



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

CITY COUNCIL AGENDA December 11, 2023

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>

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: 991 5613 1279

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 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 Arthur J. Campbell

Invocation

Pledge of Allegiance

Roll Call

Approval of Previous Minutes

Recognition

Introduction/New City Employees

Leadership Delaware Institute Graduate/Sara Bluhm ¹

2023 Excellence Award Winners ¹

Public Hearings/Final Determination/Adoption of Ordinances

Adoption/Ordinance 2023-46

Lands of Randall Kenton

3.72 +/- acres of land located along the north side of Northeast Front Street and east side of North Rehoboth Boulevard

Application Type: Change of Zone

Comprehensive Plan Designation: Commercial (pending adoption of Ordinance 2023-46)

Zoning District: C-3 (Highway Commercial District)

Present Use: Pallet Recycling

Proposed Use: Pallet Recycling

Address: 609 NE Front St

Tax Parcel: MD-16-183.07-01-12.00 & MD-16-183.07-01-14.00

Adoption/Ordinance 2023-47

Lands of Iglesia Pentecostal Bethel Delaware, Inc.

0.808 +/- acres of land located along the north side of Southeast Front Street approximately 55 feet east of the Charles Street Intersection

Application Type: Conditional Use

Comprehensive Plan Designation: Low Density Residential

Zoning District: R-2 (Residential District)

Present Use: Church (095.00), Church Parking (094.00), Former Single-family Dwelling (096.00)

Proposed Use: Church with associated parking

Address: 803, 805 & 807 SE Front Street

Tax Parcel: 3-30-7.17-094.00, 3-30-7.17-095.00 & 3-30-7.17-096.00

Staff Reports

Police Department

City Clerk

City Manager

Public Works

Electric

Planning & Zoning

Parks & Recreation

Human Resources

Economic Development & Community Engagement

Information Technology

Finance

Communications & Correspondence

Unfinished Business

New Business

Introduction/Ordinance 2023-48 ¹

Preliminary Conditional Use Application of Southern States Milford Coop, Inc.

4.959 +/- acres of land located along the north side of

Milford-Harrington Highway at the intersection of Williamsville Road

Comprehensive Plan Designation: Commercial
Zoning District: C-3 (Highway Commercial)
Present use: Vacant Proposed Use: Retail Sales & Equipment Repair
Tax Parcel: MD-16-182.00-01-03.00

Design Proposal/KCI Technologies/SE Water/Sewer Extension Project/East State Route 1
FY 24 Budget Adjustment/22 Cedar Beach Road Demolition
Authorization/Electric Department/FY24 Budget Adjustment/Capital to O&M
Authorization/Flex Financial-Stryker Sales, LLC/MPD Lease Agreement/Take-Home Vehicles
Authorization/Additional Personnel/Police Department ¹

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

110723 112723 112823 113023

¹ 120723 Late Addition/Omitted in Error



CITY OF MILFORD
COUNCIL MEETING MINUTES
August 14, 2023

The City Council of the City of Milford met in Regular Session on Monday, August 14, 2023, in the Joseph Ronnie Rogers Council Chambers at Milford City Hall, 201 South Walnut Street, Milford, Delaware.

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 Chief Cecilia Ashe, and City Clerk Terri Hudson

COUNSEL: Solicitor David Rutt, Esquire

PUBLIC COMMENT SESSION PRIOR TO MEETING

No one was signed up to speak during the Public Comment Session.

CALL TO ORDER

Mayor Campbell called the meeting to order at 6:08 p.m., prior to the scheduled Public Comment period.

INVOCATION AND PLEDGE

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

APPROVAL OF PREVIOUS MINUTES

Councilmember Boyle moved to approve the minutes of the May 22, 2023, May 23, 2023, and May 24, 2023 FY24 Budget Workshops, and the May 22, 2023 Special Council Meeting, Motion seconded by Councilmember Fulton and carried.

RECOGNITION

New Employee Introduction

Public Works Director Mike Svaby welcomed Jaquiam Parker, who had previously worked with the City through a staffing agency as a temporary worker in the Solid Waste and Parks divisions. His first day as a fulltime Public Works Equipment Operator II-Solid Waste was July 24, 2023.

Director Svaby also acknowledged Jared Kranz who was previously employed by the City of Newark. His first day as a Public Works Equipment Operator for the City of Milford in the Streets and Utilities was July 31, 2023.

MONTHLY STAFF REPORTS

Complete reports from each department were included in the council packet.

Police Report

Chief Ashe delivered a detailed report of the officer's monthly statistics and department activities during the month.

Councilmember Boyle moved to accept the monthly police report, seconded by Councilmember Fulton. Motion carried.

City Clerk

City Clerk Hudson provided a review of June activities within the clerk's office.

There was a reminder announcement of the SCAT dinner meeting scheduled for September 6th at Benvenuto's and hosted by Milford.

Councilmember Wilson moved to accept the monthly city clerk report, seconded by Councilmember Fulton. Motion carried.

Monthly City Manager Report

City Manager Whitfield furnished a quick synopsis of some of the work accomplished by other city departments.

Public Works Department

Public Works Director Svaby reviewed the highlights included in his Public Works report.

Electric Department

Electric Department Director Tony Chipola supplied information related to his department.

Planning & Zoning Department

Director Rob Pierce provided an updated summary of his department's work in June.

Parks & Recreation Department

The Parks & Recreation reports was included in the packet.

Human Resources

Human Resources Director Jamesha Williams provided HR highlights from the previous month.

Economic Development & Community Engagement

Administrator Sara Bluhm shared details of several activities she was involved in during July.

IT Department

The IT report was included in the packet.

Finance Department

In addition to his written report also included in tonight's packet, Finance Director Lou Vitola announced the candidate who was chosen for his newest position will begin next week who will work on a condensed FY22 Audit. He shared that the FY22 audit process is expected to be completed by the end of this year which will allow the financial statements and approvals to be done in January.

He assured Council that will put the FY23 audit back on schedule.

Councilmember Boyle moved to accept the City Manager and Department Heads reports, seconded by Councilmember Fulton. Motion carried.

COMMUNICATION AND CORRESPONDENCE

Councilwoman Wilson stated that she has a concern about the recent outage at the Silver Lake High Rise Apartments that caused the elevators to stop working, which was a major concern due to the number of disabled people that reside there.

She asked for City staff to help by contacting the apartment's management to ensure proper maintenance is being done to prevent this in the future.

City Manager Whitfield shared that falls under the property manager but will see if the City can assist, or the Carlisle Fire Company. The Councilwoman said she is willing to contact management to ensure they are putting their tenants first and wondered if anyone has any objections.

Mayor Campbell and Councilmember James had also talked with residents who had concerns about the upkeep of the apartments and especially the elevators.

Electric Director Chipola explained there were several faults that were out and over the weekend, electric employees worked ten to twelve hours until power was restored. On Monday, he heard there was an issue with the elevator due to a phasing issue. Power was restored but the rotation of the phases wasn't proper so that was fixed, but that is what caused the issue with the elevator.

Councilman Fulton mentioned that the Simpson Crossing paving issues were finally repaired. He also checked into the Mispillion Apartments complaint and examined the recent inspection reports. While the management company was responsive, nothing further has been received from the complainants.

Councilman Baer commended Chief Ashe on the recent WHYI article and encouraged others to read about the Gun Violence Intervention Program.

On behalf of the residents of Ward Three, he also thanked DelDOT for completing the work on the Mispillion Bridge and reopening it.

Also, Councilman Baer continues to hear concerns about the condition of the property at the intersection of Route 36 and Rehoboth Boulevard where the building had previously burned down.

UNFINISHED BUSINESS

Update/Ordinance 2023-28/Zoning Code Amendment

Following up from the July 24, 2023 Council Meeting concerns about chicken hens in the city, tiny homes, and emergency shelter facilities, Planning Director Pierce provided some additional information.

Because council wishes not to allow chickens, he recommends removal of Chapter 230-9(c)(6) and renumber subsequent sections.

With regards to the tiny home village, a single tiny home would be treated like any other single-family home within the zoning code if constructed on a permanent foundation. A separate zoning code would apply.

The additional language for a tiny home village, which is proposed to be added to the R 3 and R 8 zoning regulations, would permit by right the construction of a community of tiny homes on smaller lots subject to area regulations. There were concerns about the lot size being too large.

and I think at the last meeting there was some concern from council that those requirements were included lot sizes and setbacks that were too large. The residential building code that was adopted by City Council defines a tiny home as a dwelling that is 400 square feet or less in floor area, excluding lofts. The proposed zoning code amendment also provides definition of a tiny house as a dwelling unit containing 400 square feet of area or less, and certified as meeting the building code is applicable to tiny houses. The home shall be subject to the same standards as site-built homes unless otherwise indicated in the zoning chapter.

He matched up the building code definition in the zoning code definition, so the regulations more easily apply.

Additional research found most tiny homes range from 100 square feet to 400 square feet and average dimensions of about eight feet in width by 26 feet in length. Based on these average dimensions and trying to be consistent with side yard

setback provisions in the current zoning code, the narrowest lot or birthing space could be around 24 feet. That is similar to the City's townhouse regulations.

The zoning code also requires all street parking for residential dwellings, which would include a tiny home. That generally leads to a 20-foot front setback which would allow one or two parking spaces in front of the unit.

That is also consistent with the shortest rear yard setback of 15 feet, along with the side setbacks previously discussed and the front setback results in a minimum depth of 61 feet. The overall lot of 24 by 61 feet would then accommodate a tiny home and parking.

With his modifications, the number of dwelling units previously recommended would not exceed 8 units per acre and would be increased to 12 units per acre. The minimum lot width was 40 feet and has been reduced to 25 feet. The minimum lot area was 4,000 to 5,000 square feet and has been reduced to 2,000, like the townhouse requirements. And the front yard setback would be reduced from 30 feet to 20 feet.

All other previously proposed regulations remain the same.

The last issue is the emergency shelter facilities being permitted by conditional use approval from City Council in several zoning districts, the definition, and its purpose of providing accommodations for persons who need temporary housing or shelter. In his opinion, this would include the palette village concept as was constructed in Georgetown.

He continued to read the memo in the packet noting that the 2018 International Residential Code defines a dwelling unit as a single unit providing complete independent living facilities for one or more persons, which includes provisions for living, sleeping, eating, cooking, and sanitation. The pallet village concept in Georgetown does not include eating, cooking, and sanitation provisions in each pallet unit. There is a central restroom and kitchen facility for the complex. These would not meet the definition of a tiny home for the City in our building code. However, they would be allowed under the proposed code.

When asked if a property owner wanted to put a tiny home in their backyard, Planner Pierce explained there are two associated fees. One is the conditional use \$700 accessory dwelling request and if new construction, the fees associated with an accessory cottage would apply, and/or fees associated with renovating a detached garage would apply. The fees align with those of a new home.

In addition, all sewer and water fees would apply. However, those fees are in the sewer and water ordinances and not part of the discussion on the zoning code tonight.

Councilmember Culotta recommends the five feet setback should be considered which adds the ability to make them more affordable. Planner Pierce referenced planned unit developments he recommended that were approved with side setbacks of six or seven feet. He also noted that a development could be approved with tiny homes that would give council discretion on the setbacks.

City Engineer James Puddicombe commented on State and NFPA (National Fire Protection Association) codes adding that the setbacks in our code can impact insurance rates.

Solicitor Rutt pointed out that the code amendment has a section for group/recovery homes and the amendment requires group homes to have a conditional use. Governor Carney recently signed a bill that defines the group/recovery homes that specifically states municipal and county zoning ordinances in conflict are permitted uses and not conditional uses. Therefore, they would be allowed.

Councilmember Fulton moved to adopt Ordinance 2023-28 Zoning Code Amendment with the removal of 230-9(b)(6) regarding chicken hens and the addition of the revision 230-11(d)(6) tiny home lot sizes, seconded by Councilmember Wilson. Motion carried by a voice vote of 7-1 with Councilman Culotta casting the dissenting vote.

Strategic Plan Update

University of Delaware Public Innovator William McDowell returned to provide City Council with the final draft of the City's Strategic Plan.

Dr. McDowell explained the last thing that was discussed and is included in the language is a matrix. It was decided to use it as an addendum or an insert with an update provided quarterly. The one he received from the City Manager was extremely large and too cumbersome for this document and the reason for the change.

The matrix is the living piece of that for Council to review quarterly.

Some updated pictures were also included.

Other than that, Dr. McDowell feels it is ready for final action.

It was agreed to hold a public comment session for the next council meeting, after which it could be adopted, with or without amendments.

NEW BUSINESS

Motion to Amend the Agenda

Councilmember Marabello moved to amend the agenda and allow Dr. Bridgett Palmer-Amory's request to be heard now, seconded by Councilmember James. Motion carried.

Authorization Funding/Milford School District/EMT Course Consumable Materials

Dr. Bridgett Palmer-Armory, Superintendent of Milford School District, requested that to support the Emergency Medical Technician program starting at Milford High School for the 2023-2024 school year, \$5,000 be granted to purchase consumable materials. This will allow students to be able to be fully certified EMTs by the time they graduate though it will involve a small number of students who will be able to participate to get started.

Dr. Armory stated that during the initial meetings, the City offered to support the program in whatever way was needed.

Milford School District is looking forward to our continued partnerships with Milford City Council, the Carlisle Fire Department, and the Delaware State Fire School in making this a successful program for the Milford community.

Councilman James provided a background noting that this was a way to assist Carlisle Fire Company in recruiting volunteers.

Councilmember Fulton moved to authorize \$5,000 to be granted to Milford School District for the purchase of consumable materials by Milford High School for the 2023/2024 School Year, seconded by Councilmember James. Motion carried.

Adoption/Resolution 2023-14/DDD Area Expanded

The following letter was received from the State of Delaware Office of Planning Coordination, Director David Edgell:

Thank you for your letter of June 28, 2023 requesting a boundary extension to your existing Downtown Development District Designation. According to the letter received, the city is requesting an additional 15.01 acres as noted on the map included with the request.

On July 18, 2023 the Cabinet Committee on State Planning Issues, at its scheduled meeting, approved the boundary expansion effective upon the final approval by the City Council to amend the boundaries.

Per our records the City of Milford current Downtown Development District boundary is 184.89 acres. With the addition of the 15.01 acres approved at this meeting the total district is now 199.90 acres. Please note that the total allowable acreage for the City of Milford is 200 acres.

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

Based on Council's previous recommendation, the following resolution needs adoption for the final expansion of the DDD.

Councilmember Culotta moved to adopt Resolution 2023-14, seconded by Councilmember Baer:

RESOLUTION 2023-14
SUPPORT OF DOWNTOWN DEVELOPMENT DISTRICT EXPANSION

WHEREAS, under the Downtown Development District Act of 2014 (the "Act"), the State of Delaware designates districts within Delaware's cities, towns and unincorporated areas that qualify for significant development incentives and other State benefits; and

WHEREAS, these districts are to be known as Downtown Development Districts ("Districts"); and

WHEREAS, on August 10, 2016, Governor Jack Markell announced a statewide expansion of Delaware's Downtown Development District (DDD) program which would include 170 +/- acres of land within the City of Milford; and

WHEREAS, on August 26, 2019, City Council adopted Resolution 2019-08 authorizing additional land that increased the District to 185 +/- acres of land; and

WHEREAS, the designation has provided State and local incentives to property and business owners within the City's Downtown Development District; and

WHEREAS, the City Council of the City of Milford believe that in 2023, it is in the best interest of the City to further expand the District by offering the opportunity for applicable benefits to qualified properties in an additional 15 +/- acres, as assigned.

NOW, THEREFORE, Be It Resolved by the City of Milford:

By a majority vote of City Council, the Downtown Development District boundary is hereby extended 15 +/- acres as depicted on the attached 2023 DDD Expansion Existing Zoning Map 2.

Motion carried.

Bid Award/2024 Streetscapes Project/Construction Phase

The following memo was submitted for Council review and determination:

In October 2022, the City hired KCI Technologies to prepare a concept plan for streetscape improvements of various sections of downtown Milford. The areas included Southwest Front Street from South Walnut Street to North Church Street, Park Avenue from North Walnut Street to Denney Row, Denney Row from Park Avenue to NE Front Street, and North Washington Street from the Mispillion River to Northeast Front Street. The planning scope also included City-owned parking lots on SW Front Street and Park Avenue. The proposed streetscapes and parking lot improvements are listed projects in Milford's Rivertown Rebirth Master Plan (Downtown Master Plan) and the City's five-year Capital Improvement Plan (CIP).

Toward the end of the 2022 calendar year, KCI reviewed previous City planning documents, performed a field visit to downtown Milford and met with various City staff. Based on these activities, KCI prepared a set of preliminary design ideas which were reviewed internally with City staff before preparing preliminary concept plans. The preliminary concept plans included a range of improvements (low impact to high impact).

The preliminary concept plans were shared with residents and business owners during a public input meeting held on March 8, 2023. Stakeholders had an opportunity to review the different levels of improvements and provide feedback on the

proposed changes. A presentation of the preliminary concept plans and feedback obtained from the public was made to City Council on April 19, 2023.

The final draft of the concept plans was reviewed and accepted by City Council on June 26, 2023 with the condition that SW Front Street be designed to allow for two-way traffic.

Two proposals for the design of the streetscape projects are enclosed. The proposals are broken down into SW Front Street and N. Washington Street/Denney Row/Park Avenue to correlate with projected construction schedules in the CIP.

The two proposals address the design and construction administration of five (5) capital projects that are listed in the FY24-FY28 CIP and include the following:

Reference	Project	FY23 Balance	FY24 Capital	FY25 Plan
Line 136	N. Washington Street Streetscape	\$200,000	\$45,000	\$200,000
Line 137	Park Avenue/ Denny Row Streetscape	345,000		500,000
Line 141	SW Front Street Streetscape	45,000		600,000
Line 170	Park Avenue Lot Enhancements	120,000		
Line 171	SW Front Street Lot Enhancements			300,000
Annual Subtotal		\$710,000	\$45,000	\$1,600,000
All Projects				\$2,355,000

The proposals would be funded with \$755,000 available through FY23 and FY24 CIP approvals. The funds were projected to cover both design and staggered construction costs. The available funds will cover the design of all five projects, and the remainder will roll forward to combine with the additional funding in the FY25 Plan year to support the construction of the projects in future fiscal years.

Councilmember Boyle moved to authorize Mayor Campbell execute the proposal from KCI Technologies at an amount not to exceed \$190,000 for the design and construction administration of the North Washington Street, Denney Row and Park Avenue Streetscape projects, seconded by Councilmember Culotta. Motion carried.

Councilmember Boyle moved to authorize the Mayor to execute the proposal from KCI Technologies at an amount not to exceed \$145,000 for the design and construction administration of the SW Front Street Streetscape project, seconded by Councilmember Culotta. Motion carried.

City Manager Whitfield introduced the following three ordinances:

Introduction/Ordinance 2023-30 Chapter 211 Trees/Preservation & Advisory Council Absences

Introduction/Ordinance 2023-31 Chapter 141 Handbills (Rescind)

Introduction/Ordinance 2023-32 Chapter 208 Teen Center (Rescind)

All three ordinances are scheduled for public comments and final action at the August 28, 2023 Council Meeting.

Planning Director Pierce read the following memo into record:

City Council previously 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 DeIDOT 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.

On January 23, 2023, City Council authorized the appropriation of \$32,000 from General Fund Reserves to cover the costs associated with anticipated third-party expenses related to environmental services, geotechnical services and other anticipated reimbursable expenses associated with the design of the Milford Corporate Center.

Engineering Services Contract – KCI Technologies, Inc. – Sanitary Sewer Pump Station Design

The engineering contract with Becker Morgan Group excluded costs associated with the design of the sanitary sewer pumping station that will serve the Milford Corporate Center and surrounding area. Enclosed is a proposal from KCI Technologies for the design of the sanitary sewer pumping station.

The recommendation is to utilize KCI for the design of the pump station since the engineering firm is familiar with the City's construction standards and pump station specifications.

Councilmember Boyle moved to authorize the Mayor to execute the proposal from KCI Technologies at an amount not to exceed \$56,000 for the design of the regional sanitary sewer pumping station associated with the Milford Corporate Center utilizing funding approved in the FY24 capital budget¹. All costs incurred to improve the MCC property, net of all offsets, shall be recovered through lot sales and returned on a pro rata basis to the internal funding sources leveraged to support such costs, seconded by Councilmember Fulton. Motion carried.

Authorization/License Renewals/KTL/Microsoft 365 E5 GCC

Finance Director Vitola presented the following request on behalf of IT Director Pettigrew:

The City will be updating licenses from O365 E5-GCC to M365 G5-GCC. The preferred vendor to acquire these licenses is SHI, Inc., a Software Value-Added Reseller (VAR) approved through the National Association of State Procurement Officials (NASPO). The State of Delaware and its Department of Technology and Information (DTI) utilize Software VAR contracts through NASPO.

This upgrade and vendor will save the City money on a per-license basis versus the initial agreement covering the City's first step into the Microsoft O365 environment two years ago. Further, the M365 version will provide enhancements, including additional cybersecurity features both in the cloud and on-premises. Funding is allocated in the FY24 budget for this project. As the city expands staff, we may need to add additional licenses, which is also contemplated in the FY24 budget. The proposal and a comparison of license options are enclosed.

It was confirmed that additional licenses, up to five, can be purchased at the same price during this fiscal year.

Councilmember Fulton approve the renewal, upgrade, and new Microsoft vendor, SHI, Incorporated, as approved through the National Association of State Procurement Officials, for the City's budgeted M365 License renewal for the quoted price of \$72,480, seconded by Councilmember James. Motion carried.

EXECUTIVE SESSION

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

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

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 7:56 pm for the purposes permitted by the Delaware Freedom of Information Act.

At 8:10 p.m., Councilmember Fulton moved to return to Open Session, seconded by Councilmember Wilson. Motion carried.

Legal-

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

No action required.

Property Sale/Lease-

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

Councilmember Fulton moved to continue pursuing real estate items as discussed, seconded by Councilmember James. Motion carried.

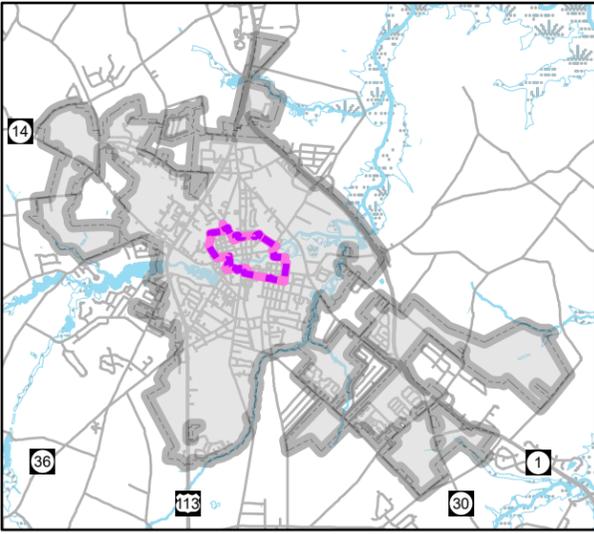
ADJOURNMENT

Councilmember Marabello moved to adjourn the meeting, seconded by Councilmember Fulton. Motion carried. The Council Meeting adjourned at 8:11 p.m.

Respectfully submitted,

Terri K. Hudson, MM
City Clerk/Recorder

Attachment: DDD Map 2 (Final)



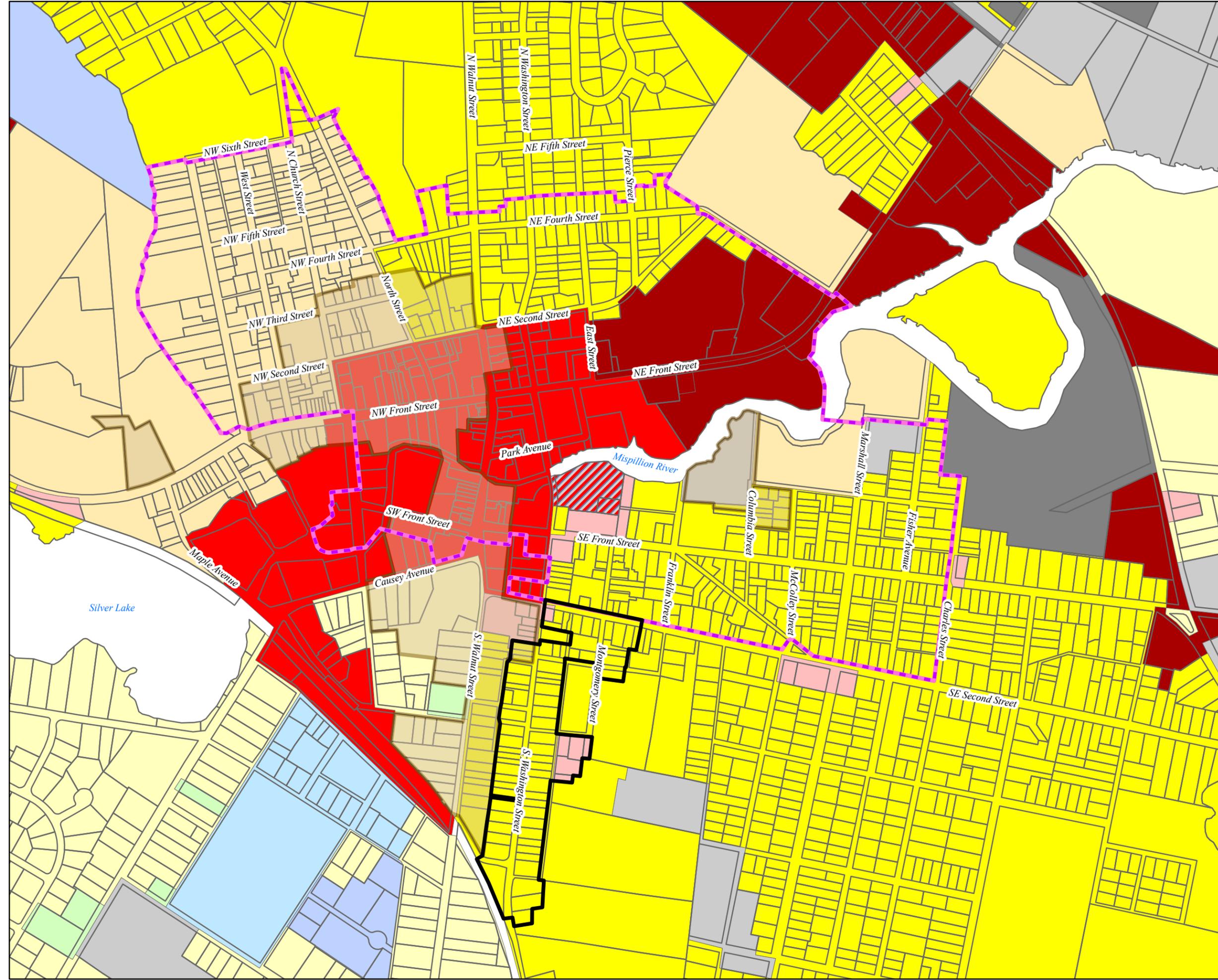
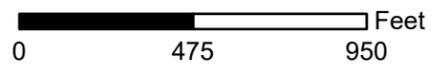
**City of Milford
Downtown Development District**

2023 District Expansion

Existing Zoning Map

Exhibit 2

-  Proposed Expansion Area
-  Current DDD Boundary
-  Historic District
-  Tax Parcels
- Zoning Classification**
-  BP
-  C-1
-  C-2
-  C-2A
-  C-3
-  H-1
-  I-1
-  I-2
-  IM
-  IS
-  OB-1
-  OC-1
-  R-1
-  R-2
-  R-3
-  R-8



CITY OF MILFORD
COUNCIL WORKSHOP MINUTES
August 23, 2023

The City Council of the City of Milford convened in a Workshop Session on Wednesday, August 23, 2023, beginning at 6:08 p.m.

PRESIDING: Mayor Archie Campbell

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

STAFF: City Manager Mark Whitfield, Police Chief Cecilia Ashe, and City Clerk Terri Hudson

COUNSEL: Solicitor David Rutt, Esquire

ABSENT: Councilmember Nirmala Samaroo

PUBLIC COMMENT PERIOD PRIOR TO MEETING

Two people signed up to speak during the Public Comment Session.

Martha Gerry of 13 Mill Street, Milford, expressed her appreciation to Council for their continuing efforts in providing low-income housing to those otherwise unable to afford housing in Milford. She applauded their efforts in the work being done with Springboard Collaborative for a Pallet Village.

Lucius Webb of 20516 Sapp Road stated it is important to take care of our own first and is leery of the mass migration coming into this area from other countries. He encouraged Council to carefully consider the location and its impact on property values and the overall safety of our residents, both of which are key priorities in the City's Strategic Plan. HE agrees it should be planned in an area where transportation and services are available. He concluded by asking Council to consider the size of the village to prevent people from flooding here and changing the dynamics of this community.

There being no further additional people wishing to speak, the Public Comment Session was closed.

The Council Workshop then convened.

Springboard Collaborative/Pallet Village

Executive Director Judson Malone of Springboard Collaborative, 216 South Race Street, Georgetown, addressed Council about the project in Georgetown.

Mr. Malone explained how the cabins are shipped to the job site, noting there are forty cabins in a village setting. He emphasized that most importantly, they provide someone with a dignified place to stay had been living in tent cities and encampments. It is located on the property of First State Community Action Agency who is a primary partner and the landlord.

The cabins have heat, electricity, air conditioning, and a lockable door. They are in a village setting with a communal shower of three showers for a population of 40 people.

There is a temporary community kitchen and dining area but are preparing to start construction on a permanent facility.

Mr. Malone also talked about a recent event entitled 'Paint the Town' where 126 volunteers painted these cabinets various coastal colors over a two-day period.

He described the three-prong approach. First is attainable housing. These can be constructed in under a year compared to a low-income multi-year housing development that takes years to complete.

Second is comprehensive coordinated care. The springboard staff focuses on navigation and every homeless person that arrives is asked their plan and whether they want help with an addiction or want to get a job. They then choose from a set of goals and are then connected with the appropriate partners and programs.

They are provided with three meals a day. A community garden is also on site.

The community is self-organized, and residents are responsible for cleaning the shower, the bathroom and garbage responsibilities. Mr. Malone said they are very responsible and proud and protective of the village.

Trying to figure out how to take care of pets, there was consideration of a dog run, though there are no dogs. Several residents have cats because they can be very comforting. They work with the Brandywine SPCA who provides veterinary care.

Delaware Substance Abuse and Mental Health (SAM) as well as Assertive Community Teams (ACT) work with those who need intensive support while the Georgetown Police Department imbedded clinicians also provide services in the village.

Mr. Malone then provided data that has been collected over the six-month period.

Of the 33 people who have exited from the Pallet Village in the first sixmonths:

- 11 (33%) have found permanent housing.
- 4 (13%) have entered substance abuse treatment.
-

Of all 73 people who have stayed in the Pallet Village in the first sixmonths:

- 58 (79%) have not returned to unsheltered homelessness.
- 36 (52%) received Substance Use or Mental Health Services.
- 30 (41%) have found or maintained jobs.
- 22 (30%) opened Del-One bank accounts.
- 17 (23%) have been connected to new medical providers.
- 6 (8%) attended GED classes or training programs.
- 5 (7%) were entrusted to the care of their Assertive Community.

Mr. Malone provided additional details and emphasized the importance of knowing the community for the program to work.

The City Manager confirmed that Mr. Malone only needs some raw land to start the project. Mr. Malone confirmed that once that happens, they take over the development and operations. The newer product lines provides more flexibility, and with the fire safety upgrade, the homes can be closer, like a rowhouse concept.

Utilities would be required as laundry and showers are essential. They would be installed closest to the water and sewer connection. Electricity is needed for the cabins and approximately a dozen parking spots must be added, for use mainly by care providers.

While Mayor Campbell thought a medical unit was on site, Mr. Malone clarified that medical personnel make periodic visits, in addition to public health.

Chief Ashe questioned the location and why it did not work at the planned church location; Mr. Malone explained that there was some funding issues in addition to the requirement for a conditional use permit due to its location outside the town limits of Georgetown. Logistically and financially it simply did not work.

Mr. Malone said he will continue to work with the city and looks forward to moving ahead with the project once the City is ready to proceed.

Sonia Marichic-Goudy of Century Engineering of 56 West Main Street, Newark, Delaware introduced herself stating their firm was hired to manage this project and that her team has been working on it for the past several months.

She provided a synopsis of the study though the entire presentation is attached.

The project involves South Walnut Street between McCoy Street and South Maple Avenue. Goals are:

- Improve bicycle and pedestrian connectivity along South Walnut Street
 - New shared use path
 - Complete gaps in existing sidewalks
- Provide traffic calming measures and reduce traffic speeds
- Improve pedestrian crossing at Seabury Ave and West Clarke Avenue
- Improve South Walnut Street intersection with railroad

Crash data and speeds were evaluated during the study. Eighteen accidents occurred in the area over the past three years.

Community workshops were held with two speed calming options presented to the 26 attendees. Both options added a shared use path on the southbound side of South Walnut Street. The shared use paths are consistent with the City's Comprehensive Plan objectives.

The first option removed all existing street parking and the second had a reduced parking design. Attendees preferred that parking remain, so the second option was more favorable.

Overall feedback from residents included the addition of three stop signs at McCoy, Seabury, and Kings Highway. A stop sign warrant analysis was completed and none of the intersections met the crash analysis for a stop sign. In addition, the traffic volumes did not warrant stop signs at any of three intersections.

As a result, stop signs are not recommended at McCoy, Seabury, or Kings Highway. Century Engineering does recommend traffic calming measures such as narrowing lanes, introducing roadway curves (as presented), and additional speed enforcement by police.

Of the 27 attendees at the second community workshop, overall attendees favored option two. Additional details were provided.

Ms. Goudy confirmed the narrowed roadways will not inhibit large truck and/or school bus turns.

Council concerns were expressed about the removal of any parking on the street and the sidewalk reinstallation considering the mandated sidewalk repairs paid for by property owners at the City's direction.

It was agreed by Council that additional crosswalks and new stop signs should continue to be considered, particularly with the reopening of the Milford Middle School.

City Engineer James Puddicombe confirmed that a portion of the costs of this project were submitted for grant funding estimated at the time to be \$3.8 million which requires an 80/20 match. Because it is a state-maintained roadway, DeIDOT funding may also be available.

The Workshop Session concluded at 7:41pm.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk

Attachment: South Walnut Street Traffic Calming Project

South Walnut Street Traffic Calming and Bike/Pedestrian Improvement Project



South Walnut Street Traffic Calming and Bike/Pedestrian Improvement Project

Study Area

S. Walnut Street between McCoy Street and S. Maple Avenue



South Walnut Street Traffic Calming and Bike/Pedestrian Improvement Project

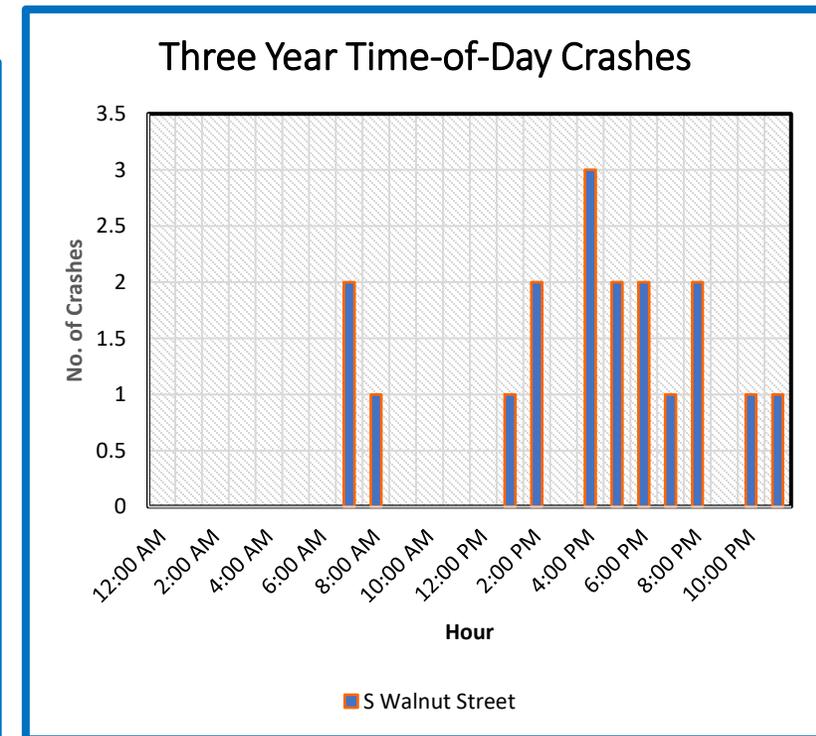
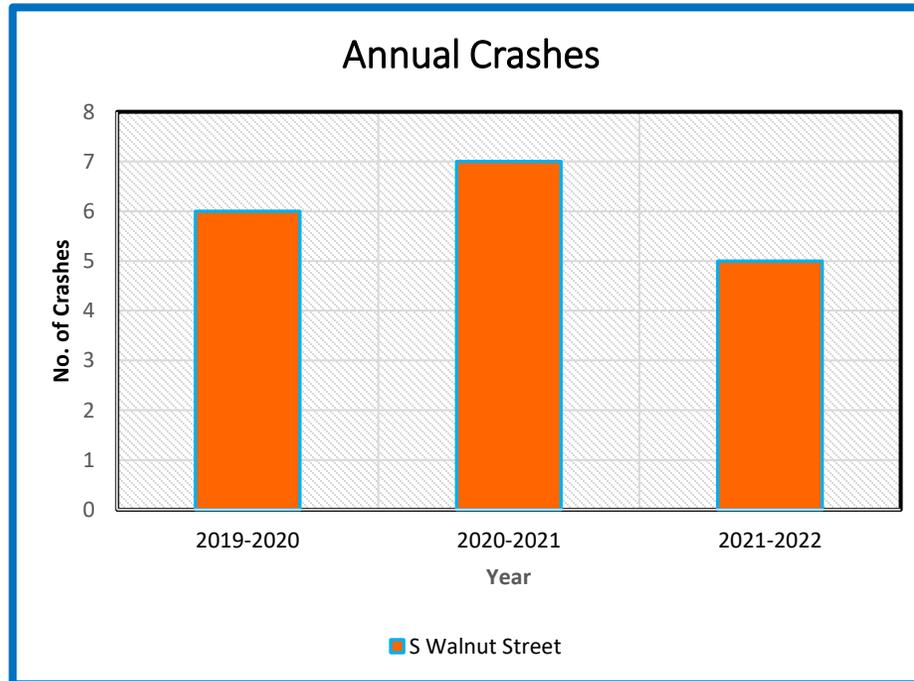
Project Goals

- Improve bicycle and pedestrian connectivity along S. Walnut St
 - New shared use path
 - Complete gaps in existing sidewalks
- Provide traffic calming measures and reduce traffic speeds
- Improve pedestrian crossing at Seabury Ave and W. Clarke Ave
- Improve S. Walnut St intersection with railroad

South Walnut Street Traffic Calming and Bike/Pedestrian Improvement Project

Existing Crash Data

- Crash data analyzed from September 27, 2019, to September 27, 2021
- 18 crashes occurred
- No fatal crashes



S. Walnut Street Traffic Calming & Bike/Pedestrian Improvement Project

Traffic Calming Study

- Current posted speed: 25 mph
- Analyzed speed data from September 11, 2022 through September 19, 2022
 - Average speed: 27 mph
 - 85th percentile speed: 31 mph
- 62.6% of all recorded vehicles were traveling at speeds greater than the posted speed limit
- Half of all crashes occurred at two main intersections:
 - S. Walnut Street and McCoy Street
 - S. Walnut Street and Seabury Avenue/Clarke Avenue

South Walnut Street Traffic Calming and Bike/Pedestrian Improvement Project

Existing Crash Data



South Walnut Street Traffic Calming and Bike/Pedestrian Improvement Project

First Community Workshop

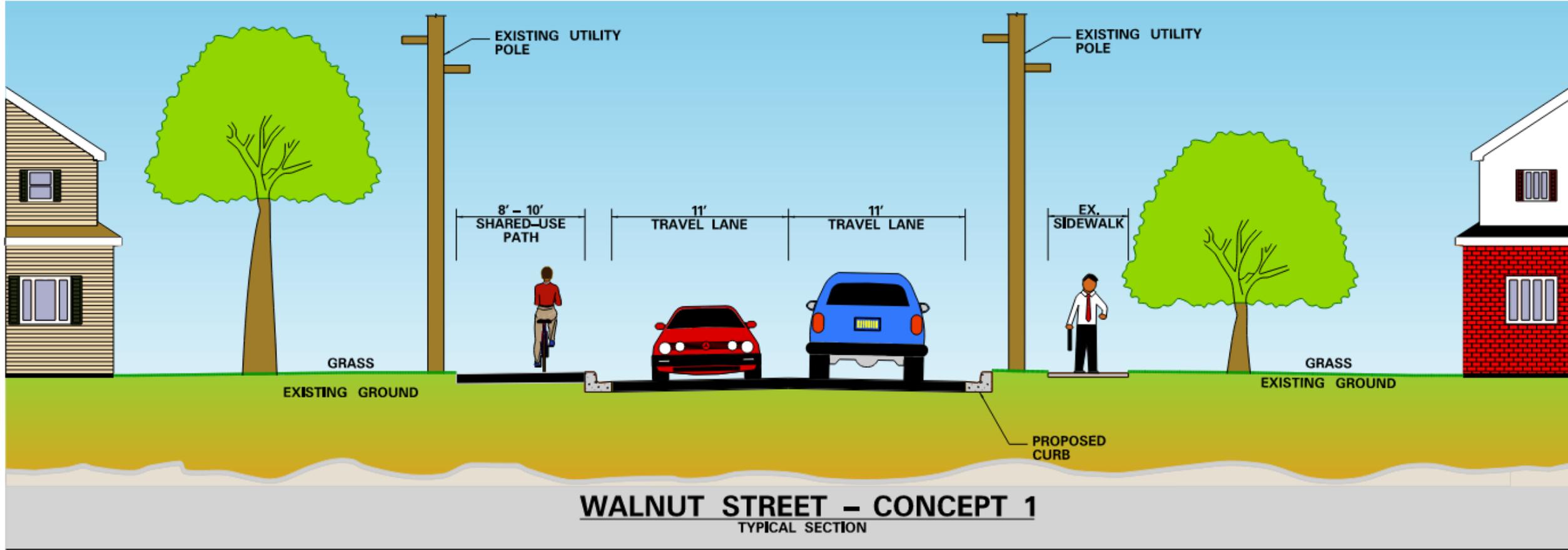
December 15, 2022

- Milford City Hall
- Advertised through City of Milford and Dover/Kent MPO
- 26 attendees
- Two concept plans that will alleviate speeding were presented
- Feedback was gathered through conversation, questionnaires, and comment forms
- Boards presented were posted on the City of Milford's website
- Overwhelming request from community was stop signs



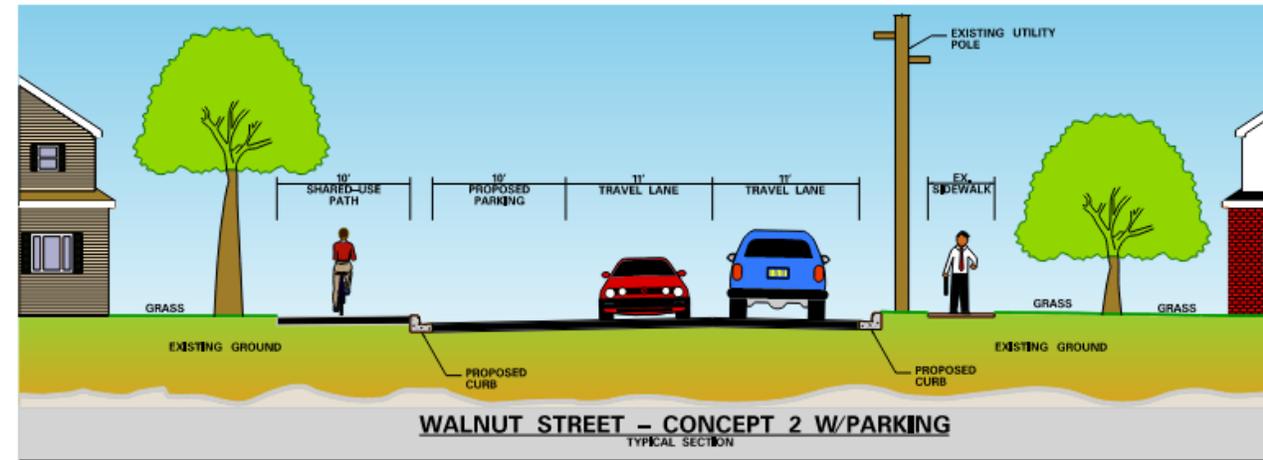
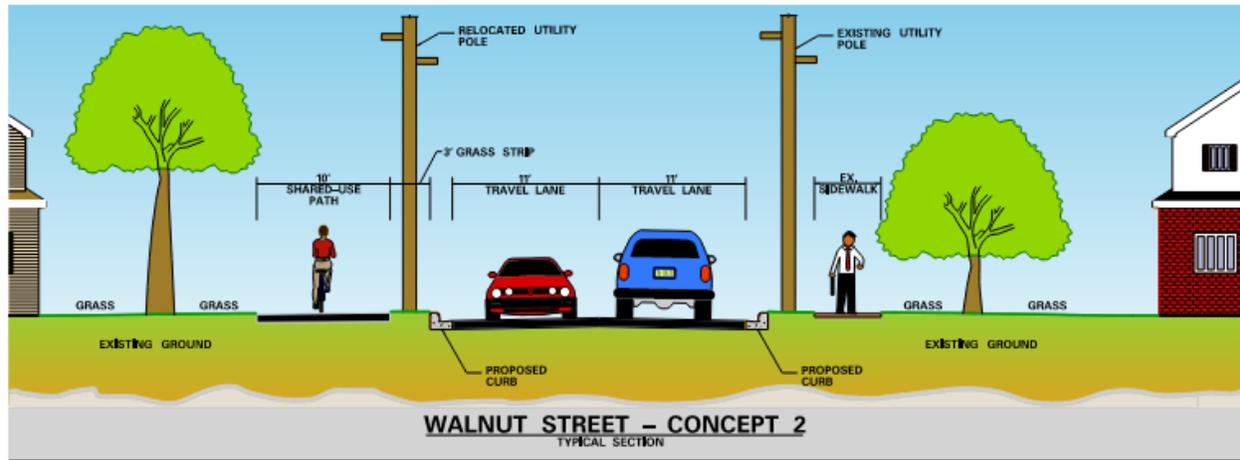
South Walnut Street Traffic Calming and Bike/Pedestrian Improvement Project

First Community Workshop



South Walnut Street Traffic Calming and Bike/Pedestrian Improvement Project

First Community Workshop



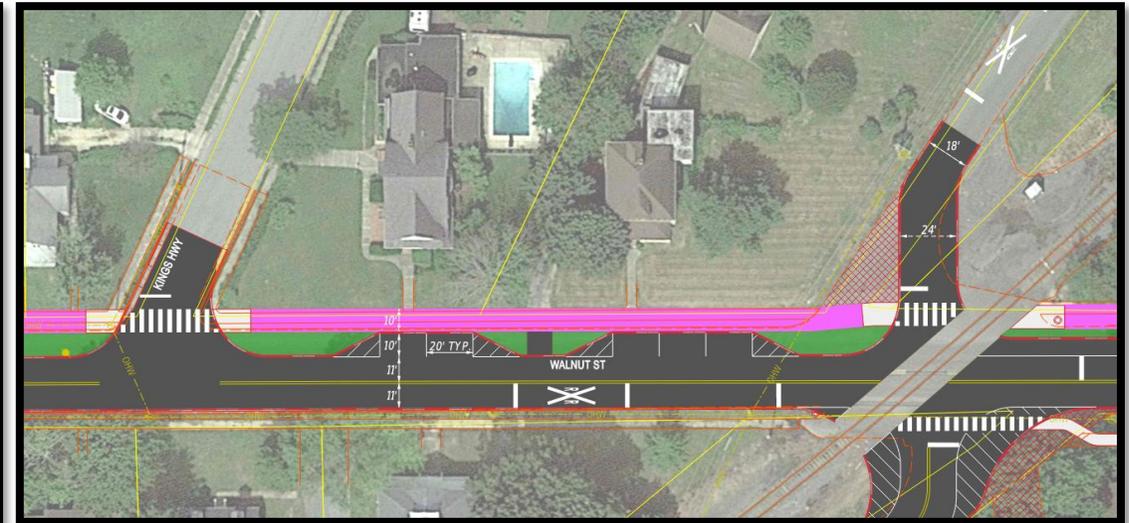
South Walnut Street Traffic Calming and Bike/Pedestrian Improvement Project

First Community Workshop

Option 1



Option 2



S. Walnut Street Traffic Calming & Bike/Pedestrian Improvement Project

Comparison of Option 1 and Option 2

Bicycle Infrastructure Improvements	Adds a shared use path on southbound side of S. Walnut Street	Adds a shared use path on southbound side of S. Walnut Street
Pedestrian Infrastructure Improvements	In addition to a shared use path on southbound side of S. Walnut Street; this project completes missing sidewalk gaps on the northbound side of S. Walnut Street	In addition to a shared use path on southbound side of S. Walnut Street; this project completes missing sidewalk gaps on the northbound side of S. Walnut Street
Right of Way Impacts	Minimal to none	May require temporary construction easements and permanent easements
Parking Impacts	Removes all existing parking along S. Walnut Street	Reduces overall number of parking spaces along S. Walnut Street
Utility Impacts	No	Yes
Added Green Space	Areas where existing sidewalk is replaced with the shared use path will have some additional green space	A 3' grass buffer has been added through the project limits
Grass Buffer	No	Yes
Traffic Calming Measures	Yes: Realigned / Reconfigured Intersections, Lateral Shift of S. Walnut Street, Lane Width Reduction, and Striping / Lane Markings	Yes: Realigned / Reconfigured Intersections, Lateral Shift of S. Walnut Street, Lane Width Reduction, and Striping / Lane Markings

South Walnut Street Traffic Calming and Bike/Pedestrian Improvement Project

Stop Sign Warrant Analysis

✓ Engineering analysis performed for a multiway Stop Sign installation

✓ Considered the following criteria

1. Crash Analysis

a) Were there 5 or more crashes in a 12-month period that are susceptible to correction by a multiway stop installation (right and left turn collisions as well as right angle collisions)?

