

CITY OF MILFORD
COUNCIL MEETING MINUTES
January 23, 2023

The City Council of the City of Milford met in Regular Session on Monday, January 23, 2023.

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 Deputy City Clerk Katrina White

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 COMMENT PERIOD PRIOR TO MEETING

No one signed up in advance of the meeting, as is required.

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.

RECOGNITION

None mentioned.

PUBLIC COMMENTS/PUBLIC HEARINGS

*Adoption/Ordinance 2023-01
Code of the City of Milford/Chapter 55
Personnel Code Amendment
Police Special Duty*

City Manager Whitfield said that he asked Labor Attorney Mike Stafford to draft the ordinance that only impacts the Lieutenants in the police department and excludes the Captain and Chief of Police, as well as those covered under the bargaining agreement.

Attorney Mike Stafford was present at the request of the City Manager.

Councilman James questioned the meaning of “Special Duty” means work done under contract with a third party-vendor that requires police officers for special events or activities not be part of the officer’s regular duties and not paid in full or part by the City. There was an indication that the language was correct.

When asked the reason captains were not included, Mr. Stafford said that is a policy choice. In Newark, the Chief and other high-ranking officers are unable to work special duty. Those highly compensated exempt employee/officers are always on duty. However, it is a policy choice but the most highly compensated officers in the department who work on the side was not the intention with special duty intended more for the rank and file. Again, it is a policy choice.

The floor was open to public comment. No one responded in person or online. The floor was then closed.

Councilman Boyle moved to adopt Ordinance 2023-01 amending Chapter 55 of the Code of the City of Milford by adding a Police Special Duty section, seconded by Councilman Fulton. Motion carried.

Adoption/Ordinance 2023-02 - Conditional Use

Application of Collins Bowers Investments, LLC

0.40 +/- acres located along the east side of Lakeview Avenue between Kings Highway and Sussex Avenue

Comprehensive Plan Designation: Low Density Residential

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

Present Use: Single-family Detached Dwelling

Proposed Use: Single-family Detached Dwelling with an Accessory Dwelling Unit

Tax Parcel: 1-30-3.08-008.00

City Planner Rob Pierce read the staff report that was included in the packet also described above. The applicant proposes to convert an existing 20 x 40 detached garage into an accessory cottage which requires conditional use approval from City Council. He also read excerpts from the City Code related to access noting the plan meets the parking requirements for the dwelling and accessory dwelling. There are two accesses on the property.

The property is located primarily in a residential area though the former Milford Memorial Hospital and current Wellness Village to the rear and east of this property, as well as an existing veterinary clinic to its south.

Planning Director Pierce noted the survey and again reviewed the accesses and parking areas, narrative from the applicant related to the plan, and a copy of the zoning code requirements.

The notice was published in the Delaware State News on January 3, 2023, and property owners within 200 ft mailed a notice. The site was also posted with a Public Hearing sign.

There is a requirement that any accessory building be located five feet from the side property line or meet the minimum setback requirement for accessory building and this application did not meet the requirement and needed a Board of Adjustment variance which was approved earlier in January.

The Planning Commission heard the application on January 17, 2023, and recommended approval by a vote of 7 to zero.

Tanner Bowers of 10 Commerce Street, Harrington, Delaware will be living at the property and explained he is doing substantial renovations to the home and garage at 304 Lakeview Avenue. His plan is to modify the space above the garage into a studio apartment. There is more than 700 square feet to comfortably fit an apartment and still have a suitable amount of room in the garage below. There is room for at least four off-street parking spaces in the rear of the property that will service the apartment and room for over five off street parking spaces in the front of the property that will service the main house.

Parking areas to garage and home are accessed from different streets so there will be no conflict. He also received a letter from Dr. Mallory Alexander who supported the application and is closest in proximity to the accessory dwelling. All other neighbors supported the application as well.

He noted there will be no change to the character of the neighborhood because it is an existing building.

Tyler Nichols of 413 Kings Highway, Milford, is the brother-in-law of the applicant though his home is seven across the street from this residence. He favors the plan noting the amount of money he has put into the project. When they looked at the home it been vacant for many years and believes the approval will allow him to continue the renovations.

