

CITY OF MILFORD
COUNCIL MEETING MINUTES
November 14, 2022

The City Council of the City of Milford met in Regular Session on Monday, November 14, 2022.

PRESIDING: Mayor Arthur Campbell

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

STAFF: City Manager Mark Whitfield, Acting Chief Edward Huey, and City Clerk Terri Hudson

COUNSEL: Solicitor David Rutt, Esquire

ABSENT: Councilmember Nirmala Samaroo

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 Council 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 October 10, 2022 Council Meeting and November 7, 2022 Special Council Meetings. Motion to approve made by Councilmember Fulton, seconded by Councilmember James. Motion carried.

RECOGNITION

Introduction/New City Employees

Public Works Director Mike Svaby was pleased to introduce the last two vacant positions in the Solid Waste Department.

Mikky Tolson was introduced as the newest Public Works Equipment Operator who was hired on October 31, 2022. He previously worked at 84 Lumber in Lakewood, New Jersey, after which he was transferred to their Milford location.

Terry White was hired as a Public Works Equipment Operator on November 7, 2022. He is a former US Marine from Brooklyn, New York and retired from the New York City Transit Authority after 24 years where he last served as a superintendent.

Both gentlemen addressed Council briefly after which Council welcomed them and expressed the importance of their positions within the city.

Proclamation 2022-22/Lung Cancer Awareness Month

Mayor Campbell proclaimed November 2022 as Lung Cancer Awareness Month in Milford:

PROCLAMATION 2022-22
Lung CANCER Awareness Month

WHEREAS, lung cancer is the leading cause of cancer death among men and women in the United States and in 2021, accounted for more deaths than colon cancer, breast cancer, and prostate cancer combined; and WHEREAS, the five-year survival rate for localized lung cancer is about 60%, yet only about 18% of lung cancers are diagnosed at this stage; and

WHEREAS, funding for lung cancer research trails far behind funding for research of many other cancers, and additional research is needed in early diagnosis, screening, and treatment for lung cancer as well as in lung cancer affecting women and lung cancer health disparities; and

WHEREAS, lung cancer incidence is decreasing twice as fast in men as it is in women, each year more women die from lung cancer than breast cancer and by 2035, more women will die from lung cancer than men; and

WHEREAS, African Americans have the highest lung cancer incidence and mortality of all races, and disparities in lung cancer screening, diagnosis, treatment, and mortality are well characterized among African Americans and other racial minorities; and

WHEREAS, lung cancer in never smokers is the 7th leading cause of cancer-related death and accounts for 17,000-26,000 deaths in the United States every year, 60-70% of never smokers diagnosed with lung cancer are women, and the proportion of lung cancers diagnosed in never smokers is increasing in the United States; and

WHEREAS, organizations such as the American Lung Cancer Screening Initiative and Women's Lung Cancer Forum are committed to educating people about lung cancer and lung cancer screening and working to increase lung cancer screening rates in this country.

NOW THEREFORE, I, Arthur J. Campbell, Mayor of the City of Milford, do hereby proclaim the month of November 2022, as "Lung Cancer Awareness Month" in the City of Milford and encourage all citizens to learn about lung cancer and early detection through lung cancer screening.

Proclamation 2022-23/World Pancreatic Cancer Day

Mayor Campbell then proclaimed the 17th day of November 2022 as "World Pancreatic Cancer Day" in the City of Milford:

PROCLAMATION 2022-23
Declaring November 17, 2022 as World Pancreatic Cancer Day

WHEREAS, in 2022 an estimated 62,210 Americans will be diagnosed with pancreatic cancer in the U.S., and more than 49,830 will die from the disease.

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

WHEREAS, pancreatic cancer is the world's toughest cancer, with a five-year survival rate of just 11% and even for the small percentage (13%) of people diagnosed with local disease, the 5-year survival rate is only 42%.

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

NOW, THEREFORE, BE IT PROCLAIMED, that I, Arthur J. Campbell, Mayor of the City of Milford, on behalf of the residents and City Council, do hereby proclaim the 17th day of November 2022 as "World Pancreatic Cancer Day" in the City of Milford and take this opportunity to shine a light on this disease, to elevate our voices to raise awareness and invite others to answer our call-to-action.