2. Volume Analysis:

a) Major Street approach: at least 300 vehicles per hour, total for both approaches, for any 8 hours of an average day

b) Minor Street approach: Combined vehicular, pedestrian, and bicycle volumes, total for both approaches, averages at least 200 units per hour for the same 8 hours with an average delay to minor-street vehicular traffic of at least 30 seconds per vehicle during the highest hour

3. Other Criteria

a) Is there a need to control left-turn conflicts?

b) Is this intersection near an area that generates high pedestrian volumes (i.e., church, school, etc.)?

c) Is this intersection a location where a road user, after stopping, cannot see conflicting traffic and is not able to reasonably safely negotiate the intersection unless conflicting cross traffic is also required to stop?

d) Is this intersection of two residential neighborhood collector (through) streets of similar design and operating characteristics where multiway stop control would improve traffic operational characteristics of the intersection?

South Walnut Street Traffic Calming and Bike/Pedestrian Improvement Project

Stop Sign Warrant Analysis- Crash Analysis

- Minimum number of 5 crashes in a 12-month period that are susceptible to correction by a multiway stop installation
 - Right and left turn collisions
 - Right angle collisions

S. Walnut Street and McCoy Road	S. Walnut Street and W. Clarke Avenue	S. Walnut Street and Kings Highway
0	1	1
Stop Sign Not Warranted	Stop Sign Not Warranted	Stop Sign Not Warranted

South Walnut Street Traffic Calming and Bike/Pedestrian Improvement Project

Stop Sign Warrant Analysis- Volume Analysis

- Major and minor road approaches

Major Street: S Walnut Street
 Minor Street: McCoy Street

Orientation:
 Orientation:

ENTER TRAFFIC VOLUMES IN THE TABLE BELOW

Time	S Walnut Street			McCoy Street				
	North	South	Total	East	West	Pedestrians	Bicycles	Total
6 - 7 AM	82	181	263	0	109	0	0	109
7 - 8 AM	82	181	263	0	109	0	0	109
8 - 9 AM	41	112	153	0	80	0	0	80
9 - 10 AM	50	143	193	0	104	0	0	104
10 - 11 AM	50	143	193	0	104	0	0	104
11 AM - 12 PM	59	174	233	0	128	0	0	128
12 - 1 PM	64	162	226	0	114	0	0	114
1 - 2 PM	56	185	241	0	98	0	0	98
2 - 3 PM	66	216	282	0	116	0	0	116
3 - 4 PM	76	246	322	0	133	0	0	133
4 - 5 PM	66	250	316	0	165	0	0	165
5 - 6 PM	14	187	201	0	133	0	0	133

Condition C.1 and C.2
 A minimum of vehicles per hour required on the major street and
 A minimum of units per hour required on the minor street
 A total of hours meet conditions C.1 and C.2

NOT WARRANTED

Major Street: S Walnut Street
 Minor Street: Clarke Avenue

Orientation:
 Orientation:

ENTER TRAFFIC VOLUMES IN THE TABLE BELOW

Time	S Walnut Street			Clarke Avenue				
	North	South	Total	East	West	Pedestrians	Bicycles	Total
6 - 7 AM	173	120	293	35	25	0	0	60
7 - 8 AM	173	120	293	35	25	0	0	60
8 - 9 AM	157	135	292	28	14	0	0	42
9 - 10 AM	146	142	288	28	17	0	0	45
10 - 11 AM	146	142	288	28	17	0	0	45
11 AM - 12 PM	134	149	283	28	20	0	0	48
12 - 1 PM	135	161	296	50	15	0	0	65
1 - 2 PM	141	164	305	40	32	0	0	72
2 - 3 PM	156	188	343	42	37	0	0	78
3 - 4 PM	170	211	381	43	41	0	0	84
4 - 5 PM	171	203	374	35	42	0	0	77
5 - 6 PM	171	203	374	35	42	0	0	77

Condition C.1 and C.2
 A minimum of vehicles per hour required on the major street and
 A minimum of units per hour required on the minor street
 A total of hours meet conditions C.1 and C.2

NOT WARRANTED

South Walnut Street Traffic Calming and Bike/Pedestrian Improvement Project

Stop Sign Warrant Analysis- Volume Analysis

- Major and minor road approaches

Major Street: S Walnut Street Orientation:
 Minor Street: Kings Highway Orientation:

ENTER TRAFFIC VOLUMES IN THE TABLE BELOW

Time	S Walnut Street			Kings Highway				
	North	South	Total	East	West	Pedestrians	Bicycles	Total
6 - 7 AM	136	180	316	63	0	0	0	63
7 - 8 AM	136	180	316	63	0	0	0	63
8 - 9 AM	135	155	290	46	0	0	0	46
9 - 10 AM	130	138	268	50	0	0	0	50
10 - 11 AM	130	138	268	50	0	0	0	50
11 AM - 12 PM	124	121	245	54	0	0	0	54
12 - 1 PM	144	141	285	43	0	0	0	43
1 - 2 PM	131	127	258	59	0	0	0	59
2 - 3 PM	156	144	300	64	0	0	0	64
3 - 4 PM	180	161	341	69	0	0	0	69
4 - 5 PM	181	168	349	68	0	0	0	68
5 - 6 PM	173	176	349	61	0	0	0	61

Condition C.1 and C.2

A minimum of	300	vehicles per hour required on the major street and
A minimum of	200	units per hour required on the minor street
A total of	0	hours meet conditions C.1 and C.2

NOT WARRANTED

South Walnut Street Traffic Calming and Bike/Pedestrian Improvement Project

Stop Sign Warrant Analysis- Other Criteria

Other criteria that may be considered in a stop sign warrant analysis include:

- The need to control left-turn conflicts
- The need to control vehicle/pedestrian conflicts near locations that generate high pedestrian volumes
- Locations where a road user, after stopping, cannot see conflicting traffic and is not able to reasonably/safely negotiate the intersection unless conflicting cross traffic is also required to stop
- An intersection of two residential neighborhood collector (through) streets of similar design and operating characteristics where multiway stop control would improve traffic operational characteristics of the intersection

S. Walnut Street and McCoy Road - NOT WARRANTED

S. Walnut Street and W. Clarke Avenue – NOT WARRANTED

S. Walnut Street and Kings Highway – NOT WARRANTED

South Walnut Street Traffic Calming and Bike/Pedestrian Improvement Project

Stop Sign Warrant Analysis

- What happens if a Stop Sign is installed when not warranted?
 - Results in poor compliance by motorists
 - More aggressive/abrupt motorists behaviors to recover “lost time”
 - Queues backing up at the Kings Highway approach of N. Walnut St. could extend back to railroad tracks
- What can be implemented to slow traffic if a Stop Sign is not installed?
 - Traffic calming measures
 - Narrowing lanes and introducing roadway curves
 - Speed enforcement by police officers

South Walnut Street Traffic Calming and Bike/Pedestrian Improvement Project

Second Community Workshop

April 4, 2023

- Milford City Hall
- Advertised through City of Milford and Dover/Kent MPO
- 27 attendees
- Overall attendees were positive toward option 2 with revisions based on comments from the first workshop
- Main concern is over the narrowing of the road
- Presented stop sign warrant analysis

Preferred Alternative: Option 2
\$4 Million fee including:

- Construction
- Contingency
- Utility relocations
- Construction engineering
- Right of way
- Preliminary engineering

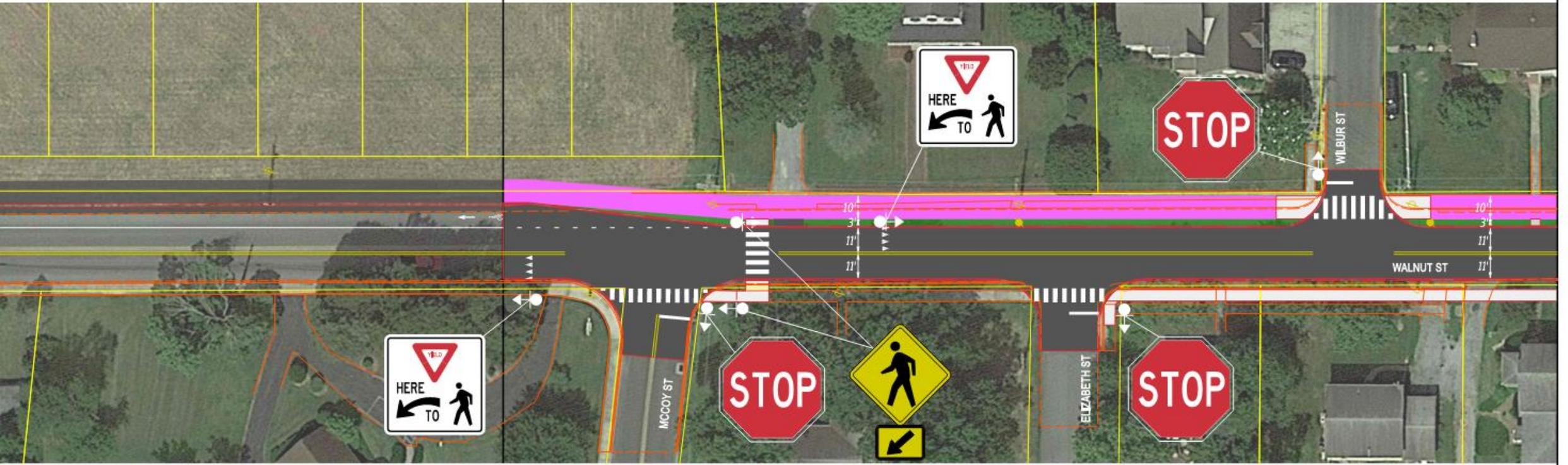
South Walnut Street Traffic Calming and Bike/Pedestrian Improvement Project

Option 2

← SIMPSONS CROSSING CONCEPT 2 →

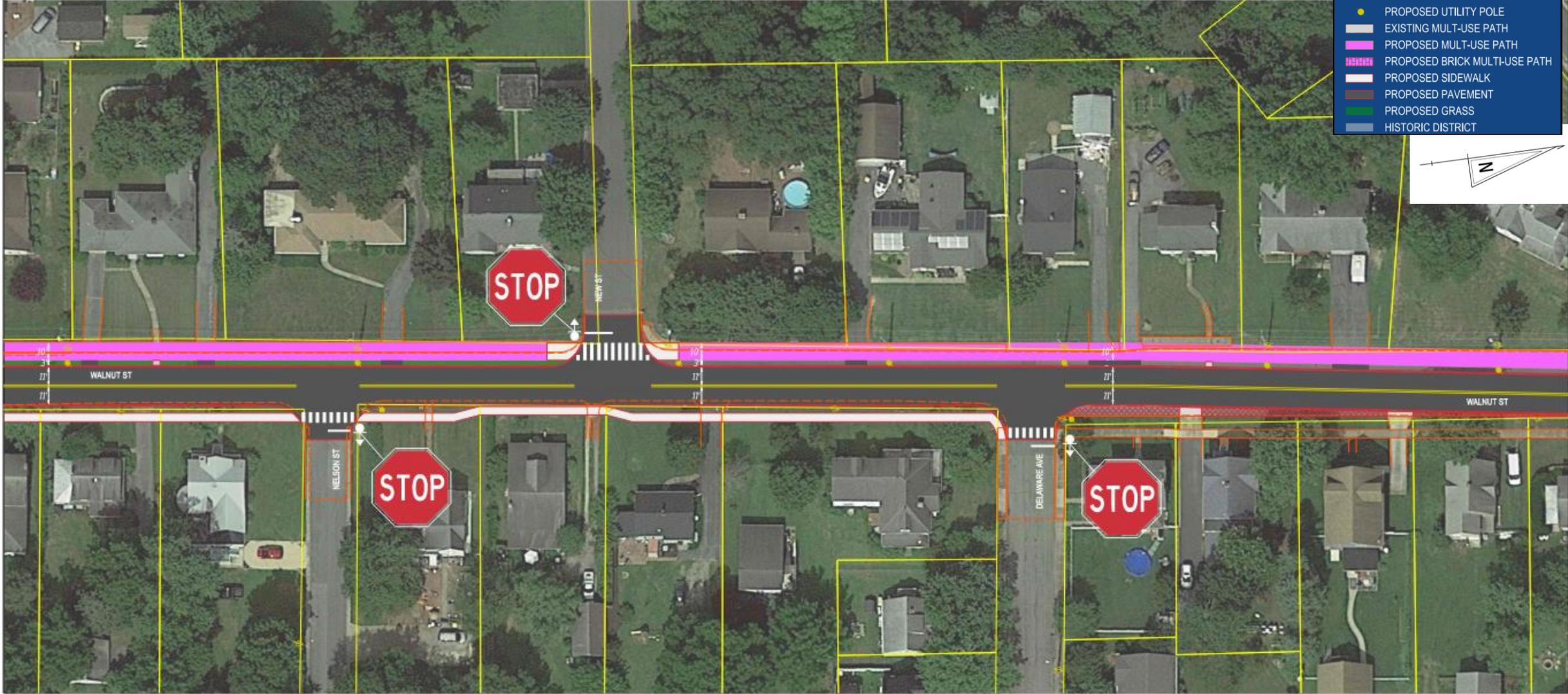
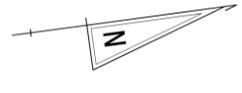


LEGEND	
	PROPERTY LINES
	EXISTING UTILITY POLE
	PROPOSED UTILITY POLE
	EXISTING MULTI-USE PATH
	PROPOSED MULTI-USE PATH
	PROPOSED BRICK MULTI-USE PATH
	PROPOSED SIDEWALK
	PROPOSED PAVEMENT
	PROPOSED GRASS
	HISTORIC DISTRICT



South Walnut Street Traffic Calming and Bike/Pedestrian Improvement Project

LEGEND	
	PROPERTY LINES
	EXISTING UTILITY POLE
	PROPOSED UTILITY POLE
	EXISTING MULTI-USE PATH
	PROPOSED MULTI-USE PATH
	PROPOSED BRICK MULTI-USE PATH
	PROPOSED SIDEWALK
	PROPOSED PAVEMENT
	PROPOSED GRASS
	HISTORIC DISTRICT



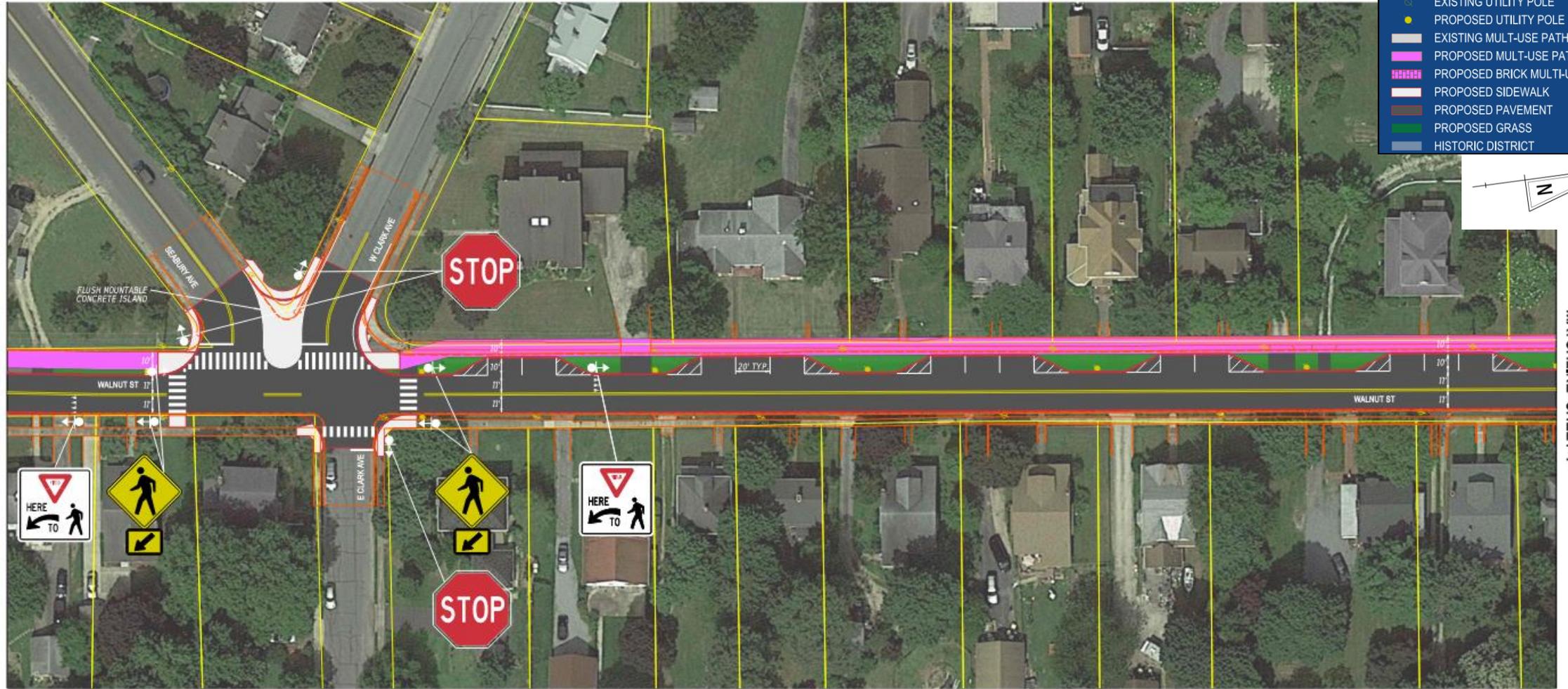
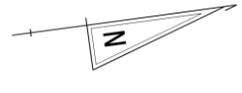
MATCHLINE SHEET 1

MATCHLINE SHEET 3

South Walnut Street Traffic Calming and Bike/Pedestrian Improvement Project

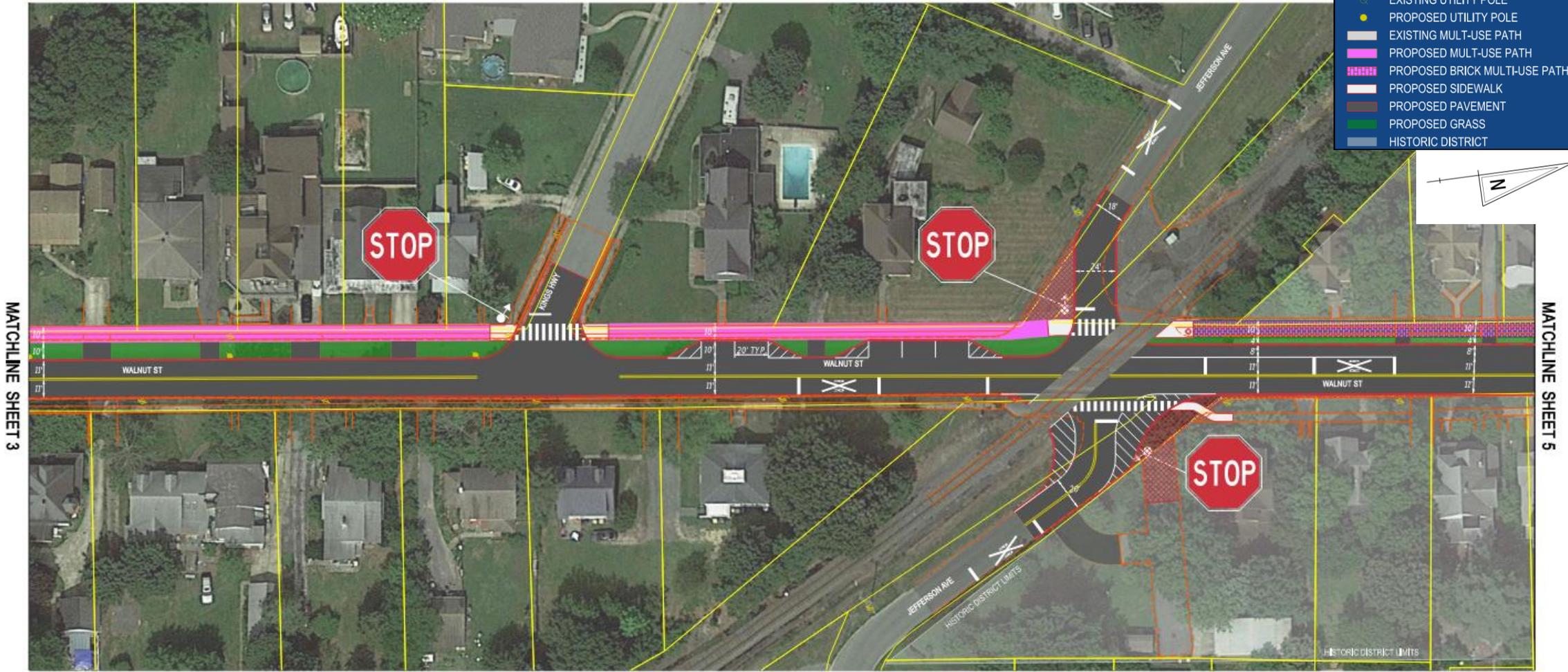
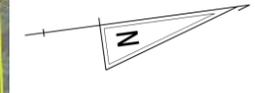
LEGEND

- PROPERTY LINES
- ⊗ EXISTING UTILITY POLE
- PROPOSED UTILITY POLE
- EXISTING MULT-USE PATH
- PROPOSED MULT-USE PATH
- PROPOSED BRICK MULT-USE PATH
- PROPOSED SIDEWALK
- PROPOSED PAVEMENT
- PROPOSED GRASS
- HISTORIC DISTRICT



South Walnut Street Traffic Calming and Bike/Pedestrian Improvement Project

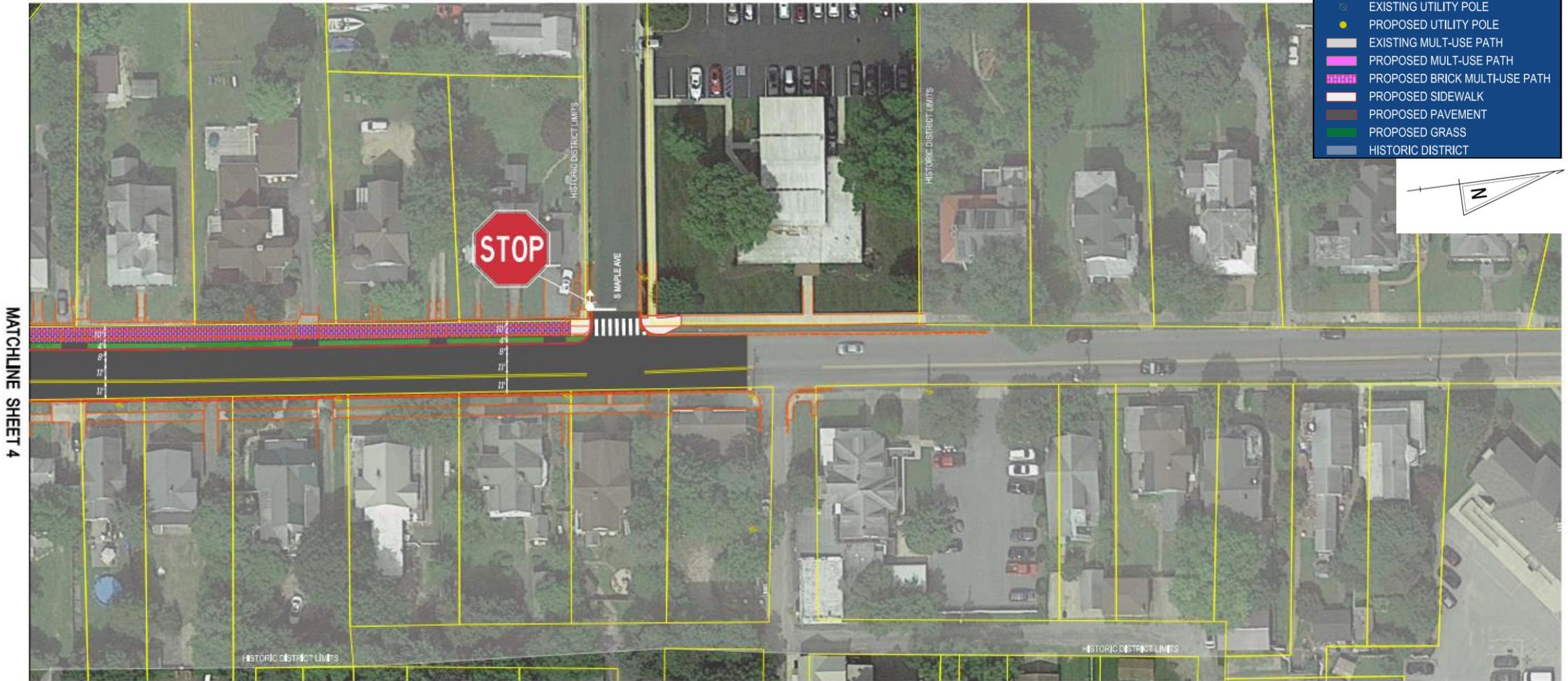
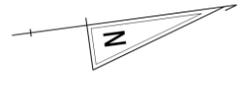
LEGEND	
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	HISTORIC DISTRICT



South Walnut Street Traffic Calming and Bike/Pedestrian Improvement Project

LEGEND

- PROPERTY LINES
- ⊗ EXISTING UTILITY POLE
- PROPOSED UTILITY POLE
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- PROPOSED GRASS
- HISTORIC DISTRICT



South Walnut Street Traffic Calming and Bike/Pedestrian Improvement Project

THANK YOU!

Sonia Marichic-Goudy
Century Engineering
smarichicgoudy@kleinfelder.com

CITY OF MILFORD
COUNCIL MEETING MINUTES
August 28, 2023

The City Council of the City of Milford met in Regular Session on Monday, August 28, 2023.

PRESIDING: Mayor Arthur Campbell

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

STAFF: City Manager Mark Whitfield, Police Chief Cecilia Ashes, and City Clerk Terri Hudson

COUNSEL: Solicitor David Rutt, Esquire

ABSENT: Councilmember Katrina Wilson

CALL TO ORDER

Mayor Campbell called the meeting to order at 6:04 p.m.

PUBLIC COMMENT PERIOD

Though the Public Comment period was scheduled prior to the start of the official meeting, it was opened by Mayor Campbell after the meeting was called to order.

Carolyn Price of 611 Seabury Avenue talked about the City's bike plan and speeders in Milford. She suggested lines being placed on the streets to slow down traffic as well as more crosswalks.

She also asked that more advertising be done about the requirement to stop at crosswalks.

Another problem is the out-of-control truck traffic and in particular, semi-trucks that are causing her house to shake when they hit holes in the streets. Ms. Price has ideas about rerouting trucks to the warehouse areas in Milford.

With no one else signed up to speak, Solicitor Rutt directed the Mayor to close the Comment Session.

INVOCATION AND PLEDGE OF ALLEGIANCE

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

RECOGNITION

New City Employee Recognition

Finance Director Lou Vitola announced that Nicole "Nikki" Mumaw was hired in late March to fill the Cash Operations Clerk II position in Customer Service.

He then introduced Kevin Gaboriault who was hired this past week to fill the City's latest position as their second Accountant in the Finance Department. Mr. Gaboriault briefly addressed Council.

ORDINANCES/PUBLIC HEARING-COMMENTS/FINAL ACTION

Ordinance 2023-30

Chapter 211 - TREES

§ 211-3. Preservation and Advisory Council

Council Absences

Following a brief review, Mayor Campbell opened the floor to public comments. With no one responding, the public comment session was closed.

See Council packet for complete ordinance.

Councilmember Fulton moved to adopt Ordinance 2023-30, as presented, seconded by Councilmember Boyle:

ORDINANCE 2023-30
CHAPTER 211 - TREES

Whereas, the City Council of the City of Milford finds the preservation of trees within the City is of paramount importance in maintaining the quality of life within the City and to protect the health, safety, and general welfare of its citizens; and

Whereas, a Preservation and Advisory Council was established to ensure the City realizes the benefits of trees by proposed policies, regulations, and standards; and

Whereas, the City Council recognizes the benefits of the fullest practicable attendance and participation at meetings by those members appointed to serve on certain public bodies.

NOW, THEREFORE, the City of Milford hereby ordains:

Section 1. The City Council of the City of Milford proposes to amend the Code of the City of Milford and specifically Chapter 211 entitled Trees.

Section 2. Amends Subsection §211-3A by correcting name of appointed body.

Section 3. Amends Subsection §211-3B by correcting name of appointed body.

Section 4. Amends Section §211-3 Preservation and Advisory Council by adding a new Subsection §211-3C relating to required attendance by Council Members.

Section 5. Amends Subsection §211-3C by re-lettering to Subsection §211-3D and correcting name of appointed body.

Section 6. Amend Subsection §211-3 D by re-lettering to Subsection §211-3E and correcting name of appointed body.

Section 7. Strikethrough text denotes a deletion; underlined, and bold text denotes an addition.

Section 8. Dates.

City Council Introduction August 14, 2023

City Council Public Comments & Final Determination August 28, 2023

Effective September 7, 2023

Motion carried.

Ordinance 2023-31
Chapter 141 Handbills
(Rescind)

Following a brief review, Mayor Campbell opened the floor to public comments. With no one responding, the public comment session was closed.

See Council packet for complete ordinance.

Councilmember Fulton moved to adopt Ordinance 2023-31, rescinding Chapter 141, seconded by Councilmember Boyle:

ORDINANCE 2023-31
Amendment to City of Milford Code
Chapter 141 - Handbills

AN ORDINANCE AMENDING THE CODE OF THE CODE OF THE CITY OF MILFORD BY RESCINDING IN ITS ENTIRETY CHAPTER 141 Entitled “HANDBILLS”

WHEREAS, the City Council of the City of Milford is continually reviewing, revising, and updating the provisions of the City’s Code of Ordinances; and

WHEREAS, the City Council finds that updates, including removal of outdated ordinances and the elimination of redundant language, are in the best interest in the City; and

WHEREAS, it is recommended that Chapter 141 Handbills of the City of Milford Code be repealed; and

WHEREAS, equivalent language exists in Chapter 230 entitled Zoning Article IV Signs Section 24.10 Prohibitions; and

WHEREAS, as part of their review of the matter, City Council will consider any public comment presented on this ordinance during a regular meeting on August 28, 2023, that convenes at 6:00 pm; and

WHEREAS, if unable to attend meeting either in person or virtually, you may submit written comments via email to thudson@milford-de.gov; and

WHEREAS, the Notice of Ordinance Review and Public Comment Period was published in the Delaware State News on August 10, 2023.

NOW, THEREFORE, the City of Milford hereby ordains:

Section 1. Purpose: The Code of the City of Milford is amended by rescinding Chapter 141 Handbills in its entirety.

Section 2. Chapter 141 is hereby reserved for future use.

Section 3. Dates

Council Introduction: August 14, 2023

Council Public Comments/Determination: August 28, 2023

Effective: September 7, 2023

Motion carried.

*Ordinance 2023-32
Chapter 208 Teen Center
(Rescind)*

Following a brief review, Mayor Campbell opened the floor to public comments. With no one responding, the public comment session was closed.

See Council packet for complete ordinance.

Councilmember Fulton moved to adopt Ordinance 2023-32, rescinding Chapter 208, seconded by Councilmember Baer:

ORDINANCE 2023-32
Amendment to City of Milford Code
Chapter 208 – Teen Centers

AN ORDINANCE AMENDING THE CODE OF THE CODE OF THE CITY OF MILFORD BY RESCINDING IN ITS ENTIRETY CHAPTER 208 ENTITLED “TEEN CENTERS”

WHEREAS, the City Council of the City of Milford is continually reviewing, revising, and updating the provisions of the City's Code of Ordinances; and

WHEREAS, the City Council finds that updates, including removal of outdated ordinances and the elimination of redundant language, are in the best interest in the City; and

WHEREAS, it is recommended that Chapter 208 Teen Centers of the City of Milford Code be repealed; and

WHEREAS, Teen Centers are presently regulated by Chapter 230 Zoning, Chapter 88 Building Construction, Chapter 90 Business License, and Chapter 115 Disorderly Premises of the City of Milford Code, as well as various State of Delaware laws; and

WHEREAS, as part of their review of the matter, City Council will consider any public comment presented on this ordinance during a regular meeting on August 28, 2023, that convenes at 6:00 pm; and

WHEREAS, if unable to attend Council meeting either virtually or in person, written comments can be emailed to thudson@milford-de.gov; and

WHEREAS, the Notice of Ordinance Review and Public Comment Period was published in the Delaware State News on August 10, 2023.

NOW, THEREFORE, the City of Milford hereby ordains:

Section 1. Purpose: The Code of the City of Milford is amended by rescinding Chapter 208 Teen Centers in its entirety.

Section 2. Chapter 208 is hereby reserved for future use.

Section 3. Dates

Council Introduction: August 14, 2023

Council Public Comments/Determination: August 28, 2023

Effective: September 7, 2023

Motion carried.

COMMUNICATIONS & CORRESPONDENCE

Councilman Boyle discussed the complaints he has received about the has received several complaints that involved a solid waste truck that was leaving hydraulic fluid. Every street in the Meadows at Shawnee, as well as Hearthstone, Milford Shores, Matlinds Estates, and Orchard Hill was stained significantly. Photos were left with the City Manager. This is a recurring problem.

City Manager said the hydraulic hoses break often though a project was ordered that should draw up

Councilman Fulton said there is constant problem with the solid waste crews missing trash pickup. He is again asking that the items be collected at every home.

Councilman Culotta reported that several residents received letters that were not consistent with the original plan.

Councilman Baer added his neighborhood also had recycling issues.

Councilman James emphasized the need to be a customer service entity and Council expects excellence based on the fees the City is charging and the needs of our residents.

MONTHLY FINANCE REPORT

Finance Director Lou Vitola shared activity was very light in July due to the ERP conversion.

Finance staff moved into the new fiscal year on July 3rd, with all other modules operating in parallel with manual transfers into the new system. Because of that it was challenging to complete this report and the reason it was added very late to the Council packet.

The last reserves built from FY22 into FY23 were used to purchase the new truck which exhausted all the vehicle and equipment replacement reserves.

The City's cash reserve policies and equipment replacement reserves were written in a way so that they were dynamic and that they would change to reflect the new budgets and were calculated and encumbered against the cash reserve balances to show the true availability of funds remaining.

ARPA and police building spending is included and updated. The legacy reports are still intact, and the P&L and the general fund revenue and expenditures are in there and complete but reflect a lot of new information.

The electric and solid waste funds had strong months, though some of that is due to the decrease in spending during that time.

Mayor Campbell spoke about the complaints regarding the newest increase in property taxes.

The Finance Director was asked to provide a breakdown of the recent tax increase and the amount related to the new police facility.

Director Vitola said the increase is only due to two things. The first and largest is the debt service on the new police station. It involves a \$20 million project approved by voters in 2020 and the project should be completed by the end of 2023. The ramification of taking on a large project is that it must be paid for with current income streams. The money was borrowed, and the city must meet that debt service through property tax assessments of a few pennies in 2023 and, some additional pennies in 2024. That will remain in place over the next forty years until that borrowing is paid off.

The smaller portion, or one penny, is related to management's cautious use of realty transfer taxes. It is a regular source of income but has been used to supplement operating expenses in the general fund over the past many years. However, there is no guarantee of the amount and if we experience a bad year of real estate, that funding is longer reliable. That would create a budget gap and management would be required to instill a much higher tax increase. Instead, Council chose to gradually increase taxes by one penny every year for five years to cover operating expenses in the general fund as we wean ourselves away from supplementing the budget with real estate transfer taxes which are paid by property owners when selling and buying real estate. In addition, State Legislators could change the law and reduce the percentage municipalities can receive which could have a devastating impact on the City budget.

This also allows the realty transfer taxes to be put into a fund that will instead pay for capital projects such as roads, sidewalks, and equipment. He stated that we have put ourselves into a stronger position so that the increases are known and can be measured and budgeted by residents, businesses, and families, and that capital put aside and used for streets, sidewalks, curbs, projects, vehicles, equipment, and so forth.

Director Vitola stressed that none of the tax increases in the last few years were related to any of the City's internal cost pressures.

Councilmember Culotta suggested reminding our residents of the referendum that voters approved a couple years ago. It was noted that many of the new residents are unaware of that.

Councilmember Boyle moved to accept the monthly finance report, seconded by Councilmember Fulton. Motion carried.

UNFINISHED BUSINESS

Adoption/Resolution 2023-18/City of Milford Strategic Plan

University of Delaware Institute of Public Administration Innovator William McGowan provided a brief overview of the plan.

Mayor Campbell opened the floor for public comments. No one responded and the comment period was closed.

Councilman Boyle stated that though it was pointed out at the last meeting, two photos need to be updated before the report is published. Councilmember Baer said he also has grammar edits and typos that are needed before it is released to the public.

Councilmember Fulton moved to adopt Resolution 2023-18 with the edits as referred by the two Councilmembers, seconded by Councilmember James:

RESOLUTION 2023-18
ADOPTING THE CITY OF MILFORD
STRATEGIC PLAN FOR 2023 to 2028

WHEREAS, the City Council of the City of Milford believes that the development of a specific mission, vision, core value statements, and both long and short-term goals and objectives are vital to planning for the future of this city; and

WHEREAS, the City Council of the City of Milford has developed a mission and vision statement, value statements, and belief statements for 2023 to 2028 through strategic planning sessions which included input and collaboration from a professional consultant and facilitator, community members, stakeholders, and staff; and

WHEREAS, this renewed plan separates community engagement from fiscal responsibility creating six priority areas, focuses more attention to implementation of the Rivertown Rebirth Plan 2025/Downtown Master Plan and the 2021 Bicycle Master Plan, updates current objectives and strategies, and adds an easy-to-use matrix as a pathway to progress for community use.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF MILFORD, that the attached 2023-2028 Strategic Plan for the City of Milford is hereby adopted.

BE IT FURTHER RESOLVED that the mission, vision, core value statements, goals, objectives, and strategies set forth in the Strategic Plan shall be made available to residents, businesses, other governmental entities, and agencies within the City of Milford as appropriate for the purpose of coordination of activities and sharing of our vision.

Motion carried.

NEW BUSINESS

Appointments/Reappointments

Following an in-depth investigation by the City Clerk into the terms of the following four public bodies, recommendations were made to appoint and reappoint members.

Tree Preservation and Advisory Committee

Parks and Recreation Director Brad Dennehy requested City Council to confirm the terms of the following current and new members as follows:

Holly Heverly term expires 08/31/2023; extended to 08/31/2026.

Timothy Metzner term expires: 8/31/2025.

Leigh Muldrow term expires: 8/31/2024.

Eric Wahl term expires: 8/31/2024.

Fatimata Woodard final term expires: 8/31/2023.

With the expiration of Ms. Woodard's final term, a new member will be sought and brought back to Council for confirmation.

Councilmember Fulton moved to confirm the appointments of the members with term dates as indicated above, and that a candidate be sought to fill the one vacancy for a three-year term beginning August 31, 2023, seconded by Councilmember James. Motion carried.

Parks & Recreation Advisory Board

Parks and Recreation Director had submitted a memo asking for confirmation of terms of the following members of the Parks and Recreation Advisory Board. Ms. Villalobos has been on the board since its inception and will complete her final term. After a review of current applicants, Mayor Campbell and Director Dennehy recommend she be replaced by Meredith Schmid of 434 Kings Highway.

Ronny Baltazar-Lopez term expires: 8/31/2025.

Nicholas Brannon term expires: 8/31/2024.

Darron Johnson term expires 8/31/2023, to be extended through 08/31/2026.

Bill Shupe term expires 8/31/2024.

Anne Villalobos term expires: 8/31/2023;

Meredith Schmidt be appointed for a full three-year term: 08/31/2023 – 08/31/2026

Councilman Fulton moved to confirm the appointment of Meredith Schmidt and Darron Johnson for three-year terms through 2026, and the reconfirmation of other Parks and Recreation Advisory Board members as noted above, seconded by Councilmember James. Motion carried.

Planning Commission Board of Adjustment

The City Clerk asked that any reappointments be handled at the Organizational Meeting of City Council in May of each year to prevent this from recurring in the future.

Councilmember Fulton moved to reappoint Planning Commissions Shelby Nash DiCostanzo, Charles T. Hammond Jr., and Ian Wright for three-year terms beginning August 31, 2023 to August 31, 2026, seconded by Councilmember Culotta. Motion carried.

Councilmember Fulton moved to confirm the term expiration dates for Marvin Sharp (exp 2024), James Purcell (exp 2025), Mark Redden (exp 2024), and David Sauls (exp 2025), seconded by Councilmember Boyle. Motion carried.

Councilmember Fulton moved to reappoint Ronald Rizzo for a three-year term beginning August 31, 2023 and ending August 31, 2026 and confirm the term expiration dates of Brendon Warfel (exp 2025) and Nadia Zychal (exp 2024), seconded by Councilmember Boyle. Motion carried.

Adoption/Resolution 2023-15/Conversion of 19 Acres into City Park & Trail/South Rehoboth Boulevard

Parks and Recreation Director Dennehy presented two resolutions needed to apply for ORPT (Outdoor Recreation, Parks, and Trails Program) funds. Match funds are also required and are outlined in the resolution.

Resolution 2023-15 relates to the design and development of the Herman Sharp nineteen plus acres that will be used for a future City park and the contribution of matching funds in the amount of \$62,500 from a combination of the City's General Fund Reserves and eligible Community Redevelopment/Reinvestment Funds (CRRF) and Community Transportation Funds.

Mayor Campbell opened the floor for public comments. Carolyn Price of 611 Seabury Avenue asked the location of the property which Parks and Recreation Dennehy explained.

With no other person wishing to speak, the public comment session was closed.

Councilmember James moved to adopt Resolution 2023-15, seconded by Councilmember Baer:

RESOLUTION 2023-15

Design and construction of trails and park amenities of 19.43 +/- acres of farmland for the purposes of converting into a new city park and trail system on South Rehoboth Boulevard in Milford, Delaware.

