deeper

“Sprinklers should be a matter of consumer choice!”

FACT

All model building codes in the U.S. **require** sprinklers in new, one- and two-family homes

Model code=minimum standard

Removing requirement=substandard housing



Sprinkler Myths: Delving Deeper

“Sprinklers are expensive and will price people out of homes!”

FACT

The average cost per sprinklered square foot is \$1.35



Source: 2013 Fire Protection Research Foundation study



Research Confirms Our Facts

“Comparative Analysis of Housing Cost and Supply Impacts of Sprinkler Ordinances” report

FINDINGS

- No detrimental effects to home construction
- Relative increase in construction



Research Confirms Our Facts

“The Environmental Impact of Automatic Fire Sprinklers” report

FINDINGS

- Fire sprinklers are **green!**
- Reduce water use to fight a fire by 90% compared with fire hose
- Reduce greenhouse gases by 98%
- Reduce fire damage by up to 97%



NFPA 13D: The Sprinkler Standard

“...shall be expected to prevent flashover (total involvement) in the room of origin, where sprinklered, and to improve the chance of occupants to escape or be evacuated.”

NFPA 13D: An Overview

- Life safety is its aim; property protection an added bonus
- Required only in living areas
- Omitted from
 - Closets (<24 square feet)
 - Bathrooms (<55 square feet)
 - Garages and attics

NFPA 13D: Water Supply

Municipal Water

- Standard operating pressure

Private water supply

- Well with pump
- Storage tank with pump
- Pressure tank



But Wait, There's More @ FireSprinklerInitiative.org

The screenshot shows the homepage of the Fire Sprinkler Initiative website. At the top left is the NFPA logo, and next to it is the Fire Sprinkler Initiative logo with the tagline "Bringing Safety Home". A search bar is located in the top right corner. Below the logo area is a navigation menu with links for "ABOUT", "CONTACT", and "FOR THE MEDIA". A secondary menu below that lists "Advocacy Tools", "Research", "State Coalitions", "Legislation & Adoptions", and "Blog". The main content area features a large video player with a thumbnail showing a man and a child, with the headline "Tragedy strikes twice for family" and a sub-headline "Two separate home fires, years apart, result in death". To the right of the video player is a smaller video player with a thumbnail of a firefighter, with the headline "Emotional torment follows home fire" and a sub-headline "Firefighter Survivor story 'FACES OF FIRE'". Below the video player is a "POPULAR" section with a list of articles, and to the right is a "BLOG" section with a list of articles. At the bottom right is a "Read our newsletter" section with a thumbnail of a newsletter preview.

SEARCH

NFPA FIRE SPRINKLER INITIATIVE[®]
Bringing Safety Home

ABOUT CONTACT FOR THE MEDIA

Advocacy Tools Research State Coalitions Legislation & Adoptions Blog

Emotional torment follows home fire

Tragedy strikes twice for family
Two separate home fires, years apart, result in death

Firefighter Survivor story
"FACES OF FIRE"

More videos

POPULAR

- > Quiz: Test your knowledge on home fire sprinklers
- > Free presentation: the dangers of lightweight construction
- > Report: The cost of home fire sprinklers
- > Report: Sprinkler successes in one- and two- family homes
- > What builders need to know about home fire sprinklers

BLOG

- > Entire town considers sprinkler ordinance following sprinkler successes in one of its communities
- > Two families say hello to their sprinklered homes, courtesy of Habitat of Humanity
- > State's code-making body "dysfunctional" for not updating its building code
- > Tragedy strikes twice as separate home fires, years apart

Read our newsletter



Free Newsletter @ FireSprinklerInitiative.org/Newsletter



FIRE SPRINKLER INITIATIVE NEWS

Information for fire service and sprinkler advocates

Advocacy Tools

Research

State Coalitions

Legislation & Adoptions

June 2015



Advocates receive up to \$10,000 to initiate local sprinkler campaigns

Capitalizing on the local momentum taking place around home fire sprinklers, NFA's Fire Sprinkler Initiative awarded 16 grants aimed at furthering efforts that showcase their importance. View the list of recipients and what they have planned this year.

[Read More >>](#)

Share this story: [f](#) [t](#) [in](#)



Sprinkler installation cost a scorching topic during radio show

Listeners inundated the call-in line during a radio interview with NFPA staff about home fire sprinklers. Concerns over costs were countered by NFPA research and new case studies throughout the U.S. that show how affordable sprinkler installation really is.