Proclamation 2022-24/Small Business Saturday

The Mayor also declared November 26, 2022 as Small Business Saturday in the community:

PROCLAMATION 2022-24
Small Business Saturday

WHEREAS, the government of the City of Milford, Delaware, celebrates our local small businesses and the support of our local economy and community; and

WHEREAS, small businesses were responsible for creating 62 percent of new jobs since 1995; and small shops and stores with 50 or fewer employees make up 98 percent of all U.S. retailers, according to the U.S. Bureau of Labor Statistics.; and WHEREAS, to honor their commitment, 58 percent of American consumers reported that they shopped at an independently owned retailer on Small Business Saturday in 2021; and

WHEREAS, a nearly equal number – about 54 percent – said that they had dined or ordered take-out from a small restaurant, bar, or café on that day; and

WHEREAS, that patronage on Small Business Saturday resulted in business amounting to receipts of a record \$23.3 billion for small businesses and restaurants, according to the 2021 Small Business Saturday Consumer Insights Survey conducted by American Express; and

WHEREAS, the Mayor and City Council of the City of Milford, Delaware take this opportunity to commend our local businesses who contribute to their communities by employing nearly 40 percent of all retail workers and reinvesting more of their profits into local economies than big-box chain stores.

NOW, THEREFORE, I, Arthur J. Campbell, by virtue of the authority vested in me as Mayor of the City of Milford, do hereby declared November 26, 2022 as:

SMALL BUSINESS SATURDAY

and urge the residents of our community, and communities across the country, to shop or eat at small, independently owned businesses not just on Small Business Saturday and throughout the holiday season, but all year long.

STAFF REPORTS

Complete staff reports were included in the packet.

Police Report

Captain Huey then talked about the Behavioral Health Unit Specialist being out of the office on leave, in addition to instructing a class, which is the reason the stats are slightly below normal.

He also spoke of a recent incident in which some crisis intervention training was utilized successfully.

It was asked that a status report on the new police department construction be included monthly, which Project Manager Mike Svaby will incorporate in future staff reports. A sign acknowledging the new station at the construction was also recommended.

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

City Manager Report

City Manager Whitfield then reported on the Annual Council Retreat held October 15, 2022. Updating the strategic plan was discussed in addition to the recommendation by the UD Institute of Public Administration for Council to select participants from each ward to oversee some related community conversations.

A meeting was held with Milford School District about the creation of an EMT training program at the suggestion of Councilmember James.

The City Manager also discussed the need to relocate the fire company sirens and presented a Relocation License Agreement, which is under review by Carlisle's attorney.

Public Works Report

Director Mike Svaby stated that the City Engineer James Puddicombe held a meeting with the EPA Regional official on the city's effort toward lead and copper removal in the water lines.

A Notice to Proceed was issued on test well work for the northwest test well locations. Century Engineering was approached to submit a proposal for the downtown restroom project and the fencing design for the Seabury site. Their response was received, and the design work should begin soon.

The restroom will be directly across from the library on South Washington Street at the entrance to the riverwalk.

Electric Report

Director Tony Chipola reported the visual inspection oil sampling of three substations through a contract with SD Myers LLC and are awaiting their report.

A working group was created to review the net metering policy changes and the related ordinance is on the agenda for introduction.

The Joint Promotion Committee was convened with city staff and IBEW which concluded with the promotions of Jay Clark to Line Tech Third Class, Ben Lewis Line Tech Second Class, and Ryan Evans Line Tech First Class.

Planning and Code Report

Director Rob Pierce reviewed the items in his report.

It was confirmed the residential new construction starts are down with only thirty received the first ten months of 2022 compared to over two hundred last year.

Councilwoman Wilson asked Planner Pierce about who is responsible for the ordinance updates, though she is unsure it is him. City Clerk Hudson explained that part of her report this evening included a review of the final codification for 2022. However, she will work with the city's new code company to have the codes updated on the website as they are adopted. She will contact them to discuss a new process to have the code book publication step put on hold, and the electronic versions revised in a more frequent manner.

Parks and Recreation Report

Director Brad Dennehy was not in attendance and is out of the country because of some family issues.

Human Resources Report

HR Director Williams reported she is continuously working to fill the current vacancies before the end of the year.

The 2022 Service Awards event were held with many employees in attendance. Council commended Ms. Williams on the event adding that the food was exceptional, and the turnout was fantastic.

Councilman James stated that he, along with Councilman Boyle, and Mayor Campbell attended and encouraged other councilmembers to attend next year.