WHEREAS, since its establishment in 1974, Milford Parks and Recreation has set out to promote community recreation with an emphasis on Parks and Trails throughout the City; and

WHEREAS, the City of Milford recently purchased 19.43 +/- acres of farmland, known as Sussex County Tax Parcel No. 3-30-11.00-039.00, to develop into a dedicated public park and greenway trail system; and

WHEREAS, funding through the Delaware Land and Water Conservation Trust Fund, pursuant to 30 Del. C. § 5423, Outdoor Recreation, Parks, and Trails Program or ORPT Program, for municipal outdoor recreation and conservation investments, assisted in the purchase; and

WHEREAS, the property has been identified in the City of Milford Strategic plan as providing additional recreational opportunities for the citizens of Milford, with the intent to create a continuous multimodal bike/pedestrian pathway, featuring playing fields, sports courts, picnic pavilions, playgrounds, public restrooms, and other open space; and

WHEREAS, this involves a multi phased project over several years which has the blessing of the City of Milford's Mayor, Council, and taxpayers of Milford; and

WHEREAS, the project is identified in the adopted Capital Improvement Plan with funding prioritized; and

WHEREAS, a contract has been executed with a design professional and the scope of work well defined; and

WHEREAS, upon the recommendation of the City's Finance Director and City Manager, City Council hereby agrees to contribute matching funds of \$62,500 from a combination of the City's General Fund Reserves and eligible Community Redevelopment/Reinvestment Funds (CRRF) and Community Transportation Funds (CTF); and

WHEREAS, the City Council designates the City Manager, or his/her designee, to manage the project and to comply with ORPT requirements for reporting and reimbursement purposes; and

WHEREAS, the City agrees that lands purchases, developed, and designed with the ORPT Program assistance shall remain in public outdoor recreation or conservation uses in perpetuity and shall not be converted to other uses.

NOW, THEREFORE, BE IT RESOLVED, that Milford City Council, by majority vote, authorize the ORPT Grant Funding Application of the above grant and commit to the management and completion of the project in a professional and competent manner, and to provide sufficient funds, including a minimum of \$62,500 in matching funds, to assure effective operation and long term maintenance of the land and its improvements, and that the City of Milford shall abide by all requirements of the ORPT Grant Program for reimbursements and stewardship responsibilities.

Motion carried.

Adoption/Resolution 2023-16/DE OZ Easement Acquisition/Exchange for Mispillion River Bulkhead Rehab

Parks and Recreation Director Dennehy shared that Resolution 2023-16 is for the design and construction of a replacement bulkhead at the rear of 11 North Church Avenue (old firehouse), owned by DE OZ Property Management, and confirms the City's contribution of \$62,500 from a combination of the City's General Fund Reserves and eligible Community Redevelopment/Reinvestment Funds. The maintenance of the easement would then become the City of Milford.

Solicitor Rutt recommended an agreement be created to include a not to exceed amount for the associated costs of this project prior to the property being transferred by Co-Owner Dan Bond of DE OZ Property Management. Councilman James agreed adding that additional funding be sought considering the anticipated costs associated with the project.

Mayor Campbell opened the floor for public comments. With no one responding, the public comment session was closed.

Councilmember Fulton moved to adopt Resolution 2023-16, subject to the entry of an agreement with DE OZ Property Management, to be ratified by City Council, and based on the associated costs of the project, seconded by Councilmember Culotta. Motion carried.

RESOLUTION 2023-16

Design and reconstruction of the concrete bulkhead located to the rear of 11 North Church Avenue in exchange for an easement owned by DE OZ Property Management LLC needed to complete the connectivity of the Milford Riverwalk.

WHEREAS, since its establishment in 1974, Milford Parks and Recreation has set out to promote community recreation with an emphasis on Parks and Trails throughout the City; and

WHEREAS, a portion of the City Strategic Plan was developed to guide the Parks and Recreation Department in fulfilling the shared community vision and stated mission of the Parks and Recreation Department; and

WHEREAS, Taking over forty years to complete, the City of Milford Riverwalk is a mile plus long pedestrian walkway that consists of elevated boardwalks, pedestrian bridges, exposed concrete walkways, and brick sidewalks that weave alongside the banks of the Mispillion River in the heart of Downtown Milford, and

WHEREAS, one noncontiguous area lies behind the former historic Carlisle Firehouse located on North Church Street was recently purchased and the new owners are willing to provide an easement to the City of Milford which would extend the City's Riverwalk around the building for use as a public walkway, in exchange for substantial work required to the adjacent bulkhead needed for this project to occur; and

WHEREAS, an application through the Delaware Land and Water Conservation Trust Fund, pursuant to 30 Del. C. § 5423, Outdoor Recreation, Parks, and Trails Program or ORPT Program, for municipal outdoor recreation and conservation investments, is being submitted; and

WHEREAS, upon the recommendation of the City's Finance Director and City Manager, City Council of the City of Milford hereby agrees to contribute matching funds of \$62,500 from a combination of the City's General Fund Reserves and eligible Community Redevelopment/Reinvestment Funds (CRRF); and

WHEREAS, the City Council designates the City Manager, or his/her designee, to manage the project and coordinate ORPT requirements for reporting and reimbursement purposes; and

WHEREAS, the City agrees that lands developed or purchased with the ORPT Program assistance shall remain in public outdoor recreation or conservation uses in perpetuity and shall not be converted to other uses.

NOW, THEREFORE, BE IT RESOLVED, that on the 28th day of August 2023, Milford City Council, by majority vote, authorize the land currently owned by DE OZ Property Management, LLC to be used as an easement in exchange for the construction of a concrete bulkhead to be paid with ORPT Grant Funding and up to \$62,500 in matching funds, which would complete connectivity making the entire Mispillion Riverwalk in Downtown Milford, Delaware; and

BE IT FURTHER RESOLVED, it is agreed that the City of Milford shall abide by all requirements of the ORPT Grant Program for reimbursements and stewardship responsibilities.

Planning Director Pierce again presented the project for further Council review following a complete review at the previous workshop on August 23, 2023.

Century Engineering continues to work on a report to be adopted by Council at a later date. He plans to present it to Council for adoption on September 11, 2023.

Council noted that it was put on tonight's agenda for public comment.

Mayor Campbell opened the floor for public comments.

Carolyn Price of 611 Seabury Avenue expressed concern about the speed of traffic in this area and believes that issuing more tickets could help, as well as additional four-way stops. She encourages putting in some safety features prior to any addition of a bicycle path.

She also spoke about the problems associated with the number of straightaways in Milford, particularly with vehicles turning from South Walnut Street onto Seabury Avenue.

With no one else responding, the public comment session was closed.

Authorization/Utility Bill Inserts/Milford Community Parade/Solicitation Flyer

Milford Community Parade Committee has again requested an insert be included in the September Utility Bill asking for donations from Milford's Utility Customer as is done every year. The cost for mailing the insert is approximately \$1,200 and is historically paid from the Council Expense budget line item.

Councilmember Fulton moved to authorize the flyer to be included in the September utility bills and authorize \$1200 from Council Expense budget to pay for the mailing, seconded by Councilmember James. Motion carried.

ADJOURNMENT

Councilmember Fulton moved to adjourn, seconded by Councilmember Culotta. Motion carried.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

CITY OF MILFORD
COUNCIL MEETING MINUTES
September 11, 2023

The City Council of the City of Milford met in Regular Session on Monday, September 11, 2023, in the Joseph Ronnie Rogers Council Chambers at Milford City Hall, 201 South Walnut Street, Milford, Delaware.

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 Chief Cecilia Ashe, and City Clerk Terri Hudson

COUNSEL: Solicitor David Rutt, Esquire

PUBLIC COMMENT SESSION PRIOR TO MEETING

Robert Schuler of 18511 Thelma Lane expressed concerns about some recent incident at Mispillion Apartments. A helicopter was searching for a fugitive, gunshots are being heard, and a resident was taken into custody for drugs. In addition, two detectives came to his house to inform him about a sex offender living nearby and informed him there are cameras at the complex monitoring the activities that are occurring there.

He wanted Council to know that they moved to Milford to get away from crime.

He also noted that the internet issues he previously complained about has not gotten better, though his wife fortunately had DSL backup.

No other persons sign up to speak, and the Public Comment Session was closed.

CALL TO ORDER

Mayor Campbell called the meeting to order at 6:06 p.m., prior to the scheduled Public Comment period.

INVOCATION AND PLEDGE

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

A moment of silence was held in remembrance of the 9/11 terrorist attacks in New York.

APPROVAL OF PREVIOUS MINUTES

With one correction needed, Councilmember Boyle moved to approve the minutes of the June 5, 2023 Budget and Council Workshop and the June 12, 2023 Council Meeting, seconded by Councilmember Culotta. Motion carried.

RECOGNITION

Mayor Campbell presented the following two September proclamations:

*Proclamation 2022-18
Suicide Prevention Awareness Month*

Now, Therefore, I Arthur J. Campbell, Mayor of the City of Milford, do hereby proclaim September 2023 as Suicide Prevention Awareness Month in the City of Milford and ask our citizens to recognize that taking care of ourselves and others includes taking care of mental health; and encourage all residents to take the time to check-in with family, friends, neighbors, and coworkers regularly and to communicate their appreciation for their existence by any gesture they deem appropriate--a

simple phone call, message, handshake, or hug can go a long way towards helping someone realize that Suicide is not the answer.

*Proclamation 2023-19
National Preparedness Month*

Now, Therefore, Be It Proclaimed that I, Arthur J. Campbell, by virtue of the authority vested in me as Mayor of the City of Milford, Delaware, do hereby proclaim September 2023 as Preparedness Month in the City of Milford; and urge all Milford residents, businesses, and other property owners to increase their readiness and resilience against natural and human threats, and realize they are a critical part of the State's preparedness and emergency response team.

Mayor Campbell congratulated Martha Gerry for being a finalist for employee of the year.

MONTHLY STAFF REPORTS

Complete reports from each department were included in the council packet.

Police Report

Chief Ashe provided highlights of the officer's monthly statistics and shared several changes that have been made since she became Chief.

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

City Clerk

City Clerk Hudson provided a synopsis of the monthly activities that have occurred during the month.

Councilmember Wilson moved to accept the City Clerk's report, seconded by Councilmember Baer. Motion carried.

Monthly City Manager Report

City Manager Whitfield reviewed several items in his report.

Electric Department

Electric Department Director Tony Chipola offered information related to his department.

Planning & Zoning Department

Director Rob Pierce provided a quick synopsis of what he has accomplished during March.

Parks & Recreation Department

Parks & Recreation Director Brad Dennehy was on leave and no report given as a result.

Human Resources

Human Resources Director Jamesha Williams provided HR highlights from the month.

Economic Development & Community Engagement

Administrator Sara Bluhm remains out on FMLA part-time and will return next month.

IT Department

IT Director Pettigrew reviewed his monthly report.

Finance Department

Finance Director Lou Vitola provided finance and staff updates.

Councilmember Fulton moved to accept the City Manager and associated departmental reports, seconded by Councilmember Culotta. Motion carried.

COMMUNICATIONS & CORRESPONDENCE

Councilmember Marabello reported that the homeless are parking in front of the Second Street Players Theater. Chief Ashe was aware and is planning to meet with representatives of the theater to discuss no trespassing laws. The Behavioral Health Specialists are also involved in this matter.

Mayor Campbell also shared that he discussed with Chief Ashe a recent situation in which the Delaware State Police dropped off some homeless individuals at the Milford Diner.

UNFINISHED BUSINESS

Authorization/Change Orders/Memorial Park Playground

Parks and Recreation Director Dennehy presented the following request:

During construction of the playground, the installation of catch basins and additional grading beyond the initial design were identified as requirements for proper drainage. Further, the construction of a retaining wall was recommended to improve safety in the climbing arch area of the playground.

I have worked with the contractor to develop a scope of work to address these issues based on input from the original design firm, which acknowledges the improvements must be put in place. The City Engineer reviewed the site and likewise agrees that these items should be addressed.

Change order #002 in the amount of \$36,000 is quoted for the retaining wall construction. Change order #003 in the amount of \$28,000 addresses the additional drainage requirements.

RTT funding is available to support the additional cost of the change orders up to the estimated total of \$64,000. Upon approval, the Contractor will address these issues and we can move toward completion of this project.

Councilmember Fulton moved to authorize the acceptance of Gateway Construction, Inc. Change Orders #2 and #3 in a combined amount not to exceed \$64,000 to remediate the adverse field conditions emerging during construction funded by Realty Transfer Tax Reserves, seconded by Councilmember Wilson. Motion carried.

NEW BUSINESS

Authorization/Tyler Technology/ERP Software Update

Planning Director Pierce is requesting the third amendment to the Tyler Technologies ERP Software Agreement. The amendment permits the addition of ten licenses for the Community Development Suite totaling \$55,380 over 3.25 years and the addition of a Business Management Suite under Enterprise Permitting & Licensing, for a total cost of \$84,692.25 over 3.25 years. The gross increase of \$140,072 is partially offset by one-time savings of \$11,180 and 3.25 years of annual maintenance costs of \$10,634, related to the movement from the existing business license module. This results in a net increase of \$118,258 in addendum 3.

He reminded Council that RFP 2020-12 was issued for an Enterprise Resource Planning System Selection on December 8, 2020 to Tyler Technologies. Project management firm Brandywine Technologies was also hired to lead the project and serve as liaison between Tyler and the City.

In July, Council authorized addendum 1 in the amount of \$45,356 over five years for the inventory management module.

In March, Council authorized addendum 2 for \$64,173.75 over 3.75 years for the eReviews and Workforce Mobile services.

Additional needs continue to be identified.

The original Tyler contract included five licenses for code enforcement, planning & engineering, building permit reviews and building/utility inspection. It was later determined that ten additional licenses were needed. The original Tyler contract included the implementation of the Community Development Suite within EPL. Business licenses were to be implemented through the Munis Business License module which is not fully integrated with the Community Development Suite where building permits and rental inspection functions are housed.

The annual maintenance cost for ten additional Community Development Suite licenses will be \$17,040 per year over the remaining 3.25 years of the initial contract for a total of \$55,380. The one-time cost of the Business License Management Suite implementation services totals \$41,750. The annual maintenance costs total \$13,213 per year over the remaining 3.25 years for a total of \$42,942.25.

The proposed amendment would increase the post-implementation maintenance costs from \$172,675 to \$199,656.

Councilman James suggested reviewing the contract again to determine any other needs. He prefers the changes be presented together instead of bringing each item to Council separately.

Councilmember Boyle moved to approve Addendum 3 to the Tyler SaaS Agreement representing a 3.25-year net investment of \$118,258. No additional funding is required at this time, but the additional costs will be layered into the City's future capital and operating budgets, seconded by Councilmember James. Motion carried.

Adoption/Resolution 2023-19/Revision to Independence Commons Deed Covenants, Conditions and Restrictions

Food Bank's Vice President of External Affairs Chad Robinson presented the following request:

As you are aware, the Food Bank of Delaware is currently constructing a new facility at 102 Delaware Veterans Boulevard (Parcel ID: MD-16-173.00-01-02.08-000) in the Independence Commons Business Park. The City of Milford has been a stalwart partner throughout this construction, and we appreciate the time and energy from all the City staff that have gotten this project to this point.

Recently, we have been working on our Comprehensive Signage Plan application and it has been determined that we will need additional assistance from the City in carrying out our intended plan. The deed restrictions for the Independence Commons Business Park lay out specific requirements for signage. Based on our intended usage of the facility and to ensure that it is welcoming to the myriad of visitors that will utilize it, our signage needs are greater than what is currently allowed in the deed restrictions. We are aware that Resolution 2016-05, adopted by the City of Milford City Council, lays out the "Declaration of Covenants, Conditions and Restrictions and Easements" for Independence Commons. Included in this document in Exhibit A, Article 2 is the Sign Requirements. As outlined there, the deed restrictions call for illuminated pan letters in the monument sign and directional signage that is limited to one (1) sign that is no more than two (2) square feet in size. The Food Bank of Delaware plan would create a monument sign that includes an electronic message center and five (5) directional signs throughout the property that are twelve (12) square feet in size. These changes would allow full and complete messaging with all those that visit the Food Bank of Delaware daily.

As outlined in Exhibit A, Article 5 of Resolution 2016-05, the Declaration of Covenants, Conditions and Restrictions and Easements "may, from time to time, be amended by Resolution," of a majority vote of the City of Milford City Council.

The Food Bank of Delaware respectfully requests that the City Council of the City of Milford make an amendment to the sign requirements for our property and that we be allowed to construct the signage that will best serve the thousands of constituents we assist each year.

Solicitor Rutt explained this is not a zoning code amendment, but instead will allow the property owners in Independence Commons through their deed restrictions, to make application for signage consideration for their parcels. Currently, there is only one sign permitted in the restrictions that are more than twenty years old.

Mayor Campbell opened the meeting for public comment. No one responded and the floor was closed.

Councilmember Fulton moved to adopt Resolution 2023-19, seconded by Councilmember Wilson:

**RESOLUTION 2023-19
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
Independence Commons in the City of Milford, Kent County, Delaware**

Tax Parcel Numbers:	MD-16-173.00-01-02.15-000	MD-16-173.00-01-02.00-000	MD-16-173.00-01-02.14-000
MD-16-173.00-01-20.00-000	MD-16-173.00-01-02.13-000	MD-16-173.00-01-02.24-000	MD-16-173.00-01-02.12-000
MD-16-173.00-01-02.23-000	MD-16-173.00-01-02.11-000	MD-16-173.00-01-02.22-000	MD-16-173.00-01-02.10-000
MD-16-173.00-01-02.21-000	MD-16-173.00-01-02.08-000	MD-16-173.00-01-02.20-000	MD-16-173.00-01-02.07-000
MD-16-173.00-01-02.19-000	MD-16-173.00-01-02.06-000	MD-16-173.00-01-02-18-000	MD-16-173.00-01-02.05-000
MD-16-173.00-01-02.17-000	MD-16-173.00-01-02.03-000	MD-16-173.00-01-02-16-000	MD-16-173.00-01-02.02-000

WHEREAS, in 1998, the City of Milford (“City”) purchased and subdivided 211 +/- acres of property on the north and south sides of County Road 409 (Airport Road and east side of State Route 15 (Canterbury Road) for economic development benefits; and

WHEREAS, the City of Milford initially sold the property for \$24,000 an acre with appraisals of the properties completed in 2006, 2008 and 2016; and

WHEREAS, it is deemed to be in the best interest of the City of Milford and its taxpayers to sell the land in accordance with its most recent appraisals; and

WHEREAS, as the owner of the subdivision and infrastructure shown and described in Exhibit B, attached hereto, and known as Independence Commons (“property”), the City intends that this property continue to provide employment opportunities and economic benefits to all City residents; and

WHEREAS, the City desires to create, establish, preserve, and maintain a unified commercial development upon the property and finds it appropriate to subject the property to certain easement, covenants and other restrictions for the orderly development and operation of the property and mutual benefit of all owners of the property as a unified commercial development, regardless of time of purchase or zoning district; and

WHEREAS, the City deems it desirable and in the best interest of all present and future owners of the property and all portions thereof, to subject the property to this Declaration.

NOW, THEREFORE, the City hereby declares that the real property described in Exhibit B, effective September 11, 2023, is and will be held, conveyed, acquired, and encumbered subject to the terms and provisions of the Declaration, all of which shall run with the land and binds any respective successors, heirs, and assigns.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Mayor and Council of the City of Milford:

- 1) City Council approves the Declaration of Covenants, Conditions, Restrictions and Easements attached as Exhibit A.
- 2) This Resolution shall supersede Resolutions passed by the majority of City Council on February 13, 2006, March 12, 2007, September 22, 2008, and March 14, 2016 in relation to Independence Commons.
- 3) This Resolution shall supersede Deed Book RE, Volume 8104, Page 278 recorded with Kent County Recorder of Deeds on May 25, 2016.

Motion carried.

*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*

Mayor Campbell introduced Ordinance 2023-33. A brief synopsis was provided by Planning Director Pierce. The ordinance is scheduled for final action by City Council on September 25, 2023.

*Introduction/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*

Mayor Campbell introduced Ordinance 2023-34. A brief synopsis was provided by Planning Director Pierce. The ordinance is scheduled for final action by City Council on September 25, 2023.

*Introduction/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*

Mayor Campbell introduced Ordinance 2023-35. A brief synopsis was provided by Planning Director Pierce. The ordinance is scheduled for final action by City Council on September 25, 2023.

*Introduction/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*

Mayor Campbell introduced Ordinance 2023-36. A brief synopsis was provided by Planning Director Pierce. The ordinance is scheduled for final action by City Council on September 25, 2023.

*Introduction/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

Mayor Campbell introduced Ordinance 2023-37. A brief synopsis was provided by Planning Director Pierce. The ordinance is scheduled for final action by City Council on September 25, 2023.

EXECUTIVE SESSION

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

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

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 7:40 pm for the purposes as are permitted by the Delaware Freedom of Information Act.

At 8:42 p.m., Councilmember Fulton moved to return to Open Session, seconded by Councilmember James. Motion carried.

MPD Dispatcher Collective Bargaining Agreement

Councilmember Fulton moved to proceed with negotiations as discussed, seconded by Councilmember Boyle. Motion carried with no one opposed.

Land Acquisition by City

Councilmember Fulton moved that the City Solicitor to proceed with land acquisition as discussed, seconded by Councilmember James. Motion carried by a voice vote of 7-1, with Councilmember Culotta voting nay.

ADJOURNMENT

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

The Council Meeting adjourned at 8:44 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

CITY OF MILFORD
COUNCIL MEETING MINUTES
September 25, 2023

The City Council of the City of Milford met in Regular Session on Monday, September 25, 2023, in the Joseph Ronnie Rogers Council Chambers at Milford City Hall, 201 South Walnut Street, Milford, Delaware.

PRESIDING: Mayor Archie 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, Police Captain David Wells, and City Clerk Terri Hudson

COUNSEL: Solicitor David Rutt, Esquire

ABSENT: Councilmember Nirmala Samaroo

Councilmember Samaroo left at this time because of a medical issue.

CALL TO ORDER

Mayor Campbell called the meeting to order at 6:09 p.m.

PUBLIC COMMENT PERIOD

Though the Public Comment period was scheduled prior to the start of the official meeting, it was opened by Mayor Campbell after the meeting was called to order.

No persons were signed up to speak and the comment period was closed.

INVOCATION AND PLEDGE

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

RECOGNITION

Introduction of New Employees

Public Works Director Mike Svaby shared that that Frederick Douglas was recently hired as the fourth Solid Waste Operator and will be introduced at the next Council meeting.

PUBLIC HEARINGS/ORDINANCES/FINAL ACTION

Solicitor Rutt read the rules of the hearings into record, after which he announced each ordinance.

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

Planning Director Pierce provided a synopsis of the application noting the applicant received preliminary site plan approval for a similar project in January 2022 at the property located at the intersection of Warner Road and US Route 113 (former Wendy's Restaurant site). Because no final approval was obtained, the preliminary approvals expired.

The applicant proposes to construct a 4,812 square foot, fast-food style restaurant and separate drive-in restaurant as shown on the site plan in the packet. The resubmission was prior to the recent code update which requires conditional use under Chapter 230-45 which requires multiple permitted uses or mixed use of a property requires conditional use approval subject to special requirements.

However, both uses are permitted in the C-3 district.

He then referred to the staff report included in the packet and review criteria.

The plans have been reviewed based on the updated zoning code and meet the minimum requirements of the zoning and subdivision ordinances.

Minor revisions were made to the islands within the parking lot and landscaping. With those exceptions, the plan is the same as was previously approved.

It was reviewed for compliance with the city's construction standards and specifications. The review comments from 2021 still apply and all other related documents are included in the packet.

The Public Notice was published in the Delaware State News on September 3, 2023 and was mailed to the required property owners and posted at the site.

The Planning Commission reviewed the application at their September 19, 2023 meeting and recommended approval by a vote of 7 to zero.

Thomas Schreier, Vice President of Hillcrest Associates, stated he was present on behalf of applicant Helmick Milford LLC. He reiterated this is a reapproval of the preliminary conditional use site plan for a two-unit commercial building, ranging approximately 4,800 square feet.

He referenced the City Planner's presentation regarding the application.

It was confirmed the restaurants are still unknown at this time.

When asked if the parking lot will be improved in this area, Mr. Schreier explained a new layout has been planned with the addition of curbed islands, additional landscaping, and better circulation around the former site of the Wendy's Restaurant.

When asked if anyone wished to speak, Property Owner Arthur P. Helmick of 1109 Berkeley Road, Wilmington explained they had some problems with lease negotiations, which was the reason the approval expired. The Wendy's site was under reconstruction when the previous owner of the Wendy's site passed away and left it to his wife. She did not want to follow through and it became a hazard and the reason it was torn down though there were no plans to replace the Wendy's.

He further explained the previous tenant was Chipotle and there is a need to meet the time frames but by negotiating through them the ball was dropped. They are back at the table though there are other tenants interested as well. However, they are close to signing and he had hoped to announce the tenant tonight, though they plan to move forward due to the increase in activity.

No other persons expressed an interest in speaking and the floor was closed.

Councilmember Marabello moved to adopt Ordinance 2023-33, seconded by Councilmember Culotta. Motion carried by the following 7 to zero roll call vote with Councilmember stating as follows:

Baer: I am in favor of the proposal and thinks it will be a nice addition to our business community and though it is in the fourth ward and not in my ward, I am still for it.

James: I vote yes. That is a site that has been ready for a food establishment when it came before Council last time and many constituents were anticipating some and I am glad it is back to the table, and it will be good for the entire City of Milford as a place out there that is very frequented by all citizens of Milford.

Wilson: I vote yes to approve this plan, and I'm excited that Mr. Art decided to move forward despite whether things were signed because that is anticipating looking ahead that it is going to be done.

Culotta: I vote yes, I like Chipotle. I commend Mr. Helmick for mentioning that, prior to that being completed and sometimes that is risky. But I am excited about the food establishment with two of them going there.

Fulton: I vote yes, it meets the requirements of Chapter 230, Chapter 200, and it's another needed site for residents of Milford to get tasty food.

Boyle: I vote yes on the motion. The plan is basically the same as we saw two years ago and does meet the minimum requirements for Chapter 230, Zoning and Chapter 200 subdivision of land.

Marabello: I vote yes, for all the preceding comments. And, that whole area has improved a lot during the last few years, including the theatre. And this is just another improvement for that area.

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

Planning Director Piece stated the applicant proposes to redevelop the Milford Middle School property located on Lakeview Avenue into a 127,000 school as shown on the site plan in the packet. Chapter 230-9(C)(2) states private and private, elementary, junior, or senior high schools are permitted, with the approval of a conditional use permit by City Council.

He reviewed the staff report verifying it meets the requirements of the zoning ordinance and subdivision code and follows the City's construction standards and specifications.

A letter from the Tree Preservation Advisory Council was included stating they discussed the project at their February quarterly meeting and the condition and status of the cherry trees located along Lakeview Avenue. They voted that if the trees were healthy, they want the trees to remain as part of the project and incorporated into the overall landscaping plan.

The packet includes an illustration of the anticipated traffic circulation during before and after school hours.

Several documents included in the packet were described by the planner.

The public notice was published in the Delaware States News on September 3, 2023 and mailed to required property owners and posted at the site.

The Planning Commission reviewed the application on September 19, 2023, and recommended approval by a vote of 6 to 1, with the condition that if the cherry trees along Lakeview Avenue are removed, they be replaced with other cherry trees.

Associate/Registered Landscape Architect Timothy Metzner of Davis, Bowen and Friedel, Incorporated of 1 Park Avenue, Milford, was in attendance to represent the application on behalf of the Milford School District Board of Education. Also online are representatives from Milford School District.

He stated the request is for the approval of the preliminary conditional use site plan approval for the project. The existing proposed zoning is R1, single family residential district which requires conditional use. The site is the existing Milford Middle School located on Lakeview Avenue, which was in operation until 2012.

The project proposes to salvage the exist the historic structure built in 1929 and the existing gymnasium. The non-historic additions would be demolished.

The original school had a capacity of 1,100 students and the proposed school has a capacity of 1,000 5th and 6th grade students. Both Lakeview and Seabury Avenue are DelDOT maintained roads and School Place and Kent Place are city-maintained streets.

A letter of objection was received from DelDOT.

A 10-foot-wide asphalt shared use path is proposed along the frontage of both Lakeview and Seabury Avenues, as they are designated as bicycle routes in the City's Comprehensive Plan. A new five-foot wide concrete sidewalk is proposed along the frontage of Kent Place. Curbing is also proposed along Kent Place to bring the street up to city standards and provide more consistency for the area.

A new sidewalk is proposed along School Place where no sidewalk currently exists though curbing exists.

He then discussed the multiple access sites. Buses will use the existing bus loop that enters from Lakeview Avenue where they will park and unload and load students.

A new entrance is proposed for students using bus transportation at the corner as shown on the site plan.

The parking lot on the southwest corner will be reduced to provide more open space. The entrance on Kent Place will be a one-way access and exit onto Lakeview Avenue. The parking lot also has an entrance into the existing gymnasium that will remain.

A paved lane is proposed to meet the State Fire marshal regulations for perimeter access. Fire Marshal approval has been received for the site.

The primary staff parking lot is on the north side of School Place.

Student drop off, visitor parking and overflow parking for sports activities will be on the east side of the building, which was the original back of the former building.

It will now be the primary secured entrance into the building.

The existing gravel parking lot for the athletic fields and track will remain. However, the entrance will be located further west to pull away from the Seabury intersection for safety purposes.

A fenced playground will be added between the visitors and staff parking areas that will be open to the public except during school hours.

The large open space north of the proposed building between the staff parking lot can be utilized by the school as an outdoor learning space or for future expansion if needed.

He then reviewed the stormwater management facilities proposed between the visitor parking and existing track. They expect final approval from DNREC in the next couple of weeks.

Water and sewer services are provided by the City of Milford and tie into the existing mains on Kent Place and Lakeview Avenue.

Delivery by large trucks/trash vehicles will be on the south side of the building and accessed from the visitor parking lot entrance. It will be screened with a solid block wall and evergreen landscaping.

The school district maintenance building will be relocated between the visitor parking lot, track, and gravel parking. The parking lot will be connected to the existing parking lot entrance and fenced and gated for security purposes.

Evergreens, shrubs, and trees are proposed around the building to screen the view of the back of the building to the fields. Many of the existing trees will be kept. Those that will be removed are either dead, dying, or located directly on top of the main storm/drainpipe that drains Lakeview Avenue.

The site is required to have 94 trees and are keeping 53 and adding 43 for a total of 96 trees.

Referencing the City's Tree Preservation and Advisory Council recommendation to keep the existing cherry trees in front of the historic building, Mr. Metzner does not believe they had all the information related to the removal of the trees. It was stated the cherry trees have historic value and removing them was for aesthetic purposes. However, Google Earth aerial photos from 1992 show the trees were not planted at that time. Aerials show all the plantings were done between 1992 and 2003 and between 20 to 30 years old. They are a nonnative species with a nuisance root system. The roots have since come to the surface and are heaving the sidewalks and creating a nuisance surrounding the trees.

One of the goals set forth by the Tree Preservation and Advisory Council was to establish and maintain diversity toward native tree species, though they do not believe the trees align with the non-native due to the root system that is causing damage.

The trees are proposed to be removed for 1) the six trees closest to the road, will need to be removed to allow for the 10-foot shared use path.

DelDOT required 15 feet of right-of-way based on the road classification of Lakeview Avenue and dedicate another 15 feet for a permanent access easement, pushing the shared use path further away from the road.

The second reason is that the next five trees are located on an existing storm drain line for Lakeview Avenue. The storm drain system comes into the site. runs parallel through the site directly underneath the trees and at the next intersection, goes back into the road. Therefore, the main trunk line is not in Lakeview Avenue, but is on the school's property and within the City's utility easement.

The third reason is the root system for the next five trees closest to the building are pushing up through the ground creating heaving for the sidewalks. They will need to be removed and replaced and a continuous problem into the future.

He explained the reasons for the removal at the Planning Commission meeting and a condition was added to replant the cherry trees in the front of the building, though that is the area of concern due to the shared use path, existing storm drain line and the constant root system damage.

Unfortunately, there is not a lot of room for new plantings due to the location of the front of the building.

In his professional opinion, he does not think the cherry trees are the right trees for this location and requests the condition be modified or removed accordingly.

It was confirmed that the one dissenting vote was the result of the Planning Commission Chairman not wanting to require the applicant to replant the trees by going against the opinion of the arborist or landscaper.

Also confirmed there would be various acknowledgements related to the Milford 11 at the site.

The floor was opened to public comment. Tim Skibicki of 101 Dennison Lane, Hockessin, stated he works with Mr. Metzner and is the project architect for Buck Simperts Architect + Associates and represents the school district.

He wanted to support the project noting that in addition to the historical importance, it is important to the school district from a capacity standpoint and will relieve overcrowding at the elementary and middle school level.

Mr. Skibicki said the entire perimeter of the school has been redesigned without a rear and every elevation has been given the proper attention from an aesthetics standpoint.

The district agreed it was important to keep the amenities already in place including the track and various fields, as well as the access.

He talked about capacity plan which would be in the range of 8 to 12 classrooms. Though there is a limited amount of space for classrooms, additional classrooms could be added using wings. Potential two-story, two classrooms could be added on at each wing on two floors each which would provide eight though sixteen could be a stretch.

Mr. Skibicki also reiterated the historical importance of the Milford 11, as well as the Milford 7, which was a successful integration later, with appropriate recognition within the school.

In addition, there will be eleven columns in the library which will pay homage to the Milford 11, in addition to the historic plaque and interior and exterior plans.

No one else indicated they wished to speak on the application and the floor was closed.

Councilmember Culotta moved to adopt Ordinance 2023-34, with the removal of the recommendation of the Planning Commission related to the cherry trees, based on the presentation by Tim Metzner, seconded by Councilmember Boyle. Motion carried by the following vote of 7 to zero, with the following statements:

Baer: I am going to support the motion and I think it is high time the school site be cleaned up, and it's looking good. They're making good progress, and I think it'll be great for future students.

James: I vote yes for the motion. I'm speaking from this council person that I am fully aware that the capacity is needed. Even when this school is finished there will be need for additional capacity. So, I'm glad that there are accommodations being made for future growth. But I do support the motion and vote yes.

Wilson: I support the motion and it meets the city requirements and the PLUS approvals are in order. I think it is a wonderful thing that the school is being preserved and I would like to thank the district and board members for recognizing the history the school holds. Years ago, we had an opportunity to do this for Benjamin Banneker, but we missed that mark. Am thankful for the new school but would have loved to hold on to some of the history of the old school, and what it meant to the African American community. But my vote is yes.

Culotta: I vote yes. Obviously, everybody wants that to be a school again. The public has spoken, and the sooner they get going and to build it we can already see the demo that's going on. As far as the recommendation with the trees, the information provided here tonight, based on the right of ways, the bike paths and some of the logistical issues with trying to keep those, I understand the need to let them figure out what goes on with the tree. So, I vote yes.

Fulton: This issue is near and dear to my heart. I vote yes, it's within Chapter 230. The trees mentioned are described as non-indigenous. To that, I believe and with the root system that those trees do display, they're a hazard to the stormwater system as well as the future of that school site as the roots will continue tearing up the concrete and everything else. And I want to say something a little more than Councilman Wilson. I think this is this is a major steppingstone, not only for the African American community, but for the entire Milford community when that integration occurred. And for that, I say, a hearty yes.

Boyle: I also support the motion. I had the privilege of serving on the board that helped the school district in coming to realize this building. It has been 11 years since the children have really been in overcrowded conditions. It's probably close to three more years before they can relieve that situation. And we're paying a lot of money for the school district and taxpayers are paying a lot of money for a strong architectural team. Let's allow them to make the decision on making that site look the best that it possibly can without some problematic issue with trees.

Marabello: I vote yes, for all the various comments made by my fellow councilmen. I had the opportunity to see a presentation at one of the schools a few months back. I was very impressed, with the fact about more security for our students and the way it's designed and I'm also happy there is room for some expansion, because this City is growing, and I'm sure we're going to have a need for it.

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

Planning Director Pierce reviewed the application noting this is a conditional use application for a comprehensive sign plan and an electronic message center within the Independence Commons Business Park.

The Planning Commission granted final site plan approval in August 2022 for the construction of almost 60,000 square foot facility, a two-acre community garden space and associated accessory buildings.

Chapter 230-24.14 states electronic message centers are prohibited except that electronic message centers may be permitted by conditional use approval from Council on properties used for (C) social clubs or fraternal social service union or civic organizations. The applicant is seeking approval under that criterion.

They are also seeking a comprehensive sign plan approval for the construction of buildings and on-site directional signage that doesn't comply with the general requirements for commercial signage within the OC-1 zoning district.

Under the zoning code, comprehensive sign plans may be submitted in conjunction with larger scale projects and developments.

He recalled the prior deed restrictions limiting the size, type, and location of signs in the actual deed document for Independence Commons that were modified by the resolution adopted by Council on September 11th which added a caveat that now allow a comprehensive sign plan review for projects within that complex.

Planner Pierce then reviewed the staff report and the different types of signage that the applicant is proposing on the property. Other documents were also reviewed.

A site plan was provided with some images showing the types of directional signage, sizes, and location.

A building sign is also proposed which is not flush mounted to the building which is a deviation from the City sign regulations. It is mounted on top of the roof structure at the entrance.

Several renderings were also provided.

The public notice was published in the Delaware State News on September 3, 2023, and mailed to all required property owners and posted at the site. The notice was also mailed to all property owners within Independence Commons.

The Planning Commission reviewed the application at its September 19, 2023 meeting and recommended approval by a vote of 7 to zero with the condition the Food Bank would mitigate any negative impacts caused by the electronic message center sign to the residents of the Delaware Veterans Home.

Milford Food Bank's Vice President of External Affairs Chad Robinson stated they are excited the construction project is moving along and is at the point they are considering signage. They provided a legend of the signage around the facility.

The goal is to ensure any guests at their facility get to the right locations shown by the various colors around the property where the signs would be placed.

The signage that will be on the building will have large numbers to direct truck traffic into the right dock. Having the number above each dock will provide that ability.

He shared that the electronic message sign was discussed by the Planning Commission, noting it is at the end of the driveway on the south side across from the Greater Milford Boys and Girls Club.

Mr. Robinson reached out to the Delaware Veterans Home who have since sent an email indicating they are ok with the electronic message center sign as long as the side that faces the veterans home remains stagnant. As such, there will not be an electronic message center display on that side and the electronic messaging will be on the side facing Airport Road.

Mr. Robinson also confirmed the signs would help direct EMS and other first responders.

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

Councilmember Fulton moved to adopt Ordinance 2023-35, seconded by Councilmember Culotta. Motion carried by the following roll call votes with statements as follows:

Baer: I will support the Food Bank proposal. I love having them in our community and a resource that is needed.

James: I vote yes as to the motion that was made. The signage is necessary for the type of business and service that the Food Bank will be providing. I think it is necessary and I think it is appropriate.

Wilson: I vote yes and I'm having problems hearing though I had the presentation well, but there are issues with individual councilmembers. I vote yes for the signage presented in the packet. It meets our requirements that we already voted on.

Culotta: I vote yes. The signage is not an issue and is necessary for the operations of the business.

Fulton: I vote yes. The signage will direct not only customers but suppliers, and provide directions to first responders, if needed, to respond to such a larger facility that we were blessed with.

Boyle: I vote yes to approve the conditional use application for the comprehensive sign plan. I think it's well thought out and will provide good direction for visitors and those that come there to do other kinds of business.

Marabello: I vote yes, I think the signs are necessary for the size of that facility. I think it's about eleven acres. And, I just want to thank them for coming. If everyone recalls, the first applicant for that facility was for a storage unit. This is far better than the storage unit. And I thank you for the nice design they made.

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

The Planning Director stated the applicant proposes to construct a 672 square foot accessory cottage as shown on the provided survey in the packet. Chapter 230-9(c)(5) states accessory dwellings are allowed by conditional use approval subject to the conditions outlined in the zoning code.

He referenced other related zoning code sections noting that an accessory dwelling unit is defined as an accessory apartment or accessory cottage, which is a separate and subordinate dwelling unit located on the same lot as a single family detached dwelling but contained in a detached garage or other outbuilding.

Planner Pierce reviewed the staff report that addressed adequate parking for four or more spaces, and an evaluation of the request based on the conditional use criteria.

He also described the various uses of properties surrounding this property.

The applicant provided the proposed location of their accessory dwelling unit on the property survey. There is an existing dwelling towards the front, along King's Highway and an existing detached garage to the rear. Then to the rear of the property is the proposed accessory cottage.

All setbacks will be met as a new structure, and it does not exceed the lot coverage requirement of 40%.

Planner Pierce then reviewed each document included in the packet.

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

The Planning Commission reviewed and recommended approval of the application at their September 19, 2023 meeting by a vote of 6-0-1. The recusal was by a member who was also the applicant.

Rob Ament of Milford Housing Development Corporation of 977 East Masten Circle represented the applicant, noting that the application was presented in full by the City Planner.

He recalled there was a question at the Planning Commission about the structure based on the first new construction build.

Mr. Ament explained this will be stick built slab on grade and not a unit placed inside an existing garage or similar. They will try to match everything as closely as possible per code with the existing structure. The age difference will prevent it from being exact, but an attempt will be made.

The total lot coverage of all improvements will be about 37%.

Applicant Jim Purcell of 102 Kings Highway, Milford, then expressed his appreciation for allowing him to bring the application before Council. He thinks this is a great opportunity to have this ordinance on the books for accessory dwelling units

His mother also appreciates it too, as she was moved out of her home in 2021 and have not been able to find any place affordable. This was the best option, and he hopes to see additional liable applications in the future as this is a great thing for senior living and for those kids that are coming back home and need a place to stay

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

Councilmember Fulton moved to adopt Ordinance 2023-36, seconded by Councilmember Baer. Motion carried by the following roll call vote and associated statements:

Baer: I am definitely in favor of the new ADU ordinance, and I support Mr. Purcell.

I think it will be an enhancement just like he was saying for the elderly and kids coming home.

James: I vote yes. I'm glad to see this is a stick built accessory dwelling unit, and I think this application definitely exemplifies the proper use of this ordinance as it was intended.

Culotta: I vote yes and it's not far from my house, and I am a big fan of the ADU ordinance. I think there's some tweaking we need to do with it, but that's got nothing to do with this application tonight. Yes, and I'm excited about it.

Wilson: I vote yes, based on meeting all our qualifications and within a conditional use. And I think any enhancement is a benefit to the City of Milford.

Fulton: I vote yes, it meets Chapter 230 requirements. The accessory dwelling unit was a long, hard-fought thing that we fought for to put in code. And this is a fine example of its use.

Boyle: I also vote yes in support of the recommendation. The application does meet the criteria under the accessory dwelling unit chapter of the City Code.

Marabello: I vote yes, it conforms to all the requirements for accessory dwelling units. It's a good addition to some affordable housing.

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

Planning Director Pierce provided information on the application as stated above.

The applicant is requesting to rezone two parcels of land that are currently zoned R1-single family residential district to C3-highway commercial district.

Parcel 14 currently contains a single family detached dwelling while Parcel 15 is currently vacant. The applicant will need to consolidate the two properties to meet the minimum lot area requirements of one acre within the C3 district.

He reviewed staff's analysis of the zoning change, which is consistent with the 2018 Comp Plan Future Land Use Maps.

Planner Pierce then reviewed the various documents in the Council packet.

The 2018 Comprehensive Plan's commercial category allows for different levels of commercial development intensity. It includes neighborhood commercial, central business district, highway development, office buildings, and medical services.

Future land use and urban growth boundary map designates all commercial areas into one category though individual characteristics of each site would be considered before identifying the level of commercial development suitable for the property.

A regular highway commercial is generally located along major State routes including State Route One, US Route 113, State Route 14, and Business One.

A single family detached dwelling, which is one of the parcels, is a by-right permitted use within the C3 district. Any future use of the property will have to meet requirements of the zoning code and the C3 highway commercial district.

The property is on the east side of Route 113 and a couple parcels south of the Walls Irrigation property and abut properties already zoned C3 and others zoned R1.

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

The Planning Commission reviewed the changes on application at their September 19, 2023 meeting and recommended approval by a vote of 7 to zero.

Attorney Fred Townsend of Hudson, Jones, Jaywork, and Fisher at 34382 Carpenters Way, Lewes, spoke on behalf of the applicant. James Masten of Masten Realty was also in attendance.

As was stated, Attorney Townsend shared the future use Comp Plan map designates this area for commercial. He assumes that decision was made on the proximity of this parcel to a dual highway which is becoming a very highly commercialized area, and Council's desire to focus commercial activities in appropriate locations

The C3 is an appropriate designation for this parcel as it could be developed in a manner which is dependent in part on access from an arterial road of some significance.

The property also abuts existing C3 zoned property and is across the highway from a much larger commercial complex as well.

One of the conditions expressed in the staff report is that these two parcels be combined so it can be rezoned for a couple of reasons. One is that a minimum acre of square footage is necessary for a C3 parcel to exist.

A benefit of merging the properties together is that it will be virtually impossible for that vacant lot to be redeveloped. That will no longer exist and cannot be the site of an investment of a residential property which is not favored at this time.

He encouraged Council's responsibilities in terms of zoning, or to encourage appropriate uses of land given the various characteristics of those of properties. Approving this ordinance is entirely consistent with the vision for the area and with the Comprehensive Plan future land use map.

Currently it is improved with a 1950's residence. Rezoning to C3 will prevent any significant investment in the property with its current use.

If redeveloped as a separate parcel or in connection with another set of properties nearby, it will be done so under the commercial zoning.

At the Planning Commission hearing, it was confirmed that an individual asked questions about the future use of the property. Mr. Townsend explained to them after the meeting that if the property was developed commercially, it would be subject to a good deal of regulations including a site plan process, buffering between residential and commercial properties, and setback and area limitations, etc.

Presently, there is no plan to immediately redevelop the site which is why the residential use is shown as proposed though unlikely will be used as a residential use in the distant future.

Solicitor Rutt clarified that the person who spoke at the Planning Commission were under the mistaken belief this abutted the rear of the properties on Donovan Drive. It was pointed out there is a separate parcel between what is proposed and the residences on Donovan.

Several questions were asked about the combination of the parcels to create the one-acre parcel required for the C3 zone, Planner Pierce said that he did not mandate the parcels be combined in case Council denied the request.

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

Councilmember Fulton moved to adopt Ordinance 2023-37, with the condition the lots are combined before the C3 zoning is effective, seconded by Councilmember James. Motion carried by the following 7 to zero vote with the following statements made:

Marabello: I vote yes and think the surrounding area is a lot of C3 and I think there is enough of a buffer behind it that borders the housing developments.

Boyle: I vote yes, for the motion. The change of zone is consistent with our future land use designation for that property.

Fulton: I vote yes it meets 2018 land use and with the condition that I placed upon it, it will not be a valid C3 site until it is combined and meets our requirements for C3.

Culotta: I vote yes. It is consistent with properties around it.

Baer: I vote yes based on our 2018 Comprehensive Plan and it just makes sense.