[Read More >>](#)

Share this story: [f](#) [t](#) [in](#)

GET THE FACTS



FREE FACT SHEETS



FIRE SPRINKLER INITIATIVE
Bringing Safety Home

Want a peek at the future of home fire

Follow Us @NFPA_FSI

NFPA_FSI
@NFPA_FSI

NFPA's Fire Sprinkler Initiative is an effort to increase the use of home fire sprinklers in North America's new homes via adoptions of sprinkler requirements.

Quincy, MA
firesprinklerinitiative.org

7 Photos and videos

Tweets Tweets & replies Photos & videos

NFPA_FSI @NFPA_FSI · Jun 12
NFPA announces recipients of its Fire Sprinkler Initiative Grant Program - congrats to all! [ow.ly/OeGzb](#)

NFPA_FSI @NFPA_FSI · Jun 12
Home Fire Sprinkler Coalition (@HFSCorg) welcomes @NFFF_News and @NVFC to its Board of Directors [ow.ly/OBLJK](#)

NFPA_FSI retweeted **Nonprofit HFSC** @HFSCorg · Jun 11
Ron Farr (@ulenvironment), HFSC's Peg Paul & Dennis Gentzel (@usfire) talking home fire sprinklers at NFA today.

NFPA_FSI @NFPA_FSI · Jun 11
"It could have been a much larger fire": rapid sprinkler response prevents catastrophe: [ow.ly/O7Tqb](#)

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You may also like · Refresh

- NFSA West** @NFSAWest
- Nonprofit HFSC** @HFSCorg
- Fred Durso Jr.** @FredDursoJr
- AFSA** @AFSA
- NFSA** @NFSAorg

Trends

- #SelenaXPantene
Promoted by Pantene Pro-V
- #XboxE3
- #MondayMotivation
- #Iamdefensesquad
- #WodiGate
- Tom Brady
- Janet Jackson
- #3YearsOfBelieveAlbum
- Smash Mouth
- Spokane NAACP
- Sam Baker

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Join the Delaware Fire Sprinkler Coalition





Local Government
Management Fellow
201 S. Walnut St.
Milford, DE 19963

PHONE 302.422.1111 Ext. 1215
www.cityofmilford.com

Date: July 11, 2022

To: Mayor Archie Campbell and Members of City Council

From: Melody Barger, Local Government Management Fellow

Re: Chapter 84 Staff Recommendation

Dear Mayor and Members of Council,

In your packet you will find information regarding Chapter 84, the Bicycles, Skateboards and Other Conveyances Chapter of the Code. After reviewing the bicycle ordinances in several other communities, including Dover, Smyrna, Middletown, Lewes and Rehoboth, as well as State Law, it is the recommendation of staff that Chapter 84 be stricken from the books completely. Of the towns reviewed, only Rehoboth had a detailed bicycle ordinance. Most towns simply reference state law or add a few minor details in additional regulations. Rehoboth prohibits bicycles and scooters between 10am and daybreak during the summer season, and also prohibits operating skateboards on "public structures." Violation of the Rehoboth standards of riding is considered a misdemeanor. However, staff does not recommend an in-depth ordinance like Rehoboth because of substantial differences in the natures of Rehoboth and Milford. State Law covers a wide variety of important topics, including proper rules for bicycles, the importance of reflectors and lights, prohibition of motorized skateboards and scooters on public highways, streets and sidewalks unless pushed or operated for a special event, and proper regulation of mobility scooters (such as lighting and speed). It is the opinion of staff that State Law adequately covers the concerns of council regarding the use of bicycles, skateboards and scooters and that the additions that Chapter 84 adds to the regulation are inconsistent with Council's preferences for these regulations as stated in the previous Council meeting. A powerpoint presentation accompanies this memo laying out the specifics of other municipalities and State Law in regards to bicycles, skateboards and other conveyances. However, as mentioned before, it is staff's recommendation that Chapter 84 be removed from the Code.