Economic Development & Community Engagement Report

Administrator Sara Bluhm said the TIF application was reviewed with DelDOT, and Becker Morgan Group will be making several adjustments. Final approval is expected this Wednesday. The total application is up to \$2.7 million.

An electric department video was published on the city website, as well as our social channels. The city's videographer worked with the electric department and the result is very professional and educational. She encouraged people to view it on the electric department's website page.

Ms. Blum also announced that Harbor Freight is going in half of the previous Peebles site, and no lease has been signed for the other half yet.

Councilman James commended the video and asked if other videos are planned with the other department heads. She confirmed she has a list and learned today at her conference that a video series for new customers is very beneficial.

Information Technology Report

Director Bill Pettigrew reported Cybersecurity Month was celebrated throughout October and included several activities as well as security warning emails that were sent to City employees.

He was also asked to join the State of Delaware's Cybersecurity Committee which is a pre-requisite for the Homeland Security's Cybersecurity Grant.

A dedicated staff member has been assigned and is training for the ERP implementation as we prepare to transition from Central Square to the Tyler implementation.

The electric outage experienced today are items that will be addressed as part of the City's Disaster Recovery and Business Continuity Plan.

Director Pettigrew also talked about a PBX (private branch exchange) in the Cloud solution that will remove the current single point of failure and allow city employees to work remotely with access to their city telephones.

He then deferred to Director Chipola for more information on the power outage.

Electric Director Chipola shared the outage was the result of some lawnmowing along Elks Lodge Road. It appears a communications cable was struck, that was flung up into the primary and called a momentary interruption on two city circuits at the main substation.

During a transient outage, generators kick on, as intended to do, with an approximate fifteen second delay between reclose operations. They then run for a short period before they transfer back over.

Director Chipola stated all customers were back on with the only call from a customer whose main breaker tripped off.

Also, while that was occurring, an issue was observed at the main substation with one of the breakers that was also resolved that afternoon.

Finance Report

Director Lou Vitola reported that October is the second month he has included some police facility construction stats. Though it is not a construction progress update, he will continue to provide the latest financial information.

With respect to tax collections, \$4.77 million has been collected in FY23. Not all of that is related to the FY23 levy, though about 96% of the \$4.9 million billed was collected.

Councilmember Fulton moved to accept the Monthly City Manager reports as provided, seconded by Councilmember James. Motion carried.

City Clerk Report

City Clerk Hudson reported that a great deal of time continues to be spent assisting our residents with election information. Though her office is not directly affiliated with the mid-term elections, many of our residents have moved here from other states are accustomed to the City Clerk's Office overseeing all elections.

She emphasized they do not mind providing the information and citizens really appreciate their efforts.

She has also been working with the Customer Service staff to address the city's rate issues, and mainly those accessible on the website. Most of this is the result of various resolutions being submitted and the need to ensure those numbers are correct throughout the city website.

As initially stated, the final codification update has been prepared and is being submitted to the Civic Plus.

The City Clerk also informed Council that the special meeting on Wednesday has been changed to 7:00 pm to accommodate the Tree Preservation and Advisory Council, previously scheduled for 5:30 pm on that same date.

Councilmember Marabello noted that a Special Pre-Holiday Saturday Farmer's Market will be held this Saturday though it was not included in the list of year-end events.

Councilmember Fulton moved to approve the City Clerk report as presented, seconded by Councilmember Baer. Motion carried.

COMMUNICATIONS & CORRESPONDENCE

City Manager Whitfield reminded Council of the Holiday SCAT Dinner scheduled on December 7, 2022, at Victoria's in Rehoboth Beach.

Councilmember Marabello said he recently visited the Stone and Sage at the old bicycle shop, and the owner was ecstatic to be at the new location.

Mayor Campbell reported that he attended the Return Day event in Georgetown and was disappointed to announce that he lost the hatchet toss to the Seaford Mayor after retaining the title for three years. IT Director Pettigrew also attended, noting that the national election/campaign should take some lessons from the comradery associated with the event.