James: I vote yes, it is consistent with the vision of our 2018 Comprehensive Plan.

Wilson: I vote yes. It meets our comp plan for land use, and it just makes sense to be within the C3 highway.

COMMUNICATIONS & CORRESPONDENCE

The upcoming SCAT Dinner will be held in Seaford on October 4th. Please RSVP to the City Clerk if interested in attending.

The Ladybug Festival will be held downtown on Saturday, September 30th.

Councilmember Fulton spoke to a new family at 302 Lakeview Avenue who was concerned about a tree that was dying. He sent the complaint to Manger Whitfield and asked for an update. Mr. Whitfield said he has not received an update from Parks and Recreation Brad Dennehy who is on vacation today.

Councilmember Wilson reported she met with Silver Lake High Rise Apartments and spoke about the electrical outage and confirmed they have an emergency plan. They have been working with the Fire Chief and a Milford Police representative monthly on various issues including the potential of future emergencies.

That manager also is requesting someone from the Electric Department contact him about a needed repair/replacement. Electric Director Tony Chipola was present and confirmed he has talked with that person and has followed up weekly and is meeting him tomorrow morning, along with his maintenance supervisor, to make those repairs.

Councilmember Baer reminded everyone of the Meet the Chief Event with the Third Ward, though all residents are welcome to attend. The flyer will be distributed shortly.

Councilwoman Wilson also invited the community to a Day of Prayer at Bicentennial Park on October 6th beginning at 6:00 p.m.

The Annual Oktoberfest will be held on October 6th and October 7th at St. John's Catholic Church.

Mayor Campbell reported that the big Apple Scrapple Festival is on October 14th in Bridgeville.

MONTHLY FINANCE REPORT

Finance Director Lou Vitola provided the August Finance Report.

The enterprise funds look decent compared to the budget and should last the remainder of the year.

He plans to artificially look behind the same time last year in electric and sewer because of the increased transfers in each fund. The electric fund went from \$2.5 million to \$3.25 million transferred. Each month, there will be a \$62,500 artificial negative variance from last year. The sewer fund went from no transfer to \$300,000 to match water. For every month, there will be an artificial \$25,000 negative variance compared to the same period last year.

That puts us just over \$200,000 behind August in FY24 August and FY22 July and August and about 4/5 of that is related to those artificial variances.

Other than that, we are tracking where we were last year and expects good things to come.

In the general funds, we may be artificially heavy due to some payroll expenses because of the way the old system versus the new system reports payroll. There may be a sliver of FY23 payroll rolling into FY24.

He continues to work with some issues with the new software and will straighten them out to deliver more accurately.

Councilmember James moved to accept the August Finance Report, seconded by Councilmember Fulton. Motion carried.

UNFINISHED BUSINESS

South Walnut Street Traffic Calming & Bike Pedestrian Study Presentation

Century Engineering was hired to do the analysis and a presentation was provided by their consultant at the August 23rd workshop.

Planning Director Pierce said he is asking Council to accept the final report to move forward with final design of the project. This is the result of his Bicycle Master Plan which showed a proposed off street shared use path along the west side of South Walnut Street which will tie into the other bike paths being constructed in Milford that led to the central business district. Included was a traffic calming study.

When asked for clarification of the project, Planner Pierce talked about the South Walnut Street project from Maple Street to McCoy Street. He is proposing sidewalk gaps be filled in on the east side on the blocks without sidewalk and curbing. There are also plans to construct a shared use path along the west side of the right-of-way which would be separate from the travel lanes. The vehicle travel lanes would be reduced in width to allow for the bicycle and pedestrian path. Some of the on-street parking would also be removed to slow speeding.

There will be a deflection in the right-of-way to make drivers navigate a bend to slow down as well.

Crosswalks are proposed at McCoy and Clarke/Seabury, in addition to a realignment of the Jefferson Avenue section at the railroad crossing by making it a more traditional four-way perpendicular intersection.

Due to its condition, the existing brick sidewalk that exists when entering the historic district will be replaced with stamped concrete or possibly more brick.

Questions were asked about the residents in this area Walnut that paid for sidewalks improvements be refunded since those sidewalks will now be torn out.

Planner Pierce said he is only asking for approval of the concept plan so he can move forward with implementation. Council can decide about any refunds though he is unsure if there has been any work there.

It was noted that property owners are presently responsible for their sidewalks. Now we are telling them that they now become responsible for their maintenance moving forward. Councilmember Culotta said as a homeowner, he would request not putting a sidewalk there.

He also does not like residents that have parking in front of their house being removed though he understands the goal is to make South Walnut bicycle friendly and the addition of the crosswalks.

Mr. Pierce stated that where the City is installing sidewalks as part of infill, the property owner would retain ownership and maintenance of the sidewalk, like a homeowner or builder constructing a sidewalk prior to its purchase. A ten-foot-wide bike or shared use path would be maintained by the City, though where it is required by a site plan, it would be privately maintained.

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

When approved, Planner Pierce said he will need to come back to Council to consider funding options.

Councilmember Fulton moved to accept the Street Traffic Calming and Bicycle/Pedestrian Study, seconded by Councilmember Baer. Motion carried.

Authorization/Downtown Public Restroom Purchase

Public Works Director Mike Svaby provided a follow-up on the Downtown Restroom Project.

He provided the following memo:

The City's approved Capital Improvement Plan (CIP) includes a provision for a downtown restroom facility (line 205, page 6 of 8 OM FY24 Working.xlsx).

Public Works staff has reviewed alternatives for this purchase including multiple prefabricated units as well as a standard engineered/designed block building and found that a prefabricated unit (Cortez, see attached quote in packet), manufactured by CXT is the most economical and effective unit available. In addition, the Finance Department has reviewed the FY24 capital budget as approved by Council to confirm the available funding. The balance of \$282,500 has been loaded into General Ledger account 10197071-577020-3PR68. Finance has also reviewed lease terms offered by the vendor to determine that the outright purchase of the unit is preferred to the lease based on the imputed lease rate compared to the alternate use of the funds.

Staff recommends awarding a purchase order to CXT for this manufactured restroom unit in an amount not to exceed \$155,000 (see attached quote). This price falls within the budgeted amount of \$282,500, allowing for site costs to connect utilities for water, sewer and electric - to be finalized in the coming months.

There were concerns expressed that a two-unit bathroom would not be adequate, particularly during downtown events.

When asked how many stalls and/or capacity was considered at the time the budget was created, City Engineer James Puddicombe explained that they compared the Can-Do Playground that has a freestanding two-stall unit. A two-stall restroom was budgeted in the first grouping, which is being presented. Another set of two restrooms is in the capital plan for the outyear and believes that is in next year's budget. As a result, two stalls were budgeted this fiscal year and two more next fiscal year to go closer to the dog park area, to be studied down the line.

It was confirmed the \$282,500 only covers this year. The resulting information was based on the project the interns worked on and the community hearing that followed.

There was confusion over the number of stalls initially discussed by Council.

Maintenance issues were also considered.

When asked what four stalls would cost in comparison to two stalls, Director Svaby offered to obtain additional information and provide that to Council at a future meeting. The City Engineer spoke about some logistics issues that may create additional costs due to its proximity to the river and being in the floodplain.

Councilmember Culotta moved to postpone action to allow additional time for more information including associated costs and site limitations, seconded by Councilmember Baer. Motion carried.

NEW BUSINESS

Adoption/Resolution 2023-20/Lighthouse Estates Phase II/Acceptance of Right-of-Way

City Engineer James Puddicombe reported that Lighthouse Estates completed their paving and one touch-up item, and are fully built out, roads complete and ready to turn over to the City of Milford to be added to our inventory for future Municipal Street Aid funding.

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

Councilmember Boyle moved to adopt Resolution 2023-20, seconded by Councilmember Baer:

RESOLUTION 2023-20
Final Acceptance of Lighthouse Estates Subdivision, Phase 2
Rights of Way and Associated Infrastructure

WHEREAS, Chapter 200 provides that public roads and public utilities shall be accepted into the City of Milford's street system and public utility system by Resolution of City Council; and

WHEREAS, the Public Works Director and City Engineer have determined the water, sewer and stormwater systems included in Phase 2 of the Lighthouse Estates Subdivision have been completed in accordance with City standards and requirements; and

WHEREAS, the portion of Phase 2 to be accepted includes the utilities within the Right-of-Way ("ROW") and public utilities within associated open spaces adjacent to, but within the phase, as depicted on the phasing plan sealed and dated October 25, 2006 and recorded with the Kent County Recorder of Deeds on Book 88, Page 81; and

WHEREAS, the phase to be accepted is phase 2 which encompass lots 12 through 27 and 59 through 68; and

WHEREAS, the utilities within the following rights-of-way are to be included: Shore Lane from Lot 12 to Lot 27; and

WHEREAS, this Resolution includes acceptance of the sidewalks and public streets within these phases; and

WHEREAS, approval to operate those utilities has been obtained from the applicable State agencies; and

WHEREAS, the maintenance bond for the completed utilities is to be relinquished to the developer in an amount equivalent to that withheld for maintenance of the accepted utilities; and

WHEREAS, said developer has provided as-built drawings of the utilities to the City of Milford.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Milford, during a lawful session duly assembled on the 25th day of September, 2023, by a favorable majority vote, accepts the water, stormwater, sewer systems and rights of way in the Lighthouse Estates Subdivision, Phase 2, that are being dedicated for public use into the City of Milford's public utility system.

BE IT FURTHER RESOLVED, that the City of Milford shall assume responsibility for the future maintenance and repair of the water, stormwater piping and sewer systems in Lighthouse Estates Subdivision, Phase 2, as noted in this Resolution.

Motion carried.

Adoption/Resolution 2023-21/Halloween Trick or Treat Observance

The floor was open for public comment. With no one responding, the floor was closed.

Councilmember Fulton made a motion to adopt Resolution 2023-21, seconded by Councilmember Baer:

RESOLUTION 2023-21
Halloween Trick-or-Treat

WHEREAS, the children of Milford are free to enjoy the fun and festivity associated with the observance of the Halloween Trick-or-Treat custom of traveling with friends and family, going door to door in their neighborhoods, displaying their costumes and gathering treats; and

WHEREAS, parents are urged to join in the festivities by accompanying their children throughout their journeys in celebrating Halloween Trick-or-Treat; and

WHEREAS, residents are requested to indicate their willingness to welcome children by keeping their porch or exterior lights on and that youngsters call only on homes so lighted.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council, that the Halloween Trick-or-Treat observance be held in an orderly manner on Tuesday, October 31, 2023 between the hours of 6:00 P.M. and 8:00 P.M. in the City of Milford.

AND, BE IT FURTHER RESOLVED THAT:

- *Costumed celebrants will be permitted to engage in Trick-or-Treat.
- *All celebrants are to refrain from committing acts of vandalism or destruction.
- *Motorists are asked to be ever watchful of our youngsters making these annual rounds.

Motion carried.

Introduction/Ordinance 2023-38/Removal of Electric Fees & Rates & Related Language

Mayor Campbell introduced Ordinance 2023-38.

Electric Director Tony Chipola commented that this is a revision to the existing code and moving the fees out of the code and into the City fee schedule.

The amendment will be discussed, and public comments taken at the October 9, 2023 meeting.

Authorization/Bucket Truck/Chipper Body/Electric Capital Improvement Purchase

Public Works Director Svaby presented the following request for consideration:

Staff is requesting City Council consider a recommendation to purchase a 2024 Freightliner M2 106 Plus Cummins Diesel, 300 HP Bucket Truck with chipper body to be utilized by the Parks & Receptions Department, specifically the Arborist and Arborist Ground Helper positions. The purchase of the unit was identified in the 2024 Capital Improvement Plan, line 21 page 1 (see attached).

This vehicle is necessary for both the Parks & Recreation and Electric Departments in that it will be used for tree/vegetation control as well as Electric Utility functions in and around right of way areas. The purchase of this vehicle will be made through the Sourcewell Contract. Specifications for the bucket truck are attached. The Electric Department budgeted \$300,000 for the purchase of this unit; the final cost of \$213,411 will result in savings that will be retained in electric reserves.

The Finance team has reviewed the purchase and confirmed that the funding was approved in the FY24 budget through electric fund reserves.

Councilmember Fulton moved to authorize a purchase in the amount of \$213,411 to acquire 2024 Freightliner M2 106 Plus Cummins Diesel, 300 HP Bucket Truck with chipper body through Custom Truck-One Source, pursuant to the Sourcewell Contract, to be paid from Electric Fund Reserves, seconded by Councilmember Culotta. Motion carried.

EXECUTIVE SESSION

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

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

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 8:40 pm for the purposes as are permitted by the Delaware Freedom of Information Act.

At 9:05 p.m., Councilmember Boyle moved to return to Open Session, seconded by Councilmember Fulton. Motion carried.

Potential Vote/Property Acquisition(s)

Councilmember Fulton moved to permit the City Manager to move forward with the land acquisition of both properties discussed. Councilmember Baer seconded the motion. Motion carried.

MPD Dispatchers' Collective Bargaining Agreement

Councilmember Fulton moved to authorize the City Manager to proceed with the Collective Bargaining Agreement, seconded by Councilmember Culotta. Motion carried.

ADJOURNMENT

Councilmember Fulton moved to adjourn, seconded by Councilmember Culotta. Motion carried.

Mayor Campbell adjourned the meeting at 9:06 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder



2023 Excellence Award Winners



At the City of Milford, we like to recognize employees through our Employee Recognition Program. The Program objectives include recognizing and promoting positive behaviors that support individuals, groups, divisions and departments in achieving the City's mission, vision, and values.

Nominations from peers and supervisors are submitted to the Human Resources Department using the electronic Employee Recognition Nomination Form on the City's website.

Brian Jester, Building Operations & Refuse Supervisor Charles Nordberg, Streets & Utilities Supervisor

On Saturday, December 23, 2022, Brian and Charlie were given direction to begin making the Public Works Conference room ready for weekend, overnight guests to be used as an emergency shelter from the weather. They quickly cleared the space, secured the entire Public Works building and coordinated a contact and daily maintenance schedule with Milford Police. The action was taken quickly and efficiently, enabling disadvantaged people from the local Community - to stay indoors for the weekend, during a life-threatening cold snap that took place over the Christmas Holiday. Brian and Charlie showed the highest level of teamwork by carrying out the direction they were given on short notice, during holiday time off. They were responsive to Senior management's decision to undertake the provision of a temporary shelter and they supported this direction efficiently, cooperatively and without challenge. They demonstrated performance excellence by going above and beyond in providing support all weekend.



Faith Argo, Accounts Payable Coordinator

Faith has always performed her duties with the highest form of excellence. She assists every department with a willingness to help and an attitude of patience and kindness no matter what the situation. She has been a tremendous support person in the stressful implementation of the city's new system. The one working behind the scenes without recognition. Faith has always been a team player in her quiet, gentle way, getting it done in a big way and doesn't ask for anything in return. Her city co-workers know they can call on her anytime and she is able to provide an answer. She makes everyone feel comfortable when they have to ask for her help and with the new system, she is being called upon constantly. She is the first one to work and the last one to leave every day in her department. She is a huge asset to the city and deserves for that to be recognized.



Stephen Zeveney, Technical Services Supervisor

Steve Zeveney jumped to action to assist an elderly Milford resident who had fallen outside her home on Clearview Dr, Hearthstone, Milford on 9/8/2023. From my understanding, he saw the resident, assessed her injuries and sought immediate medical assistance for her. He stayed with the resident and comforted her until EMTs arrived to transport her to the hospital. It is also worth noting that this occurred during a sudden period of rain/lightning/wind gusts in the area. Steve may not like the attention, but his actions are a clear demonstration of all that is best in Customer Service. The City should commend Steve for his action, his care, and kindness for this Milford resident.





STAFF REPORT
November 3, 2023

Application Number / Name	:	23-027 / Lands of Randall Kenton
Size and Location	:	3.72 +/- acres of land located along the north side of NE Front Street and the east side of N. Rehoboth Boulevard, addressed as 609 NE Front Street.
Tax Map & Parcel(s)	:	MD-16-183.07-01-12.00 & MD-16-183.07-01-14.00

I. BACKGROUND INFORMATION:

- The applicant is requesting to rezone two parcels of land from I-1 (Limited Industrial) and I-2 (General Industrial) to C-3 (Highway Commercial).

II. STAFF ANALYSIS:

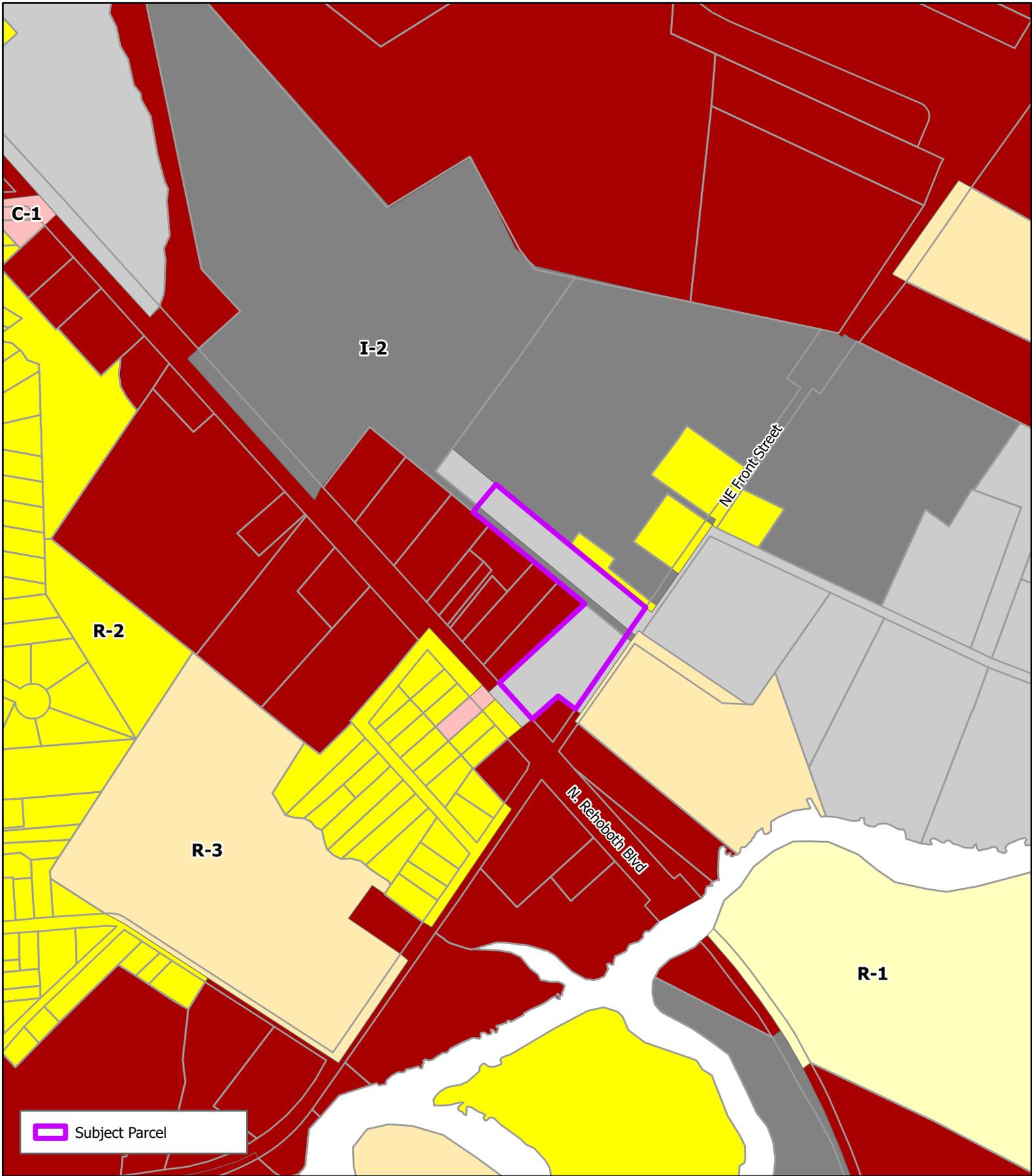
Based on the information presented, the City of Milford Code, and the Comprehensive Plan, staff submits the following regarding the request to amend the Zoning Map:

- The Change of Zone request is consistent with the adopted 2018 Comprehensive Plan Future Land Use maps, as amended. The Future Land Use designation for the properties is Commercial, for which C-3 (Highway Commercial) is a suitable zoning designation. See attached Land Use & Zoning Link table from the comprehensive plan document.
- Per the 2018 Comprehensive Plan, the Commercial Future Land Use category allows for different levels of commercial development intensity. This category includes neighborhood commercial, central business district, highway development, office buildings, and medical services. The individual characteristics of each site should be considered before identifying the level of commercial development suitable for the property. The land use would allow the C-1, C-2, C-2A, C-3, BP, OC-1 and H-1 zoning districts. Highway Commercial should be considered along major State transportation routes, including DE 1, US 113, Route 14 and Business 1.
- The subject parcels are located along Business 1 (N. Rehoboth Boulevard) and Route 14 (NE Front Street) which are classified as Major Collectors DelDOT's functional classification map.

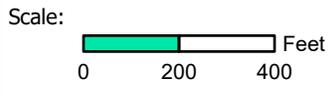
- Chapter 230 states, the purpose of the C-3 district is to provide for larger-scale commercial uses that may require large amounts of parking space or have a high traffic impact. These uses generally require locations on major arterial routes and serve both local and regional customers.
- Any future use of the property must comply with Chapter 230 and the C-3 (Highway Commercial District) zoning use and area regulations. Enclosed is a copy of the current permitted and conditional uses within the C-3 District.

III. AGENCY COMMENTS:

- DelDOT – No comments solicited
- Kent Conservation District – No comments solicited.
- State Fire Marshall – No comments solicited.



 Subject Parcel



Drawn by: WRP Date: 11/03/23

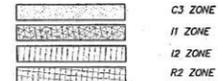
Title:
**Change of Zone
Kenton Property
Location & Zoning Map**

Filepath: COZ_Kenton.aprx



CURRENT ZONING PROPOSED ZONING

LEGEND



- SITE DATA**
- OWNERS:**
 PERDUE FOODS LLC (1/3/0 PERDUE REAL ESTATE HOLDINGS, INC.)
 31149 OLD OCEAN CITY ROAD
 SALISBURY, MD 21802
 JOYCE KENTON, RANDALL D. KENTON & FREDERICK J. KENTON,
 JOINT TENANTS WITH RIGHTS OF SURVIVORSHIP
 15886 WINNERS CIRCLE
 LINCOLN, DE 19960
 - TAX MAP & PARCELS:**
 5-16-17419-01-1400-00001 - DEED REF.: 43/108
 5-16-18307-01-1800-00001 - DEED REF.: 851/125
 5-16-18307-01-0900-00001 - DEED REF.: 450/212
 - PARCELS 1600 & 900 ARE ZONED GENERAL INDUSTRIAL (I-2)**
 SETBACKS:
 FRONT = 75'
 SIDE = 50'
 REAR = 50'
 MAX. BUILDING HEIGHT = 50'
 - PARCEL 1400 IS ZONED GENERAL INDUSTRIAL (I-1)**
 SETBACKS:
 FRONT = 75'
 SIDE = 40'
 REAR = 45'
 MAX. BUILDING HEIGHT = 50'
 - PROPERTY IS IN FLOOD ZONE X (UNSHADED) - AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, PER FIRM MAP NUMBER 10005C0041J, MAP REVISED JANUARY 6, 2005.**
 - HORIZONTAL DATUM - DELAWARE STATE PLAN, NAD83/2011**
 - PERDUE FOODS LLC WILL FORMALLY REQUEST A ZONING MAP AMENDMENT TO ADJUST THE BOUNDARY OF THE I-2 DISTRICT TO MATCH THE NEW LOT LINE.**

OWNER'S CERTIFICATION

I/WE HEREBY CERTIFY THAT I/WE ARE THE OWNER OF PARCELS 900.00, 1600.00 AND 1400.00 AS SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT OUR DIRECTION, THAT I ACKNOWLEDGE THE SAME IN OR ACT AND DESIRE THE PLAN TO BE SUBDIVIDED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

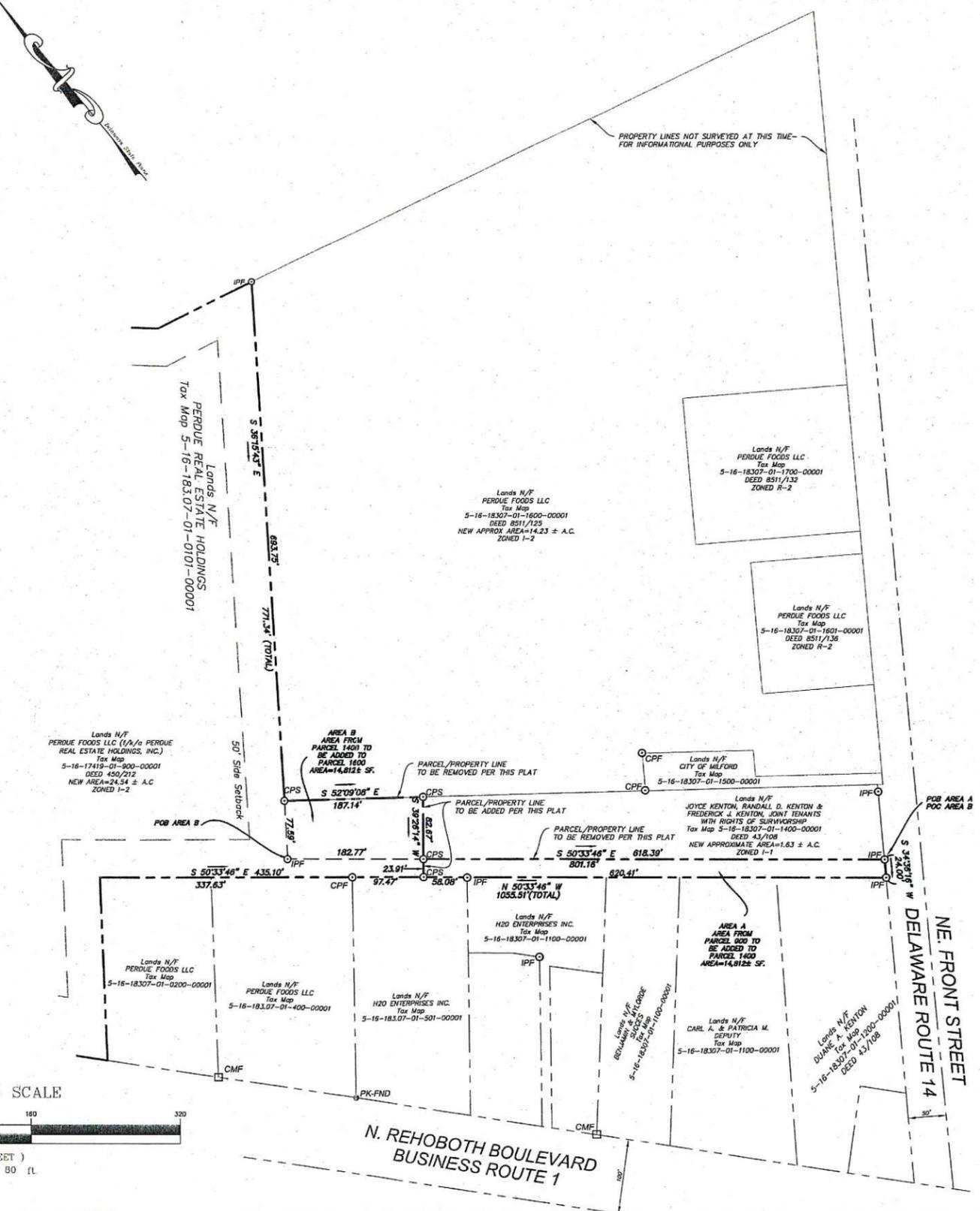
Randall D. Kenton *Joyce Kenton*
 JOYCE KENTON, RANDALL D. KENTON & FREDERICK J. KENTON, JOINT TENANTS WITH RIGHTS TO SURVIVORSHIP - PARCEL 1400 DATE 1/24/22

Betha Galvan
 NAME / TITLE - PARCEL 900 DATE 1/24/22
 PERDUE FOODS LLC (1/3/0 PERDUE REAL ESTATE HOLDINGS, INC.)
 31149 OLD OCEAN CITY ROAD, SALISBURY, MD 21804

Betha Galvan
 NAME / TITLE - PARCEL 1600 DATE 1/24/22
 PERDUE FOODS LLC (1/3/0 PERDUE REAL ESTATE HOLDINGS, INC.)
 31149 OLD OCEAN CITY ROAD, SALISBURY, MD 21804

I HEREBY CERTIFY TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF, THAT THE SURVEY SHOWN HEREON IS CORRECT, THAT IT IS A SURVEY OF PARCELS 5-16-17419-01-1400-00001 & 5-16-18307-01-0900-00001 IN THE CITY OF MILFORD, MILFORD HUNDRED, HUNDRED, KENT COUNTY, DELAWARE. DEPOSITED FOR RECORD IN THE OFFICE OF RECORDER OF DEEDS IN KENT COUNTY, DELAWARE ON DEED RECORDS 145/212 & 145/180.

ROBERT S. McCRONE PROFESSIONAL ENGINEER # 13538 Date 1/21/2022



VICINITY MAP
 SCALE: 1"=2000'±
 COPYRIGHT ADC THE MAP PEOPLE PERMITTED USE NO. 21006232

PLAT BOOK 145 PAGE 47
 SIZE 36 x 24

RECEIVED FOR RECORD
 FEB 3 10 40 AM
 TIME 2:16 PM
 RECORDER

CITY OF MILFORD APPROVAL

Mark Whitfield CITY MANAGER DATE 2/1/2022

CITY PLANNING DEPARTMENT APPROVAL

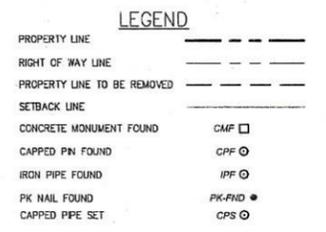
PLANS HAVE BEEN REVIEWED AND ARE FOUND TO BE IN GENERAL CONFORMANCE WITH THE MOST RECENTLY ADOPTED AND/OR CERTIFIED VERSIONS OF THE CITY OF MILFORD'S CODE OF ORDINANCES AND COMPREHENSIVE LAND USE PLAN. THE OWNER AND THEIR ENGINEER AND/OR SURVEYOR ASSUME ALL RESPONSIBILITY FOR THE DESIGN AS CONTEMPLATED HEREIN AND ACCURACY OF ALL INFORMATION SHOWN HEREON.

[Signature] CITY ENGINEER DATE 2/1/2022

CITY ENGINEER APPROVAL

CONSTRUCTION IMPROVEMENTS PLANS HAVE BEEN REVIEWED AND ARE FOUND TO BE IN GENERAL CONFORMANCE WITH THE CITY OF MILFORD'S STANDARD SPECIFICATIONS FOR INSTALLATION OF UTILITY CONSTRUCTION PROJECTS AND SUBDIVISION PAVEMENT DESIGN. THE OWNER AND THEIR ENGINEER AND/OR SURVEYOR ASSUME ALL RESPONSIBILITY FOR THE DESIGN AS CONTEMPLATED HEREIN AND ACCURACY OF ALL INFORMATION SHOWN HEREON.

[Signature] CITY ENGINEER DATE 2/1/2022



ROBERT S. McCRONE
 LICENSE # 13538
 PROFESSIONAL ENGINEER
 DELAWARE

SEAL 1-21-2022
 DATE

REVISIONS		
REV. #	DATE	DESCRIPTION

McCRONE
 ENGINEERS ■ SURVEYORS ■ PLANNERS
 ANNAPOLIS ■ CENTREVILLE ■ ELKTON ■ SALISBURY ■ DELAWARE

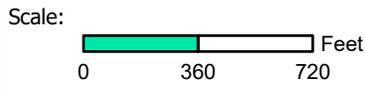
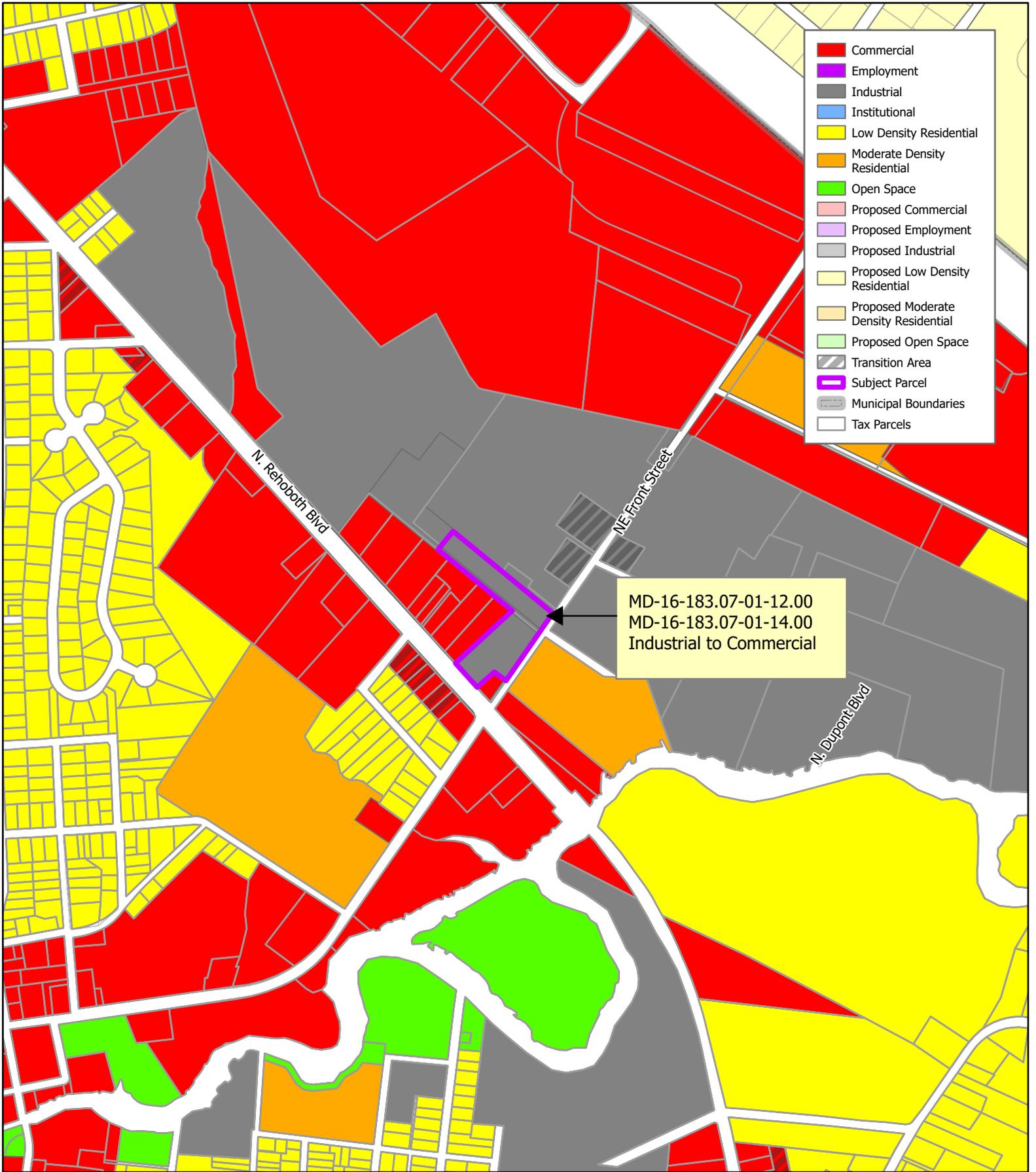
119 NAYLOR MILL ROAD, SUITE 6
 SALISBURY, MD 21801
 (410) 548-1492

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DATE: 04/01/2021
 JOB NUMBER: D2200012
 SCALE: 1"=80'
 DRAWN BY: TS/SG
 DESIGNED BY: MB
 APPROVED BY: RK
 FOLDER REFERENCE:

MINOR LOT LINE ADJUSTMENT
 FOR
PERDUE FOODS LLC
 AND
 JOYCE KENTON, RANDALL D. KENTON, & FREDERICK J. KENTON
 JOINT TENANTS WITH RIGHTS OF SURVIVORSHIP
 CITY OF MILFORD
 MILFORD, HUNDRED
 KENT COUNTY, DELAWARE

SHEET NO.:
 FILE NO.:



Drawn by: WRP Date: 06/14/23

Title: **Exhibit B**
2023 Comprehensive Plan Map Amendment
 Future Land Use Map

right to do so). The city’s future land use map is largely a reflection of its understanding of likely growth and development. Wherever possible, the future land use attempts to anticipate likely changes. A key feature of the 2017 Comprehensive Plan Update is the “transition” future land use category.

The “transition” future land use designation, conceptually, helps with all three key considerations. It is straightforward and simple to see on the overall and neighborhood maps. It limits the potential need for plan amendments, in that each time a residential property requests rezoning to a commercial or industrial use, it will still be in compliance with the existing future land use map. It maintains flexibility in the identified areas. If and when properties petition for rezoning, procedural changes can be made to the zoning ordinance without it conflicting with the Milford Comprehensive Plan.

The transitional future land use classification has the added benefit of allowing the existing, largely residential uses, as by-right uses to ensure that existing property owners who wish to remain residential are not classified as non-conforming uses.

10-4. Land Use and Zoning

10-4a. Future Land Use Categories

Employment

The employment category is intended to serve as a primary location for a large employer to bring jobs and economic development to the city. Potential uses include schools and healthcare-related uses that would provide many jobs and services for the region. This land use category is similar to the H-1, IM, and IS zoning districts found in the Milford Zoning Ordinance.

Commercial

The commercial category allows for different levels of commercial development intensity. This category includes neighborhood commercial, central business district, highway development, office buildings, and medical services. The *Future Land Use and Urban Growth Boundary* map designates all commercial areas in one category, but the individual characteristics of each site would be considered before identifying the level of commercial development that is suitable for each property. Each level of commercial use differs by the size of the site and use intensity. This land use is similar to the C-1, C-2, C-2A, C-3, BP, OC-1, and H-1 zoning districts found in the Milford Zoning Ordinance.

Regular Highway Commercial for the city is located along major state transportation routes, including DE 1, US 113, Route 14 and Business 1.

Industrial

The industrial category is intended to serve as a primary location for light to moderate industrial and manufacturing uses. This land use is similar to the I-1 and I-2 zoning districts found in the Milford Zoning Ordinance.

Institutional

The institutional category includes government, civic, and community facilities such as libraries, schools, colleges, hospitals, medical facilities, community centers, places of worship, nursing homes, assisted living facilities, and other similar uses. Institutional uses may be found within residential, commercial, and employment areas.

Low Density Residential

The Low Density Residential District represents typical single-family detached dwellings and duplex development. These units receive full urban services. Other dwelling types may be allowed as part of a density bonus by providing additional open space and amenities of development or through a conditional use of a Planned Unit Development by Milford City Council. Neighborhood commercial and office-type uses that do not detract from the residential character of the area may be found in this area as well. This land use is similar to the R-1, R-2, C-1, and OB-1 zoning districts found in the Milford Zoning Ordinance.

Moderate-Density Residential

The Moderate Density Residential District represents typical single-family detached dwellings, attached single-family dwelling units, patio homes, duplexes, triplexes, quadplexes, townhomes/row houses, condominiums, apartments, and loft-style units. Availability of open space and walkable sidewalks are also key components. Neighborhood commercial and office-type uses that do not detract from the residential character of the area may be found in this area as well. This land use is similar to the R-3, R-8, C-1, and OB-1 zoning districts and the PUD conditional use for residential development found in the Milford Zoning Ordinance.

Transitional Commercial and Industrial Areas

These areas are designed to allow for a migration from residential to the underlying future land use categories depicted on the *Future Land Use and Urban Growth Boundary* map. There are two main transitional areas, commercial and industrial. The commercial transition areas are located along major roadways, including US 113 and Rehoboth Boulevard (Route 1A). The Industrial transition area is located along Route 14 between Routes 1A and 1.

The transitional areas will allow the property owners to maintain their current residential zoning until such time they wish to change their zoning to either commercial or industrial. This will allow the area to transition slowly along these corridors, without forcefully rezoning properties and potentially creating non-conforming properties and uses. Once the property owner changes the zoning of the property from residential to commercial or industrial, the property will remain industrial or commercial unless there is an amendment to the Milford Comprehensive Plan that would allow otherwise. The Comprehensive Plan will be reviewed again in five years, where the future land use exhibits can be updated to permanently show the properties that have transitioned from the residential categories to the more intense uses, and reduce the footprint of the transitional area on the maps.

Open Space

The Open Space category includes both existing open space owned by the city as well as the large area of open space located east of DE 1. Milford may elect to annex existing developed residential properties within the proposed Open Space future land use areas at the lowest intensity residential zoning category and provide services if deemed cost effective.

One of the recommendations of the Milford Comprehensive Plan is to prepare an Open Space Preservation Plan. Local governments and conservation groups offer many tools to preserve farmland and other open space. Some rely on the donation or sale of property development rights by a property owner, while other tools may include marketing assistance or protective planning and zoning. The primary goals of the Open Space designation east of DE 1 are the following:

- Promote the Transfer of Development Rights (TDR) – A TDR is a legal agreement that allows a developer who wants to build at a higher density than is permitted to purchase or trade for additional development rights from a willing seller who owns land in an area designated for preservation. The goal of the Open Space designation is to use the land as a sending area either into designated areas of the City of Milford or designated areas of Sussex County, thus protecting the open space area.
- Promote Conservation Easements – A conservation easement is a legal agreement between a landowner and a land trust or government agency whereby a landowner sells or donates the rights to develop his or her property to a conservation organization.
- Protective Rural Zoning – This type of zoning allows a very low density per acre. This is one of the most effective ways to protect rural and agricultural land and maintain a mass of land required to support agriculture economies without buying conservation easements.

- Purchase of Land – In the interest of Milford City Council to protect our recharge areas, funding could be used to protect our recharge areas and preserve open space.

10-4b. Land Use and Zoning Link

The link between land use and zoning is important because Title 22, Section 702(c) of the Delaware Code requires that Milford:

“...within 18 months of the adoption of a comprehensive development plan or revision thereof, amend its official zoning map to rezone all lands within the municipality in accordance with the uses of land provided for in the comprehensive development plan.”

Table 27 shows the link between the future land use designations depicted on the *Future Landuse and Urban Growth Boundary* map and the zoning districts summarized in Table 28. Table 27 provides guidance as to the zoning districts that would be considered consistent with each land use designation.

Table 27. Land Use and Zoning Link

Future Land Use Designation	Corresponding Zoning District(s)
Employment	H-1 – Institutional Development
	IM – Institutional Medical
	IS – Institutional Service
Commercial	C-1 – Community Commercial
	C-2 – Central Business
	C-2A – Riverfront Development
	C-3 – Highway Commercial
	OC-1 – Office Complex
	BP – Business Park
Industrial	H-1 – Institutional Development
	I-1 – Limited Industrial
	I-2 – General Industrial
Institutional	Institutional uses may be permitted or conditionally permitted in residential, commercial, and employment zones

Future Land Use Designation	Corresponding Zoning District(s)
Low Density Residential	R-1 – Single Family Residential
	R-2 - Residential
	C-1 – Community Commercial
	OB-1 – Office Building
Moderate Density Residential	R-3 – Garden Apartment & Townhouse
	R-8 – Garden Apartment & Townhouse
	C-1 – Community Commercial
	OB-1 – Office Building
Open Space	Designed for preservation. Existing residential properties may be zoned R-1.

Disclaimer: Table 27 shows the relationship between the future land use designations depicted on the future land use map and the zoning districts summarized in Table 28. This table describes how Milford’s zoning districts might match up with the land uses recommended on the future land use map. These match ups are intended as guidance for the Milford City Council to consider during the rezoning process. They are not intended to preclude the development of new zoning districts or revisions to the zoning ordinance, the subdivision ordinance, or any other land use regulations.

10-4c. Zoning Districts

The current zoning map depicts Milford’s zoning districts, and Table 28 provides a list of the current zoning classifications.

As of the date of the plan adoption, Table 28 and the existing zoning exhibit represent a fixed period in time and Milford reserves the right to create new zoning categories and change property zonings as long as the intent of the Comprehensive Plan is upheld. This table and section is for informational purposes only.

Zoning is the chief means for implementing the Milford Comprehensive Plan, consisting of a written document and a series of maps. The maps show a number of districts or zones into which the municipality is divided to regulate the use of land. The document specifies the types of activities (uses) that can occur in each district either as a matter of right (in all circumstances) or under certain conditions (conditional uses). It also regulates building height, lot sizes, setbacks, yards and green space, the number and sizes of signs, and space for off-street parking. Some municipalities incorporate environmental protection standards in zoning ordinances, while others have stand-alone ordinances with cross-references to zoning standards.

Table 28. Milford Zoning Districts

Zoning District
BP – Business Park
R-1 – Single Family Residential
R-2 – Residential
R-3 – Garden Apartment & Townhouse
R-8 – Garden Apartment & Townhouse
C-1 – Community Commercial
C-2 – Central Business
C-2A – Riverfront Development
C-3 – Highway Commercial
H-1 – Institutional Development
IM – Institutional Medical
IS – Institutional Service
I-1 – Limited Industrial
I-2 – General Industrial
OB-1 – Office Building
OC-1 – Office Complex

Zoning works with subdivision regulations. Subdivision refers to the process of splitting up or assembling land for development. The regulations governing this process designate utility locations, street rights-of-way, open space, and common areas. They also outline the services, such as water, sewer, gas, and electricity and amenities that a developer must supply prior to sale of subdivided (or assembled) land.

Increasingly, the distinction between zoning and subdivision regulations is becoming blurred.

Development plan approvals cannot take place without making sure that plans are in compliance with zoning and subdivision codes. Over the past several years, a number of Delaware municipalities have consolidated subdivision and zoning regulations into a single land use code.

10-5. Land Use and Growth Management Goals and Recommendations

Milford has, and continues to, work diligently to build its economic and employment base through development of all types. It has also made significant efforts to include relevant state agencies, county and municipal governments, school districts, property owners, and development interests. Milford has successfully utilized a master planning approach for its southeastern area and now envisions undertaking a similar initiative for potential growth, development, and redevelopment in its Northeastern area.