Sincerely,

Melody Barger



THE CITY of

Milford
DELAWARE

Chapter 84: Bicycles, Skateboards and Other Conveyances

July 6, 2022



Table of Contents

- ▶ Other Municipalities on Bikes and Skateboards
- ▶ State Law on Bikes and Skateboards
- ▶ Staff Recommendation



Other Municipalities

On Bikes and Skateboards



Dover, Smyrna and Middletown

- ▶ Dover
 - ▶ Prohibits bikes and skateboards on sidewalks
 - ▶ Encourages but does not mandate bike registration
- ▶ Smyrna
 - ▶ It is parents' responsibility to monitor children
 - ▶ Has a skatepark
- ▶ Middletown
 - ▶ Prohibits bikes and skateboards in Cochran Square



Lewes and Rehoboth

- ▶ Lewes

- ▶ Prohibits bikes on sidewalks for people over 12

- ▶ Rehoboth

- ▶ Prohibits on certain streets
 - ▶ Prohibits between hours of 10am and daybreak
 - ▶ Prohibits trick riding and riding on the bandstand or public structures
 - ▶ Operation of motorized skateboards and scooters is prohibited unless pushed
 - ▶ Very specific rules for riding
 - ▶ Violation is a misdemeanor



State Code

On Bikes and Skateboards



Bikes and Skateboards

- ▶ Responsibility of parent or guardian to monitor
- ▶ Must follow traffic laws
- ▶ No passengers except children in a backpack or sling
- ▶ No clinging to vehicles
- ▶ No carrying things that require two hands
- ▶ Strict rules for turns, crossings etc.
- ▶ May use sidewalk but must yield to pedestrians (unless prohibited by traffic-control devices)
- ▶ People pushing bikes have same rights as pedestrians



Bikes and Skateboards

- ▶ May park a bike unless prohibited by traffic-control devices and must not impeded pedestrian traffic
- ▶ No bike racing
- ▶ Reflects and lights are required (white on front, red on back)
- ▶ No earphones or headsets
- ▶ Helmets required unless over 18



Motorized Skateboards and Scooters

- ▶ Prohibited on public highways, streets or sidewalks unless
 - ▶ Pushed
 - ▶ Operated for a special event
- ▶ May not be operated by minors under 12 unless under director supervision of an adult and on land owned by their parent or legal guardian
- ▶ Helmets required unless over 18



Mobility Scooters

- ▶ Required to be lit after dark (white light in front)
- ▶ Shall not exceed speed of 8 mph
- ▶ May only be operated on a public highway if
 - ▶ Crossing
 - ▶ There is no sidewalk
 - ▶ So directed by traffic control devices or peace officers
- ▶ Must drive on the right
- ▶ Must not be operated on a highway with a speed limited of more than 30 mph except to make a crossing



Staff Recommendation

For Bikes and Skateboards



Remove Bicycle Ordinance from Code

- ▶ Everything that Council has expressed desires to retain is already covered in State Law
- ▶ Very few comparable cities have anything of note to say on bicycles and skateboards
- ▶ The items which Council has expressed concern over are all additives to the code above and beyond State Law
- ▶ The Police Department has not enforced the current issue in the last 5 to 10 years



Questions?



POLICE DEPARTMENT
400 NE Front Street
Milford, DE 19963



Phone 302.422.8081
Fax 302.424.2330
www.milfordpolicede.org

2022 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) LOCAL SOLICITATION PUBLIC NOTICE

Public notice is hereby given that the City of Milford will be submitting an application for funding for the 2022 Edward Byrne Memorial Justice Assistance Grant (JAG) to the U.S. Department of Justice. The JAG program is the primary provider of Federal criminal justice funding for eligible state and local jurisdictions to support a wide range of crime prevention and intervention activities based on local needs and conditions. This solicitation is for a disparate of Sussex County agencies, with recommended allocations of \$17,215 to the City of Milford.

The City of Milford will use the total amount of these allocated funds to purchase **8/Striker Lidar Units** in order to update antiquated speed enforcement equipment needed to enhance speed enforcement for public safety and officer safety. Programmatic and budgetary details will be outlined in the grant application.

This application will be available for review by contacting Victoria R. Sessoms at the City of Milford Police Department located at 400 NE Front Street, Milford, Delaware, 19963. Please direct any comments regarding this application to the above address or via email at victoria.knorr@cj.state.de.us.

Name of Applicant: City of Milford

Title of Project: FY2022 JAG Speed Enforcement Equipment Enhancement & Upgrade

Goals: The City of Milford and the City of Milford Police Department will be using allocated grant funds to purchase new speed enforcement equipment in order to update antiquated speed enforcement equipment.