NEW BUSINESS

Milford Food Bank/Impact Fee Waiver Request

Food Bank Director of External Affairs Chad Robinson submitted the following request:

As you know, the Food Bank of Delaware has been working with the City of Milford over the past year regarding our new facility at 102 Delaware Veterans Boulevard (Parcel ID: MD-16-173.00-01-02.08-000) in the Independence Commons Business Park. In July of 2021, we purchased the 11.5-acre parcel from the City of Milford and since that time have contracted with The Whiting-Turner Contracting Company to provide construction management services and The Becker Morgan Group for engineering and architectural design of a new facility. We appreciate the numerous meetings that City officials have held with us, including the Planning Commission and City Council, in order to move forward on conditional use applications, zoning designations and site plan approvals. As we have now begun construction, we are looking forward to the next phase of our construction process.

Recently, we met with you, City Manager Mark Whitfield, and Planning Director Rob Pierce to discuss fees that would be paid to the City of Milford to obtain our building permit. It was our understanding that these fees amounted to over \$500,000 and we wanted to discuss the possibility of any of these fees being waived, given our non-profit status and unique mission of providing emergency food assistance in the State of Delaware. To date, we have paid approximately \$49,000 in permit and municipal fees, as well as fees collected for Carlisle Fire Company. During our meeting, we learned that City Council had the ability to waive the collection of some of these fees on our project. In particular, the city water and sewer impact fees, as well as the police department and fire company fees. Our understanding that these fees amount to approximately \$354,000. To that end, we are respectfully requesting that the City of Milford waive the collection of these fees for our current project.

This new facility is desperately needed in southern Delaware. In FY21, the Food Bank of Delaware distributed over 16.5 million pounds of food statewide, with Kent and Sussex counties accounting for 50% of that total. Since FY19, total poundage distributed in Kent and Sussex counties has increased 124%. This represents the incredible need that exists in

our community. Since we completed our last major renovation of the Milford branch facility in FY14, food distribution downstate has increased 210%. The growth that our organization is experiencing is profound and our current Milford facility can no longer effectively serve the community.

We know that our organization will continue to be called upon in the years ahead, as Delawareans recover from the pandemic and the economic impacts it has had on so many. This assistance from the City of Milford would represent your continued support in standing beside us in the important work of ending hunger and food insecurity in the First State.

Director Pierce then read portions of his memo, included in the packet:

Chapter 19 of the City Code entitled Economic Development and Redevelopment establishes a Specific Economic Development Incentive Program (SEDIP) titled Citywide Job Creation and Capital Investment Program which provides City staff the ability to waive all or portions of the sewer and water impact fees based on projected capital investment amounts and full-time equivalent jobs created. These waivers and project details would be outlined in an Economic Incentive Agreement that would be executed between the Incentive Beneficiary and the City prior to the issuance of a building permit.

The Food Bank has indicated that their capital investment will be approximately \$25 million dollars, which based on Chapter 19-10, would result in the waiver of thirty (30) EDUs worth of City water and City sewer impact fees. The Food Bank has indicated they anticipate an EDU assessment of twenty-one (21) EDUs for the entire building based on the anticipated number of plumbing fixtures. The City waiver value of the twenty-one (21) EDUs is \$106,659.00.

The Police and General Government Facilities Enhancement Fund and the Carlisle Fire Company Equipment and Facilities Enhancement Fund are established by Chapter 26 of the City Code entitled Enhancement Funds. New construction projects, expansion projects or other building projects that increase building size are subject to these charges.

The Police and General Government Facilities Enhancement Fund is calculated at a rate of 0.75% of the construction cost for the building, which would amount to approximately \$187,500 for the Food Bank project. The Carlisle Fire Company Equipment and Facilities Enhancement Fund is calculated at a rate of 0.25% of the construction cost for the building, which would amount to approximately \$62,500 for the Food Bank project.

Staff recommends executing an Economic Incentive Agreement based on Chapter 19-10 providing the appropriate Equivalent Dwelling Unit (EDU) waiver for City Sewer and City Water impact fees based on the actual capital investment made by the Food Bank.

He noted that no action is needed on the following two waivers:

- City Sewer Impact Fee - \$1,756 per Equivalent Dwelling Unit (EDU)
- City Water Impact Fee - \$3,323 per EDU

Planning Pierce remarked that City Council consider a full or partial waiver of the Police and General Government Facilities Enhancement Fund:

- Police and General Government Facilities Enhancement Fund – 0.75% of Construction Costs - \$187,000

He said the City also recommends Council table any action on the Carlisle Fire Company Equipment and Facilities Enhancement Fund waiver request until written approval of the waiver is provided by the Carlisle Fire Company:

- Carlisle Fire Company Equipment and Facilities Enhancement Fund – 0.25% of Construction Costs - \$62,000

Mr. Robinson then spoke to Council by providing a synopsis of the request. Concluding, he stated that he hopes to receive a favorable response from Council. He did provide Carlisle Fire Company with a letter asking for the relief, though he has not received a response, and will follow-up when he returns from his vacation.