Planner Pierce then read a letter of support from Dr. Mallory Alexander for the variance and project for an apartment dwelling, in addition to the main dwelling. It noted this property was once neglected and Mr. Nichols plans are to reinvigorate the property to its full potential.

There was a clarification that the property, which is in an LLC at the present time, must be transferred into his personal name and must be owner-occupied before the Accessory Dwelling Unit Certificate of Occupancy would be issued.

Councilman James asked if there is a time limit the property must be owner occupied or into perpetuity; Planner Pierce stated that one of the two units would have to be owner-occupied forever or it would have to be converted back to an accessory building. That is recorded on the deed so that anyone later purchasing the property would have notification of that requirement.

Councilman James also mentioned this was the intent of the ordinance when it was adopted and is excited to see this type of work continue.

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

Councilmember Fulton moved to adopt Ordinance 2023-02 to allow a Conditional Use for the application of Collins Bowers Investments, LLC, seconded by Councilmember Culotta. Motion carried by the following unanimous roll call vote of 8 to 0:

Wilson-votes yes, it meets all the qualifications and the variance approved, as well as receiving Planning Commission recommended approval.

James-votes yes, the applicant has done this by the book and checked every box, and with the support of the surrounding neighbors and it will be a great project.

Fulton-votes yes, it is great to see people taking the time and money to improve the neighborhood.

Samaroo-votes yes because it meets the requirements of the zoning code and has the 7 to zero recommendation of the Planning Commission.

Marabello-votes yes because of the approval by the Planning Commission of 7 to zero and it is an improvement to the neighborhood.

Boyle-votes yes and paraphrase what Councilman James said about when this ordinance was passed with this a classic example of the intent of the ordinance and redevelops the neighborhood and provides additional medium income housing and basically improves all areas in that part of town.

Fulton-votes yes it meets the requirements of the ADU and is a good step and is exactly what we had in mind as was pointed out. Also, because the deed restriction will be placed on the property so that way the future owner will know that exists and what their limitations are. Also, for the owner-occupation purpose.

Culotta-votes yes for many of the same reasons stated and this is great in that it follows the idea of accessory dwelling units and the importance of them being in the city and he believes this is the second official ADU. He looks forward to I and he enjoys the work the Bowers and Collins group does to the various homes in Milford and thanks them.

Adoption/Ordinance 2023-03 - Change of Zone

Application of Growmark FS, Inc.

4.865 +/- acres of land located along the south side of NE Front Street between NE Fourth and NE East Streets

Comprehensive Plan Designation: Commercial

Present Zoning District: I-2 (General Industrial District) Proposed Zoning District: C-3 (Highway Commercial District)

Present Use: Office Proposed Use: Office and Vacant Lot

Tax Parcel: MD-16-183.10-04-27.00

City Planner Rob Pierce read the staff report that was included in the packet also described above. The change of zone is for approximately 4.8 acres from I-2 General Industrial District to C-3 Highway Commercial District. The property contains an existing office building, and the owner proposes to subdivide the property into two parcels sectioning out the office building from the residential vacant piece which will be reviewed by Mr. Pierce administratively.

The Change of Zone request is consistent with the adopted 2018 Comprehensive Plan Future Land Use maps that shows it as commercial, for which the C3 district as a suitable zoning designation. Future use of the property must comply with Chapter 230 and the C-3 zoning use and area regulations.

He referenced the maps and the area showing the Growmark FS office buildings, as well as the other area uses, and site plan, all included in the packet.

The notice was published in the Delaware State News on January 3, 2023, and mailed to property owners within 200 feet. A public notice sign was also posted at the site.

The Planning Commission reviewed the application recommending approval by a vote of 6 to zero, with one member recusing themselves from any discussion or action.

Merestone Consultant Robert Nash of 634 Abbott Drive, Milford, presented the application on behalf of Growmark FS. He shared the property at one time was a fertilizer plant, which was not a good use on the river. At some point, that was moved to State Route 14 and the office was completed on this site. In the event approval is granted for the change of zone, which was needed for some time, because it was an industrial use in the middle of C3 zoning properties. Upon approval, a subdivision will be completed to the east of the office.

This seems to be more housekeeping because the industrial use does not fit in the C3 zoning area.

The floor was open to public comment.

Dan Perez, owner of River Lights Café, stated that the subdivision and asked Mr. Nash to explain. What he said about the history is 90% correct though his tax office is right next to this. He asked for more information and asked if it will be broken down into offices. But depending on the use, he would like some additional information, such as heavy trucks being moved in and out of the area.

Mr. Nash said he is unaware of any plans at this point, though he believes that office space will also fit, though there is a possibility of real estate as well. They are aware of the flood zone and any structure would need to comply with those regulations as well as DelDOT, the Conservation District, and the Fire Marshall regulations.

Director Pierce stated that he wants Mr. Perez to understand this will be changed to commercial, not industrial, which is the current zoning.

Councilman Fulton referred to the present zoning, noting that the heavy trucks would be allowed in that district. Planning Pierce pointed out that any development would still require future approvals and an opportunity for the public to review and make comments during those hearings.

Councilmember Marabello questioned and Mr. Nash confirmed there is a present office on the property that has been used by Growmark FS. No other plans for office buildings are proposed at this time.

Michael Layton of 531 Dr. Smith Road, Harrington, Delaware, was online stating he is Growmark FS LLC's Manager, Safety and Environment Manager and has some operational duties at the Milford property. He stated that his predecessor Norm Hamstead had previously thought the property was zoned commercial. This is an attempt to get the property in the correct zoning and in compliance with the City's comprehensive plan. There are no current deals or contracts on the table, though there has been interest expressed. Correcting the zone will allow this to occur, though any development will be going through the Planning Commission with future hearings as was previously stated.

There being no further interested persons to speak, the public comment session was closed.

Councilmember Fulton moved to adopt Ordinance 2023-03, changing the zone of the Growmark FS LLC site from industrial to commercial C3.

Marabello-votes yes based on the Planning Commission's recommendation vote of 6 to zero with the one recusal. He hopes the owner takes into consideration Mr. Perez's café in this area.

Boyle-votes yes noting the plan is consistent with the comp plan future land use map. It makes sense to change the industrial zone to a C3 zone and is in line with the commercial area and similar uses surrounding it.

Fulton-votes yes adding it is consistent with the 2018 vetted and reviewed comp plan and recognized Mr. Perez' main concern of large and heavy trucks, though industrial zone allows the heavier traffic, and this action may quell some of his misgivings.

Culotta-votes yes based on the recommendation of the Planning Commission.

Wilson-votes yes based on the recommendation of the Planning Commission, and this is matter of cleaning up the zone and correcting it. It makes sense for potential businesses to come into this area.

James-votes yes, this change of zone places this piece of property in conformity with the 2018 comp plan future land use.

map and anything planned for this property would have to confirm to the C3 zoning regulations.

Baer-votes yes it makes total sense regarding the city's comprehensive plan, and he also supports Planning Commission's vote of 6 to zero.

Samaroo-votes yes based on the Planning Commission's recommendation of six to zero.

Adoption/Ordinance 2023-04 - Preliminary Conditional Use

Application of Masten Circle, LLC

2.39 +/- acres of land located along the east side of E. Masten Circle

Comprehensive Plan Designation: Industrial

Zoning District: I-1 (Limited Industrial District)

Present Use: Vacant Proposed Use: Flex Office/Warehouse

Tax Parcel: MD-16-183.00-01-08.00

Planner Pierce read the staff report included in the council packet as described above.

The applicant proposes to construct two 9,400 square foot flex style storage buildings as shown on the preliminary site plans. Chapter 230-45 states in all zoning districts, multiple permitted uses or mixed use of a property shall be deemed a conditional use subject to special requirements.

Based on the information presented, the City of Milford Code, and the Comprehensive Plan, staff submitted a request for the Preliminary Conditional Use Site Plan. The applicant is seeking a waiver from the bicycle parking facility requirement that was added to the last zoning code amendment, outlined under Chapter 230-20(M) due to the property's industrial nature. Other than the bicycle waiver request, the Preliminary Site Plan meets the minimum standards to Chapter 230 Zoning and Chapter 200 Subdivision of Land. The plans have been reviewed for general compliance with the City's Standard Construction Specifications.

He also acknowledged the conditional use application requirements, agency review comments, location map, and a property line adjustment completed by the previous owner.

The preliminary site plans were also included, and other related documents, all of which were also available in the packet.

The public notice was published on January 3, 2023, in the Delaware State News, mailed to property owners within 200 feet, and a sign posted at the site.

The Planning Commission recommended approval of the application, along with the waiver of the bicycle parking facility requirement, at their January 17, 2023 meeting.

Eric Wahl, Senior Landscape Architect and Alan Decktor, Professional Engineer of Pennoni Associates were in attendance to present the application. Property owner Timothy Hoover of Masten Circle LLC was also present.

Mr. Wahl shared this is a 2.39-acre property on the east side of East Masten Circle zoned I1 under the industrial district. They are proposing two 9,400 square feet flex office warehouse buildings that requires a conditional use.

The building will be built as a shell, but the plans show six units per building. Each unit has an entry door and a 12-foot garage door. Forty parking spaces are required with fifty-four provided.

The grading and landscaping plans were also described by Mr. Wahl.

Individual agency reviews and approvals were discussed, though final comments have not yet been received from the Kent Conservation District. The City Engineer has reviewed the plan and comments addressed. Outstanding items will be addressed during the construction phase.

A waiver has been requested for the bicycle parking due to no bicycle paths connecting to this area and no designated bicycle lanes on Masten Circle.

The City Engineer recommended approval of the preliminary plan as well as the Planning Commission.

It was clarified the Subdivision Code states that the bicycle parking racks are required or encouraged for any redevelopment or development.

Councilman Boyle pointed out that bicycle lanes are being added to the upcoming Route 113 construction plan. He does not believe the bicycle trend will continue and not everyone can afford a vehicle and instead uses bicycles. He asked the applicant to reconsider that waiver request.

Mr. Wahl stated that at the Planning Commission meeting last week, another item of safety came up and because there are a lot of heavy vehicles on Masten Circle which also played a role in the lack of bicycle traffic in the area.

The floor was opened for public comment. No one in attendance or online wished to comment.

Nina Pletcher of 428 South Walnut Street stated she agrees with Councilman Boyle that a bicycle rack should be installed and that big trucks using that area would be a deterrent. It sounds to her like a safety issue, and it is probably not the responsibility of this organization to worry about safety. But the people who need to get to locations to work and if biking is the way, there is a need for a place to park their bicycles safely and soundly.

Planner Pierce explained that five plus one for every parking space is required. City Council has the right to waive the bicycle parking requirement if demonstrated the bicycle parking would not be appropriate in consideration of the use of the site.

There being no further comments, the public comment session was officially closed.

Councilmember Fulton moved to grant a preliminary conditional use and adopt Ordinance 2023-04, excluding the bicycle parking waiver, seconded by Councilmember Boyle.

The roll call vote failed by the following roll call vote of 4 to 5:

Wilson-votes no and if there becomes a need for a place for bicycles to park, she feels the company would provide that need based on that. But to start out, she does not think it should be something dictated by the city at this point.

James-votes no and believes that if there was a reason for a waiver of the bicycle rack, this would be it. He thinks to the spirit of why the waiver was put into existence as read by the City Planner, then this fits the criteria for a waiver.

Baer-votes yes and he prefers to encourage more biking in the city.

Samaroo-votes no based on safety reasons.

Marabello-votes yes to not removing the waiver and he also encourages bicycling. If it doesn't pan out, the city can ask that it be changed, but it will not hurt it there.

Boyle-votes yes and this aligns with our bicycle plan that will encourage bicycle use, and the construction of the bike path on Route 113 will begin this week, which is a major road near this circle and will encourage more bicycle use as well.

Fulton-votes yes and believes that a bicycle rack would be appropriate for people to bike to work considering we have a Boys and Girls Club down the road with no bike lanes with heavy traffic that goes past Walmart, and they have bike racks out there.

Culotta-votes no on the motion as it stands because we are getting hung up on a bike rack when there is an opportunity to add more businesses and job creation in Milford which is the whole point of the industrial park out there in this location. He is happy with what is being proposed and he does not think getting hung up on whether a bike rack is needed or not. If the businesses that lease those spaces feel the need to add a bike rack, they will do that.

The vote of Council being 4 to 4, Mayor Campbell's vote was needed to break the tie. He voted no and agrees that if a company believes there is a need for a bike rack to be installed, he is confident they will do so.

Councilmember Culotta then moved to adopt Ordinance 2023-04 with approval of the bicycle parking waiver, seconded by Councilmember James.

Motion carried by the following 5 to 4 roll call vote:

Wilson-votes yes and the industrial park should be able to go forth without any stipulations at this time.

James-votes yes and as mentioned that if there was an area in a project for a waiver of the bicycle rack, this would meet the criteria.

Baer-votes no and he does not think it is a big deal to ask for a bike rack to be installed at this new development site.

Samaroo-votes yes and agrees with Councilmembers Wilson and James' reasons.

Marabello-votes no and agrees with Councilman Baer that it is not a big deal to install a bike rack.

Boyle-votes no and believes based on our bicycle plan and encourages the use of bicycles.

Fulton-votes no and he does not think a bicycle rack is a big ask for a company putting in large warehouses and expecting employees to be able to go to work and not necessarily burn gas if employing local residents.

Culotta-votes yes and he is all for voting as everyone here. He believes we do not need to get hung up on this and if a bicycle rack is needed, they will put it in.

Due to a 4 to 4 tie, Mayor Campbell votes yes because it is easy to put a bicycle rack in and he would feel bad if the company did not do that and it was needed by employees.

COMMUNICATIONS & CORRESPONDENCE

The notices included in the packet were referenced. Council was asked to contact the City Clerk's Office if anyone wishes to attend any of the events.

Councilmember James thanked the property owner, and any staff that may have been involved, for the cleanup of the demolished property at the end of Church Street discussed at the last Council meeting.

MONTHLY FINANCE REPORT – DECEMBER 2022

Finance Director Lou Vitola stated the finance statements for the first half of the year are included in the packet. Recalling from the discussion in November, cash dipped somewhat for the first time in a while though it did somewhat rebound in December.

Part of that was property transfers that occurred in November though the realty transfer taxes were received in December.

There were also strong receipts coming through permits and other development activities that's primarily due to the Food Bank. That was slightly more than \$.5 million and that trend should continue in January, if not February, with the receipt of bond bill funding. There is \$1.4 million dollars in projects and bond bill funding.

There has been some spending that will be swept into the general fund.

Utilities continue to be strong, except for electric. He is only referring to the gross margin as a percentage in electric that's being squeezed as a function of the rising wholesale power costs over and above the budget. That should be delivering the same dollars in terms of gross margin, though mathematically it is a smaller percentage.

Water sewer, and solid waste our all performing strongly in terms of both dollars and gross marginal as a percentage. Electric is behind in gross margin but not as nearly as you would think looking at the percentage.

That should stabilize toward the second half of the year now that we have the wholesale rates in place. No additional PCA is expected for the remaining fiscal year or the first half of DEMEC's calendar budget.

The general fund was underperforming through November and into December, but it has improved. Two of the four departmental groups have turned positive versus the budget. They were somewhat mixed versus last year.

A couple of adjustments needed to be made related to the seasonalization of the budget though that will continuously improve as we proceed.

The sewer fund and police fees on page one of the report show a bump, which Director Vitola said that the sewer fund is just due to operating performance. I&I had a low month. It has an annualized budget of \$55,000 a month and was only \$24,000 plus this month. That accounts for \$30,000 of that.

On the police side in the on the police and general government facilities fund, most of that is Food Bank at the permit stage. The rest of lines are affected by those fees as well.

The impact of the Indian River plant is approximately \$400,000 to all customers over the next five years and is affecting the electric margin.

When questioned about what type of parking enhancements are occurring, in fiscal 22, there was 60,000 and \$80,000 budgeted for resurfacing the city's municipal lots. The costs have since increased and additional dollars were added for one or two lots this year. There is a grand total in FY23.

When asked about the general fund and tax income, Director Vitola said the vast majority of the fiscal 23 levy has been collected and is over 97%. He will have an update at the first February meeting.

He noted that a check received one day and is posted to the utility account. It is deposited either the same day or the following day, but it depends on the length of time it takes to clear the bank.

When asked about a 48-hour turnaround, he explained that if the billing department receives 4,000 tax payments within a day or two, it takes staff longer to turn through them. Also, some checks will be delivered to a city hall, or the finance building and then are manually turned over to the billing group where they are then posted, and then deposited.

On average, the checks received on a normal business day, are posted, and are deposited into the bank that day of posting, or the next day.