Abstract Identifiers: Crime Prevention, Equipment General, Officer Safety, Policing, Traffic Enforcement, Radar Monitoring.

Program Narrative:

The City of Milford's total allocation for the FY2021 Edward Byrne Memorial Justice Assistance Grant (JAG) is \$17,215. The City of Milford will use the total amount of these allocated funds to purchase **8/Striker Lidar Units** in order to update antiquated speed enforcement equipment needed to enhance speed enforcement for public safety and officer safety.

Speeding has long been recognized as a traffic-safety problem and is one of the main causes of traffic incidents. Speed limits laws are usually enforced by police personnel in police vehicles relying almost entirely on observation assisted by technology. Lidar is another tool for speed enforcement under appropriate conditions. Lidar has a wide range of applications; one use is in traffic enforcement and in particular speed limit enforcement, gradually replacing older outdated radar units. Lidar allows for the targeting of a particular vehicle on a crowded road in order to determine its speed. Lidar uses a time-of-flight method for taking measurements to determine the target vehicle's speed. The calculation of distance traveled over time is computed to determine speed. For more congested areas locking radar on a specific target is more difficult but a laser can pinpoint one vehicle in a group. Lidar uses laser technology, which allows for superior target tracking in high-volume traffic. Current devices are designed to automate the entire process of speed detection, vehicle identification, driver identification and evidentiary documentation. A laser can pinpoint one vehicle in a group and Lidar readings are also better able to withstand the defense argument in court when prosecuting accused speeders. Studies have proven that slowing traffic down will greatly reduce the chances of a fatal accident involving pedestrians and automobiles.

Purchasing this equipment will keep the Milford Police Department in line with the most current speed enforcement enhancing our police officer's abilities to provide the public with a safe environment in which to live, work and vacation.

The City of Milford does not have pending applications submitted within the last 12 months for federally funded assistance that include request for funding to support the same project being proposed under this solicitation and will cover the identical cost items outlined in the budget narrative and worksheet in the application under these solicitations.

Budget Detail - Year 1

Does this budget contain conference costs which is defined broadly to include meetings, retreats, seminars, symposia, and training activities? - Y/N

(DOJ Financial Guide, Section 3.10)

A. Personnel

Name <i>List each name, if known.</i>	Position <i>List each position, if known.</i>	Computation <i>Show annual salary rate & amount of time devoted to the project for each name/position.</i>						
		Salary	Rate	Time Worked <i>(# of hours, days, months, years)</i>	Percentage of Time	Total Cost	Non-Federal Contribution	Federal Request
						\$0		\$0
Narrative						Total(s)	\$0	\$0

D. Equipment		Computation				
<i>List and describe each item of equipment that will be purchased</i>		<i>Compute the cost (e.g., the number of each item to be purchased X the cost per item)</i>				
Item	# of Items	Unit Cost	Total Cost	Non-Federal Contribution	Federal Request	
Striker Lidar Unit	8	\$2,151.87	\$17,215		\$17,215	
			\$0		\$0	
			\$0		\$0	
Narrative			Total(s)	\$0	\$17,215	

The City of Milford will use the total amount of the allocated funds to purchase 8/Striker Lidar Units. ProLaser 4 bundle includes a Hogue grip, 8 AA rechargeable batteries w/charger (4 of which are spares), USB to PC interface cable, 12Vaccessory power to USB adapter, and hard carrying case. Includes Shipping and Handling.

CITY OF MILFORD

NOTICE OF PUBLIC HEARINGS

Planning Commission Hearing: Tuesday, July 19, 2022 @ 7:00 PM

City Council Hearing: Monday, July 25, 2022 @ 6:00 PM

NOTICE IS HEREBY GIVEN that the proposed Ordinance is currently under review by the City of Milford Planning Commission and City Council. City Council has the option to approve or deny the application. By not adopting the ordinance, City Council will deny the application. By adopting the ordinance, City Council will approve the application and the reason for the language being written in the affirmative. This form of writing is not used to influence any decision of City Council:

ORDINANCE 2022-26

Application of Cypress Hall – Residential – Phase I & II on behalf of Shawnee Farm, LLC for the Final Major Subdivision (Phase I Only) of 91.69 +/- acres of land, in an R-3 (Garden Apartment & Townhouse) Zoning District to be known as Cypress Hall. Property is located on the west side of US Route 113 approximately 3,100 feet south of the Shawnee Road intersection Milford, Delaware. Present Use: Vacant; Proposed Use: Planned Unit Development. Tax Map: 1-30-3.00-261.01, 1-30-3.00-562.00 thru 659.00

WHEREAS, the owners of the property as above described herein have petitioned the City of Milford for the Final Major Subdivision of Phase I; and

WHEREAS, the City of Milford Planning Commission will consider the application at a Public Hearing on July 19, 2022, whereby public comment will be taken and a recommendation will be made; and

WHEREAS, Milford City Council will hold a Public Hearing on July 25, 2022 to make a final determination following further review and additional public comment of the ordinance.