Councilman James referenced the interaction between the City of Milford and the Food Bank to confirm that no incentives have been provided.

He also commented on the shortage when compared to what was expected in the police enhancement fund to this point. This was considered at the time of the referendum along with the tax increases approved by our citizens and associated funding.

Councilman James then talked about the numerous conversations with the fire company regarding their many needs and large expenses that will be incurred over the next couple of years. He noted that those funds are a pass through and are used as a helpful tool with capital expenses. As a result, he prefers this waiver decision be made solely by the fire company.

Councilman Culotta then pointed out there have been no incentives up to this point. He then explained the purpose of impact fees and stated that an impact fee is charged for each sink or toilet installed. Municipalities charge different fees though it is essentially a cost to contribute to the municipality that provides water or electric or some other utility. However, as a contractor, he believes the impact fees often are not always necessary.

He would like to hear what Carlisle says.

The police fee is newer and though police equipment and resources are just as important to support the Food Bank, that is more flexible. He would also like to hear from Chief Huey on the request.

City Manager Whitfield reported that the water and sewer fees were already waived.

Councilmember Culotta asked if Council action is needed because staff is recommending the execution of the economic incentive agreement; the City Manager said no, other than the direction of any other fee waivers. He does not have the authority to waive impact fees regarding the police and fire enhancement funds.

He also said the police fee is related to capital expenses. Part of the budget for the new police station anticipated the use of income from that fee to lower the amount of money that needs to be borrowed.

Councilmember Fulton pointed out that Council already approved the take-home vehicles which is a major capital expense. The new police department is a very large portion of the capital budget. Money has been borrowed and a referendum was approved by our residents. He understands the importance of the Food Bank, but also understands all citizens deserve something fair. He suggests Council not waive the fee and hold off on Carlisle until they have responded. He does not believe they can afford to lose another \$62,000.

Councilman Culotta suggested meeting in the middle of the waiver request. He noted that the city will not collect a quarter million dollars in its revenue coffers to support the Food Bank and thinks the city should be proud of that. But the other money needs to be kept for the police while allowing Carlisle to speak for themselves. Otherwise, it is a pass thru fund.

Planner Pierce confirmed it is around \$470,000 though he does not have all the electric charges, which could increase it to \$500,000. The water and sewer waivers were \$106,000 of the half million. There is also an impact fee for Kent County of \$70,000 which cannot be waived, and the permit charge that is collected in the general fund.

When asked if there will be an electric service agreement with a special load rate, the City Manager said that is a request the Food Bank could make if they meet the requirements.

The City Manager also talked about the many upgrades that are needed, including another northwest water tower and new wells. He emphasized that is the reason for the impact fees. Finance Director Vitola also noted that the impact fee collections can only be used for the infrastructure of each specific utility that they are collected for.

He also shared that there has been a downturn in construction that has impacted the police enhancement fund which was anticipated to be a million dollars. That will result in using more bond monies to complete the project and will impact every taxpayer in the city.

Councilman Culotta pointed out that the Food Bank also made the decision to stay in Milford and had the option of moving to another town.

Councilmember Fulton moved to defer action on the waiver of Carlisle Fire Company enhancement fund collection, seconded by Councilmember Culotta. Motion carried.

Councilmember Culotta moved to leave the police and general fund facilities enhancement fee as required, seconded by Councilmember Fulton. Motion carried.

Authorization Funding Source/Caulk Water Tower/Gillespie Precast LLC/Valve & Altitude Valve

City Engineer Puddicombe referenced the installation of the altitude valve at the Caulk Tower and some smaller items needing repair such as asphalt, curbing, and similar items. That project ran over \$5,050 from the original budget of \$75,000.

Some was the result of price increases on the parts required. He is asking for authorization for the additional \$5,050 to be paid from water reserves.

Councilmember James moved to authorize an adjustment of the FY23 operating budget in the amount of \$5,050 for the Caulk Tower Altitude Valve Installation Project, to be paid from water fund reserves, seconded by Councilmember Marabello. Motion carried with no one opposed.