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

- Create a variety of suitable zoning categories and targeted land use areas within the city to accommodate the assortment of business sectors.
- Update the zoning ordinance to reflect the objectives of the city's Comprehensive Plan.
- Refer to the Milford Comprehensive Plan for rezoning and annexation agreements.
- See the State Strategy mapping to guide growth.
- 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.
- Encourage infill and redevelopment of vacant, underutilized, or in-need-of-repair properties, particularly within the Downtown Development District.
- Prioritize growth on the significant developable and vacant areas within the existing municipal boundaries.
- 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.

- (3) Minimum lot width shall be 50 feet.
- (4) Maximum lot coverage shall be 60%
- (5) Minimum front yard setback shall be 15 feet minimum
- (6) Side yard setback shall be 14 feet aggregate total with a minimum of 6 feet.
- (7) Minimum rear yard setback shall be 20 feet.
- (8) Height of buildings shall not exceed 50 feet.
- (9) Minimum separation distance between dwelling structures on the same lot shall not be less than 15 feet.
- (10) Parking shall comply with the requirements provided in Article IV of this chapter.
- (11) Signs shall comply with the requirements provided in Article VI of this chapter.
- (12) For mixed use residential and commercial projects, off-street parking, parking beneath buildings, front, side and rear setbacks, landscaping and buffering, lot coverage, number of units per building and building separation shall be as determined by the Planning Commission.
- (13) Landscape screening shall comply with the requirements provided in Article V of this chapter.
- (14) Accessory structures in aggregate shall occupy no more than 30 percent of the required rear and side yard of the lot area and may not dominate in area, extent or purpose to the principal use or structure. The area of the principal structure shall be calculated using the definition of floor area in this chapter.
- (15) Accessory structures shall be located in the side and rear lot areas.
- (16) Accessory structures for residential and non-residential uses shall be located at least 5 feet from the rear lot line and at least 5 feet from the side lot line and shall not be located less than 5 feet from a principal structure.

§ 230-14. - C-3 Highway Commercial District.

In a C-3 District no building or premises shall be used and no building shall be erected or altered which is arranged, intended or designed to be used except for one or more of the following uses and complying with the requirements so indicated.

- A. Purpose. The purpose of the C-3 District is to provide for larger-scale commercial uses that may require large amounts of parking space or have a high traffic impact. These uses generally require locations on major arterial routes and serve both local and regional customers.
- B. Permitted uses. Permitted uses for the C-3 District shall be as follows:
 - (1) Those permitted uses in the C-2 District.
 - (2) Warehouses.
 - (3) Large retail outlets.
 - (4) Indoor storage accessory building.
 - (5) Fast-food restaurants and drive-in restaurants.

- (6) Supermarkets.
- (7) Truck and trailer rentals.
- (8) Roadside produce market.
- (9) Outdoor commercial recreational facilities, not motorized vehicles.
- (10) Swimming club.
- (11) Indoor facility for amusement or assembly.
- (12) Bus station.

(13) Motels or hotels.

(14) Commercial greenhouse.

(15) Wholesale establishment.

(16) Contractors', craftsmen's or general service shops, including welding and similar shops.

(17) Laboratory, testing and research.

(18) Car wash.

C. Conditional uses subject to special requirements. All uses specified as conditional uses in the C-2 zoning district and the following uses are permitted subject to receiving a conditional use permit by the City Council as provided in Article IX of this chapter:

- ~~(1) Motels or hotels.~~
- ~~(2) Commercial greenhouse.~~
- ~~(3) Wholesale establishment.~~
- ~~(4) Contractors', craftsmen's or general service shops, including welding and similar shops.~~
- ~~(5) Laboratory, testing and research.~~

(16) Automotive sales.

(27) Automotive repair, subject to the following special requirements:

- (a) All facilities shall be located and all services shall be conducted on the lot.
- (b) All repair work shall be conducted within an entirely enclosed building.
- (c) No equipment for the service of gasoline or oil shall be placed closer to any street or property line than 20 feet.
- (d) No portion of such structure or its equipment shall be located within 500 feet of the premises of any school, hospital, church or public recreation building.
- (e) No service station shall be located within 800 feet of another service station on the same side of the street within the same block.
- (f) Any such use shall be permitted only where it is determined that it will not materially interfere with the main pedestrian movement in conjunction with a compact retail area.

(38) Shopping center, subject to the following site requirements:

~~(a)~~ The total shall not be less than one acre.

~~(a)~~ Traffic and parking.

~~[1]~~ The internal circulation of traffic shall be separated from the external street system, and pedestrian and vehicular traffic shall be separated through traffic control devices and appropriate site design.

~~[1]~~ The minimum distance between accessways and a residential district shall be 50 feet.

~~[2]~~ Spacing of accessway.

[a] From adjoining property: 50 feet.

[b] From minor intersections: 50 feet.

[c] From major intersections: 100 to 150 feet.

~~(b)~~ Setback.

~~[1]~~ From street right of way: 15 feet.

~~[1]~~ From nonresidential districts: 15 feet.

~~[2]~~ From residential districts: 100 feet.

~~(9)~~ Car wash.

~~(4)~~ All uses permitted in the R-3 Zoning District subject to its area regulations.

~~(5)~~ Business, commercial or industrial uses that do not adversely affect neighboring properties.

~~(6)~~ Aquarium.

(7) Community energy generating facility.

(a) The footprint of the solar array, as defined as the by the outer limit of the panels and exclusive of buffers shall be no larger than fifty (50) acres in size.

(b) No more than one Community Solar Energy Facility (SEF) shall be permitted on a parcel. All separate parcels in existence on June 1, 2023, shall be considered original parcels. Future subdivision of an original parcel shall not enable the development of additional Community Solar Energy Facilities.

(c) Facility location and siting shall be in accordance with the requirements of Title 26 Public Utilities of the Delaware Administrative Code, 3001 (Rules for Certification and Regulation of Electric Suppliers) as amended.

(d) Setbacks for the Facility shall be:

[1] Front setback shall be 75 feet.

[2] Side setback shall be 50 feet.

[3] Rear setback shall be 50 feet.

[4] Distance from any off-site dwelling unit shall be 100 feet.

[5] Distance from any State recognized Scenic Byway shall be 150 feet.

[6] Distance from any wetlands shall be 100 feet.

(e) The site area shall be planted to achieve a minimum six (6) foot high four-season visual barrier in accordance with the following guidelines:

[1] Include a variety of native evergreen trees. Existing native vegetation may be used to achieve the required planted buffer.

[2] A minimum of two (2) rows shall be installed and trees shall be planted in staggered rows. Plantings shall be placed at maximum 20 feet apart within the same row and 10 feet apart from the adjacent, staggered row.

[3] Include groundcover to minimize growth of invasive species or provide a mowing schedule until the area is fully established in a natural condition.

[4] The buffer shall be maintained to prevent disease from spreading and any trees that don't survive shall be replaced.

[5] A raised berm with a 1:4 side slope and flat top may be used to achieve minimum height at planting.

(f) The required buffer may be counted toward planting requirements included in this Chapter.

(g) If topsoil is removed for improvements, it shall remain on the site.

(h) Noninvasive, perennial vegetative ground cover must be maintained or established in all areas containing solar arrays and in required setbacks to prevent erosion and manage run-off. A seed mix will be used to promote the growth of a ground cover that is favorable to future use of the land by animals. The height of the vegetation growth shall be maintained as to reduce the possibility of the airborne spreading of weeds and seeds transmitted to other adjacent lands.

(i) A soils study establishing the presence of any contaminants shall be completed prior to construction and every five (5) years thereafter. Surface Soil samples shall be collected from the first six inches of soil. One composite sample shall be collected every 5 acres of SEF footprint. The composite sample should be a maximum of 10 aliquots collected from evenly spaced locations throughout the 5-acre footprint. A baseline sample shall be collected prior to the start of the SEF construction. The composite sample should be analyzed for the primary component of the installed solar panel via the prevailing EPA method for Inorganic Compounds. A letter report of findings shall be submitted within 45 days from receipt of the laboratory results to the City and shall include a summary table showing current and past results and the original certified laboratory results. A sketch showing the sample locations should be provided with the letter report. The full report shall be kept on file by the applicant and available for review by the City. If contaminate levels appear to exceed the baseline, the City will forward the report to DNREC to determine appropriate mitigation measures. If the 5 year and 10 year tests do not show material increase in the metal constituents tested, then testing interval may be extended to every 10 years.

(j) Signage, not to exceed six (6) square feet, identifying the operator, its contact numbers, 911 address and emergency contact information shall be posted at each entrance or exit of the property.

(k) Abandonment. A Community Energy Generating Facility that does not produce energy for a continuous period of one year or more shall be presumed to have been abandoned. The Applicant may request a Good Cause Exemption that may not be unreasonably withheld so long as all Real Estate and Personal Property Taxes are in Good Standing. Any Facility that has been abandoned without attaining a Good Cause Exemption must be decommissioned and removed within 180 days. Decommissioning must consist of:

[1] Physical removal of all solar photovoltaic facilities, structures, equipment, security barriers and transmission lines from the site.

[2] Recycling or disposal of all solid and hazardous waste in accordance with local, state, and federal regulations.

[3] Stabilization or re-vegetation of the site as necessary to minimize erosion. The Planning Director is authorized to allow the owner or operator to leave landscaping or designated below-grade foundations in place in order to minimize erosion and disruption to vegetation and/or agriculture.

(l) Decommissioning plan.

[1] A decommissioning plan outlining the anticipated means and costs of removing the solar facility must be submitted, with the application.

[2] The decommissioning plan should ensure that the owner or operator properly removes the equipment and facilities upon the end of project life or after their useful life. The plan must include provisions for the removal of all structures and foundations, the removal of all electrical transmission components and the restoration of soil and vegetation.

[3] The owner/operator must provide a present-day decommissioning cost estimate and identify the parties responsible for decommissioning.

(m) Financial Assurance. The operator or property owner shall provide a bond, surety, letter of credit, or other financial assurance in a form and amount acceptable to the Department to secure payment of one hundred (100) percent of the anticipated cost of removal of all associated site improvements and restoration of the site to its pre-development condition. The financial assurance shall remain in full force and effect as long as the solar Facility remains in place. The financial assurance shall be reviewed and renewed every five (5) years to ensure the amount reflects the current market.

(8) Energy system utility scale solar & wind.

(a) The following are conditions specific to Solar Facilities:

[1] Setbacks for a Solar facility shall be:

[a] Front setback shall be 100 feet.

[b] Side setback shall be 75 feet.

[c] Rear setback shall be 75 feet.

[d] Distance from any off-site dwelling unit shall be 100 feet.

[e] Distance from any State recognized Scenic Byway shall be 150 feet.

[f] Distance from any wetlands shall be 100 feet.

[2] The required setback shall be planted to achieve a minimum six (6) foot high four-season visual barrier in accordance with the following guidelines:

[a] Include a variety of native evergreen trees. Existing native vegetation may be used to achieve the required planted buffer.

[b] A minimum of two (2) rows shall be installed and trees shall be planted in staggered rows. Plantings shall be placed at maximum 20 feet apart within the same row and 10 feet apart from the adjacent, staggered row.

[c] Include groundcover to minimize growth of invasive species or provide a mowing schedule until the area is fully established in a natural condition.

[d] The buffer shall be maintained to prevent disease from spreading and any trees that don't survive shall be replaced.

[e] A raised berm with a 1:4 side slope and flat top may be used to achieve minimum height at planting.

[3] A soils study establishing the presence of any contaminants shall be completed prior to construction and every five (5) years thereafter. Surface Soil samples shall be collected from the first six inches of soil. One composite sample shall be collected every 5 acres of SEF footprint. The composite sample should be a maximum of 10 aliquots collected from evenly spaced locations throughout the 5-acre footprint. A baseline sample shall be collected prior to the start of the SEF construction. The composite sample should be analyzed for the primary component of the installed solar panel via the prevailing EPA method for Inorganic Compounds. A letter report of findings shall be submitted within 45 days from receipt of the laboratory results to the City and shall include a summary table showing current and past results and the original certified laboratory results. A sketch showing the sample locations should be provided with the letter report. The full report shall be kept on file by the applicant and available for review by the City. If contaminate levels appear to exceed the baseline, the City will forward the report to DNREC to determine appropriate mitigation measures. If the 5 year and 10 year tests do not show material increase in the metal constituents tested, then testing interval may be extended to every 10 years.

[4] Signage, not to exceed six (6) square feet, identifying the operator, its contact numbers, 911 address and emergency contact information shall be posted at each entrance or exit of the property.

(b) The following are conditions specific to Wind Facilities:

[1] Setbacks for a Wind Facility shall be:

[a] Front setback shall be 800 feet.

[b] Side setback shall be 800 feet.

[c] Rear setback shall be 800 feet.

[d] Distance from any off-site dwelling unit shall be 1,000 feet.

[e] Distance from any State recognized Scenic Byway shall be 800 feet.

[f] Distance from any wetlands shall be 100 feet.

[2] No climbing pegs or tower ladders shall be located closer than 12 feet to the ground level at the base of the structure for freestanding single poles.

[3] The facility shall be designed to prevent unauthorized external access to electrical and mechanical components and shall have access doors that are kept securely locked.

[4] All access roads shall be gated and locked.

[5] All power transmission lines from the tower to any other building or other structure shall be located underground to the maximum extent practical.

[6] No tower shall be lit except to comply with Federal Aviation Administration requirements. Minimum-security lighting for ground level facilities shall be allowed as approved on the site plan. Security lighting shall be designed to minimize light pollution, including the use of light hoods, low-glare fixtures, and directing lights at the ground.

[7] All structures in a project shall be finished in a single, non-reflective, matte color or a camouflage scheme.

[8] Signs

[a] No advertising signs are allowed on any part of the WECS, including fencing and support structures.

[b] No lettering, company insignia, advertising, or graphics shall be on any part of the tower, hub, or blades.

[c] Appropriate warning signs shall be posted. At least one sign shall be posted at the base of the tower warning of electrical shock or high voltage. A sign shall be posted on the entry area of the fence around each tower or group of towers and any building (or on the tower or building if there is no fence) containing emergency contact information, 911 address, including a local telephone number with 24-hour, 7-days-a-week coverage. The City may require additional signs based on safety needs.

[9] Noise level shall not exceed 50 dBA, including constructive interference at existing off-site residences, businesses, and public buildings.

(c) The following are conditions required for all Utility Solar and Wind Energy Facilities

[1] Required buffers may be counted toward planting requirements included in this Chapter.

[2] If topsoil is removed for improvements, it shall remain on the site.

[3] Noninvasive, perennial vegetative ground cover must be maintained or established in all areas containing solar arrays and in required setbacks to prevent erosion and manage run-off. A seed mix will be used to promote the growth of a ground cover that is favorable to future use of the land by animals. The height of the vegetation growth shall be maintained as to reduce the possibility of the airborne spreading of weeds and seeds transmitted to other adjacent lands.

[4] Abandonment. A Utility Solar or Wind Facility that does not produce energy for a continuous period of one year or more shall be presumed to have been abandoned. The Applicant may request a Good Cause Exemption that may not be unreasonably withheld so long as all Real Estate and Personal Property Taxes are in Good Standing. Any Utility Solar Facility that has been abandoned without attaining a Good Cause Exemption must be decommissioned and removed within 180 days. Decommissioning must consist of:

[a] Physical removal of all solar photovoltaic facilities, wind turbines, structures, equipment, security barriers and transmission lines from the site.

[b] Recycling or disposal of all solid and hazardous waste in accordance with local, state, and federal regulations.

[c] Stabilization or re-vegetation of the site as necessary to minimize erosion. The Planning Director is authorized to allow the owner or operator to leave landscaping or designated below-grade foundations in place in order to minimize erosion and disruption to vegetation.

[5] Decommissioning plan.

[a] A decommissioning plan outlining the anticipated means and costs of removing the facility must be submitted, with the application.

[b] The decommissioning plan should ensure that the owner or operator properly removes the equipment and facilities upon the end of project life or after their useful life. The plan must include provisions for the removal of all structures and foundations, the removal of all electrical transmission components and the restoration of soil and vegetation and/or agriculture.

[c] The owner/operator must provide a present-day decommissioning cost estimate and identify the parties responsible for decommissioning.

[6] Financial Assurance. Prior to final plan approval, the operator or property owner shall provide a bond, surety, letter of credit, or other financial assurance in a form and amount acceptable to the Department to secure

payment of one hundred (100) percent of the anticipated cost of removal of all associated site improvements and restoration of the site to its pre-development condition. The financial assurance shall remain in full force and effect as long as the facility remains in place. The financial assurance shall be reviewed and renewed every five (5) years to ensure the amount reflects the current market.

(9) Emergency shelter facility.

(a) The lot on which an emergency shelter facility is located shall not be within 500 feet of a lot on which another emergency shelter facility or group home is located.

(b) All state licenses and permits for such a facility have been obtained.

D. Area regulations.

- (1) Minimum lot area shall be one acre.
- (2) Maximum lot coverage shall be 80%.
- (3) Minimum lot width shall be as follows: for an interior lot 150 feet and for a corner lot 170 feet.
- (4) Height of buildings shall not exceed 35 feet, with the following exception: a motel, hotel, or aquarium may be erected to a height not exceeding 60 feet.
- (5) Minimum front yard setback shall be 30 feet.
- (6) Side yards shall be provided as follows: each lot shall have two side yards a minimum of 20 feet with a minimum aggregate width of two side yards of 50 feet.
- (7) Minimum rear yard shall be 50 feet.
- (8) Parking shall comply with the requirements provided in Article IV of this chapter.
- (9) Landscape screening shall comply with the requirements provided in Article V of this chapter.
- (10) Signs shall comply with the requirements provided in Article VI of this chapter.
- (11) Accessory structures in aggregate shall occupy no more than 30 percent of the required rear and side yard of the lot area and may not dominate in area, extent or purpose to the principal use or structure. The area of the principal structure shall be calculated using the definition of floor area in this chapter.
- (12) Accessory structures shall be located in the side and rear lot areas.
- (13) Accessory structures for residential uses shall be located at least 5 feet from the rear lot line and at least 5 feet from the side lot line and shall not be located less than 10 feet from a principal structure.
- (14) Accessory structures for non-residential uses shall meet the principal use setbacks and shall not be located less than 5 feet from a principal structure.

§ 230-15. - H-1 Institutional Development District.

In an H-1 District no building or premises shall be used and no building shall be erected or altered which is arranged, intended or designed to be used except for one or more of the following uses and complying with the requirements so indicated.

CITY OF MILFORD
NOTICE OF PUBLIC HEARINGS

Planning Commission Hearing: Tuesday, November 21, 2023 @ 6:00 p.m.
City Council Hearing: Monday, November 27, 2023 @ 6:00 p.m.

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 2023-46

Legal Owner Randall Kenton for a Change of Zone from
I-1 (Limited Industrial District), I-2 (General Industrial District)
to C-3 (Highway Commercial)
on 3.72 +/- acres of land located along the north side
of NE Front Street and the east side of N. Rehoboth Boulevard
Address: 609 NE Front Street , Milford, DE
Present Use Pallet Recycling; Proposed Use Pallet Recycling
Tax Map & Parcels MD-16-183.07-01-12.00 & MD-16-183.07-01-14.00

WHEREAS, the property owner has petitioned the City of Milford Planning and Zoning Office for a Change of Zone from I-1, I-2 to C-3 on 3.72 +/- acres of land at 609 NE Front Street; and

WHEREAS, the Change of Zone to request to Commercial is consistent with the Adopted 2018 Comprehensive Plan Future Land Use Map, as amended; and

WHEREAS, the City of Milford Planning Commission considered the application during their regular meeting on November 21, 2023, at which time interested parties had the opportunity to comment on the application to assist in an informed recommendation to City Council; and

WHEREAS, Milford City Council held a Public Hearing on November 27, 2023 to allow additional public comment, after which City Council made a final determination; and

WHEREAS, as required by Chapter 230, the Public Notice was published in the Delaware State News on October 31, 2023 and provided to property owners within 200 feet of the subject parcel; and

WHEREAS, this Ordinance becomes effective ten days following the date of its adoption by City Council.

NOW, THEREFORE, BE IT RESOLVED the City of Milford hereby ordains as follows:

Section 1. Chapter 230 states the purpose of the C-3 district is to provide for larger-scale commercial uses that may require large amounts of parking space or have a high traffic impact, and generally require locations on major arterial routes and serve both local and regional customers.

Section 2. Pallet Recycling is a permitted use within the C-3 Zoning District.

Section 3. The adoption of this Ordinance grants Lands of Randall Kenton a Change of Zone to C-3 on 3.72 +/- acres of land at 609 NE Front Street in Kent County, Milford, Delaware, Tax Map/Parcels MD-16-183.07-01-12.00 & MD-16-183.07-01-14.00

Section 4. Any future use of the property must comply with Chapter 230 (Zoning Code) and the C-3 (Highway Commercial District) uses and area regulations.

Section 5. Dates.

Planning Commission Review & Public Hearing: November 21, 2023

City Council Introduction: November 13, 2023

City Council Public Hearing: November 27, 2023

Effective: Ten Days following Adoption

For additional information, please contact Rob Pierce in the Planning & Zoning Department either by e-mail at RPierce@milford-de.gov or by phone at 302.424.8396.

Published: Delaware State News 10/31/2023



DATA SHEET FOR IGLESIA PENTECOSTAL BETHEL DELAWARE, INC.

Planning Commission Meeting: November 21, 2023

Application Number / Name	:	23-030 / Iglesia Pentecostal Bethel Delaware, Inc.
Applicant	:	Iglesia Pentecostal Bethel Delaware, Inc. 805 SE Front Street Milford, DE 19963
Owner	:	Same
Application Type	:	Conditional Use
Present Comprehensive Plan Map Designation	:	Low Density Residential
Present Zoning District	:	R-2 (Residential District)
Present Use	:	Church (095.00) Church Parking (094.00) Former Single-family Dwelling (096.00)
Proposed Use	:	Church with associated parking
Size and Location	:	0.808 +/- acres of land located along the north side of SE Front Street approximately 55 feet east of the Charles Street intersection, addressed as 803, 805 & 807 SE Front Street.
Tax Map & Parcel	:	3-30-7.17-094.00, 3-30-7.17-095.00 & 3-30-7.17-096.00

ENC: Staff Analysis Report
Exhibit A – Location & Zoning Map
Exhibit B – Survey

STAFF REPORT
November 3, 2023

Application Number / Name	:	23-030 / Iglesia Pentecostal Bethel Delaware, Inc.
Tax Map & Parcel	:	3-30-7.17-094.00, 3-30-7.17-095.00 & 3-30-7.17-096.00
Size and Location	:	0.808 +/- acres of land located along the north side of SE Front Street approximately 55 feet east of the Charles Street intersection, addressed as 803, 805 & 807 SE Front Street.

I. BACKGROUND INFORMATION:

- The applicant proposes to consolidate three parcels of land located along SE Front Street owned by the church into a single parcel. One of the properties formerly contained a single-family detached dwelling which was recently demolished by the applicant. In order to consolidate the parcels, the applicant must obtain approval from City Council to expand the conditional use onto parcel 096.00.
- Chapter 230-9(C)(1) states “churches and other places of worship and cemeteries” may be permitted subject to receiving a conditional use permit by the City Council.

II. STAFF ANALYSIS:

Based on the information presented, the City of Milford Code, and the Comprehensive Plan, staff submits the following regarding the request for the Conditional Use:

- Evaluation based on the criteria found under Chapter 230-48 Conditional Uses.
 - A. The presence of adjoining similar uses.

The subject parcels are bound on the west by a two-unit residential building, to the east by a single-family detached dwelling, to the north by an existing industrial use and to the south by SE Front Street. The immediate vicinity is generally characterized as a low-density residential neighborhood with one and two-family residential dwellings.

- B. An adjoining district in which the use is permitted.

The use is allowed by conditional use approval by City Council in the R-1, R-2, R-3 and R-8 residential districts and is permitted by right in the C-2, C-2A and C-3 districts.

- C. There is a need for the use in the area proposed as established by the Comprehensive Plan.

The Comprehensive Plan states institutional uses may be found within residential, commercial, and employment areas.

- D. There is sufficient area to screen the conditional use from adjacent different uses.

There is an existing chain-link fence with privacy slats along the rear of the property between the church and the existing industrial use. There is a wooden fence along the majority of the western side property line, except for the area along SE Front Street directly adjacent to the existing parking lot area. The applicant is proposing a new privacy fence along the eastern side property line to separate the church use from the single-family detached dwelling to the east. No other screening exists or is proposed on the properties at this time.

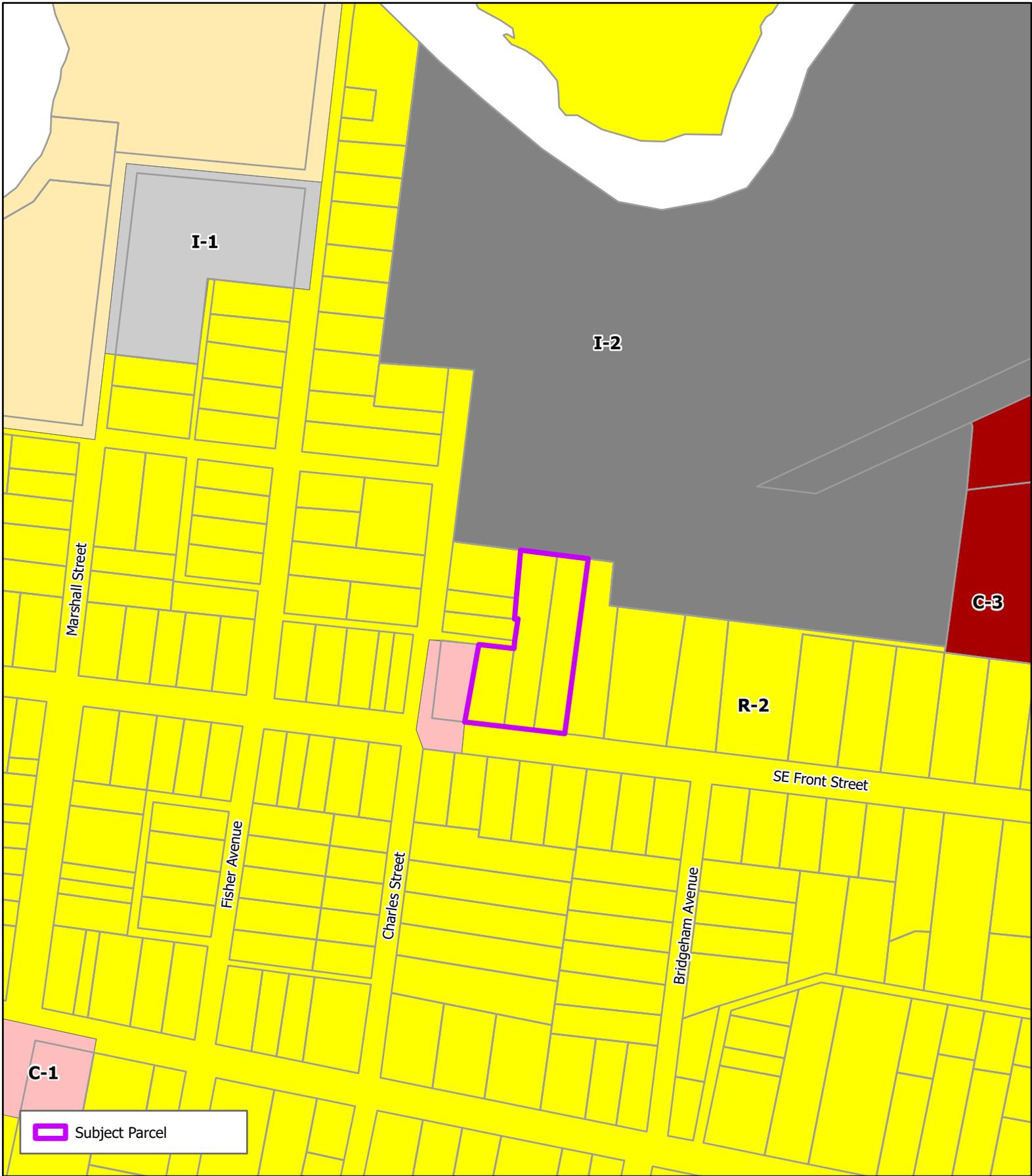
- E. The use will not detract from permitted uses in the district.

The application involves the expansion of an existing church already located on SE Front Street. The applicant purchased the adjacent property to the east and removed the single-family residential dwelling from the lot and proposes to incorporate this residential lot into the church property. The proposed use should not detract from permitted uses in the district since it is just an expansion in land area. The applicant would be required to come back to City Council for any additions or parking modifications to the site, which could have adverse impacts on neighboring properties.

- F. Sufficient safeguards, such as traffic control, parking, screening and setbacks, can be implemented to remove potential adverse influences on adjoining uses.

The applicant proposes to construct a privacy fence along the east side of the subject parcels, separating the church use from the single-family detached dwelling to the east. There are no other proposed improvements to the site at this time.

- If the Planning Commission and City Council elect to approve the applicant's request, staff has no recommended conditions of approval.



 Subject Parcel



Scale:  Feet
0 100 200

Drawn by: WRP Date: 11/03/23

Title:
Conditional Use
Iglesia Pentecostal Bethel Delaware, Inc.
Location & Zoning Map

Filepath: CU_IglesiaPentecostal.aprx



 Subject Parcel

Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community



Scale:  Feet
0 25 50

Drawn by: WRP Date: 11/03/23

Title:
Conditional Use
Iglesia Pentecostal Bethel Delaware, Inc.
Aerial Map

Filepath: CU_IglesiaPentecostal_Aerial.aprx

IGLESIA PENTECOSTAL BETHEL DELAWARE
805 SE FRONT STREET
MILFORD, DELAWARE 19963

September 29, 2023

Dear Sirs,

We are looking to obtain a "conditional use" for the property recently purchased by our church at 807 S.E. Front Street, Milford Delaware. The purpose of our petition is to consolidate the three lots into one as shown in the "lot consolidation survey plan" submitted with this application.

We considered purchasing land outside of the city of Milford that would allow us to build a church that would accommodate our growing congregation but realizing that over 50 percent of our members live within walking distance of our current church we decided to plan for renovations that would serve our members without imposing on them undue travel or inconvenience.

Our schedule of services will not change from our current one which is:

Sundays from 12 noon to 2:00 pm

Wednesdays from 8 pm to 9:30 pm

Fridays from 8 pm to 10 pm

Saturdays from 8 am to 11:30 am

We hope to make improvements to our current building within the next 3 years and consolidating our three lots would help us meet the required City, County and State prerequisites for those improvements.

We thank you in advance for your consideration.

Sincerely



Celso Rene Lopez Gomez

Pastor

ARTICLE III - Use and Area Regulations

§ 230-9. - R-1 Single-Family Residential District.

In an R-1 District no building or premises shall be used and no building shall be erected or altered which is arranged, intended or designed to be used except for one or more of the following uses and complying with the requirements so indicated.

- A. Purpose. The intent of the R-1 Residential District is to preserve the spacious residential atmosphere and quality of living of existing low-density residential development, to provide for the orderly and appropriate development of new low-density housing and to allow related uses that would not be detrimental to the residential character of the district.
- B. Permitted uses. Permitted uses for the R-1 District shall be as follows:
 - (1) A single-family detached residential dwelling.
 - (2) Farming, agricultural activities and roadside stands for the sale of farm and nursery products produced on the property where offered for sale.
 - (3) Municipal and public services and facilities, including City Hall, water storage towers, water reservoirs, water pumping stations, water treatment plants, sewage pumping stations, sewers (storm and sanitary), street rights-of-way, utility transmission and distribution lines, public transportation bus or transit stops, police and fire stations and substations for electric, gas and telephone facilities.
 - (4) Parks, playgrounds, athletic fields, recreation buildings, swimming pools and community centers operated on a noncommercial basis for recreation purposes.
 - (5) Customary residential accessory uses, such as private garages, swimming pools, ~~and~~ storage sheds, **and small scale solar & wind energy systems** may be located in any required side or rear yard provided:
 - (a) The primary residence must exist or be under construction.
 - (b) All such buildings in the aggregate shall not occupy more than 30 percent of the area of the required rear and side yard.
 - (c) An accessory structure may not dominate in area, extent or purpose to the principal use or structure. The area of the principal structure shall be calculated using the definition of floor area in this chapter with the inclusion of attached garages.
 - (d) Such buildings shall be setback five feet from any lot line and shall not be located less than five feet from a principal structure.
 - (e) Accessory small scale solar & wind energy systems which are attached to a principal structure or other accessory structure must meet the area regulations for principal structures and accessory structures outlined in this Chapter.**

~~(6) Chicken Hens. The keeping of chickens at single-family detached dwellings and single-family semi-detached separately owned dwellings are permitted provided the following conditions are met.~~

~~(a) No more than four chicken hens shall be kept per property.~~

~~(b) Keeping of roosters shall be prohibited.~~

- ~~(c) Slaughtering of chickens shall be prohibited.~~
- ~~(d) All chicken hens shall be housed in a roofed coop that is stationary, secure and enclosed in a way that contains the chickens.~~
- ~~(e) The minimum coop size shall be three square feet per chicken. The maximum overall coop size shall not exceed 20 square feet.~~
- ~~(f) An outside run is permitted when attached to the coop.~~
- ~~(g) If an outside run is provided, it shall be no bigger than 10 square feet per chicken and shall be enclosed in a way that contains the chickens.~~
- ~~(h) The coop and outside run shall be constructed in a rear yard and shall not be within 30 feet of any main building on an adjacent lot.~~
- ~~(i) All coops and runs are subject to setbacks for accessory structures.~~
- ~~(j) All coops and runs shall be screened from the view at ground level from adjacent lots by using fencing, landscaping, or a combination thereof.~~
- ~~(k) Chickens shall be registered with the Delaware Department of Agriculture.~~
- ~~(l) A building permit shall be required for the construction of the coops and outside runs.~~

(76) Home occupational/office (subject to the following special requirements):

- (a) The business activity shall be compatible with the residential zoning of the property and surrounding uses.
- (b) The use is carried on entirely by the inhabitants of the dwelling, and shall employ no employees other than family members residing in the dwelling.
- (c) The use does not involve any customer, client, or patient visits, whether vehicular or pedestrian, to the dwelling.
- (d) Such use involves no pickup, delivery, or removal functions to or from the premises in excess of those normally associated with the residential use.
- (e) There shall be no display or sale of retail goods and no stockpiling or inventory of a substantial nature.
- (f) There shall be no outside appearance of a business use, including, but not limited to, parking, signs or lights.
- (g) The business activity may not use any equipment or process which creates noise, vibration, glare, fumes, odors or electrical or electronic interference detectable to normal senses beyond the property in excess of levels customarily generated by a residential use.
- (h) The business activity may not generate any solid waste or sewage discharge, in volume or type, which is not normally associated with residential use in the neighborhood.
- (i) The business activity shall only be conducted within the dwelling and the floor area devoted to such use shall not exceed 30 percent of the total floor area for the principal residential structure.

- (j) As long as all other criteria is met, more than one home occupation shall be permitted per lot or dwelling.
- (k) The practice of a home occupation shall be conducted entirely within the dwelling which is the bona fide residence and under ownership of the principal practitioner or contained entirely within an accessory building and located on the same lot as the dwelling.
- (l) There shall be no change in the exterior appearance of the dwelling, any accessory building and/or the lot, which would cause the premises to differ from its residential character.
- (m) There shall be no storage or use upon the premises (beyond normal household use) of toxic, explosive, polluting, dangerous, or other substances defined as hazardous by DNREC, or through applicable regulations.
- (n) There shall be no unenclosed exterior storage of material or refuse resulting from the home occupation.
- (o) Prohibited minor home occupations. Minor home occupations shall not include the following uses:
 - [1] Animal shelter, commercial kennel or veterinary office;
 - [2] Rooming or boarding home;
 - [3] Bed and Breakfast;
 - [4] Funeral home;
 - [5] Restaurant;
 - [6] Outdoor café;
 - [7] Club or lodge;
 - [8] Medical or dental office;
 - [9] Retail shop;
 - [10] Rental business;
 - [11] Furniture stripping;
 - [12] Auto or small engine repair;
 - [13] Painting of vehicles, trailers, or boats;
 - [14] Manufacturing, repairing or other mechanical work performed in connection with the home occupation performed in any outdoor area;
 - [15] Private school with organized classes; private schools are defined as any building or groups of buildings, the use of which meets state requirements for elementary, secondary or higher education and which does not secure the major part of its funding from any governmental agency;
 - [16] Welding shop;
 - [17] Other uses of similar character to those listed above.

(87) Family day care home. An occupied residence in which a person provides care for children other than his/her own family and the children of close relatives for compensation. Such care in a family day care home is limited to that care given to six or fewer children with a maximum of three children allowed for after school care. Such child care facility shall be permitted as an accessory use.

(9) Group Home, for the care of disabled or elderly persons.

(10) Model home (Sample Home)/Sales Office

(11) Short-term Rental.

(a) The structure rented must be a legal residential unit in the zoning district either as the principal dwelling, a room or area within said dwelling, or an approved accessory dwelling unit. In no case shall a tent, recreational vehicle, or travel trailer be used as a short-term rental.

(b) The primary unit shall remain owner occupied.

(c) Trash service requested from the property cannot be increased as part of this use.

(d) No more than one listing can occur per property and must be habitable space as defined by this chapter.

C. Conditional uses subject to special regulations. The following uses may be permitted with the approval of a conditional use permit by the Milford City Council in accordance with the provisions in Article IX of this chapter:

- (1) Churches and other places of worship and cemeteries.
- (2) Public and private elementary, junior or senior high schools.
- (3) Day-care facilities, including large family day cares involving more than six children.
- (4) Conversion of a one-family dwelling into multiple dwelling units, if such dwelling is structurally sound but too large to be in demand for one-family use and if that conversion would not impair the character of the neighborhood, subject to conformance with the following requirements:
 - (a) There shall be a lot area of at least 2,000 square feet for each unit to be accommodated.
 - (b) There shall be a gross leasable floor area, computed as the sum of those areas enclosed by the outside faces of all exterior walls surrounding each story used for the residence, exclusive of any area for any accessory private garage, of at least 500 square feet per family to be accommodated.
 - (c) Fire escapes and outside stairways leading to a second or higher story shall, where practicable, be located on the rear of the building and shall not be located on any building wall facing a street.
- (5) Accessory dwelling units. Accessory dwelling units include accessory apartments and accessory cottages and are subject to the following requirements;
 - (a) One dwelling unit on the property shall be owner-occupied. A notice and declaration of land use restriction to this effect shall be signed and recorded prior

to issuance of a certificate of use and/or building permit for the accessory dwelling unit.

- (b) Only one accessory dwelling unit (either apartment or cottage) shall be permitted per property.
- (c) Accessory Apartments.
 - [1] Accessory apartments are only permitted within single-family detached dwellings.
 - [2] The floor area of an accessory apartment shall not exceed 35% of the single-family detached dwelling.
- (d) Accessory Cottages.
 - [1] An accessory cottage shall contain at least 220 square feet of floor area. The floor area of an accessory cottage shall not exceed 40% of the floor area of the single-family detached dwelling to which it is accessory or 1,200 square feet, whichever is greater.
 - [2] For an accessory cottage which will be a new structure, the exterior materials, roof form, and window spacing and proportions of the accessory cottage shall approximate those of the existing or proposed single-family detached dwelling.
 - [3] For an accessory cottage located within an existing garage or other outbuilding, the structure is not required to approximate the exterior features of the existing single-family detached dwelling, but any exterior modification should be consistent with the architectural style of that structure unless the building is upgraded per the requirements for new structures.
 - [4] Accessory cottages shall comply with the principal structure setbacks for the respective zoning district, unless the accessory cottage is located within an existing garage or other outbuilding, for which the structure must meet the accessory structure setbacks for the respective zoning district.
- (6) Major Home Occupation. A home occupation that does not meet one or more of the criteria for a minor home occupation shall be defined as a major home occupation and subject to the following requirements:
 - (a) Major home occupations shall be permitted only in single-family detached dwellings or an accessory structure to a single-family detached dwelling
 - (b) The area used for a major home occupation shall not exceed 30 percent or 600 square feet of the total floor area of the principal residential structure or accessory structure.
 - (c) No more than one person, other than resident members of the immediate family may be employed or subcontracted at the residence. Use of nonresident employees must have prior approval from City Council.
 - (d) No more than two clients at any one given time shall be permitted to visit the premises to conduct business related to the major home occupation.

- (e) No articles shall be sold or offered for sale except those produced on the premises. Such sales must have prior approval from City Council.
- (f) Where employees or customer visits are anticipated, off-street parking shall be provided in a sufficient capacity to prevent interference with normal residential parking in the neighborhood. Minimum off-street parking shall apply as outlined in Article IV Off-street Parking and Loading Standards.
- (g) Beauty parlors and barber shops may be permitted as a major home occupation provided that no more than two stylist or barber chairs are provided and all other provisions of this ordinance are met.
- (h) Instructional services may be permitted as a major home occupation provided that a maximum of three students may be instructed at any one time, and there shall be no more than two trips per hour.
- (i) The practice of a home occupation shall be conducted entirely within the dwelling which is the bona fide residence and under ownership of the principal practitioner or contained entirely within an accessory building and located on the same lot as the dwelling.
- (j) There shall be no change in the exterior appearance of the dwelling, any accessory building and/or the lot, which would cause the premises to differ from its residential character.
- (k) The business activity may not use any equipment or process which creates noise, vibration, glare, fumes, odors or electrical or electronic interference detectable to normal senses beyond the property in excess of levels customarily generated by a residential use.
- (l) Deliveries from major commercial suppliers which may be disruptive to the neighborhood shall not be made between the hours of 8:00 pm prevailing time and 8:00 am prevailing time.
- (m) There shall be no storage or use upon the premises (beyond normal household use) of toxic, explosive, polluting, dangerous, or other substances defined as hazardous by DNREC, or through applicable regulations.
- (n) There shall be no unenclosed exterior storage of material or refuse resulting from the home occupation.
- (o) All commercial vehicles shall be parked on the same lot as the home occupation, and only one commercial vehicle may be parked outside of a garage, enclosed structure, or screened parking space within the lot boundaries. Such a commercial vehicle shall have no more than two axles. There shall be not storage of tractor-trailers on the lot on which the home occupation is located.
- (p) Prohibited major home occupations. Major home occupations shall not include the following uses:
 - [1] Animal shelter, commercial kennel or veterinary office;
 - [2] Rooming or boarding home;
 - [3] Bed and Breakfast;

- [4] Funeral home;
 - [5] Restaurant;
 - [6] Outdoor café;
 - [7] Club or lodge;
 - [8] Medical or dental clinic (two or more doctors or dentists);
 - [9] Retail shop;
 - [10] Rental business;
 - [11] Furniture stripping;
 - [12] Auto or small engine repair;
 - [13] Painting of vehicles, trailers, or boats;
 - [14] Manufacturing, repairing or other mechanical work performed in connection with the home occupation performed in any outdoor area;
 - [15] Private school with organized classes; private schools are defined as any building or groups of buildings, the use of which meets state requirements for elementary, secondary or higher education and which does not secure the major part of its funding from any governmental agency;
 - [16] Welding shop;
 - [17] Other uses of similar character to those listed above.
- (7) Social club or fraternal, social service, union or civic organization.
 - (8) Cultural facilities, including a library, museum or art gallery.
 - (9) Country club, regulation golf course, including customary accessory uses, provided that all buildings have a minimum setback of 120 feet from all street and property lines.
 - (10) Planned unit development, see requirements in Chapter 230-19.9.
 - (11) Bed-and-breakfast, subject to the following requirements:
 - (a) The bed-and-breakfast establishment does not adversely affect the residential character of the neighborhood and such use is carried on in an existing residential structure.
 - (b) The building proposed for use as a bed-and-breakfast must have the owner of the bed-and-breakfast residing in the building as his/her principal residence.
 - (c) The serving of meals shall be limited to breakfast and afternoon tea for overnight guests and customers.
 - (d) Rooms used for sleeping shall be part of the primary residential structure and shall not have been specifically constructed for rental purposes.
 - (e) No exterior alterations other than a sign and those required by law to ensure the safety of the structure shall be made.

- (f) The bed-and-breakfast operation shall not use more than 50% of the floor area of the principal residence. Common areas such as the kitchen, foyer, living room or dining room are not included in this calculation.
- (g) No areas shall be floodlit. Drives and parking areas shall not be illuminated by lighting fixtures higher than 20 feet. Sidewalks shall not be illuminated by lighting fixtures higher than 15 feet. Exterior lighting shall be shaded as to prevent illumination off-site. All external lighting, except for demonstrated security needs, shall be extinguished by 10:00 p.m.

(12) Funeral Home or undertaker

(13) Group Home, other than for the care of disabled and elderly persons.

(a) The lot on which the group home is proposed shall not be located within 500 feet of a lot on which another group home is located.

(b) All required state licenses and permits for such a facility shall be obtained prior to the issuance of a Certificate of Occupancy for said use and shall be maintained as current throughout the period of such usage as a group home.

(c) Floor plans and a plot plan shall be submitted with the application.

(d) No alteration, addition, or other structural change to the interior or the exterior of any single-family building in which a group home is proposed to be located shall be permitted if such alteration, addition, or other structural change would alter the essential single-family character of the building.

(14) Emergency shelter facility.

(a) The lot on which an emergency shelter facility is located shall not be within 500 feet of a lot on which another emergency shelter facility or group home is located.

(b) All state licenses and permits for such a facility have been obtained.

D. Area regulations.

- (1) Minimum lot area shall be 10,000 square feet. Minimum interior lot shall be 10,000 square feet. Minimum corner lot shall be 13,000 square feet.
- (2) Maximum lot coverage shall be 40%.
- (3) Minimum lot width shall be 80 feet.
- (4) Height of buildings shall not exceed 35 feet. Accessory buildings **or structures** shall not exceed 15 feet in height.
- (5) Minimum front yard setback line shall be 25 feet.
- (6) Minimum rear yard shall be 25 feet. For corner lots the rear yard may be reduced 20% in depth to allow for skewing of a residential dwelling on the lot.
- (7) Side yards shall be provided as follows: each lot shall have two side yards with a minimum of 12 feet each.
- (8) Parking shall comply with the requirements provided in Article IV of this chapter.

- (9) Signs shall comply with the requirements provided in Article VI of this chapter.
- (10) Landscape screening shall comply with the requirements provided in Article V of this chapter.
- (11) Open space and recreational requirements shall comply with Chapter 230-19.7.
- (12) Accessory structures for non-residential uses in aggregate shall occupy no more than 30 percent of the required rear and side yard of the lot area and may not dominate in area, extent or purpose to the principal use or structure. The area of the principal structure shall be calculated using the definition of floor area in this chapter.
- (13) Accessory structures for non-residential uses shall be located in the side and rear lot areas.
- (14) Accessory structures for non-residential uses shall meet the principal use setbacks and shall not be located less than 5 feet from a principal structure.

§ 230-10. - R-2 Residential District.

In an R-2 District no building or premises shall be used and no building shall be erected or altered which is arranged, intended or designed to be used except for one or more of the following uses and complying with the requirements so indicated.

- A. Purpose. The purpose of the R-2 District is to permit housing at a greater density than in the R-1 District by providing for the orderly development of low- to medium-density residential housing into those areas where public services are available. This district also allows for professional home occupations. Finally, it protects existing developments of this nature and excludes noncompatible ones.
- B. Permitted uses: **Permitted uses of the R-2 District shall be as follows:** ~~all permitted uses in the R-1 District.~~
 - (1) All permitted uses in an R-1 District.**
 - (2) Single-family semidetached dwelling.**
- C. Conditional uses: all uses specified as conditional uses in the R-1 District subject to its area regulations, ~~and the following uses~~ may be permitted with the approval of a conditional use permit by the Milford City Council in accordance with Article IX of this chapter:
 - ~~(1) Single-family semidetached dwelling.~~
- D. Area regulations.
 - (1) For permitted uses and single-family semidetached dwellings not separately owned:
 - (a) Minimum interior lot area shall be 8,000 square feet and minimum corner lot area shall be 13,000 square feet.
 - (b) Maximum lot coverage shall be 40%.
 - (c) Minimum lot width shall be 80 feet.
 - (d) Height of buildings shall not exceed 35 feet. Accessory buildings shall not exceed 15 feet in height.
 - (e) Minimum front yard setback line shall be 30 feet.

- (f) Minimum rear yard setback shall be 15 feet. For lower lots the rear yard may be reduced 20% in depth to allow for the skewing of a residential dwelling on its lot.
 - (g) Side yards shall be provided as follows: each lot shall have two side yards a minimum width of eight feet on each side.
- (2) For single-family semidetached dwellings separately owned:
- (a) Minimum interior lot area shall be 4,000 square feet and minimum corner lot area shall be 6,500 square feet.
 - (b) Maximum lot coverage shall be 40%.
 - (c) Minimum lot width shall be 40 feet.
 - (d) Height of buildings shall not exceed 35 feet. Accessory buildings shall not exceed 15 feet in height.
 - (e) Minimum front yard setback line shall be 30 feet.
 - (f) Minimum rear yard setback shall be 15 feet. For lower lots the rear yard may be reduced 20% in depth to allow for the skewing of a residential dwelling on its lot.
 - (g) Side yard shall be provided as follows: each lot shall have one side yard a minimum width of eight feet.
- (3) Parking shall comply with the requirements provided in Article IV of this chapter.
- (4) Signs shall comply with the requirements of Article VI of this chapter.
- (5) Landscape screening shall comply with the requirements of Article V of this chapter.
- (6) Open space and recreational amenities shall comply with Chapter 230-19.7.
- (7) Accessory structures for non-residential uses in aggregate shall occupy no more than 30 percent of the required rear and side yard of the lot area and may not dominate in area, extent or purpose to the principal use or structure. The area of the principal structure shall be calculated using the definition of floor area in this chapter.
- (8) Accessory structures for non-residential uses shall be located in the side and rear lot areas.
- (9) Accessory structures for non-residential uses shall meet the principal use setbacks and shall not be located less than 5 feet from a principal structure.

§ 230-11. - R-3 Garden Apartment and Townhouse District.

In an R-3 District no building or premises shall be used and no building shall be erected or altered which is arranged, intended or designed to be used except for one or more of the following uses and complying with the requirements so indicated.

- A. Purpose. The purpose of the R-3 District is to provide for the orderly development of existing and proposed medium- to high-density residential areas where adequate public facilities exist. The district will permit development of garden-type apartments as well as townhouses that will yield high densities in selected areas, multifamily dwellings and a variety of housing types.
- B. Permitted uses. Permitted uses for the R-3 District shall be as follows:

**CITY OF MILFORD
NOTICE OF PUBLIC HEARINGS**

Planning Commission Hearing: Tuesday, November 21, 2023 @ 6:00 p.m.

City Council Hearing: Monday, November 27, 2023 @ 6:00 p.m.

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 2023-47

Conditional Use Application of Iglesia Pentecostal Bethel Delaware, Inc.
0.808 +/- acres of land located along the north side of
SE Front Street approximately 55 feet east of the Charles Street intersection
Address: 803, 805 & 807 SE Front Street
Comprehensive Plan Designation: Low Density Residential
Zoning District: R-2 (Residential District)
Present Use: Church (095.00), Church Parking (094.00),
Former Single-family Dwelling (096.00)
Proposed Use: Church with associated parking
Tax Parcel: 3-30-7.17-094.00, 3-30-7.17-095.00 & 3-30-7.17-096.00

WHEREAS, the owners of the property as above described herein have petitioned the City of Milford for a Conditional Use to construct an accessory dwelling; and

WHEREAS, the City of Milford Planning Commission will consider the application at a Public Hearing on November 21, 2023; and

WHEREAS, Milford City Council will hold a Public Hearing on November 27, 2023 to allow for public comment and further review of the ordinance; and

WHEREAS, it is deemed in the best interest of the City of Milford to approve the Conditional Use, as herein described.

NOW, THEREFORE, the City of Milford hereby ordains as follows:

Section 1. Chapter 230-9(C)(5) states accessory dwellings are allowed upon conditional use approval from City Council subject to conditions.

Section 2. Following adoption of Ordinance 2023-47, and upon the effective date, Iglesia Pentecostal Bethel Delaware, Inc. is hereby granted a Conditional Use to construct a church with associated parking at 803, 805 & 807 SE Front Street.

Section 3. Construction or operation shall commence within one year of the date of issuance of the permit otherwise the conditional use becomes void.

Section 4. Dates.

Planning Commission Review & Public Hearing: November 21, 2023

City Council Introduction: November 13, 2023

City Council Public Hearing: November 27, 2023

Effective: Ten Days following Adoption

For additional information, please contact Rob Pierce in the Planning & Zoning Department either by e-mail at RPierce@milford-de.gov or by phone at 302.424.8396.

Advertised: Delaware State News 10/31/2023

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Advertised: Delaware State News 10/31/2023



OFFICE OF THE CHIEF OF POLICE
 CECILIA E. ASHE
 cecilia.ashe@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: Chief Cecilia E. Ashe 
 DATE: December 6, 2023
 RE: Activity Report/November 2023

Chief and Police Command Staff:

Throughout the month of November, Chief and Command Staff participated in numerous conference calls, virtual meetings and in-person meetings including City Council and Workshop meetings, bi-weekly City Manager’s meeting with Department Heads, and PD Staff meetings. Mayor and City Council are provided weekly updates on major incidents and activities within MPD throughout the month to ensure they stay informed of all activities.

In the month of November Milford PD responded to over 1137 calls for service.

MPD Activities for the Month

Community Engagement:

- The Knights of Columbus from St. John the Apostle and St. Bernadette Church presented Chief Ashe with Saint Michael medals and prayer cards for the officers. We appreciate the support from local organizations such as the Knights of Columbus.



- K9 Mason performed a DEMO for the Power Play Church in Kennett Square PA, organized and in partnership with NCCPD.

- Raven completed Story Time with a K9 at the Milford Public Library. They completed a dance of head, shoulders, knees, and toes and no injuries were reported during the dance moves. Questions were answered by both kids and parents and trading cards were handed out.



- Sr. Cpl. Bloodsworth put together a Safety Day for the students of Lulu Ross Elementary. Staff from Milford Police Department, Carlisle Fire Company, City of Milford Streets Department, Sussex County EMS entertained the students discussing and demonstrating the various facets of their respective jobs.



- Sr. Cpl. Bloodsworth and PFC Matthews along with PFC Smith and PFC Quiroz attended the Lulu Ross Family Fall Festival and enjoyed engaging with students and their families, as well as school staff, at this light hearted seasonal event.



- Ptlm. Hernandez had the opportunity to speak to the English as a Second Language Students at the Milford High School. He provided them general safety tips and answered questions that they had related to law enforcement.



- Milford PD's Behavioral Health Unit partnered with the Milford Public Library and Partners in Public Safety Solutions to host a Narcan Training at the Milford Public Library. They were able to provide training to several members of the community and distributed 22 Opioid Rescue Kits. They also handed out Deterra drug deactivation and disposal kits, which allow people to properly dispose of unwanted prescription drugs in a safe manner. The Behavioral Health Unit has two more upcoming Narcan Training Events on 12/15/2023 with the State Service Center and 01/13/2024 with the Milford Advocacy for the Homeless.



- Take My Hand Ministries coordinated the donation of 25 Thanksgiving meals from Mountaire Farms which were picked up and delivered to each family at their homes by Sr. Cpl. Bloodsworth and PFC Matthews. The Milford School District staff assisted with identifying the students and families in need that would benefit the most from these meals. It was wonderful to see the surprise, hear the gratitude and see the smiling faces of the people receiving the donations.



Emergency Preparedness:

- Sr. Cpl. Bloodsworth met with the Lulu Ross Elementary Crisis Team staff to review safety protocols and assisted with the required lockdown drill at Mispillion Elementary.

Training and Professional Development:

- Two dispatchers CIT for Communications training held at the DSP Academy.
- Two officers attended Covert Surveillance training held at the DSP Academy.
- One officer attended Fraud Investigations training held in Camden.
- One officer attended Basic Investigator Course held at the DSP Academy.
- Two officers attended Crisis Communications for Command Staff & PIOs held in Wilmington.

New Police Headquarters:



Recognition:

- Corporal John Badger and PFC Garrett Smith were recognized by the Delaware Office of Highway Safety and Mothers against Drunk Driving (MADD) for their outstanding service in impaired driving enforcement.



- Paige's Kindness Project and Verizon Wireless in Milford presented the K9 Unit with two wireless microphone systems for them to use during demonstrations throughout the community. These microphones will make it easier for both the K-9 handlers to address the crowd as well as for the crowd to be able to hear what the handlers are saying.



- First State BMX presented Officers with a donation from funds raised during their Back the Blue Race in September where Milford PD was named one of the donation recipients. This donation will be used to purchase new kennels for our K9s at the new police facility.



Upcoming Events:



A poster for Narcan Training. At the top, it says 'FREE & OPEN TO THE PUBLIC'. Below that is a blue archway containing a white banner that says 'SAVE A LIFE' and several raised hands. The main title is 'NARCAN TRAINING' in large, bold, purple letters. Below the title is a dark blue box with 'MILFORD STATE SERVICE CENTER' in white. To the left of this box is a purple ribbon with '11AM-1PM' and '15 DEC' in white. Below the dark blue box, the address is listed: 'ANNEX BUILDING, 13 SW FRONT STREET, MILFORD, DE 19963'. At the bottom, it says 'Collaboration between the Milford State Service Center and Milford Police Department. Narcan provided by Partners in Public Safety Solutions.' and a phone number '302-265-8843'.

Behavioral Health Unit for Month of November:

**Milford Police Department - August 2023 BHU Statistics
 Jenna Haines, LCSW, MSW, DE-CMHS
 Gregory Bisset, LCSW, C-AADC
 Danielle Blackwell, LMSW**

Dates	Hours Worked	Meetings Attended/Hosted	Trainings Attended	# of NEW Contacts	New Contact Notes	# of Diversions from Arrest	# of Diversions from ER	# of Follow-Up's
November 1- November 5, 2023	40	1. Rural Subcommittee Meeting	1. Responder Strong First Responder Mental Health Curriculum Train the Trainer	7	Referrals to Services: Public Assistance Disorderly Victim Services 10-81	0	0	4
November 6- November 12, 2023 Veterans Day	59	1. Opioid System of Care Meeting 2. Milford Public Library Narcan Event	1. De-Escalation Strategies for Modern Law Enforcement 2. Xylazine & Fentanyl Training	8	Referrals to Services: Check the Welfare Missing Person Public Assistance Domestic	1	2	5
November 13- November 19, 2023	47.5	1. Sun Behavioral Health Collaboration Meeting 2. COSSUP Technical Assistance Meeting	1. Victim Services Training - Identifying Trauma-Specific Resources	7	Referrals to Services: Public Assistance Check the Welfare 10-81 Disorderly	0	2	6
November 20- November 26, 2023 Thanksgiving	42	N/A	N/A	4	Referrals to Services: Public Assistance Check the Welfare Domestic	0	0	4
November 27- November 30, 2023	50	1. Delaware Housing Authority Meeting	1. The Opioid Epidemic's Effect on Rural Populations	5	Referrals to Services: Public Assistance Check the Welfare Assist Other Agency	1	0	4
Totals:	238.5			31		2	4	23
Year to Date Totals:	2546.75			397		28	48	357
Overall Totals:	6188.35			1180		89	127	1097

Social Media/Public Information Update:

Our Facebook page had 129 new followers for a total following of 14,034. Currently our followers are 35% male and 65 % female. Posts during the month reached 115,584 people. Our Jersey Mike's Lunch Donation was our top reach post for the month with 61,729. Our Veterans Day post recognizing our veteran employees was our top engagement post at 3,304.

Our Instagram account had 11 new followers for a total following 1,902. Currently our followers are 37% male and 63 % female. Posts during the month reached 1,862 people.

On Twitter, our Tweets made 1217 impressions and our followers are at 1438 (increase of 7).

Our Nextdoor posts reached 1011 people during the month. Nextdoor reaches 2813 members according to statistics provided by the website.

News Releases:

November 21, 2023: Dover Man Arrested For Assault

<https://www.milfordpolicede.org/news/Dover-Man-Arrested-for-Assault.htm>

November 22, 2023: Pursuit Leads to Arrest of Fugitive

<https://www.milfordpolicede.org/news/Pursuit-Leads-to-Arrest-of-Fugitive-.htm>

November 27, 2023: City of Milford to Cut Ribbon on New Police Department

<https://www.milfordpolicede.org/news/City-of-Milford-to-Cut-Ribbon-on-New-Police-Department-.htm>

Milford PD in the News:

Coast TV: Update on the progress of the new and improved Milford Police Station (November 22)

https://www.wrde.com/news/update-on-the-progress-of-the-new-and-improved-milford-police-station/video_7f3480ec-e40c-59c7-a482-62af0b584e2f.html

WBOC: Man Arrested for Assault in Milford (November 21) (regarding Nov. 21 news release)

https://www.wboc.com/news/man-arrested-for-assault-in-milford/article_2ef1a5e6-88cb-11ee-ad9d-3f9c399b9e53.html

WBOC: Ribbon Cutting Set for Milford's New Police Department (November 27)

https://www.wboc.com/news/ribbon-cutting-set-for-milford-s-new-police-department/article_e64262ae-8d6b-11ee-8734-ff1aefc18460.html



OFFICE of the City Clerk
201 South Walnut Street
Milford, DE 19963

Teresa K. Hudson, MMC
O 302.422.1111 | F 302.424.3558
www.cityofmilford.com

DATE: December 1, 2023
TO: Mayor and Members of City Council
FROM: City Clerk Terri Hudson
RE: November 2023

As with most months, November flew by. Phone calls and visitors remain a constant at City Hall.

The front of City Hall was flooded with families and small children, the Annual Caroling and Tree Lighting Ceremony kicked off the holiday season on the Saturday following Thanksgiving. It was even more special this year as we again partnered with Downtown Milford to celebrate the ten-year anniversary of local businesses with Shop Small Saturday. The streets were filled with shoppers supporting Milford's unique galleries, shops, eateries, and art venues throughout the day.

Of course, the highlight of the day for the children occurred earlier during the day when Santa arrived by way of a fire truck provided by Carlisle Fire Company. A parade of elves joined in his welcome celebration before he settled into his Santa House. Santa will accept visitors throughout the holiday season on Fridays and Saturday from 5:00 p.m. to 8:00 p.m. and Sundays from 11:00 a.m. to 2:00 p.m. until December 23rd when he departs to prepare for his worldwide sleigh ride.

If that wasn't enough, on December 2nd, the 18th Annual Holiday Stroll, and the 4th Annual Christmas Market offer another chance to shop locally for the upcoming holidays. Entertainment, food, and activities along Walnut Street and the downtown area will include a live Nativity, strolling choirs, gymnastic tumblers, Irish dancers and a s'mores fire pit, and hot cocoa stations. Santa's elves will also return for a chance to mingle with the attendees.

Kudos to our Parks and Recreation and Electric crews for the fabulous job they did again this year. The weeks they put into preparing for these occasions by assembling and installing thousands of Christmas lights and decorations makes that magical moment when the lights are flipped on even more special as spectators come together to celebrate the season.

Despite all the festive events, work carried on in the City Clerk's office.

As an active member of the City's Employee Recognition Committee, Senior Deputy City Clerk White continued working with the committee members to prepare for the upcoming City Holiday Party. As a reminder, it will be held Friday, December 15th at Milford Senior Center beginning at 6:30 p.m. Please RSVP

if you haven't---they have put a great deal of work to make the party another special one with lots of music, good, food, games, and giveaways. A good time is always had by all!

I continued the IIMC Education Plus Webinar Series with three sessions in November. The professional development academy courses included Demystifying Data Analytics for Better Decision-Making, Managing VUCA (volatile, uncertain, complex, ambiguous) with Mindset and Positive Leadership Strategies, and Balancing the Science of Management With the Art of Leadership.

I also attended a meeting sponsored by the Delaware State Housing Authority to review draft changes to the FY2024 Delaware CDBG Program Guidelines, in preparation of our public hearing on November

A great deal of time was also spent assisting the newest Finance Employee Jan Lesperance with the most recent DelDOT audits, some dating back to 2008.

I also worked with Sergeant Tim Maloney accessing city records and documents dating back to the 1930's for historical data in preparation of the move into the new facility.

Both Katrina and I were excited to attend the SCAT meeting at the historical Milton Theater in early November. The dinner, catered by a local restaurant, was enjoyed by Mayor and Ronnie Campbell, Vice Mayor James, Councilman Baer and Barbara, Councilman Culotta, and Councilman Andy and Amanda Fulton.

Katrina attended a Delaware Women Leading Government coaching sessions on November 15, 2023 and a NEMCIA, New England Municipal Clerks Institute Association training class.

Katrina assisted in the distribution of the turkeys to employees.

Both Terri and Katrina attended a meeting with Docuware with IT on Nov 30, 2023, along with IT Director Pettigrew and Finance Director Vitola.

Monthly Activities

- Assisted multiple Delaware Municipalities with policy, procedural, and related items
- Record requests/Assistance from City Departments (9)
- FOIA Requests to Date (110)
- Coordinate FOIA issues with other Departments to ensure compliance
- Created/revised/reloaded 11/13 Public Safety Committee Agenda (1)
- Created/revised/reloaded 11/13 Public Safety Committee Packet (2)
- Created/revised/reloaded 11/13 Council Meeting Agenda (16)
- Created/revised/reloaded 11/13 Council Meeting Packet (12)
- Created/revised/reloaded 11/27 Council Meeting Agenda (3)
- Created/revised/reloaded 11/27 Council Meeting Packet (2)

- Executive Sessions Year to Date (20)
- Created/revised/reloaded Planning Commission Notices (2)
- Created/revised/reloaded Planning Commission Agenda (1)
- Created/revised/reloaded Board of Adjustment Notices (2)
- Created/revised/reloaded Board of Adjustment Agenda (1)
- Created/revised/reloaded P & R Advisory Board Agenda (0)
- Created/revised/reloaded P & R Advisory Board Packet (0)
- Created/revised/reloaded Tree Preservation Advisory Council Agenda (1)
- Created/revised/reloaded Tree Preservation Advisory Council Packet (1)
- Created/revised/reloaded Milford Community Cemetery Board Agenda (0)
- Created/revised/reloaded Milford Community Cemetery Board Packet (0)
- Transcribed and Proofread Minutes from City Council Meetings (7)
- Transcribed and Proofread Minutes from Board of Adjustment (1)
- Transcribed and proofread Minutes from Planning Commission (2)
- Transcribed and proofread Minutes from P & R Advisory Board (0)
- Transcribed and Proofread Minutes from Milford Community Cemetery Board (0)
- Transcribed and Proofread Minutes from Tree Preservation & Advisory Council (1)
- Provided Notary Public Services (9)
- Proclamations Created Year to Date (25)
- Resolutions Created Year to Date (31)
- Special Event Permits Requested to Date (41)



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: November 2023 Monthly Report
Date: December 8, 2023

- Thursday November 9 was a perfect day for the ribbon cutting at the new playground and pickleball courts along Riverwalk Park. Numerous dignitaries attended including most Council members. I know I speak for Brad in thanking Council for their support of these projects. Both will go a long way to increasing the popularity of the park and attract more users to our downtown.
- I attended the monthly executive board meeting of DEMEC.
- Rob and I attended a meeting with Century Engineering to complete the scoping of the South Walnut Street streetscape project.
- We continue to work with the developer on the completion of West Shores. There is an item in the council packet that covers the stormwater within the 11-13 agenda packet.
- Staff also drafted a letter for Council's consideration on the Sussex Counties consideration of rezoning the Key Properties tract east of Route 1.
- We continue to work with Hearthstone developer on a section of street that has failed pavement.
- I had a discussion with a party possibly interested in leasing the old police station.
- Public works partnered with the Milford elementary schools to "paint the plow" for the upcoming winter season. The art teachers from each of the schools were very excited to participate and the students not only had fun but were also quite creative. Each plow will be used in the neighborhood where the school is located. Thanks goes out to Charlie Nordberg who organized the efforts with the school district.
- We continue to deal with Brightway Commons. To date, we know that Volunteers of America are not licensed in Delaware, residents have no one to call for problems, 56 out of the 124 units have failed inspection of which 12 are vacant, 15 are condemned, 29 have people still residing in them. Rob is working with David Rutt to take legal action. We have also had discussions with the State Attorney General's office and the State Housing Authority as well as HUD officials.
- I met with a paving contractor regarding a failed portion of street recently done by his company.
- Chief Ashe, Bill Pettigrew, Mike Svaby, Mike Smith, and I met regarding AV equipment needed for the new police station.
- I attended the ICMA Conference Planning Committee meeting. The 2024 conference will be held in Pittsburgh, and I was chosen to serve as Delaware's representative on the national committee.
- Brad and I attended the Tree Preservation & Advisory Board.
- I attended the monthly Delaware Chapter of APWA meeting.

- The Chief and I discussed a personnel/policy issue.
- Rob, Brad, Lou and I met with Tim Johnson of the Southern Delaware Golf Club (former Rookery South) about an easement along the back of the property adjacent to Orchard Hill development for the purpose of installing a bike trail. Mr. Johnson is interested, and we are in the process of having an appraisal done to determine the value of the easement.
- The Mayor and I met with Judd Malone of Springboard Collaborative regarding the potential pallet village at Milford. The project is presently on hold while Springboard seeks operational funding. Capital funding for the project is already in place.
- We discovered several electric and water meters at a local non-profit being incorrectly classified as residential, and not small commercial in accordance with the Code. The electric department also found a service with a direct connection to the primary distribution line with no disconnect and no meter, which is a major safety concern. We will be reaching out to representatives to inform them of the condition and a path forward in making corrections.
- We held our bi-monthly department head meeting on Thursday.
- A contractor will begin to remove the large pile of excess dirt from the rear of the police station property next week.
- I met with a business owner about consolidating trash and recycling removal via dumpster for the business along the west side South Walnut between the bridge and SW Front. This would alleviate the numerous and unsightly cans placed along the street at that location. I will prepare a lease agreement for a portion of the parking lot to be used to house the dumpster, for the Council's review and authorization.

November 2023 Accomplishments

Streets/ Utilities- Charles Nordberg

- Crew has put salt spreaders and the two dump trucks S13 and S3 due to inclement weather coming.
- Went to PA to pick up two light towers and then brought them back to unload so we can use them at Ross school tomorrow night.
- Crew fixed water leak at 314 S DUPONT HWY.
- Set up light towers at Milford High School for battle of the bell.
- Collecting leaves
- Help filling in for solid waste due to short handedness.
- Fix water leak at 20 S. Walnut and replace meter pit.
- Pick up snowplows and return back to school for their parent thanksgiving lunch.
- Fix a water leak in the 100 block of NW 2nd it was a main leaking.
- Went to fix a water leak that meter dept. said we had dug it up all the way to main and it was a crack in the meter housing that was at 7 Little Pond.

Building Maintenance / Solid Waste - Brian Jester

- Learned how to make access badges
- Went to Chesapeake to learn about Natural Gas for Fleet
- Had B-Safe fix a smoke detector at Public Works
- Had Parks & Rec phone lines converted to Cellular for Alarm communication purposes
- Worked on Routes for Cro Software
- Had heaters fixed in Electric truck Bay
- Had door magnet replaced on door exit next to Charlie's office
- Had Kevin's office in Finance painted
- Had Drain fixed in men's bathroom at Public Works by breakroom
- Had motion sensor fixed on exterior door at Parks & Rec back door

Water/ Waste Water- Steve Ellingsworth

Accomplishments Attached

Monthly Accomplishments for November 2023

- 1. Fisher Pump Station wet well cleaned. Bypassing done by Rain for Rent and cleaned by CES.**



City bypassing.



CES

- 2. New 75 HP motor delivered from Schultes (Well 13)**

- 3. Seabury Fence complete.**



4. Seabury Rain gutter repair.



5. Seabury Chlorine Vacuum Booster installed.



Public Works Department - NOV 2023	NOV 2022	NOV 2023	FY23 YTD <i>(07/01/22-06/30/23)</i>	FY24 YTD <i>(07/01/23-06/30/24)</i>
Streets/Utility Division				
Signs Installed/Replaced	10	3 poles/3 signs	158	33 poles/39 signs
Curb Miles Swept	1,200	700	5,025	6,700
Sewer Lines Flushed (in feet)	3,400	36,000	14,925	146,000
Sewer Back-up Response	5	2	9	9
Sewer Line Repaired	0	1	0	2
Water Hydrants Flushed	8	11	38	39
Fire Hydrants Replaced/Installed	0	0	1	1
Water Line Repair	3	3	6	14
Water Valves Exercised	8	12	62	61
De-icing Salt Used (tons)	0	0	0	0
Potholes Filled - Cold Patch	59	9	304	46
Potholes Filled/Spray Patch - Gallons Emulsion Used	0	0	0	350
Leaves Collected (Tons)	68	57.00	73	62.00
After Hours Calls	2	9	27	22
Crack Sealing (pounds of sealant used)	0	0	200	800
Work Orders Completed	6	18	90	49
Storm Sewer Inlets Cleaned	85	70	375	425
Street Closures/Festivals	1	2	13	17
Engineering Division				
Utility Locates Completed	199	Data Unavailable	671	478
Infrastructure Work Orders Completed	10	Data Unavailable	42	Data Unavailable
Backfill Inspection Work Orders Completed	10	Data Unavailable	54	Data Unavailable
Operations Division				
Fleet Work Orders Completed	38	22	186	69
Fuel Use-Diesel (Gallons)	3,394	2,815.20	13,921	16,652
Fuel Use-Gas (Gallons)	2,569	4,683.94	18,363	23,731
Blue Def (Gallons)	86.79	98.46	412	344
Solid Waste & Facilities Division				
Refuse Collected (Tons)	312.41	330.79	1,880	1349.88
Recycle Collected (Tons)	79.17	75.08	411	288.06

Yard Waste Collected (Tons)	29.45	X	249.45	204.2
Missed Collections	74	45	194	301
Bulk/Brush Collection Requests Completed	53	51	337	326
Containers Delivered	35	56	188	240
Containers Serviced (Swap, Replacement, Removed)	15	29	138	86
Facilities After Hours Calls	<i>Data Unavailable</i>	X	<i>Data Unavailable</i>	2
Facilities Work Orders Completed	<i>Data Unavailable</i>	X	<i>Data Unavailable</i>	47
Water & Waste Water Facilities Division				
Water Treated (Millions of Gallons)	76,804,300		926,471,600	750,821,800
Waste Water Transferred (Millions of Gallons)	79,439,000		809,853,000	653,383,000
Work Orders Completed	57		261	Data Unavailable
Pump Stations Cleaned	2		7	Data Unavailable
After Hours Calls	5	8	43	8

Public Works Projects - NOV 2023	Planning Stage	Bid/PO Award	In Progress	Complete
Water				
Install Automated Blow-off Valves 2 in stock	Charlie / James	Charlie	Charlie	simpson/mil. Pon
Protection Upgrades Caulk & 10th Street Towers	Steve			
Water Tower Altitude Valve at Caulk Tower	Charlie / James	Schrock	Complete	DONE
Water Trtmnt Monitoring & Process Control Upgrades (4&5)	Steve / Steve Z.		X	on going
City-wide Valve & Hydrant Replacement/Improvements	Charlie / James	Charlie	Charlie	
Standardized Water Treatment Facility Controls	Steve / Steve Z.		X	on going
DNREC Water Allocation Permit	Steve	State	Complete	DONE
Sewer				
Truitt Avenue PS Groundwater Investigation & Repair	KCI	KCI	X	KCI
SCADA Instrumentation Upgrades & Integration	Steve / Steve Z.		X	On going
Targeted Inflow and Infiltration Investigation & Repair	KCI	KCI	X	KCI
North Shore Pump Station Hatch Replacement	DBF	?		
Streets				
Mispillion, McColley, Marshall Streets Reconstruct/Paving				
Fisher Ave				
Financing for Private Sidewalk Improvements				
Street Resurfacing and Rehabilitation, ADA Ramps				
Installation of ADA Compliant Ramps				
Walnut Street Pedestrian Crossing (Landscaping)				
Truck Turning Study				

PARKING				
BUILDINGS				
PW-Complex Security				X
Shutter Painting and Molding Repair- <i>City Hall</i>				X
Siding Replacement- <i>Parks & Rec</i>				X
HVAC Replacement- <i>Parks & Rec</i>				X
Exterior Lighting- <i>Parks & Rec</i>				X
Basement Waterproofing- <i>Customer Service</i>				X
Concrete Repair Drive-Thru- <i>Customer Service</i>	X			
Door Replacement- <i>Armory</i>				X
HVAC- <i>Armory</i>		X		
Facilities Management Binder				
Public Works Equipment & Vehicles - NOV 2023	Planning Stage	Bid/PO Award	In Progress	Complete
ELECTRIC				
Replacing Vermer Trencher (E128)				
Replacing 3 Phase Wire Trailer (E114)				
Replacing Dump Truck				
TECHNICAL SERVICES				
WATER				
Replace W-16 IR Compressor				
Replace W-8 F250 2022	Ordered	Hertrich	Ordered	Still on Hold
Replace W-15 Pick up 2022	Ordered	Hertich	Ordered	Still on Hold
SEWER				
Replace SE-2 Ford F250 Pickup 2022	Ordered	Hertrich	Ordered	Still on Hold
STREETS				
SOLID WASTE				
Grappler Hook Body			X	

GARAGE				
Hetra Lifts for fork lifts				X
WAREHOUSE				
Indoor Forklift			X	
Active Developments - NOV 2023	Plan Review	Utility Mains Installation	Utility Service Line Inspection	Awaiting Final Inspection
Hearthstone Manor I				
Lighthouse Estates II				
Brookstone Trace				
Brookstone Trace II				

Orchard Hill				
West Shores at New Milford				
Watergate				
Walnut Village				
Milford Ponds Phase I				
Hearthstone Manor II				
Milford Ponds Phase II				
Simpson's Crossing Phase 1a				
Simpson's Crossing Phase 1b				
Simpson's Crossing Phase 1c				
Cypress Hall Phase I				
Cypress Hall Phase II				
Wickersham				
Misphillion Landing				
Riverwalk Villas				
Windward on the River				
Milford Ponds Phase III				
Red Cedar Farms				
Hickory Glen				
Knights Crossing				
Commercial Projects - NOV 2023	Plan Review	Utility Mains Installation	Utility Service Line Inspection	Awaiting Final Inspection
Wash-It				
Splash Laundry Mat				
Deep Branch Plaza				
Police Station				
Delaware Mini Storage				
William Allen Property Lot 3				
Food Bank				
Arbys				
PAM				



PUBLIC WORKS FACILITY

180 Vickers Drive
Milford, DE 19963
www.cityofmilford.com

Anthony J. Chipola III, Electric Director

PHONE 302.422.6616, Ext 1137

achipola@milford-de.gov

To: Mayor and City Council
From: Anthony Chipola, Electric Director
Subject: November 2023 Electric Dept Staff Report
Date: December 6, 2023

Director's Office

- Attended Kent / Sussex Monthly DELDOT Mtg
- Hosted Demo for phase Identification tool
- Attended DEMEC Monthly Board Mtg
- Participated in Governors Energy Advisory Council (GEAC) Grid Modernization Working Group
- Held Project Status Update Mtg w/ DRG RE: Field Asset Collection
- Attended Energy Grant Opportunity Lunch and Learn presented by University of Delaware IPA
 - Scheduled f/u mtg to review capital projects that may qualify for various grants
- Participated in pre-construction mtg for Hickory Glenn
- Participated in Development Coordination mtg with KCI and other CoM Departments
- Met with Southern Delaware Golf Course and other CoM employees regarding potential easements
- Participated in monthly AMI support call with AMP
- Held call w/ IT and City Engineer J. Puddicombe to discuss additional hardware needs
- Attended PJM 101 Training w/ C. Ramirez-Contreras
- Participated in Document Management Discussions held by B. Pettigrew

Electric Lines

- Provided Technical Support to DRG for Field Audits
- Conducted Switching to offload and re-energized Delivery 1 for DPL requested outage
- Installed Holiday Lights and Decorations
- Continued construction activities for New Business
- Developed various estimates for new developments
- Responded to various outages

Technical Services and Engineering

- Replaced Broken Regulator Controller
 - Repaired fiber and RMA'd failed device
- Developed Switching to Offload and re-energize Delivery 1 to support DPL requested outage
- Repaired failed meter display at Washington St Water Plant
- Soliciting quotes for replacement back up station batteries
- Developing drawing for offsite work related to Westwood Development
- Participated in AMI monthly support call
- Met with various contractors to specify metering equipment and advise on installation.
- Processed multiple applications for solar panel interconnections

Electric Department - November 2023	November 2022	November 2023	FY23 YTD (07/01/22-11/30/22)	FY24 YTD (07/01/23-11/30/23)
Electric Division				
Trouble Service Call	15	33	95	119
Work Orders Completed	24	5	187	185
Outages	7	8	43	39
LED Street Lights Replaced	4	4	88	18
New Service Install	6	5	21	34
Poles Replaced	3	1	22	9
After Hours Calls	6	19	83	74
Trees Cut (Days)	0	1	19	7
Technical Services Division				
New Electric Service Installed/Meter Set	8	9	80	54
New Water Service Installed/Meter Set	5	3	20	37
Electric Meter Replacement	7	4	36	26
Water Meter Replacement	39	117	267	332
Work Orders Completed	613	721	3,247	3,694
After Hours Calls	5	3	29	15

8 outages: 3 birds, 2 squirrels, 2 equipment failure, and 1 unknown

TO: Mayor and City Council

FROM: Rob Pierce, AICP - Planning Director

DATE: December 5, 2023

RE: November 2023 – Planning Department Staff Report

- During the first eleven months of the 2023 calendar year, the City issued 98 new residential construction permits and three building permits for 72 new multi-family residential units. The total construction investment in Milford through the end of November based on issued building permits was \$66,534,721.
- The City of Milford has seen 188 projects with a committed investment of over \$26.2 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 \$3.1 million in grant funds for both large and small commercial and residential projects in Milford. The City has waived over \$978,000 in permit fees and taxes associated with these projects in accordance with Chapter 19 Economic Development and Redevelopment and DDD program guidelines (click the below link to see project locations).
<https://milfordde.maps.arcgis.com/apps/MapSeries/index.html?appid=ab3ecb0d8cbc44d884b7c3063f75125c>
- The Planning Commission will review two land use applications at the December meeting. These include a preliminary conditional use site plan for Southern States and a preliminary site plan for 84 Lumber.
- The Board of Adjustment will review four variance applications at the December meeting. One application pertains to a lot line adjustment plan for Addington's on N. Rehoboth Boulevard, the second is for a off-street parking reduction for the Southern States site plan, the third is for a carport to be placed in the front yard on Bridgeham Avenue and the fourth is for a side yard setback reduction for new construction on Dixie Avenue.
- The City reviewed a preliminary conditional use site plan resubmission for the Caliber Collision project and provided review comments to the applicant.
- The City received a final site plan resubmission for the 1st State Self Storage project and are currently reviewing the plans.
- The City reviewed a resubmission of the 84 Lumber preliminary site plan application and provided comments to the applicant. The Preliminary Site Plan has been placed on the December Planning Commission agenda for review.
- The City reviewed a final major subdivision application for the Red Cedar Farms project and provided comments to the applicant.

- The City received a final major subdivision resubmission for the Westwood subdivision and is currently reviewing the plans.
- The City reviewed a final site plan application for Helmick Milford, LLC – Fast Food and provided comments to the applicant.
- The City received a plan modification to the water lines associated with the construction of apartment buildings in Cypress Hall – Phase II and is currently reviewing the plans.
- Staff attended the weekly ERP Project update meetings.
- Planning Department staff attended 24 hours of ERP implementation sessions. Department resources will be committed to additional sessions over the next nine months.
- Attended monthly Milford Corporate Center project update meeting.
- The City met with the owner of the Southern Delaware Golf Course to discuss options for a bike path through the property.
- Staff met with Springboard Collaborative to discuss the conditional use site plan process for the construction of a pallet village. Springboard will be required to submit an application to be reviewed by the Planning Commission and City Council.
- Attended Napa Valley Investments, LLC preconstruction meeting held by the Public Works Department for the construction of flex/warehouse buildings in the Greater Milford Business Park.
- Met with Century Engineering to review the engineering design scope for the S. Walnut Street Traffic Calming and Bike Path project.
- Met with the owners of Mispillion Apartments to review a proposed expansion plan that would add two additional buildings and 24 units to the site.
- Attended Hickory Glen preconstruction meeting held by the Public Works Department. The developer would like to begin construction of the townhouse phase off Holly Hill Road.
- The Dover/Kent County MPO and staff met with representatives from KSI regarding the N. Rehoboth Boulevard/N. Walnut Street Corridor Study to gather feedback and recommendations for area transportation improvements. The group has also set up individual meetings with IG Burton and Perdue.
- Staff is in the beginning stages of preparing for a Downtown Development District renewal application submission. Our current designation expires in 2026 and the State has provided an application for current districts to renew their designations for another 5 years. The renewal would extend our designation until 2031. We can submit a renewal request towards the end of August 2023.
- 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	23
Closed Cases	253
Open Cases at Start of Period	444
Open Cases at End of Period	224

Violation Activity:

New Violations Cited	Total
Abandoned Vehicle	1
Dangerous Tree	0
Furniture Violation	1
Generic Violation	17
Property Maintenance Violation	1
Rubbish & Garbage	2
Weeds & Grass	0
Zoning Use Violation	1
Total	23

Rental Licenses Issued: 5

Vendor Licenses Issued: 1

Contractors Licenses Issued: 29

Business Licenses Issued: 11

Building Permits Issued:

Permits Issued by Type	Count
Commercial Demolition	0
Commercial Foundation	0
Commercial Building Permit	6
Construction Trailer	0
Residential Demolition	0
Residential Building New Construction	1
Residential Renovation/Accessory	10
Roof/Siding Permit	10
Sign Permit	3
Solar Panel Permit	0
Utility Permit	6
Total	36

Inspections Performed:

Inspections Performed by Type	Count
Footer	29
Foundation	41
Framing	17
Insulation	2
Final	31
Residential Rental	65
Total	185

PARKS & RECREATION DEPARTMENT
207 Franklin Street
Milford, DE 19963



PHONE 302.422.1104
FAX 302.422.0409
www.cityofmilford.com

TO: Mayor and City Council

FROM: Brad Dennehy-Parks and Recreation Director

DATE: 12/6/2023

RE: November 2023 – Parks and Recreation Staff Report

Parks

- Weekly refuse collection was performed on all City receptacles in the parks and downtown areas.
- Grass cutting concluded at the end of November for the season.
- Crews spread wood chips at goat island for the Mispillion Art league 5klm held on November 4th.
- In preparation for the holiday season, garland was installed on 23 the light poles on S. Walnut Street & N.E East Front Street. This requires many cable ties so the garland remains on the poles and does not fall.
- An extensive number of trees were trimmed in the alley behind the new playground and in the parking lot in front of the Salvation army.
- On Wednesday November 8th, three park personnel attend the annual Dfit snowplow Rodeo at the University of Delaware campus in Newark and competed with 35 other driver contestants in (CDL, Non-CDL, Small equipment) in a timed snowplow course.
- A truck and trailer were dropped off to the Union cemetery so a group of volunteers from the lion's club could clean up any tree limbs. This was then picked up on Monday and tree limbs were chipped.
- Soccer goals were moved over to Marvel square for the men's soccer tournament.
- Park Techs removed all the flowers out of the hanging baskets on the light poles. Also removed the flowers from the planters on the bridges.
- Leaves were raked up and blown to the curb and removed by the Public Works leaf vacuum in the Farmers market area. All new woodchips were then installed in this area.
- Bushes were trimmed at City Hall and the bump outs in the downtown.
- Part-time staff made new artificial greenery to put in the hanging baskets on Walnut Street for the holiday season.
- Oil furnace at the maintenance shop was serviced and new LED lights were installed throughout the building.

- Potting soil was installed on 14 of the light poles on Front Street, the library, and Bicentennial Park bridge.
- City Hall was decorated with new 9-foot garland on the pillars, handrails, and the front door. Solid color net lights were installed on all the bushes in front of city Hall. 10n wreaths were installed on the windows and two figurine Christmas present decorations were erected.
- leaves were removed from the stairways at City Hall and a dead tree was removed.
- Crews spend an entire week installing lights in the trees on Walnut Street and Front Street.
- On Sunday November 19th from 7am-12 pm crews placing greenery in 14 of the hanging planters on the light poles on N. E Front St., the library, planters on Walnut St. bridge, Church Street bridge, State services bridge side, theater bridge side and Bicentennial Park bridges. All together it adds up to 28 half-moon planters 21 planters on the bridges. About 25 volunteers showed up to assist with the greenery installation.
- The Santa clause sled was installed on the Customer Service Building.
- Crews made sure all lights we installed and were working for the tree lighting ceremony the Saturday after Thanksgiving.
- Park Superintendent attended the award and recognition meeting, and safety meeting with fellow employees.
- Any issues on the seeclickfix app that were assigned to our department were acknowledged and closed out.
- Staff installed all the holiday banners along the Riverwalk and downtown on Walnut St.

Recreation

Winter Program Information

- **Indoor Soccer**
 - The enrollment rate is currently at 100% for the entire program with an average waitlist of 4 people in all the age groups.
 - This program continues to show growth and improvement under the guidance of the Recreation Coordinators.
- **Adult Soccer**
 - Milford Parks & Rec held a special two-day tournament for the “Milford Soccer League”.
 - As many as 20 teams participated at Marvel Square.
 - This event has helped to foster a relationship for starting an adult league in the Spring and it would be a first for our department.

- **Youth Basketball**
 - The enrollment rate is currently at 100% for all our age groups with a total of 135 players signed up for our program.
 - There are currently 51 players on the waiting list which shows a lot of growth in our program. Unfortunately, we are limited by how much gym time we can get at the Boys and Girls club and with the school district.

- **Taekwondo**
 - This program is nearly maxed out with only a few spots currently left open.
 - This program has shown to be consistent with its registration rate over the past 3 years.

- **Pickleball League**
 - Pickleball is the fastest growing sport in the USA. This new program helps fill that need by offering a competitive side to this sport.
 - This program is already at 25% capacity, and it is slowly growing.

- **Drop-In Pickleball**
 - This program is starting its 2nd winter season for the non-competitive game of pickleball.
 - While an accurate count won't be totaled until the end of the program, if last year of 104 drop-in is any indication, we should be on par to meet or exceed that number due to the amount of advertising the Rec. Department has undertaken.

- **Drop-In Basketball**
 - Like other drop-in programs, accurate totals will not be available until the end of the program.
 - Last year, this program totaled 107 drop-ins so Parks & Rec. should be on target to meet that goal.

- **Adult Dodgeball**
 - This is our newest program being offered to adults to capture the youthful spirit of the game.
 - Information is limited since this program does not officially start until January.

- **Wrestling**
 - This program also has a 100% enrollment rate with only 2 people on the waiting list.
 - For this program, wrestling singlets are now included with each sign-up.

Future Spring Programs

- Girls Only Basketball
- Youth Spring Soccer
- Adult Soccer League
- Pickleball
- Girls Field Hockey League
- Creative Spark: A Kids' Art Workshop







HUMAN RESOURCES
10 SE Second Street
Milford, DE 19963

PHONE 302.424.5142
FAX 302.424.5932
www.cityofmilford.com

TO: Mayor and City Council

FROM: Jamesha C. Williams, MBA, MSL- Human Resources Director

DATE: December 4, 2023

RE: November 2023 –Human Resources Department Staff Report

- Onboarded new hires for the following positions:
Electric Line Technician, Second Class-1 employee
Public Works Equipment Operator II-Solid Waste-1 employee
- Interviews conducted for the position of Public Works Equipment Operator-Streets & Utilities.
- Attended HR/Payroll Tyler Munis Sessions
- 2023 Holiday Party-Friday, December 15, 2023, Milford Senior Center, 6:30pm-10:30pm.
- The City has continued its partnership with the Greater Milford Boys & Girls Club for the Adopt a Family program to make holiday wishes come true for a family.
- The City provided fresh turkeys from TA Farms to City employees, City Council and committees for Thanksgiving.
- **Current Job Openings as of December 4, 2023:**
 - Arborist/Urban Forestry Coordinator-1 opening
 - Electric Line Technician (All levels)-1 opening
 - Public Works Equipment Operator-Streets & Utilities-1 opening
 - Police Dispatcher-1 opening
 - Police Officer-1 opening

- Charles Nordberg, Streets & Utilities Supervisor spearheaded the Paint the Plow project with the Milford School District. (Elementary Schools)





- Retirement: William "Bill" Hughes, retirement effective January 1, 2024. 31 years of service. Job Title: Public Works Equipment Operator-Streets & Utilities.



To: City Council and Mayor
From: Sara Bluhm, Economic Development & Community Engagement Administrator
Subject: November Monthly Report
Date: December 6, 2023

Economic Development

- Visited Chesapeake Utilities campus in Dover with PW Director and Refuse Supervisor to meet with Shane Breakie and discuss natural gas waste hauling
- Met with Business View: Civil & Municipal, an online magazine, to feature Milford in an upcoming magazine
- Met with developer interested in building flex space in Milford Corporate Center
- Coordinated Hurricane Preparedness education session for downtown merchants – a DMI/Chamber partnership hosted in City Hall training room; 10-15 attendees; will become a bi-monthly event with different topics
- Attended Irish Rose 10th Anniversary Celebration
- Met and toured Dentsply Sirona West facility with DPP and KEP representatives; discussed new state grant
- Attended quarterly DPP meeting
- Met with PACE Your LIFE marketing director
- Attended Thriving Communities Convening at US DOT HQ in DC with UD GAP representative and Slaughter Beach Town Manager

Community Engagement

- Met with Congresswoman Lisa Blunt Rochester's Caseworker/Outreach Representative to connect
- Coordinated and attended Memorial Park ribbon cutting
- Working with MPD PIO to plan MPD ribbon cutting; designed and sent invites; managed RSVPs
- Planned, coordinated and attended Annual City Hall Tree Lighting

Meetings/Trainings

- Attended November Leadership Delaware sessions; themes – Leadership Excellence
- Attended APPA Customer Connections Conference in San Antonio, TX; accepted Award of Merit for electric video; attended public communicators sessions
- Attended monthly Kent County Tourism Board meeting
- Met to finalize Energize Delaware grant for MPD electric vehicles and submitted for \$175k
- Received final draft of feasibility study from VEIC – used to strengthen Energize DE grant application (included with my report)
- Attended monthly Thriving Communities Program (TCP) cohort meeting
- Met several times with website provider and IT Director to negotiate price increase
- Met with IT Director and a potential new website provider
- Attended monthly DMI EV Committee meeting
- Met with LDI CEO for year end 1:1 meeting
- Participated in weekly streets update meeting with PW Dept

Social Media/Website

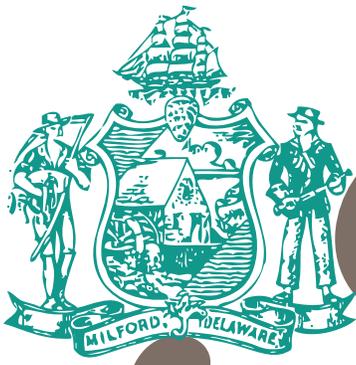
- November 2023 Insights:
 - City of Milford Facebook: 45 new likes (total: 4,756); 155,757 reached (74,502 last month); 2,100 page visits (2,636 last month)
 - Parks & Rec Facebook: 39 new likes (total: 3,679); 6,022 reached (8,959 last month); 989 page visits (2,717 last month)
 - Instagram: 21 new likes (total: 1,285); 817 accounts reached (840 last month); 97 profile visits (100 last month)
 - Twitter: 274 impressions, 1,369 followers
 - ChatBot: 76 self-service resolutions; 65.5% self-service resolution rate; \$380 cost savings
 - MyMilford: 37 issues created; 29 issues closed; Average Days to Close: 2.8

Email Campaigns

- November utility newsletter to full database (customers and business license holders) (5,375): 45% open

Press Releases

- Annual City Hall Tree Lighting set for Nov. 25 (Nov. 14)
- City of Milford Received Excellence in Public Power Communications Award from APPA (Nov. 22)
- City of Milford to Cut Ribbon on New Police Department (Nov. 27)



Milford

River Town • Art Town • Home Town

DELAWARE

Winter Works of Art

The City's Public Works Department was excited to be able to restart the Art School Plow Painting Initiative that began in 2019 and was temporarily discontinued due to COVID.



Streets and Utilities Supervisor Charles Nordberg worked with Ms. Kelly Carvejal-Hageman the Milford School District to organize the work, beginning in September. Three plows were deployed to the art programs at Lulu Ross, Mispillion, and Banneker Elementary Schools. Each school produced an attractive paint job on one of the plows in time for the finished work to be displayed at their school campus on the day parents were invited for Thanksgiving lunch and in turn, for a timely return to the City's Public Works Yard for preparation for snow removal for the winter of 2023-2024.

Next year's effort will include the Milford Central Academy and Milford High School art programs.

Thanks to MSD and Milford PW's Charles Nordberg for executing a well-organized timely effort, providing a showcase of artistic skill for our entire community to enjoy!



City Council Round-up: November

At the Nov. 13 City Council meeting, Council heard department reports and several public hearings, including approval of a 27-lot townhouse subdivision along the Riverwalk near the dog park and minor changes to the 2018 Comprehensive Plan. They authorized funding for the Electric Infrastructure Inventory Project and NE Front Street Floating Dock Repairs. At the Nov. 27 Council meeting, Council heard a presentation from the Delaware State Housing Authority on their Community Development Block Grant program, which offers assistance to low- and moderate-income homeowners in Kent and Sussex Counties who need home repairs or handicapped-accessible features. Learn more at this link: <https://bit.ly/STHACDBG>. They also authorized a subdivision extension to Red Cedar Farms. All public meetings can be viewed live or recorded online at the City of Milford website at www.cityofmilford.com/553/Watch-Public-Meetings.

Police Dept. Ribbon Cutting, Tours

You're Invited

Ribbon Cutting & Public Tours
Tuesday, Dec. 12, 10am

Public Open Houses
Wednesday, Dec. 13, 1-5pm
Thursday, Dec. 14, 4-8pm

401 NE Front St. | Milford
Overflow parking behind building



City Office Closures

City offices will be closed Friday, December 22; Monday, December 25 and Monday, January 1 for the holidays. Trash, Recycling and yard waste may differ on these dates. Check the schedule online at www.cityofmilford.com/87/Solid-Waste

Public Utility Education

Lead Service Line Removal – Program Update

Under the EPA's requirement to remove lead service lines (the portion of water supply pipe that runs from the meter pit to the first connection inside the house), the Public Works Department (PW) has identified approximately 600 possible locations where – if confirmed – PW and/or its contractors will be replacing pipe material with SDR 9 one inch pipe. The city has made aggressive progress in this effort and is now approximately one year ahead of the EPA October 2024 deadline where water authorities have to identify lead service line inventory.

PW has identified the possible locations through administrative review of record plans, permits and property records. Key elements of each of these documents can help to zero-in on street alignments where lead pipe may be present. Confirmation of lead service line presence will occur either by "test-pitting" (a process where a small, non-destructive hole is dug to the depth of the actual service line – so that the pipe material can be identified) or a streets rehab effort causes the City to demolish a street's paving for it to be reconstructed. When this process occurs, all utilities in the right of way become visible, including the pipe connection from the meter pit to the main. In this instance, service line pipe materials can be identified and confirmed as either lead or PVC.

PW is soliciting interest from registered plumbers to perform the service line replacement work. Once the City receives a response from the EPA on its grant application, and multiple plumbing firms are qualified by PW, we will share more information about how the replacement program will begin. If you have any questions as a resident or your plumbing firm is interested in participating in this work, please contact City Engineer James Puddicombe (302-422-1106 or jpuddicombe@milford-de.gov).

Look for future updates to this EPA-driven program!

Employee Spotlight

Carlos Hernandez Patrolman

1. How long have you worked for the City of Milford? I started with Milford PD in October of 2022.
2. Have you always worked in this role? Yes.
3. What is your favorite thing about working for the City? Milford is an exciting city that is growing and every day is something different. I'm looking forward to all the new changes for the police department. I also sometimes get to work alongside my sister, who is a Sussex County paramedic.
4. What do you enjoy doing in your free time? I enjoy going to live sporting events, traveling with my wife, and spending time with my Dutch Shepherd and Belgian Malinois dogs.



“Hernandez is a great new addition to the force and we're honored to have him!

- Cecilia Ashe, Chief of Police

APPA Communications Award

The City of Milford received an Award of Merit in the video category of the Excellence in Public Power Communications Awards from the American Public Power Association for their video showcasing the electric department. The video can be view online at <https://bit.ly/COMeElectric>.



Sixty-seven public power electric utilities and utility organizations earned Excellence in Public Power Communications Awards last month at APPA's Customer Connections Conference in San Antonio, Texas.

The annual awards recognize excellence in communications. The entries are judged in three categories: Print & Digital, Web & Social Media, and Video. Awards were given to those that showed ingenuity and creativity in telling their stories through outstanding copy, design, financial data presentation, graphics, social media engagement, video editing, and web layout and interactivity. There were more than 200 entries across all classes and categories this year.

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City of Milford

Fleet Electrification

Feasibility Study Report

 **November 2023**

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List of Acronyms

AFLEET - Alternative Fuel Lifecycle Environmental and Economic Transportation Tool developed by Argonne National Lab

AWD – All-Wheel Drive

AEV – All-Electric Vehicle (also referred to as Battery Electric Vehicle (BEV))

EV – Plug-in Electric Vehicle, including both AEV and PHEV models

EVSE – Electric Vehicle Supply Equipment, often referred to as EV charging equipment

ICE – Internal Combustion Engine

MSRP – Manufacturer’s Suggested Retail Price

PHEV - Plug-In Hybrid Electric Vehicle

SUV – Sport Utility Vehicle

TCO – Total Cost of Ownership

Executive Summary

The City of Milford is interested in adopting electric vehicles (EVs) and electric equipment to support its municipal operations while also reducing its carbon footprint. Milford secured Energize Delaware program funding for a fleet electrification feasibility study. This feasibility study report provides a comprehensive financial and operational assessment of Milford's municipally-owned fleet for potential electrification, recommends vehicles for EV replacement, and meets Energize Delaware's feasibility study requirement for a vehicle incentive application.

The following analysis is a review of Milford's entire fleet of on-road vehicles (as well as riding mowers and low-speed utility vehicles) to determine which vehicles are suitable candidates for near-term EV replacement (Phase One). Vehicles not considered near-term candidates were also analyzed, including estimates of when replacement EVs may be available on the market so Milford can plan ahead for these replacements (Phase Two).

VEIC recommends Milford replace 74 vehicles including sedans, full-size cargo vans, light-duty (LD) pickup trucks and medium-duty (MD) pickup trucks, heavy-duty (HD) bucket and dump trucks, motorcycles, riding mowers, low-speed utility vehicles (LSVs), sport utility vehicles (SUVs), heavy-duty refuse trucks and street sweepers in two phases over the next 12 years.

Phase One (2023-2026)

Replace 29 internal combustion engine (ICE) vehicles including sedans, full-size cargo van, LD pickup trucks, motorcycles, riding mowers, all-terrain utility vehicles, administrative police sedans and SUVs, and a refuse truck (Appendix A) with all-electric equivalent vehicles. These replacements can occur within the next three years (2023-2026) due to availability of comparable EVs that are expected to meet operational requirements.

- **AEV Sedan Replacement:** the all-electric Chevrolet Bolt EV (259-mile electric range) is the best-value EV option for replacement of Milford's existing sedans in the Customer Service and Police departments.
- **AEV Full-Size Cargo Van Replacement:** the all-electric Ford E-Transit Cargo Van (126-mile electric range) is the most cost-effective option for replacement of Milford's existing full-size cargo vans in the Parks & Recreation and Public Works-Water departments.
- **AEV Light-Duty Pickup Replacement:** the all-electric Ford F-150 Lightning Pro (230-mile electric range) is the most cost-effective option for replacement of Milford's existing light-duty pickup trucks in the Parks & Recreation, Police, and Public Works-Electric departments.
- **AEV Motorcycle Replacement:** the all-electric Harley Davidson Livewire One (146-mile electric range) is the most cost-effective option for replacement of Milford's existing motorcycle in the Police department.

- AEV Mower Replacement: the all-electric Greenworks Optimus Z 60 Zero Turn commercial mower is the most cost-effective option for replacement of Milford's existing gas- and diesel-powered commercial mowers in the Parks & Recreation - Armory and Public Works departments.
- AEV All-Terrain Utility Vehicle Replacement: the all-electric John Deere 4X2 Electric Gator is the most cost-effective option for replacement of Milford's existing gas-powered Gators in the Parks & Recreation and Police departments.
- AEV Police Admin Sedan and SUV Replacement: the all-electric Ford Mustang Mach-E all-wheel drive (AWD) and Ford F-150 Lightning Pro are the most versatile AEV options for replacement of the Police department administrative sedans and SUV.
- AEV Refuse Truck Replacement: the all-electric Mack LR Electric (up to 100-mile electric range) is the best value EV option for replacement of the existing diesel refuse truck in the Public Works-Solid Waste department.

These vehicles represent Milford's best opportunity for cost-effective, near-term electrification because their predictable daily range needs and low to moderate annual mileage can be easily met by existing AEVs.

Sixteen of the 29 recommended Phase One replacement AEVs are projected to offer a total lifetime savings compared to existing ICE vehicles, after accounting for estimated vehicle and charging station capital and operating costs, and available incentives. These vehicles are projected to save Milford a total of approximately \$75,000 over their lifetime.

The remaining 13 recommended Phase One vehicles are projected to result in increased total lifetime ownership costs relative to existing ICE vehicles and would require additional subsidy or incentives to break even. These 13 vehicles are projected to cost an additional \$221,000 over their lifetime.

Combining the projected TCO savings and costs of all 29 recommended Phase One vehicles results in a net lifetime cost of approximately \$147,000. However, if Milford receives \$175,000 in Energize Delaware funding for the seven administrative Police vehicles included in Phase One, Milford is expected to achieve a net lifetime savings of approximately \$28,000 by replacing these 29 vehicles with AEVs.

These 29 vehicles are also projected to reduce lifetime carbon emissions by approximately 5,700 short tons (58%) and criteria air pollutants by approximately 28 short tons (99%) relative to existing ICE vehicles.

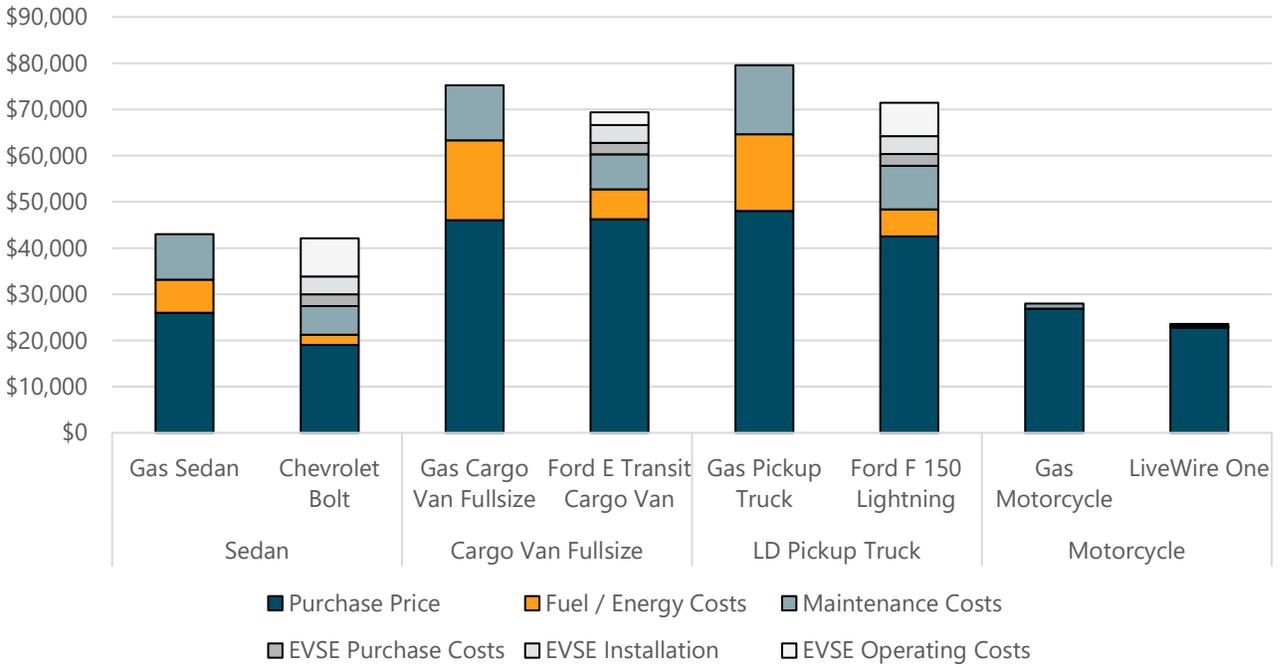


Table ES- 1: Lifetime total cost of ownership for Chevrolet Bolt, Ford E Transit Cargo Van, Ford F-150 Lightning, and LiveWire One AEVs replacing gasoline-powered sedan, full-size cargo vans, light-duty pickup trucks, and motorcycle equivalents.

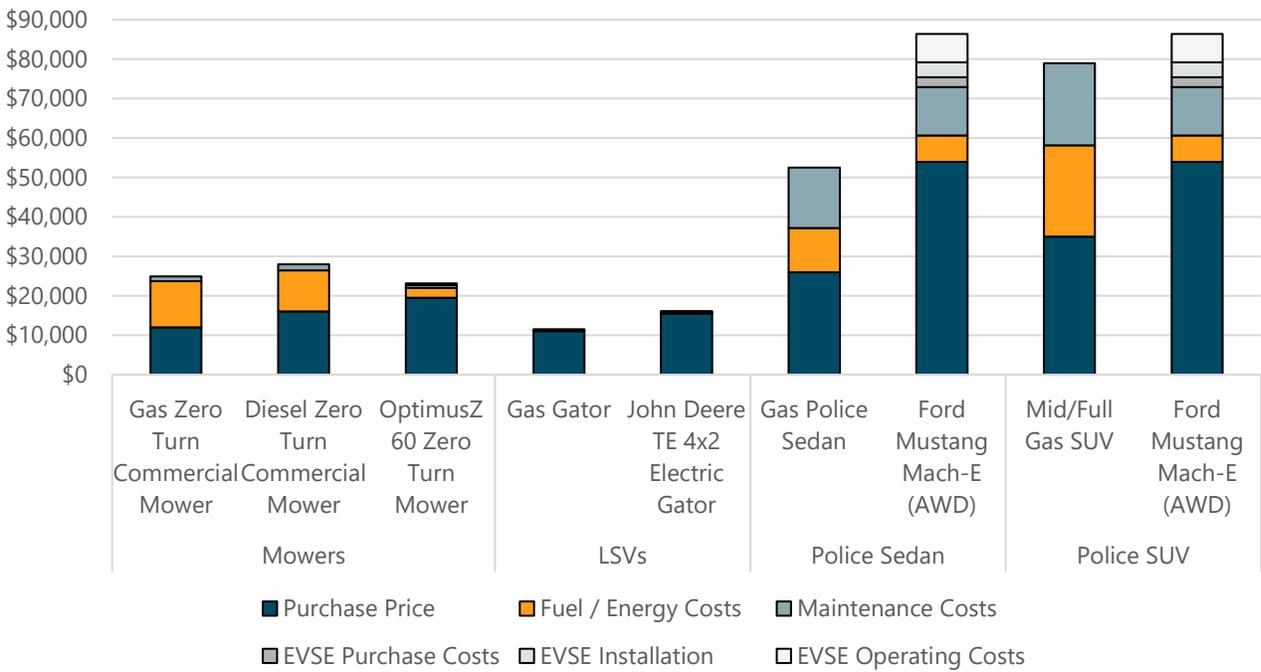


Table ES- 2: Lifetime total cost of ownership for Greenworks OptimusZ 60 Zero Turn commercial mower, John Deere TE 4X2 Electric Gator, Ford Mustang Mach-E (AWD) replacing gasoline and diesel-powered commercial mowers, all-terrain utility vehicle, police sedans and police SUV equivalents.

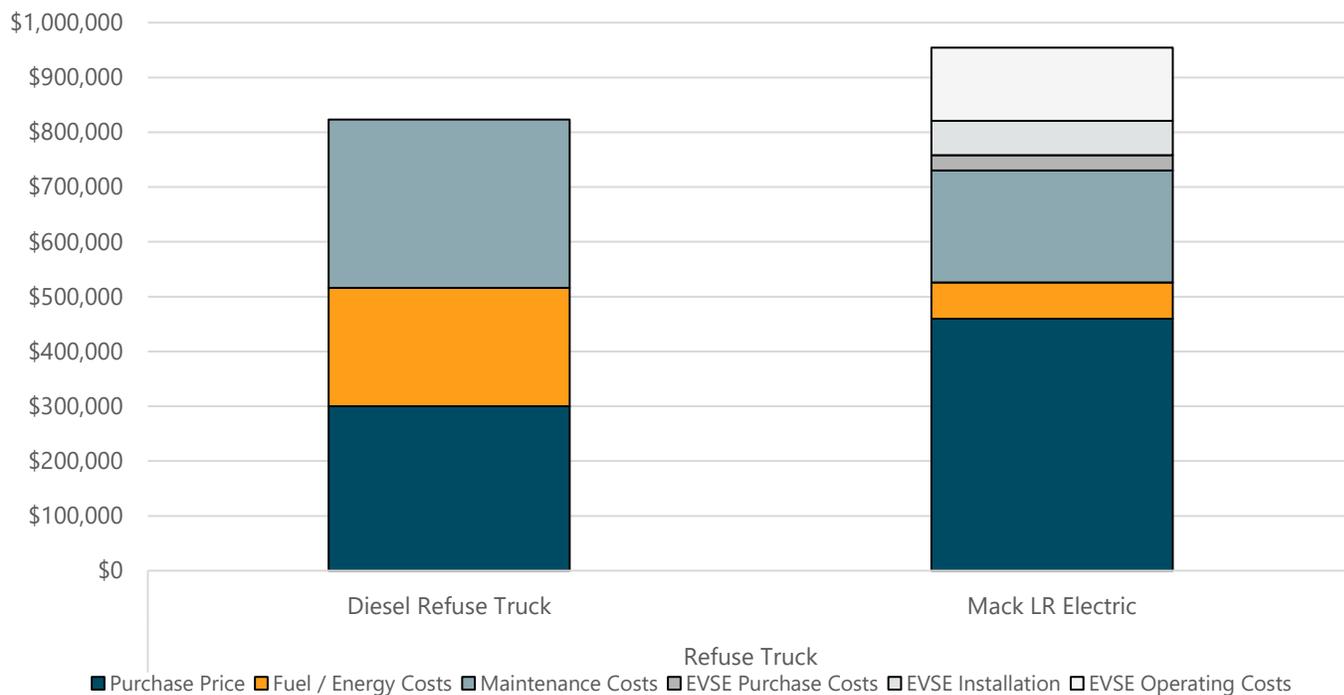


Table ES- 3: Lifetime total cost of ownership for Mack LR Electric commercial refuse truck replacing diesel-powered commercial refuse truck equivalent.

Phase Two (2027-2035)

Replace 45 ICE vehicles including hybrid sedans and SUVs, cargo vans, LD and MD pickup trucks, motorcycles, riding mowers, all-terrain utility vehicles, and HD refuse trucks and a street sweeper (Appendix A) with all-electric equivalents. These replacements can occur within a nine-year period (2027-2035) due to vehicle replacement schedules and anticipated market availability.

Recommended Phase Two AEV replacements are projected to add additional significant lifetime costs and reduce overall carbon emissions. Current Phase Two AEV vehicle replacements are based on current market availability. Additional AEV vehicle types and models are expected to become available between now and 2035, which Milford will also want to consider when replacing. In addition to the vehicles recommended in Phase One, the following are recommended for the additional vehicle types included in Phase Two:

- AEV SUV Replacement: the all-electric Volkswagen ID.4 (245–280-mile electric range, trim dependent) is the best value EV option for replacement of the hybrid SUVs in the Information Technology, Public Works, and Public Works-Electric departments.

- AEV Medium-Duty Pickup Replacement: medium-duty AEV pickup trucks are not currently widely available, but some options are expected to be on the market in the next several years¹.
- AEV Bucket Truck Replacement: the all-electric Terex HR55 All-Electric Aerial Truck is the only current EV option for replacement of the existing diesel aerial trucks in the Public Works-Electric department.
- AEV Street Sweeper Replacement: the all-electric Battle Motors Elgin Broom Bear (130-150 mile electric range) is the best value EV option for replacement of the existing diesel refuse truck in the Public Works-Streets department.

AEV medium-duty pickup trucks, bucket trucks and street sweepers are currently projected to be more expensive over their lifetime compared to ICE equivalent vehicles, based on Milford's annual mileage. Purchase costs for these vehicles (and all AEVs), however, are expected to decrease in the coming years, which should bring their total lifetime costs closer to equivalent diesel vehicles.

These vehicles represent suggested replacement opportunities for cost-effective, long-term electrification because their short, predictable daily range needs and moderate to high annual mileage can be easily met by existing AEVs. Current MSRP estimates Phase Two vehicles are likely to decrease over time as more EV models enter the market and technology improves.

If Milford replaced all Phase Two vehicles in 2023, they would result in an estimated total lifetime cost increase of \$2,183,977 relative to equivalent ICE vehicles. Actual costs in 2027-2035, however, are expected to be considerably lower as additional, lower cost EV models become available over the next 12 years with net saving likely to follow.² These purchases should be planned for 2027-2035 in response to the market dynamics noted above.

Charging Infrastructure (2023-2035)

- Milford should plan for installation of up to 53 additional electric vehicle supply equipment (EVSE) ports over the next 3-12 years.
 - Each light and medium-duty AEV replacement should ideally have a dedicated Level 2 EVSE port to ensure they are fully-charged each morning and to minimize staff efforts to shuffle vehicles between any shared charging station ports.

¹ <https://gmauthority.com/blog/2021/08/gm-has-plans-to-offer-a-new-all-electric-medium-duty-chevy-truck/>

² DOE Projects Zero Emissions Medium- and Heavy-Duty Electric Trucks Will Be Cheaper than Diesel-Powered Trucks by 2035: <https://www.energy.gov/articles/doe-projects-zero-emissions-medium-and-heavy-duty-electric-trucks-will-be-cheaper-diesel>

- The Livewire One motorcycle would benefit from having a dedicated Level 1 EVSE port to ensure it is fully-charged each morning due to its smaller battery size and capabilities.
- Each heavy-duty AEV replacement (including all refuse and dump truck replacements) are expected to each require a dedicated 50kW DC charging station to ensure sufficient charging speeds overnight.
- Selecting more basic, lower-cost EVSE options is recommended to reduce capital and operating costs to maximize lifetime TCO savings.

Funding Opportunities

Milford should pursue the following incentives to support EV and EVSE deployment and monitor for any additional opportunities that may become available. Note that due to varying eligibility and program requirements, only the Energize Delaware Government EV Fleets and federal Commercial Clean Vehicle Credit incentives were included in the Phase One and Phase Two cost estimates provided above. If Milford can utilize the additional state and federal funding below, Phase One project-wide total cost of ownership savings may increase considerably.

State Funding

- Energize Delaware Grants for Local Government EV Fleets – \$175,000 per municipality for police and other first-responder AEVs and related EVSE only. Limit of up to \$80,000 MSRP per vehicle. Requires EV feasibility study prior to application for more than three vehicles.³
- Alternative Fuel Vehicles Rebate – \$2,500 per AEV, up to 6 vehicles. MSRP's not to exceed \$50,000 to qualify. Administered by the Delaware Department of Natural Resources and Environmental Control (DNREC).⁴
- EV Charging Station Rebate Program – \$2,500 for a single port charging station and \$5,000 for dual port chargers. Limited to 10 ports (or 5 dual ports). Rebates are available for public access fleet and workplace charging. Rebates cover up to 60% of charging station for commercial projects and up to 80% for government and nonprofit projects. Administered by DNREC.⁵

Federal Funding

- Commercial Clean Vehicle Credit – Up to \$7,500 for gross vehicle weight ratings (GVWRS) of under 14,000 pounds and \$40,000 for all other vehicles. Businesses and tax-exempt

³ <https://www.energizedelaware.org/ev-fleets/>

⁴ <https://afdc.energy.gov/laws/11638>

⁵ <https://dnrec.alpha.delaware.gov/climate-coastal-energy/clean-transportation/ev-charging-equipment-rebates/>

organizations qualify for the credit. There is no limit on the number credits your entity can claim.⁶

- Alternative Fuel Infrastructure Tax Credit – up to \$100,000 or 30% of the cost for electric fueling equipment or 6% in the case of property subject to depreciation.
 - Eligible projects that meet prevailing wage and apprenticeship requirements may be eligible to receive the full 30% tax credit, regardless of depreciation status. Permitting and inspection fees are not included in covered expenses.⁷
 - Qualified fueling equipment must be installed in locations that meet the following census tract requirements: (1) the census tract is not an urban area; (2) A population census tract where the poverty rate is at least 20%; or (3) Metropolitan and non-metropolitan area census tract where the median family income is less than 80% of the state medium family income level.

⁶ <https://www.irs.gov/credits-deductions/commercial-clean-vehicle-credit>

⁷ <https://afdc.energy.gov/laws/10513>

Background

The City of Milford is a municipality in the state of Delaware serving approximately 12,000 residents. Milford selected VEIC to help them plan for a fully electrified vehicle fleet over the next 12 years to increase operational efficiency and to reduce their carbon footprint. This study identifies immediate and long-term candidates for vehicle electrification over a two-phase period.

Recommendations

Vehicles

This study focused on evaluating potential AEV replacement for Milford’s identified 108 light, medium, and heavy-duty fleet vehicles (including riding mowers and all-terrain utility vehicles).

Based on estimates of Milford’s vehicles replacement timeframes, annual mileage and operation needs of current vehicles, as well as projected market availability and purchase price by vehicle type, we recommend Milford deploy AEVs into their fleet in two distinct phases between now and 2035:

- The 29 recommended Phase One vehicles consist of older sedans, full-size cargo vans, light-duty pickup trucks, motorcycles, riding mowers, administrative police vehicles, all-terrain utility vehicles, and refuse truck replacements. These current fleet vehicles are due for replacement within the next 3 years (2023-2026), have comparable AEVs available for purchase now and net projected lifetime cost savings as a group (after incentives).
- The 45 recommended Phase Two vehicles consist of the same vehicle types in Phase One, plus newer medium-duty pickup trucks, heavy duty dump and bucket trucks, and street sweeper replacements. These current fleet vehicles are due for replacement within the next 3-12 years (2027-2035), and when comparable medium and heavy-duty vehicles are expected to be available on the market (and more cost-effective than current options).

The recommended vehicles present Milford’s best opportunity for cost-effective electrification because their short, predictable daily range needs and low to moderate annual mileage can be easily met by existing AEVs that charge overnight at their current parking locations.



Phase One

Sedans

We identified two sedans in Milford’s existing fleet as strong candidates for replacement with all-electric sedans during Phase One: a Toyota Camry assigned to Milford’s Customer Service department, and a Dodge Stratus from Milford’s Police department. They each travel an estimated average of approximately 5,000-miles per year with a maximum daily travel distance of roughly 50 miles for one and 200 miles for the other.

Of available AEV models, we recommend the all-electric Chevrolet Bolt as the most cost-effective AEV option for replacement of Milford’s existing gasoline sedans. Its 259-mile range should be sufficient to meet the maximum daily mileage of the existing gasoline sedans, including reductions in range due to cold-weather⁸. The Nissan Leaf is also a potential replacement but has a slightly higher MSRP and is not currently eligible for the federal Commercial Clean Vehicle Credit.

Make / Model	EV Type	Class	Standard Electric Range (mi)	Cold-Weather Electric Range (mi)	Base Model MSRP
Chevrolet Bolt	AEV	Sedan	259	155	\$25,600
Nissan Leaf	AEV	Sedan	149	90	\$28,040

Table 1: Recommended EV replacement options for identified Milford's Sedans⁹

Full-Size Cargo Vans

We identified two full-size cargo vans in Milford’s existing fleet as strong candidates for replacement with either a plug-in hybrid minivan or all-electric cargo van during Phase One. The current candidates are a Ford Econoline Van and a Dodge Sprinter 3500 Cargo Van in Milford’s Parks & Recreation and Public Works-Water departments. They travel an estimated average of approximately 4,000-miles per year with a maximum daily travel distance of roughly 50 miles.

Of available AEV models, we recommend the all-electric Ford E Transit as the most cost-effective AEV option for replacement of Milford’s existing gasoline full-size cargo vans. Its 126-mile range will be more than sufficient to meet the maximum daily mileage of the existing gasoline full-size

⁸ <https://www.driveelectricvt.com/blog/winter>

⁹ See Appendix F – Technical Memo –State of Technology: Light and Medium Duty Electric Vehicles and Charging Equipment for details.

cargo vans, including reductions in range due to cold-weather (which may reduce the range down to 76 miles).

In contrast, if Milford chooses to procure a PHEV replacement, the plug-in hybrid electric Chrysler Pacifica PHEV would make a suitable cost-effective option for replacement of Milford’s existing full-size cargo vans. Its 32-mile electric range and 520-combined mile range will be more than sufficient to meet the maximum daily mileage of these two existing gasoline full-size cargo vans, including reductions in range due to cold-weather (which may reduce the electric range down to 19 miles on sub-zero days). The Chrysler Pacifica PHEV should only be considered if downsizing is suitable to meet Milford’s current full-size cargo van needs.

Make / Model	EV Type	Class	Standard Electric Range (mi)	Cold-Weather Electric Range (mi)	Base Model MSRP
Ford E Transit Cargo Van	AEV	Utility Cargo Van	126	76	\$49,575
Chrysler Pacifica Hybrid	PHEV	Minivan	32	19	\$46,978

Table 2: Recommended EV replacement options for identified Milford's Full-Size Cargo Vans

Light-Duty Truck

We identified three light-duty pickup trucks in Milford’s existing fleet that are strong candidates for replacement with all-electric full-size pickup trucks during Phase One. The current vehicles are all Dodge Rams, which are assigned to Milford’s Parks & Recreation, Police, and Public Works-Electric departments. They travel an estimated average of approximately 8,000 miles per year with a maximum daily travel distance of roughly 50 miles for most (and one vehicle at 200 miles).

Of available AEV models, we recommend the all-electric Ford F-150 Lightning Pro as the most cost-effective AEV option for replacement of Milford’s existing gasoline light-duty pickup trucks. Its 230-mile range will be more than sufficient to meet the 50 maximum daily mileage of most of Milford’s pickups, including reductions in range due to cold-weather (which may reduce the range down to 138 miles).

We note that Milford does have one pickup identified with a maximum trip distance of 200 miles, which exceeds the Ford F-150 Lightning Pro’s estimated minimum winter range. If this trip distance must be met during the coldest days of the year, Ford also offers an extended range option (300 miles) for an additional \$20,000. Adding one or more longer-range pickups into Milford’s light-duty fleet may also enable Milford to assess whether the additional battery capacity is worthwhile to have during extended emergency deployments. Alternatively, longer-range needs in winter could be met by one of Milford’s existing gasoline or diesel light or medium-duty trucks in the near-term.

The Ford F-150 Lightning is the only fleet-focused mass-market all-electric pickup truck on the market currently. Additional options for Milford in the next three years will likely include the GM all-electric Silverado EV pickup, GMC Sierra EV, and Dodge Ram 1500 REV; however, production and delivery details for these three models will not be available until early 2024. Luxury-oriented electric pickup trucks (like the Rivian R1T and GMC Hummer EV) have dramatically higher pricing (starting at \$74,000) so are not projected to be cost-effective options.

Make / Model	EV Type	Class	Standard Electric Range (mi)	Cold-Weather Electric Range (mi)	Base Model MSRP
Ford F150 Electric	AEV	Pickup Truck	230	138	\$49,995
Ford F150 Electric (extended range)	AEV	Pickup Truck	300	180	\$69,995

Table 3: Recommended EV replacement options for identified Milford's Light-Duty Pickup Trucks

Motorcycle

We identified one gasoline motorcycle in Milford's existing fleet that is candidate for replacement with an all-electric motorcycle during Phase One. The current vehicle is a Harley Davidson Standard Police motorcycle, which is assigned to Milford's Police department. It travels an estimated average of approximately 100 miles per year with a maximum daily travel distance of roughly 100 to 200 miles.

Of available AEV models, we recommend the all-electric Harley Davidson LiveWire One as the most cost-effective AEV option for replacement of Milford's existing gasoline motorcycle. Its 146-mile range should be sufficient to meet the 100 to 200 mile maximum daily mileage in mild weather (and assuming that Milford's police motorcycles are not used during colder months).

Make / Model	EV Type	Class	Standard Electric Range (mi)	Cold-Weather Electric Range (mi)	Base Model MSRP
Harley Davidson LiveWire One	AEV	Motorcycle	146	80	\$22,799

Table 4: Recommended EV replacement options for identified Milford Motorcycle

Mowers

We identified two standing and six riding mowers in Milford's existing fleet that are candidates for replacement with all-electric mowers during Phase One. The current vehicles are two John Deere Stand Up Z-Turn mowers, five Kubota Riding Mowers, and one Kubota Riding Mower with

plow attachment, which are assigned to Milford’s Parks & Recreation and Public Works-Sewer departments. They run an estimated average of approximately 900 hours per year with a maximum daily runtime of roughly six hours.

Of available AEV models, we recommend the all-electric GreenWorks OptimusZ 60 Zero-Turn Mower as the most cost-effective AEV option for replacement of Milford’s existing gasoline and diesel mowers. Its eight-hour runtime should be sufficient to meet the six-hour daily runtime of most of Milford’s mowers. The Gravely Pro-Turn EV 48 Rear Discharge mower is also a potential replacement but has a slightly higher MSRP and lower estimated runtime.

Make / Model	EV Type	Class	Standard Electric Runtime (hrs)	Base Model MSRP
OptimusZ 60 Zero-Turn	AEV	Mower	8	\$27,000
Gravely Pro- Turn EV 48 Rear Discharge	AEV	Mower	6	\$32,667

Table 5: Recommended EV replacement options for identified Milford Mowers

All-Terrain Utility Vehicles

We identified five all-terrain utility vehicles in Milford’s existing fleet that are strong candidates for replacement with all-electric full-size ATUVs during Phase One. The current vehicles are five John Deere Gator 4x2 vehicles, which are assigned to Milford’s Parks & Recreation and Police departments. They travel an estimated average of approximately 50 hours per year with a maximum daily runtime of roughly six hours.

Of available AEV models, we recommend the all-electric John Deere TE 4X2 Electric Gator as the most cost-effective and comparable AEV option for replacement of Milford’s existing ATUVs.

Make / Model	EV Type	Class	Standard Electric Range (mi)	Estimated Cold-Weather Electric Range (mi)	Base Model MSRP
John Deere TE 4X2 Electric	AEV	ATUV	Not Listed	Not Listed	\$15,499

Table 6: Recommended EV replacement options for identified Milford ATUVs

Police Sedan

We identified three police sedans in Milford’s existing fleet that are strong candidates for replacement with all-electric sedans during Phase One. The current vehicles are three Ford Crown Victoria police sedans, which are assigned to Milford’s Police department and used for

administrative purposes. They travel an estimated average of approximately 8,300 miles per year with a maximum daily travel distance of roughly 100 to 200 miles.

Of available AEV models, we recommend the all-electric Mustang Mach E AWD as the most versatile option for Milford’s Police department. Its maximum 303-mile range should be sufficient to meet the maximum daily mileage of the existing gasoline police sedans, including reductions in range due to cold-weather.¹⁰ The Chevy Blazer EV is another strong candidate, similar in price and capability to the Mustang Mach-E, and should be considered if available when Milford is ready to procure.

The Chevy Bolt is also a potential replacement that would offer considerably greater savings, but reduced cargo capacity, acceleration and braking performance, and all-wheel drive.

Make / Model	EV Type	Class	Standard Electric Range (mi)	Estimated Cold-Weather Electric Range (mi)	Base Model MSRP
Chevrolet Bolt	AEV	Sedan	259	155	\$25,600
Nissan Leaf	AEV	Sedan	149	90	\$28,040
Ford Mustang Mach E (RWD)	AEV	Compact Crossover SUV	224-303	134-180	\$54,975
Ford Mustang Mach E (AWD)	AEV	Compact Crossover SUV	224-303	134-180	\$57,675
Chevrolet Blazer EV	AEV	Compact Crossover SUV	279	167	\$56,715

Table 77: Recommended EV replacement options for identified Milford Police Sedans

Police SUV

We identified four full-size police SUVs in Milford’s existing fleet that are strong candidates for replacement with all-electric light-duty pickup trucks during Phase One. The current vehicles are four Ford Expeditions, which are assigned to Police department. They travel an estimated average of approximately 11,400 miles per year with a maximum daily travel distance of roughly 100 to 200 miles.

Of available AEV models, we recommend the all-electric Ford F-150 Lightning Pro, XLT or Pro SSV as the most cost-effective AEV option for replacement of Milford’s Police department. Its maximum 230-mile range should be sufficient to meet the maximum daily mileage of the

¹⁰ <https://www.driveelectricvt.com/blog/winter>

existing gasoline police SUVs, including reductions in range due to cold-weather. MSRPs listed below for Ford F-150 Lightning Pro do not include SSV police package upgrades.¹¹

Make / Model	EV Type	Class	Standard Electric Range (mi)	Estimated Cold-Weather Electric Range (mi)	Base Model MSRP
Ford F150 Electric Pro	AEV	Pickup Truck	230	138	\$49,995
Ford F150 Electric Pro (extended range)	AEV	Pickup Truck	300	180	\$69,995
Volkswagen ID.4	AEV	Compact Crossover SUV	240-280	155	\$46,295
Ford Mustang Mach E (RWD)	AEV	Compact Crossover SUV	224-303	134-180	\$54,975
Ford Mustang Mach E (AWD)	AEV	Compact Crossover SUV	224-303	134-180	\$57,675
Chevrolet Blazer EV	AEV	Compact Crossover SUV	279	167	\$56,715

Table 88: Recommended EV replacement options for identified Milford Police SUVs

Refuse Truck

We identified one refuse truck in Milford’s existing fleet that is a candidate for replacement with all-electric refuse truck during Phase One. The current vehicle is a single Freightliner Trash Truck, which is assigned to Milford’s Public Works–Solid Waste department. It travels an estimated average of approximately 11,100 miles per year with a maximum daily travel distance of roughly 50 to 100 miles.

Of available AEV models, we recommend the all-electric Mack LR Electric as the most cost-effective AEV option for replacement of Milford’s existing diesel refuse truck. Its 100 “on-the-job” mile range should be sufficient to meet the 100-mile maximum daily mileage of Milford’s refuse truck. We recommend Milford contact Mack directly to discuss winter operations and determine whether range is expected to be impacted considerably enough to affect Milford’s collection routes and schedules.

¹¹ <https://www.driveelectricvt.com/blog/winter>

Make / Model	EV Type	Class	Standard Electric Range (mi)	Estimated Cold-Weather Electric Range (mi)	Base Model MSRP
Mack LR Electric	AEV	HD Refuse Truck	100	60	\$500,000+

Table 99: Recommended EV replacement options for identified Milford Refuse Truck

Phase Two

Light-Duty Vehicles

Twenty-eight of Milford’s 45 vehicles recommended for replacement with AEVs during Phase Two represent the same types of vehicles recommended for replacement in Phase One (sedans, full-size cargo vans, light-duty pickup trucks, motorcycles, riding mowers, all-terrain utility vehicles, and refuse truck replacements). They are recommended for replacement in Phase Two simply because they are newer vehicles that aren’t expected to be ready for retirement until sometime between 2027-2035.

The recommended equivalent AEV light-duty vehicle model options identified in the Phase One section would work as replacements for these light-duty Phase Two vehicles. However, at least several new models per vehicle category are likely to be available by 2027 onward, so Milford should revisit these recommendations based on market updates.

Medium-Duty Pickup Trucks

The remaining 17 vehicles are medium-duty pickup trucks, heavy duty dump and bucket trucks, and street sweepers. While these vehicles are relatively new and expected to be retired between 2027-2035, there are also limited (or no) AEV replacement options for these vehicle types on the market currently.

Twelve of Milford’s current medium-duty pickup trucks are expected to be good candidates for replacement with AEV equivalents between 2027 and 2035. These trucks support Milford Public Works, Parks and Recreation, and Planning departments, and range from Ford F-250s to F-550s, several with dump bodies. They all travel less than 50 miles per day.

There are currently no AEV medium-duty pickup trucks available on the market, and major truck manufacturers have not offered much information on pricing and delivery expectations. GM recently noted they plan to offer a medium duty pickup truck after 2025¹², but Ford has not committed to developing an equivalent electric medium-duty truck¹³.

¹² <https://gmauthority.com/blog/2021/08/gm-has-plans-to-offer-a-new-all-electric-medium-duty-chevy-truck/>

¹³ <https://insideevs.com/news/550764/ford-superduty-lightning-not-planned/>

Heavy-Duty Trucks

Five of Milford's current heavy-duty dump, bucket and street sweeper trucks are expected to be good candidates for replacement with AEV equivalents between 2027 and 2035. These trucks support Milford Public Works Electric and Streets divisions. They all travel less than 50 miles per day.

VEIC's research identified one commercially available Class 8 AEV bucket truck (the Terex HR55 EV Aerial Truck¹⁴) and Class 8 Street Sweeper (the Battle Motors Elgen Broom Bear Electric Street Sweeper¹⁵). Both are still in pilot deployments with large municipalities or utilities and have considerably higher purchase prices relative to their diesel counterparts. VEIC is not aware of any commercially available heavy-duty dump trucks at this time.

Due to greater weight and power demands, medium and heavy-duty trucks require larger batteries than existing light-duty all-electric vehicles. As battery prices continue to decrease in the coming decade, vehicle type diversity, availability and demand will increase. We expect capital costs for these vehicles will also decrease, bringing their total lifetime costs closer to equivalent gasoline or diesel vehicles.¹⁶

Milford should plan to monitor the AEV market over the next several years for all light, medium and heavy-duty vehicle types recommended for replacement during Phase Two, and update procurement plans annually based on market developments. The EV market is currently developing rapidly, and it is possible that several vehicle types that are not currently available or financially feasible may become so sooner than currently expected.

¹⁴ [Terex Electric Vehicle \(EV\) | Terex Utilities](#)

¹⁵ [Elgin Broom Bear – Battle Motors](#)

¹⁶ [Decarbonizing Medium- & Heavy-Duty On-Road Vehicles: Zero-Emission Vehicles Cost Analysis \(nrel.gov\)](#)

Charging Stations

We recommend that Milford install up to 53 charging station ports to support the recommended AEVs.

Each light and medium-duty AEV should have a dedicated Level 2 charging station port to ensure they are fully-charged each morning. If Milford chooses one or more PHEVs, each new PHEV can charge on dedicated Level 1 charger. However, because of their smaller batteries and reduced charging time, PHEVs could share ports if desired.