It was noted that “FHY” on the report is an abbreviation for “fiscal half year”.

Councilmember James moved to accept the monthly December 2022 finance report, seconded by Councilmember Baer. Motion carried.

UNFINISHED BUSINESS

None.

NEW BUSINESS

Introduction/Ordinance 2023-06/Chapter 26/Enhancement Funds

City Manager Whitfield said this ordinance is the result of Council’s direction during a recent discussion of the new fire districts that will be providing services within the City of Milford.

In addition, there was a new sentence added this afternoon that states *The City Council, at its sole discretion, may utilize the funds for any fire safety purpose it so deems reasonable.*

Ordinance 2023-06 is scheduled for public comments and final action by Council at the next meeting on February 13, 2023.

Authorization/Milford Corporate Center/Becker Morgan Contract

The Planner read the following memo to City Council, also included in the packet:

On February 14, 2022, City Council authorized the execution of a Memorandum of Understanding (MOU) with Tsionas Management Company, Inc and NAI Emory Hill Real Estate Services, Inc. for the development of the Milford Corporate Center located on the Fry property. Phase I of the MOU includes professional assistance with the development of a concept master plan and evaluation of off-site improvements.

On February 28, 2022, City Council authorized the execution of a contract for engineering services to Becker Morgan Group to produce a concept master plan for the Milford Corporate Center.

On August 8, 2022, City Council reviewed the preliminary concept plan prepared by the development team prior to scheduling the public workshop and submitting for State of Delaware Preliminary Land Use Service (PLUS) review. A PLUS hearing was held on August 24, 2022, with State agencies and we are awaiting PLUS comments.

On October 10, 2022, City Council authorized engineering service contracts with Becker Morgan Group in the amounts of \$210,000 and \$313,000 for the design and permitting of onsite construction improvements and anticipated DelDOT road and right-of-way improvements. The contracts excluded the cost for a new Transportation Impact Study (TIS).

On November 28, 2022, City Council authorized an amendment to the engineering agreement with Becker Morgan Group in the amount of \$28,000 for the preparation of a Traffic Impact Study.

Engineering Services Contract – Environmental, Geotechnical, and other Reimbursable Expenses

The engineering contract executed with Becker Morgan Group excluded costs associated with environmental and geotechnical testing performed by Becker Morgan’s third-party vendors. The subdivision design requires a wetland delineation for a small portion of land located in the northeast section of the property and soil borings will be needed to

determine road design and stormwater management design. The anticipated costs for these services are approximately \$22,000. Staff is requesting an additional \$10,000 to cover costs associated with agency permit submissions, vehicle and mileage reimbursement, printing materials and other miscellaneous reimbursable expenses not specifically covered in the contract executed with Becker Morgan.

When questioned, Planner Pierce confirmed that all costs of these agreements will be reimbursed through the sale of lots in the new business park.

Councilman Fulton questioned the recommendation by Planner Pierce to authorize the appropriation of \$32,000 and suggested it be reworded to 'up to' \$32,000 from general fund reserves to cover the costs associated with anticipated third-party expenses related to those engineering services Geotechnical services and other anticipated expenses.

Planner Pierce explained it was worded that way because he did not want to come back and ask Council for a large sum of money at the end of the project.

Councilmember Fulton moved to authorize the appropriation of up to \$32,000 from General Fund Reserves to cover the costs associated with anticipated third-party expenses for environmental services, geotechnical services and other anticipated reimbursable expenses associated with the design of the Milford Corporate Center. All project costs related to the acquisition, development and sale of Milford Corporate Center lots, net of all grant funding received for the specific purpose of offsetting project costs, shall be recovered through lot sales, and returned on a pro rata basis to the internal funding sources leveraged to support such project costs. Councilmember James seconded the motion. Motion carried with the change so noted.

EXECUTIVE SESSION

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

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

Motion carried.

Mayor Campbell recessed the Council Meeting at 7:27 p.m. for the purpose as is permitted by the Delaware Freedom of Information Act.

At 7:57 p.m., Councilmember Marabello moved to return to Open Session, seconded by Councilmember Wilson. Motion carried.

No action to be taken.

ADJOURNMENT

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

The Council Meeting adjourned at 7:58 p.m.

Respectfully submitted,
Terri K. Hudson, MMC
City Clerk/Transcriptionist