*Authorize Ratification/Banking Agreements/Loan Proceeds Account
Authorize Ratification/Banking Agreements/MPD Asset Forfeiture Account*

Finance Director Vitola explained that two checking accounts are needed.

One checking account is required for the administration of the Police Facility Bond Anticipation Note (BAN). A checking account tethered to the BAN will better serve certain contractors and vendors working on the construction of the new police facility.

The packet includes the BAN checking account memo on pages 185 to 186. The previous support is found on pages 62 to 184.

He stated we have the administrative authority by virtue of the BAN resolution to do whatever is required to effectuate the borrowing and construction process. While PNC wanted to do an extra checking account at the beginning, he thought it was unnecessary and recommended that wires and checks be sent out of the BAN lending account directly to vendors to manage the construction costs up front. .

Unfortunately, they no longer cut checks or ACH's (transfers from one bank account to another) anymore out of loan accounts and can be wired only. There was a need to pair the BAN/loan account with the checking account to send a wire and cut checks from the checking account.

A second checking account is recommended to improve the security and internal controls associated with the State of Delaware asset forfeiture process administered by Milford Police Department in the ordinary course of police operations. It is recommended that Council authorize the establishment of a commercial depository account with PNC Bank to serve the exclusive purpose of holding restricted cash associated with police activity. This action does not require funding approval.

With the police account, he wanted to have the FDIC insurance of another banking institution, because it's going to be in a non-interest-bearing account pursuant to state requirements. That funding cannot be at any risk and is a pass-thru only.

Both accounts will follow the same internal controls and procedures as the city's WSFS accounts, with the same three signers--the Mayor, Vice Mayor, and City Manager. Accountant Sandra Peck and Mr. Vitola will have the authority to do electronic transactions and provide PNC the ability to pay vendors.

Councilmember Fulton moved to authorize ratification of the PNC Bank Master Resolution and Authorization for Depository Accounts and Treasury Management Services, seconded by Councilmember Boyle. Motion carried with no one opposed.

Councilmember Fulton moved to authorize the establishment of a commercial depository account with PNC Bank to serve the exclusive purpose of holding restricted cash associated with police activity, seconded by Councilmember Wilson. Motion carried with no one opposed.

Bid Award/Refuse Truck Replacement

Deferred until the November 28, 2022 Council Meeting.

Contract Award/Sewer CCTV Project

Deferred until the November 28, 2022 Council Meeting.

Introduction/Ordinance 2022-41

Application of 27 South Walnut QOZB, LLC on behalf of Avery Properties, LLC

0.15 +/- acres of land located at the northeast corner of SE Front Street & S Walnut Street

Address: 27 S. Walnut Street

Comprehensive Plan Designation: Commercial

Zoning District: C-2 (Central Business District)

Present Use: Retail – Single Occupancy Proposed Use: Commercial – Multiple Occupancy

Tax Parcel: 3-30-6.20-002.00

Director Pierce provided a synopsis of Ordinance 2022-41 adding that the previous applicant had received approval for a mixed-use building and the current applicant is seeking to convert a single occupancy retail building into multiple commercial occupancies within that structure.

Council will make a final determination after the Planning Commission's review on November 15th.

Introduction/Ordinance 2022-42

Application of 1st State Self Storage OZ, LLC for a Preliminary Conditional Use

9.0 +/- acres of land

located along the east side of S Dupont Boulevard approximately 350 feet south of Route 14 intersection

Comprehensive Plan Designation: Commercial

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

Present use: Vacant Proposed Use: Self Storage

Tax Parcel: MD-16-183.09-01-58.00

Director Pierce provided a summary of Ordinance 2022-42 stating this had been previously by Council though the applicant has made some changes and is seeking approval of the modifications to the layout, though the previous approval expired.

Council will make a final determination after the Planning Commission's review on November 15th.

Introduction/Ordinance 2022-43

Electric Tariff Amendment

Appendix B of the City of Milford Code

Section 24-13 Net Metering Service

Electric Director Chipola referenced Senate Bill 298 signed into law in July 2022, which involves three significant mandates for municipal electric utilities. He reviewed each noting that the intent is to disincentive solar customers and developers from oversizing solar systems.

It will be back before Council on November 28th for final action.

ADJOURNMENT

There being no further business, Councilmember Marabello moved to adjourn, seconded by Councilmember Boyle. Motion carried.

Mayor Campbell adjourned the meeting at 7:31 pm.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder