



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

## CITY COUNCIL AGENDA September 25, 2023

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 also available for viewing by the public by accessing the following link:*

<https://zoom.us/j/94877121629>

*or*

<http://www.cityofmilford.com/553/Watch-Public-Meetings>

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

*Call 301 715 8592 Webinar ID: 948 7712 1629*

**6:00 PM**

### **15-Minute Public Comment Period\***

Virtual attendees must register prior to start time of meeting by calling 302-422-1111 Extension 1300 or 1303, or by sending an email to [cityclerk@milford-de.gov](mailto:cityclerk@milford-de.gov) and providing your name, address, phone number, and item name and/or description you wish to comment on. Persons in attendance that wish to speak must sign up prior to the start of the Council Meeting.

## COUNCIL MEETING

Call to Order - Mayor Archie Campbell

Invocation

Pledge of Allegiance

Roll Call

Recognition

New City Employee Recognition

Ordinance Final Action/Public Hearings/Public Comments ®

Adoption/ Ordinance 2023-33

Preliminary Conditional Use Site Plan Application of Helmick Milford – Fast Food  
1.024 +/- acres of land located at the southwest  
corner of Warner Road and US Route 113  
Comprehensive Plan Designation: Commercial  
Zoning District: C-3 (Highway Commercial District)  
Present use: Vacant Proposed Use: Fast Food Restaurant & Drive-in Restaurant  
Tax Parcel: MD-16-174.14-01-03.02

Adoption/Ordinance 2023-34

Preliminary Conditional Use Site Plan Application of Milford School District/Milford Middle School  
23.97 +/- acres of land located on the  
south side of Lakeview Avenue, approximately 875 feet east of the Route 113 Intersection  
Address: 512 Lakeview Avenue  
Comprehensive Plan Designation: Low Density Residential  
Zoning District: R-1 (Single-Family Residential District)  
Present and Proposed Use: Public School  
Tax Parcel: 1-30-3.07-138.00 & 138.01

Adoption/Ordinance 2023-35

Conditional Use Application of Food Bank of Delaware  
11.5 +/- acres of land  
West Side of Delaware Veterans Boulevard within the Independence Commons Business Park  
Address: 102 Delaware Veterans Boulevard  
Comprehensive Plan Designation: Commercial  
Zoning District: OC-1 (Office Complex District)  
Present and Proposed Use: Charitable and Philanthropic Organization  
Tax Parcel: MD-16-173.00-01-02.08

Adoption/Ordinance 2023-36

Conditional Use Application of James Purcell  
0.31 +/- acres  
South Side of Kings Highway between South Walnut Street and Polk Avenue  
Address: 102 Kings Highway  
Comprehensive Plan Designation: Low Density Residential  
Zoning District: R-1 (Single-Family Residential District)  
Present Use: Single-Family Dwelling  
Proposed Use: Single Family Dwelling with Accessory Dwelling Unit  
Tax Parcel: 1-30-3.08-063.00

Adoption/Ordinance 2023-37

Legal Owner Mispillion Realty LLC for a Change of Zone from  
R-1 (Single-Family Residential District) to C-3 (Highway Commercial)  
on 1.73 +/- acres of land located along the east side of S. Dupont Boulevard approximately 235 feet  
north of the Donovan Street Intersection  
Address: 839 South DuPont Boulevard, Milford, DE  
Present Use Single-family Detached Dwelling & Vacant Lot;  
Proposed Use Single-family Detached Dwelling  
Tax Map & Parcels 1-30-3.15-014.00 & 1-30-3.15-015.00

Communication & Correspondence

Monthly Finance Report

Unfinished Business

South Walnut Street Traffic Calming & Bike Pedestrian Study Presentation ①  
Authorization/Downtown Public Restroom Purchase

New Business

Adoption/Resolution 2023-20/Lighthouse Estates Phase II/Acceptance of Right-of-Way ①  
Adoption/Resolution 2023-21/Halloween Trick or Treat Observance ①  
Introduction/Ordinance 2023-38/Removal of Electric Fees & Rates & Related Language <sup>1</sup>  
Authorization/Bucket Truck/Chipper Body/Electric Capital Improvement Purchase <sup>3</sup>

Executive Session

Motion to Recess into Executive Session

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 <sup>2</sup>

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

Return to Open Session

Potential Vote/Property Acquisition(s)  
Vote/Collective Bargaining Agreement <sup>2</sup>

Adjournment

All items on the Council Meeting Agenda are subject to a potential vote.

**ALL 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, DISTRIBUTED, OR PRESENTED AT MEETING ONCE PACKET HAS BEEN POSTED ON THE CITY OF MILFORD WEBSITE. ANY MATERIALS UTILIZED DURING THE MEETING SHALL BE FROM THE COUNCIL PACKET AND REFERENCED BY PRESENTER USING AUDIO AND VISUAL MEANS TO ENSURE VIRTUAL PARTICIPATION BY ALL IN ATTENDANCE.**

\*Time Limit is three minutes per speaker, not to exceed a total of fifteen minutes for all speakers prior to start of meeting/workshop.

① Designated Items only; Public Comment, up to three minutes per person will be accepted.

061323 063023 070623 071023 072823 083123 090623 090823

<sup>1</sup> 092023 Electric Director/Late Addition/Time Sensitive Matter; Item transferred to 10/09/2023 Agenda

<sup>2</sup> 092223 Late Addition/City Manager/Collective Bargaining Agreement Action Required

<sup>3</sup> 092423 Late Addition/Public Works Director/Time Sensitive Matter