NOW THEREFORE BE IT RESOLVED, by the City of Milford:

In accordance with Chapter 200 of the City of Milford Code, the City Council hereby finds and determines, as follows:

Section 1. The Final Major Subdivision Plan of Phase I is consistent with the objectives, policies, general land uses and programs in the City of Milford Comprehensive Plan, Subdivision and Zoning Codes, in that it establishes obligations and conditions for the implementation of the Cypress Hall Project.

Section 2. The Final Major Subdivision Plan is in conformity with public convenience, general welfare and good land use practice.

Section 3. The Final Major Subdivision Plan will not be detrimental to the public health, safety and general welfare of this community.

Section 4. The Final Major Subdivision Plan will not adversely affect the orderly development of adjacent properties and will maintain the preservation of property values.

Section 5. Dates.

City Council Introduction: July 11, 2022

Planning Commission Review & Public Hearing: July 19, 2022

City Council Public Hearing: July 25, 2022

Effective: August 5, 2022

For additional information, please contact Rob Pierce in the Planning & Economic Development Department either by e-mail at RPierce@milford-de.gov or by calling 302.424.8396.

CITY OF MILFORD
NOTICE OF PUBLIC HEARINGS

Planning Commission Hearing: Tuesday, July 19, 2022 @ 7:00 PM
City Council Hearing: Monday, July 25, 2022 @ 6:00 PM

NOTICE IS HEREBY GIVEN that the proposed Ordinance is currently under review by the City of Milford Planning Commission and City Council. City Council has the option to approve or deny the application. By not adopting the ordinance, City Council will deny the application. By adopting the ordinance, City Council will approve the application and the reason for the language being written in the affirmative. This form of writing is not used to influence any decision of City Council:

ORDINANCE 2022-27

Application of Wickersham on behalf of CCM-Koelig, LLC for the Revised Final Major Subdivision of 39.015 +/- acres of land, in an R-3 (Garden Apartment & Townhouse) Zoning District to be known as Wickersham. Property is located along the north side of Johnson Road adjacent to SR1, Milford, Delaware. Present Use: Vacant; Proposed Use: Townhouse Subdivision. Tax Map: 3-30-16.00-005.00, 3-30-16.00-269.00 through 475.00

WHEREAS, the owners of the property as above described herein have petitioned the City of Milford for a Final Major Subdivision; and

WHEREAS, the City of Milford Planning Commission will consider the application at a Public Hearing on July 19, 2022 whereby public comment will be taken and a recommendation will be made; and

WHEREAS, Milford City Council will hold a Public Hearing on July 25, 2022 to make a final determination following further review and additional public comment of the ordinance.

NOW THEREFORE BE IT RESOLVED, by the City of Milford:

In accordance with Chapter 200 of the City of Milford Code, the City Council hereby finds and determines, as follows:

- Section 1. The Final Major Subdivision Plan is consistent with the objectives, policies, general land uses and programs in the City of Milford Comprehensive Plan, Subdivision and Zoning Codes, in that it establishes obligations and conditions for the implementation of the Wickersham Project.
- Section 2. The Final Major Subdivision Plan is in conformity with public convenience, general welfare and good land use practice.
- Section 3. The Final Major Subdivision Plan will not be detrimental to the public health, safety and general welfare of this community.
- Section 4. The Final Major Subdivision Plan will not adversely affect the orderly development of adjacent properties and will maintain the preservation of property values.
- Section 5. Dates.
 - City Council Introduction: July 11, 2022
 - Planning Commission Review & Public Hearing: July 19, 2022
 - City Council Public Hearing: July 25, 2022
 - Effective: August 5, 2022

For additional information, please contact Rob Pierce in the Planning & Economic Development Department either by e-mail at RPierce@milford-de.gov or by calling 302.424.8396.