Each heavy-duty AEV should have a dedicated Level 3 or DC fast charging station port to ensure they are fully-charged each morning. Due to larger battery sizes, vehicle weight and use will require significantly more charging capacity necessary to operate daily including vehicles such as Milford's refuse, dump, and street sweeping trucks.

Note that the number and timing of AEV deployment may be limited by how many Electric Vehicle Supply Equipment (EVSE, aka Charging Stations) units can be deployed at overnight parking locations, and how quickly.

Location Selection

Milford fleet vehicles are parked in seven main locations across the municipality –Armory, City Hall, Customer Service, Police department, Parks and Recreation, Public Works, and Silicato Park. All identified replacement vehicles are parked overnight at each of these seven locations; however, only six of the seven locations will require Level 2 or 3 charging infrastructure. The smaller recommended AEV replacements such as motorcycles, mowers, and all-terrain utility vehicles can be charged using a standard 120V outlet (known as Level 1 charging) and so will require minimal infrastructure upgrades or costs.

Table 10 displays Milford's parking locations that require EVSE Level 2 and 3 infrastructure over Phase One and Two.

Parking Location	Phase One (2023-2026)	Phase Two (2027-2035)
Armory	1	6
City Hall	0	1
Customer Service	1	0
Police Department	9	1
Parks and Recreation	1	1
Public Works	3	29
Total	15	38

Table 10: Number of recommend EVSE Level 2 and 3 installations by location and phase

Many vehicles recommended for replacement during Phase One and Phase Two are parked at Public Works. Additionally, the Armory and Police department houses a significant portion of overnight vehicles in both phases.

We recommend Milford continue to work with the Delaware Municipal Electric Corporation (DEMEC) to assess existing electrical infrastructure and develop phased plans for any necessary infrastructure upgrades, as well as purchase and installation of charging stations, that align with the expected timing of vehicle replacements at these four main locations.

For example, Milford may wish to focus on planning for deployment of 15 (or more) charging station ports at Public Works, the Armory, City Hall, Customer Service, Police and Parks and Recreation parking areas in the next three to four years to accommodate expected Phase One vehicle replacements, while postponing detailed planning and site work for the 38 charging station ports expected to be needed until closer to Phase Two. Milford and DEMEC can assess and plan for overall fleet and facility-wide charging needs between all parking areas based on full fleet electrification by 2035 and determine whether any infrastructure upgrades (such as transformers, switchgears, panels or conduit runs) will need to be made in order to enable deployment of up to 53 charging station ports by 2035, and how these upgrades should be staged.

Alternatively, if Milford is planning facility upgrades in the near term that could streamline EVSE installation, then vehicle parking locations may be adjusted to provide lower-cost access to AEV replacements recommended in the first phase of implementation.

Note that these recommendations do not include consideration of additional charging stations for employee workplace charging. Milford may wish to assess during their EVSE planning process whether they would like to support employee personal EV adoption by providing workplace charging opportunities, and if so, whether this could be accomplished by making unoccupied fleet charging stations available to employee personal vehicles during the day, or

whether additional designated employee or guest charging stations should be deployed concurrently with Phase One or Two fleet charging stations.

EVSE Equipment

Power: We recommend that Milford consider mid-power Level 2 charging stations for most of their parking locations. All Level 2 charging stations operate on 240V power, and mid-powered units require 50-60A circuits while providing roughly 9 – 12 kW of charging power. For a standard-range Ford F-150 Lightning, these charging stations would be able to deliver 15-20 miles of range per hour of charging.

Milford may also wish to consider dual-port Level 2 charging stations that can run off a single 80A circuit and either deliver a slightly faster charge when one vehicle is plugged in, or a slightly slower charge when two vehicles are plugged in.

As Milford's electric fleet expands, and medium and heavy-duty electric trucks with larger batteries begin to be added, Milford will want to consider adding one or several higher-powered charging stations to enable faster charging of specific vehicles when needed. These options include:

- High-powered Level 2 charging stations - 240V alternating current (AC), requiring 100A circuits, while providing 19.2kW of charging power. Roughly 30 miles of range per hour of charging for standard range Ford F-150 Lightning.
- Medium-powered Level 3 Direct Current (DC) charging stations - typically either 240V (single phase) or 480V DC (three phase), 60A circuits, while providing up to 24kW of charging power. Roughly 40 miles of range per hour of charging for standard range Ford F-150 Lightning.
- High-powered Level 3 Direct Current (DC) charging stations - 480V DC, requiring three-phase power, while providing 50kW or more of charging power. This type of charging station may be necessary to ensure sufficient charging within available parked periods for Milford's refuse, dump, and streetsweeper replacement vehicles. Roughly 6-8 hours of overnight charging is needed to ensure a heavy-duty vehicle such as an all-electric refuse truck will be fully charged using 50-100kW power.

Features: To reduce annual operating costs and maximize lifetime AEV savings, we recommend that Milford select basic, lower-cost EVSE options with the following capabilities and design for their charging locations:

- Level 2 and 3 charging stations that are networked via WiFi. Milford would provide WiFi (if not already in place) rather than purchase cellular service that require additional service plans with monthly service charges.
- Level 2 and 3 charging stations that are networked and offer “managed charging” capability through a software management platform. This would enable Milford to reduce power demands (and electricity costs) when many vehicles are anticipated to be plugged in at the end of the day, while still ensuring all vehicles will be fully charged the following morning.
- Make any needed repairs on an as-needed basis, rather than paying higher upfront costs for extended warranties and maintenance plans. As-needed repairs are likely to be more cost-effective for chargers installed in non-public locations, which are less prone to damage from abuse.
- Wall-mounted charging stations with manual cable wraps will be more cost-effective than more expensive pedestal-mounted charging systems with integrated cord management.

If Milford’s facilities are accessible only to staff and guests, their charging stations are less likely to encounter heavy use, misuse, or vandalism, making them ideal candidates for lower-cost, more basic EVSE. Charging infrastructure costs are detailed later in this report under Costs and Benefits of Electrification.

Electric Vehicle Incentives and Funding Programs:

There is significant policy activity at the state and federal level that could increase the availability of incentives or other funding for electric vehicles and charging equipment. Milford should pursue the following incentives to support EV and EVSE deployment and monitor for any additional opportunities that may become available.

Note that due to varying eligibility and program requirements, only the Energize Delaware Government EV Fleets and federal Commercial Clean Vehicle Credit incentives were included in the Phase One and Phase Two cost estimates provided above. If Milford can utilize the additional state and federal funding below, Phase One project-wide total cost of ownership savings may increase considerably.

State Funding

- Energize Delaware Grants for Local Government EV Fleets – \$175,000 per municipality for police and other first-responder AEVs and related EVSE only. Limit of up to \$80,000 MSRP

per vehicle. Requires EV feasibility study prior to application for more than three vehicles.¹⁷

- Alternative Fuel Vehicles Rebate – \$2,500 per AEV, up to 6 vehicles. MSRP's not to exceed \$50,000 to qualify. Administered by the Delaware Department of Natural Resources and Environmental Control (DNREC).¹⁸
- EV Charging Station Rebate Program– \$2,500 for a single port charging station and \$5,000 for dual port chargers. Limited to 10 ports (or 5 dual ports). Rebates are available for public access fleet and workplace charging. Rebates cover up to 60% of charging station for commercial projects and up to 80% for government and nonprofit projects. Administered by DNREC.¹⁹

Federal Funding

- Commercial Clean Vehicle Credit – Up to \$7,500 for gross vehicle weight ratings (GVWRS) of under 14,000 pounds and \$40,000 for all other vehicles. Businesses and tax-exempt organizations qualify for the credit. There is no limit on the number credits your entity can claim.²⁰
- Alternative Fuel Infrastructure Tax Credit – up to \$100,000 or 30% of the cost for electric fueling equipment. Or 6% in the case of property subject to depreciation.
 - Eligible projects that meet prevailing wage and apprenticeship requirements may be eligible to receive the full 30% tax credit, regardless of depreciation status. Permitting and inspection fees are not included in covered expenses.²¹
 - Qualified fueling equipment must be installed in locations that meet the following census tract requirements: (1) the census tract is not an urban area; (2) A population census tract where the poverty rate is at least 20%; or (3) Metropolitan and non-metropolitan area census tract where the median family income is less than 80% of the state medium family income level.

¹⁷ <https://www.energizedelaware.org/ev-fleets/>

¹⁸ <https://afdc.energy.gov/laws/11638>

¹⁹ <https://dnrec.alpha.delaware.gov/climate-coastal-energy/clean-transportation/ev-charging-equipment-rebates/>

²⁰ <https://www.irs.gov/credits-deductions/commercial-clean-vehicle-credit>

²¹ <https://afdc.energy.gov/laws/10513>

Implementation Plan

Table 11 lays out a possible project timeline for Milford.

<p>Establish goals around EV replacement rates – Milford should determine how many of the recommended vehicles they intend to replace with EVs. This will provide staff with the support needed to develop budgets and schedule EV and EVSE deployment over the next three years.</p>	<p>Q1 to Q2 2024</p>
<p>Engage with DEMEC on EVSE installations – DEMEC staff will be able to advise on specific site considerations (including electric rate structure and demand), qualified vendors, and EVSE.</p>	
<p>Work with DEMEC, proceed with EVSE purchase and installation to support planned specific AEVs.</p>	<p>Q2 to Q3 2024</p>
<p>Schedule specific EV acquisitions to coincide with or shortly follow planned EVSE availability – AEVs require operational charging stations, and procurement/delivery should be coordinated with EVSE deployment.</p>	
<p>Procure EVs – Review and confirm any available vehicle purchase incentives, and investigate procurement options, especially if seeking to procure multiple identical EVs at a discount.</p>	
<p>Deploy EVs (ongoing)</p>	<p>Q3 to Q4 2024</p>
<p>Evaluate performance and purchase additional EVs as appropriate (ongoing) – following initial EV and EVSE deployments, staff can evaluate the performance of the various EVs to ensure they are meeting operational needs and achieving predicted cost savings, which will lay the groundwork for wider EV deployment in future years.</p>	<p>Q1 2025+</p>

Table 1110: Proposed project implementation timeline for Milford’s EV and EVSE deployment.

Costs and Benefits of Electrification

Replacing gasoline-powered fleet vehicles with AEVs will increase capital costs for vehicle purchases and charging station deployment but should result in lower annual operating costs and overall lifetime total cost of ownership in most cases, along with significant emissions reductions.

Vehicle Costs

AEVs currently cost more than their fossil fuel counterparts, with a typical price premium of around \$8,000-\$10,000 for light-duty vehicles and often greater premiums for medium and heavy-duty vehicles. However, AEVs achieve operational energy and maintenance savings relative to conventional gasoline vehicles over their lifetime. AEVs have fewer moving parts requiring less maintenance. Their electric motors and regenerative braking capability enable them to operate much more efficiently than gasoline-powered internal combustion engine vehicles. PHEVs generally achieve smaller fuel cost savings than AEVs (depending on how much

of their travel is in electric-only mode) but achieve only marginal maintenance savings, as they contain both electric and conventional powertrains which require regular maintenance.

In addition, Milford’s cost of electricity is roughly equivalent to \$1.16 per gallon of gas on a kWh basis, compared with DE average pricing (June 2023) of approximately \$3.37 per gasoline gallon and \$3.67 per diesel gallon²². Table 12 presents example per-vehicle budgetary estimates for EV planning purposes. (Methodology and assumptions are documented in Appendix C – Methodology).

Vehicle Recommendations	Chevrolet Bolt replacing Gasoline Sedan	Ford F 150 Lightning replacing LD Gasoline Pickup Truck	AEV Zero Turn Commercial Turf replacing Gasoline Mowers	Chevrolet Bolt replacing Gasoline Police Sedan	Ford Mustang Mach E-(AWD) replacing Gasoline Police SUV
One-time Upfront Capital Costs					
Purchase Premium	\$7,000	\$5,505	-\$7,500	\$7,000	-\$18,925
EVSE Capital Cost	-\$6,356	-\$6,356	-\$380	-\$6,356	-\$6,356
Total Upfront Cost	\$644	-\$851	-\$7,880	\$644	-\$25,281
Annual Operating Costs					
Electricity/Fuel Cost	-\$174	-\$516	-\$238	-\$287	-\$601
Avoided Vehicle Maintenance	\$279	\$486	\$43	\$460	\$772
Avoided Fuel Cost	\$375	\$939	\$794	\$618	\$1,454
EVSE Operating & Maintenance Costs	-\$637	-\$637	\$0	-\$637	-\$637
Total Annual Operating Cost Savings	\$18	\$787	\$837	\$441	\$1,589
Lifetime Savings					
Lifetime Operating Cost Savings	\$231	\$8,986	\$9,470	\$5,438	\$17,881
Net Lifetime Savings	\$875	\$8,134	\$1,590	\$6,082	-\$7,400

Table 1211: Example-per vehicle EV capital and operating budgetary estimates

When calculating total cost of ownership for AEVs, expected investments in the charging infrastructure needed for them to operate are factored in to provide a more complete picture of overall costs and savings.

²² AAA Gas Prices

Energy Costs

Because electric vehicles are considerably more efficient than conventional vehicles, per-vehicle annual energy savings are predicted to range from \$400 to over \$1,400 based on per-kWh electricity rates.

However, AEVs can draw enough power while charging to increase monthly electricity demand charges for the facility where they are charged. This is most likely to occur at facilities that have steady electricity demand throughout the day and night, and where multiple EVs are charged at the same time.

For example, Milford's recommended fullsize pickup replacements are anticipated to consume roughly 4,600 kWh of electricity per vehicle per year, assuming they travel 8000 miles/year. The recommended Ford F-150 Lightning Pro draws up to 11.3 kW of power when charging with its standard onboard charger.

Milford's electric rate class was assumed to be Small General Service Schedule (SGS)²³ for their various buildings and parking facilities. SGS is a General Services rate, with volumetric energy costs (\$/kWh) of \$0.11 and no demand charges. However, as Milford's EV deployments increase, it is possible that certain facilities may be shifted to the Medium General Service Schedule, which has a lower volumetric rate (\$0.05/kWh) but a demand cost of \$16.20/kW.

Demand charges could add approximately \$1,900-\$2,200 in annual electricity costs per AEV pickup for charging if not properly managed. These demand charges were not included in the total cost of ownership estimates in this report.

The roughly 4,600 kWh of electricity consumption at a rate of \$0.11/kWh would cost roughly \$510 per year (which is included in the TCO estimates in this report) – or \$230/year if on the MGS schedule. If the AEV pickup was charged when the facility electricity demand was already at its highest point, the overall electricity demand of the facility would increase by up to 11.3 kW. If this occurred at a facility that was under Milford's MGS schedule, during off-peak hours, this would result in a demand charge of \$2,200 annually.

To minimize these potential costs:

- Work with DEMEC and/or Efficiency Smart to analyze rate structure, current electricity demand and costs and potential measures to reduce the impact of EV charging activity on facility demand peaks.
- Use networked EVSE with capability to modulate charging to reduce power demand while ensuring vehicles are fully charged when needed

²³ <https://www.cityofmilford.com/DocumentCenter/View/4948/2023-2026-Electric-Rates>

- Schedule charging to occur when facility demand is lowest during both peak and off-peak hours.

Charging Infrastructure Costs

Charging infrastructure costs can vary considerably based on charging station power, features, and amenities. VEIC’s analysis assumes low-end costs for EVSE. Note that expenses will increase with higher-end, fully featured options that include extended warranties, maintenance contracts, higher annual network fees and more consumer-oriented optional amenities (such as cable management, pedestal mounts and user payment interfaces). Table 13 lays out general EVSE costs estimates by EVSE type, which are based on national average default values provided by Argonne National Laboratory’s Alternative Fuel Life-Cycle Environmental and Economic Transportation (AFLEET) Tool²⁴.

Per Port	Level 1 Single Station	Level 2 Parking Garage	Level 2 Curbside Single Station	DC Fast: 50 kW
Purchase Cost	\$380	\$2,500	\$2,500	\$27,900
Installation Cost	\$0	\$3,856	\$7,000	\$62,700
Annual Maintenance	\$0	\$250	\$250	\$14,790
Annual Network Fees	\$0	\$387	\$387	\$387
Total Cost (rounded)	\$380	\$6,995	\$10,135	\$105,775

Table 13 12: Comparative Costs of Basic 1,2 and 3 Networked Charging Stations (Per Port)

VEIC utilized the “Parking Garage” defaults for Milford’s recommended EVSE and vehicle TCO calculations.

Installation costs are highly variable based on many site-specific considerations, such as whether existing electrical infrastructure needs to be upgrade and/or run to a new location, and whether trenching will be required. Table 13 provides a placeholder Level 1, 2 and 3 basic charging station installation costs. Most of Milford’s fleet will benefit from a Level 2 charger which roughly costs \$7,000 per port for high-level planning purposes, but those costs at specific sites could vary between \$1,000 to over \$10,000 per port for installation (depending on the complexity/difficulty).

Medium-powered DC fast chargers (25kW) are more expensive (\$10,000-\$15,000 for more basic equipment to more than \$40,000 for larger, more powerful stations, and typically \$50,000 or greater for high-powered DC fast charging stations (50kW or greater).

²⁴ https://greet.es.anl.gov/afleet_tool

Medium and high-powered charging stations have considerably higher installation costs due to more robust electrical infrastructure requirements (such as 480V, three-phase power supply). These costs can range \$4,000 to \$15,000 per port on the lower end to over \$50,000 for larger and more complex projects.

Note that VEIC assumes an anticipated charging station unit lifespan of 10 years, and a lifespan of 25 years for the electrical infrastructure supporting the charging station (circuits, wires, conduit, panel, concrete pad, etc.).

EVSE Equipment Costs

Level 2 charging stations can range in price from about \$1,500 per port up to \$5,000 per port. For charging at Milford's limited-access facilities, lower-cost, more basic EVSE should suffice. Instead of pedestal-mounted systems with integrated cord management, Milford should seek wall-mount units with manual cord wraps to maximize cost-savings.

EVSE Operating Cost

Networked charging can provide numerous benefits, such as the ability to manage charger access and user fees, station, and energy use analysis, as well as minimize electricity demand charges through automated "managed charging" protocols. Annual network fees can be substantial. Lower-cost options are available if Milford can provide site WiFi.

Maintenance contracts pushed by vendors can be expensive and are generally not cost-effective for protected, private EVSE. Milford should either negotiate for a very low-cost maintenance contract for their new stations or plan to assign Milford staff to check EVSEs for damage quarterly. If any locations are accessible to the public and subject to vandalism, they may warrant consideration of service contracts.



Figure 1. L to R - Single wall-mounted EVSE (Juicebox, ChargePoint); Dual pedestal-mounted EVSE (ChargePoint)

Lifetime Cost-Savings

Based on known data, each of the following figures demonstrate Milford’s fleet total cost of ownership (TCO) for replacement with AEVs and highlight potential **lifetime operating savings for their Phase One vehicles of at least \$213 per vehicle** to justify the higher initial capital investment into vehicle and charging station costs, after taking incentives into account. Figures 2, 3 and 4 presents a visualization of simple total cost of ownership, assuming low-end EVSE costs and average annual mileage by vehicle type.

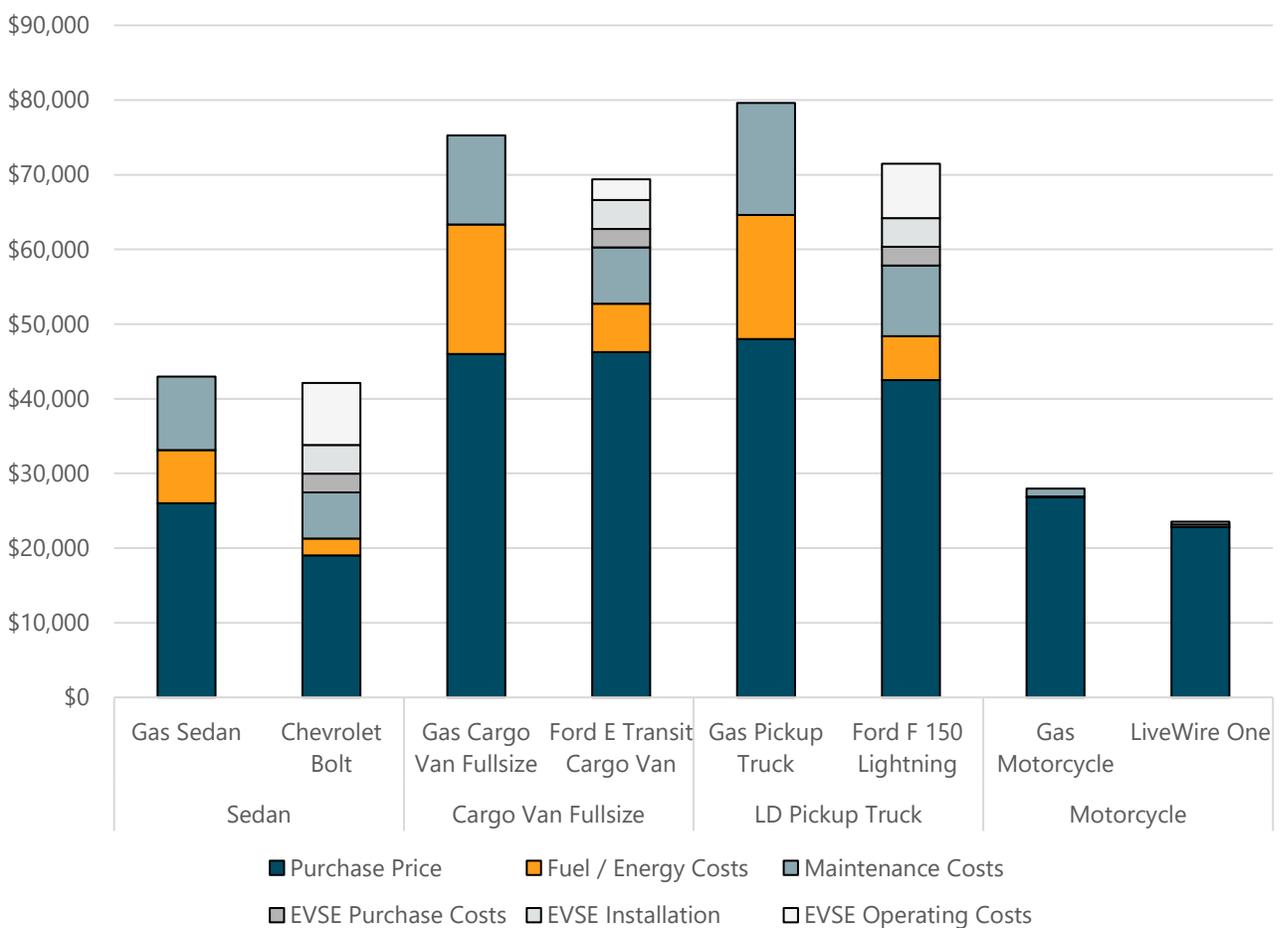


Figure 2: Lifetime total cost of ownership for Chevrolet Bolt, Ford E Transit Cargo Van, Ford F-150 Lightning, and LiveWire One AEVs replacing gasoline-powered sedan, full-size cargo vans, light-duty pickup trucks, and motorcycle equivalents.

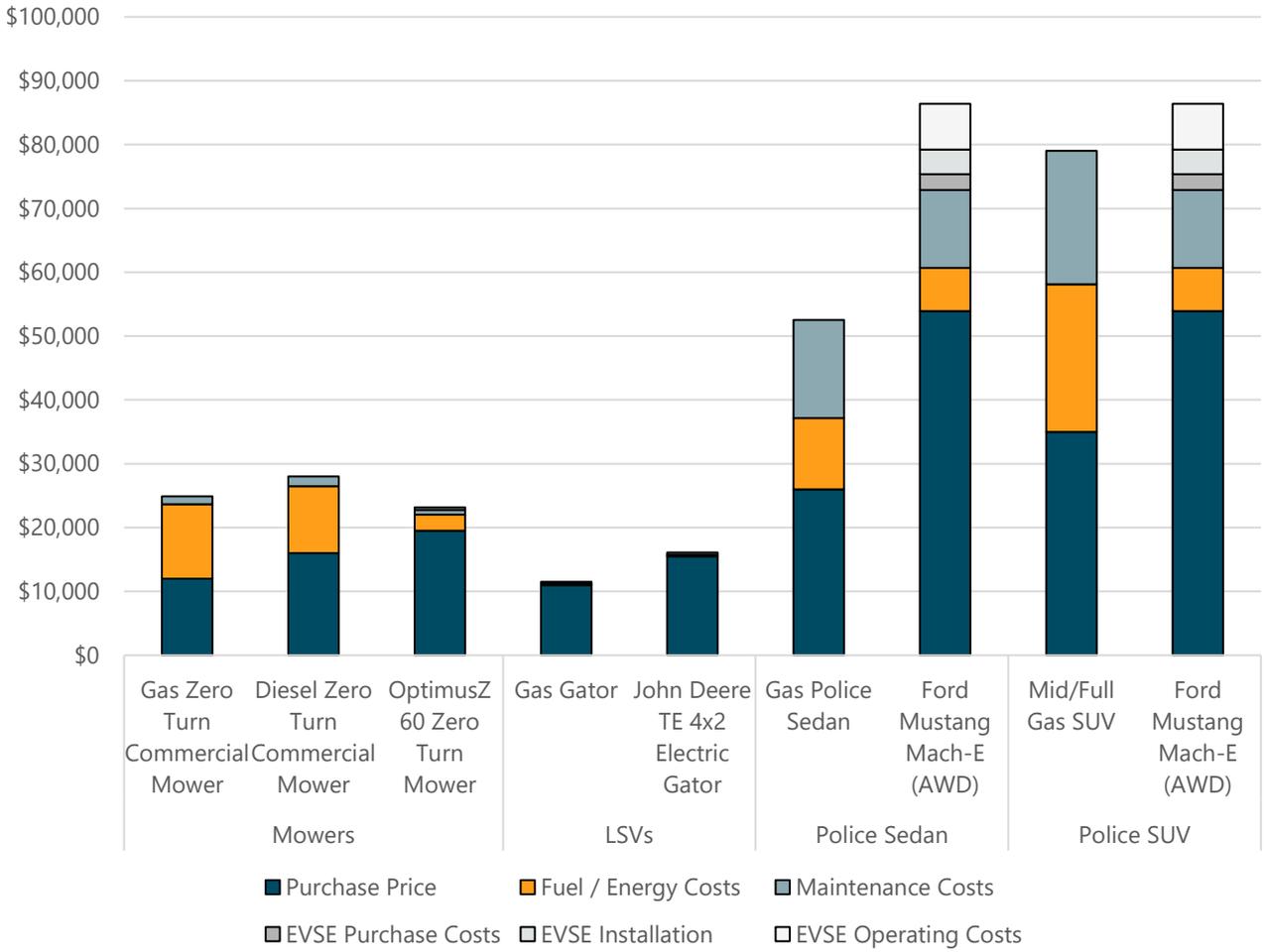


Figure 3: Lifetime total cost of ownership for Greenworks OptimusZ 60 Zero Turn commercial mower, John Deere TE 4X2 Electric Gator, Ford Mustang Mach-E (AWD) replacing gasoline and diesel-powered commercial mowers, low-speed vehicles, police sedans and police SUV equivalents.

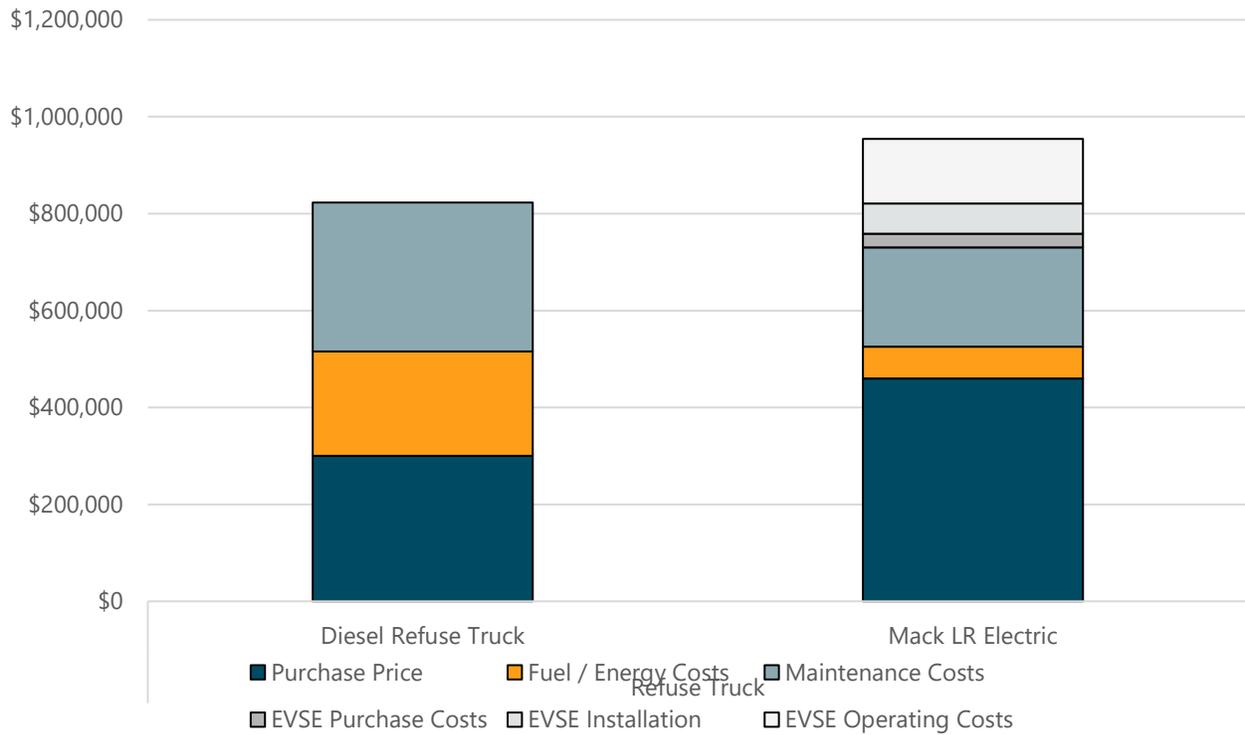


Figure 4: Lifetime total cost of ownership for Mack LR Electric commercial refuse truck replacing diesel-powered commercial refuse truck equivalent.

AEV replacements for Milford’s fleet are based on the assumptions identified and outlined in the Milford Existing Conditions slide deck and include vehicle type average annual miles traveled and lifetime age as a main factor in determining final estimates listed in figures 2, 3, and 4. Estimated lifetime savings of each vehicle are a result of lower fuel/energy costs and maintenance costs when switching to AEVs, and include the federal Commercial Clean Vehicle Credit incentives factored into the purchase price where applicable.

Note that not all identified vehicles for AEV replacement currently generate a lower lifetime cost of ownership. This is due to significantly higher estimated MSRPs for certain medium and heavy-duty vehicles. As vehicle and battery technology continues to evolve overall costs are projected to decrease considerably, making these types of vehicles more affordable.

Appendices

Appendix A – EV Candidates

Recommended EV Candidates: Phase One vehicles to be replaced by 2026

Overnight Parking Location	Department	Vehicle Type	Make	Model	Year	Qty	Average Annual Mileage	Estimated Maximum Daily Mileage	Lifetime AEV Savings	ID
CS Lot	C/S	Car	Toyota	Camry	2011	1	6,567	less than 50	\$875	F-001
PD Lot	Police	Car	Dodge	Stratus	2006	1	3,516	100-200	\$875	5127
PR Lot	Parks & Recreation	Cargo Van - Fullsize	Ford	Econoline Van	2014	1	812	less than 50	\$5,868	PR-006
PW Lot	PW-Water	Cargo Van - Fullsize	Dodge	Sprinter 3500 Cargo Van	2006	1	626	less than 50	\$5,868	W-029
Armory	Parks & Recreation	Light-Duty Pickup	Dodge	Ram 1500 Pickup	2017	1	8,878	less than 50	\$8,134	PR-041
PD Lot	Police	Light-Duty Pickup	Dodge	Ram	2004	1	8,352	100-200	\$8,134	5185
PW Lot	PW-Electric	Light-Duty Pickup	Dodge	Ram 1500 Pickup Quadcab	2017	1	15,026	less than 50	\$8,134	E-101
PD Lot	Police	Motorcycle	Harley Davidson	Motorcycle	2004	1	88	100-200	\$4,403	5196
Armory	Parks & Recreation	Off-Road Equipment - Small	John Deere	Stand Up Mower, Z-Turn	2019	1	900	less than 50	\$1,590	PR-050
Armory	Parks & Recreation	Off-Road Equipment - Small	John Deere	Stand Up Mower, Z-Turn	2019	1	900	less than 50	\$1,590	PR-051
Armory	Parks & Recreation	Off-Road Equipment - Small	Kubota	Mower	2004	1	900	less than 50	\$4,840	PR-018

Overnight Parking Location	Department	Vehicle Type	Make	Model	Year	Qty	Average Annual Mileage	Estimated Maximum Daily Mileage	Lifetime AEV Savings	ID
Armory	Parks & Recreation	Off-Road Equipment - Small	Kubota	Riding Mower	2013	1	900	less than 50	\$4,840	PR-008
Armory	Parks & Recreation	Off-Road Equipment - Small	Kubota	Riding Mower	2015	1	900	less than 50	\$4,840	PR-020
Armory	Parks & Recreation	Off-Road Equipment - Small	John Deere	Gator, 4x2	2004	1	50	less than 50	-\$4,602	PR-013
Armory	Parks & Recreation	Off-Road Equipment - Small	John Deere	Gator, 4x2	1999	1	50	less than 50	-\$4,602	PR-010
Armory	Parks & Recreation	Off-Road Equipment - Small	John Deere	Gator, 4x2 (Cemetery)	2007	1	50	less than 50	-\$4,602	PR-029
Armory	Parks & Recreation	Off-Road Equipment - Small	John Deere	Gator	1989	1	50	less than 50	-\$4,602	PR-034
PD Lot	Police	Off-Road Equipment - Small	John Deere	Gator	2016	1	50	less than 50	-\$4,602	5184
PW Lot	PW-Sewer	Off-Road Equipment - Small	Kubota	Lawn Mower	1994	1	900	less than 50	\$4,840	SE-019
PW Lot	PW-Sewer	Off-Road Equipment - Small	Kubota	Mower F3060	2011	1	900	less than 50	\$4,840	SE-010
PW Lot	PW-SEWER	Off-Road Equipment - Small	Kubota	Mower w/plow	2015	1	900	less than 50	\$4,840	SE-025
PD Lot	Police	Police Car	Ford	Crown Victoria	2010	1	8,638	100-200	- \$34,071	5104
PD Lot	Police	Police Car	Ford	Crown Victoria	2011	1	9,321	100-200	- \$34,071	5108
PD Lot	Police	Police Car	Ford	Crown Victoria	2011	1	6,941	100-200	- \$34,071	5114
PD Lot	Police	Police SUV	Ford	Expedition SUV	2010	1	6,824	100-200	-\$7,400	5101
PD Lot	Police	Police SUV	Ford	Expedition SUV	2011	1	10,544	100-200	-\$7,400	5109

Overnight Parking Location	Department	Vehicle Type	Make	Model	Year	Qty	Average Annual Mileage	Estimated Maximum Daily Mileage	Lifetime AEV Savings	ID
PD Lot	Police	Police SUV	Ford	Expedition SUV	2013	1	13,301	100-200	-\$7,400	5123
PD Lot	Police	Police SUV	Ford	Expedition SUV	2013	1	14,896	100-200	-\$7,400	5118
PW Lot	PW-Solid Waste	Refuse Truck	Freightliner	Trash Truck	2017	1	10,645	50-100	- \$91,179	SW-011

Table A- 1: Phase One vehicle candidates

Recommended EV Candidates: Phase Two vehicles to be replaced by 2035

Overnight Parking Location	Department	Vehicle Type	Make	Model	Year	Qty	Average Annual Mileage	Estimated Maximum Daily Mileage	Lifetime AEV Savings	ID
PW Lot	PW-Electric	Car	Toyota	Corolla Hybrid	2020	1	1,562	less than 50	-\$3,952	E-105
PD Lot	Police	Cargo Van - Fullsize	Ford	Econoline Van	2013	1	812	100-200	\$5,868	5195
PW Lot	PW-Water	Cargo Van - Fullsize	Ford	Transit Van	2017	1	10,975	less than 50	\$5,868	W-028
PW Lot	PW-Water	Cargo Van - Fullsize	Ford	Transit Van	2020	1	6,604	less than 50	\$5,868	W-014
Armory	Parks & Recreation	Light-Duty Pickup	Dodge	Ram 1500 Pickup	2017	1	8,878	less than 50	\$8,134	PR-015
Armory	Parks & Recreation	Light-Duty Pickup	Ford	F250 Pickup	2018	1	8,878	less than 50	\$8,134	PR-022
PR Lot	Parks & Recreation	Light-Duty Pickup	Ford	2021 F-150	2021	1	8,878	less than 50	\$8,134	PR-001
PW Lot	Planning & Econ Dev	Light-Duty Pickup	Chevrolet	Colorado Ext Cab Pickup	2020	1	5,375	less than 50	\$8,134	PZ-001

Overnight Parking Location	Department	Vehicle Type	Make	Model	Year	Qty	Average Annual Mileage	Estimated Maximum Daily Mileage	Lifetime AEV Savings	ID
PW Lot	Planning & Econ Dev	Light-Duty Pickup	Ford	2021 F150 Pickup, Supercab 4x4	2021	1	3,189	less than 50	\$8,134	pz-002
PW Lot	Public Works	Light-Duty Pickup	Chevrolet	Colorado	2022	1	8,092	less than 50	\$8,134	PW-01
PW Lot	PW-Garage	Light-Duty Pickup	Ford	F250 Pickup	2015	1	4,602	less than 50	\$8,134	G-001
PW Lot	PW-Sewer	Light-Duty Pickup	Ford	F350 Super Cab Pickup	2016	1	10,788	less than 50	\$8,134	SE-003
PW Lot	PW-Technical Services	Light-Duty Pickup	Chevrolet	Colorado Crew Box Truck	2018	1	7,062	less than 50	\$8,134	TS-003
PW Lot	PW-Technical Services	Light-Duty Pickup	Chevrolet	Colorado Crew Cab Pickup	2020	1	10,724	less than 50	\$8,134	TS-002
PW Lot	PW-Technical Services	Light-Duty Pickup	Ford	F150 Pickup, Supercab	2020	1	3,400	less than 50	\$8,134	TS-001
PW Lot	PW-Water	Light-Duty Pickup	Chevrolet	Colorado Ext Cab Pickup	2019	1	8,784	less than 50	\$8,134	W-004
Armory	Parks & Recreation	Medium-Duty Pickup Truck	Ford	F350 Crew Cab Dump Body	2022	1	8,364	less than 50	\$17,019	PR-003
Armory	Parks & Recreation	Medium-Duty Pickup Truck	Ford	F350 Pickup	2006	1	8,364	less than 50	\$17,019	PR-023
Armory	Parks & Recreation	Medium-Duty Pickup Truck	Ford	F350 Crew Cab Pickup	2019	1	8,364	less than 50	\$17,019	PR-005

Overnight Parking Location	Department	Vehicle Type	Make	Model	Year	Qty	Average Annual Mileage	Estimated Maximum Daily Mileage	Lifetime AEV Savings	ID
PW Lot	Planning & Econ Dev	Medium-Duty Pickup Truck	FORD	2022 F350	2019	1	4,120	less than 50	\$17,019	PZ-003
PW Lot	PW-Electric	Medium-Duty Pickup Truck	Ford	148 F250 4x4 Supercab SRW	2020	1	8,714	less than 50	\$17,019	E-115
PW Lot	PW-Electric	Medium-Duty Pickup Truck	Ford	F450 Crew Cab Dump Body	2022	1	3,439	less than 50	\$17,019	E-108
PW Lot	PW-Electric	Medium-Duty Pickup Truck	Ford	F550 Dump Truck	2018	1	7,292	less than 50	\$17,019	E-112
PW Lot	PW-Streets	Medium-Duty Pickup Truck	Ford	F250 Pickup	2012	1	7,042	less than 50	\$17,019	S-002
PW Lot	PW-Streets	Medium-Duty Pickup Truck	Ford	F450 Pickup	2015	1	13,439	less than 50	\$17,019	S-023
PW Lot	PW-Streets	Medium-Duty Pickup Truck	Ford	F350 Super Cab Pickup	2019	1	7,849	less than 50	\$17,019	S-001
PW Lot	PW-Water	Medium-Duty Pickup Truck	Ford	F450 Dump Truck	2011	1	3,515	less than 50	\$17,019	W-008
PW Lot	PW-Water	Medium-Duty Pickup Truck	Ford	F250 Pickup	2019	1	8,499	less than 50	\$17,019	W-003
PD Lot	Police	Motorcycle	Harley Davidson	FLHTP	2021	1	87	100-200	\$4,403	5197
Armory	Parks & Recreation	Off-Road Equipment - Small	Kubota	Z-Turn Mower	2020	1	900	less than 50	\$1,590	PR-052

Overnight Parking Location	Department	Vehicle Type	Make	Model	Year	Qty	Average Annual Mileage	Estimated Maximum Daily Mileage	Lifetime AEV Savings	ID
Armory	Parks & Recreation	Off-Road Equipment - Small	Ventrac	Finish Mower, 72"	2018	1	900	less than 50	\$1,590	PR-045
Silicato	Parks & Recreation	Off-Road Equipment - Small	Ventrac	Tough Cut Mower	2018	1	900	less than 50	\$1,590	PR-046
Armory	Parks & Recreation	Off-Road Equipment - Small	Kubota	2023 ZD1211L-3-72, Z-turn 72"	2021	1	900	less than 50	\$4,840	PR-011
Armory	Parks & Recreation	Off-Road Equipment - Small	Kubota	Riding Mower, Work Light Kit, Blade	2013	1	900	less than 50	\$4,840	PR-039
City Hall	Info Tech	SUV	Toyota	Rav 4 Hybrid	2021	1	3,235	less than 50	-\$2,561	IT-001
PW Lot	Public Works	SUV	Toyota	Rav 4 Hybrid	2021	1	3,607	less than 50	-\$2,561	PW-02
PW Lot	PW-Electric	SUV	Toyota	Rav 4 Hybrid	2019	1	3,049	less than 50	-\$2,561	E-106
PW Lot	PW-Electric	Bucket/Aerial Truck	International	Bucket Truck	2018	1	5,993	less than 50	- \$448,551	E-109
PW Lot	PW-Electric	Bucket/Aerial Truck	International	Bucket Truck	2018	1	2,265	less than 50	- \$448,551	E-102
PW Lot	PW-Electric	Bucket/Aerial Truck	International	2021 Bucket Truck	2021	1	6,194	less than 50	- \$448,551	E-103
Armory	PW-Electric	Dump Truck	International	Truck	2021	1	28,775	less than 50	- \$411,002	E-111
Armory	Parks & Recreation	Off-Road Equipment - Small	John Deere	Gator, w/Sprayer	2013	1	50	less than 50	-\$4,602	PR-024
PW Lot	PW-Solid Waste	Refuse Truck	Peterbuilt	Trash Truck	2018	1	12,579	50-100	-\$91,179	SW-028
PW Lot	PW-Solid Waste	Refuse Truck	Mack	Trash Truck, Rear & Side Loader	2020	1	10,108	50-100	-\$91,179	SW-012

Overnight Parking Location	Department	Vehicle Type	Make	Model	Year	Qty	Average Annual Mileage	Estimated Maximum Daily Mileage	Lifetime AEV Savings	ID
PW Lot	PW- Streets	Street Sweeper	Freightliner	Street Sweeper	2018	1	3,163	less than 50	- \$567,027	S-007

Table A- 2: Phase 2 vehicle candidates

Appendix B – Vehicle Lifetime Total Cost of Ownership and Emissions of Phase One Vehicles

The following tables display estimated lifetime total cost of ownerships for each vehicle type replacement identified in Phase One. All purchase price estimates in each table includes applied incentives and are not reflective of original AEV MSRPs.

	Gas Sedan	Chevrolet Bolt
Purchase Price	\$26,000	\$19,000
Fuel / Energy Costs	\$7,141	\$2,263
Maintenance Costs	\$9,832	\$6,198
EVSE Purchase Costs	\$0	\$2,500
EVSE Installation	\$0	\$3,856
EVSE Operating Costs	\$0	\$8,281
Total	\$42,973	\$42,098

Table B- 1. Sedan: Lifetime total cost of ownership for AEV sedans compared to equivalent gasoline sedans

	Gas Cargo Van Full-Size	Ford E Transit Cargo Van
Purchase Price	\$46,000	\$46,245
Fuel / Energy Costs	\$17,336	\$6,489
Maintenance Costs	\$11,935	\$7,524
EVSE Purchase Costs	\$0	\$2,500
EVSE Installation	\$0	\$3,856
EVSE Operating Costs	\$0	\$2,789
Total	\$75,271	\$69,403

Table B- 2. Full-size Cargo Van: Lifetime total cost of ownership for AEV full-size cargo vans compared to equivalent gasoline full-size cargo vans

	Gas Pickup Truck	Ford F 150 Lightning
Purchase Price	\$48,000	\$42,495
Fuel / Energy Costs	\$16,602	\$5,887
Maintenance Costs	\$15,000	\$9,457
EVSE Purchase Costs	\$0	\$2,500
EVSE Installation	\$0	\$3,856
EVSE Operating Costs	\$0	\$7,272
Total	\$79,601	\$71,467

Table B- 3. Light-Duty Trucks: Lifetime total cost of ownership for AEV light-duty pickup trucks compared to equivalent gasoline pickup truck

	Gas Motorcycle	LiveWire One
Purchase Price	\$26,799	\$22,799
Fuel / Energy Costs	\$103	\$23
Maintenance Costs	\$1,049	\$346
EVSE Purchase Costs	\$0	\$380
EVSE Installation	\$0	\$0
EVSE Operating Costs	\$0	\$0
Total	\$27,951	\$23,548

Table B- 4. Motorcycle: Lifetime total cost of ownership for AEV motorcycle compared to equivalent gasoline motorcycle

	Gas Zero Turn Commercial Mower	Diesel Zero Turn Commercial Mower	OptimusZ 60 Zero Turn Mower
Purchase Price	\$12,000	\$16,000	\$19,500
Fuel / Energy Costs	\$11,670	\$10,466	\$2,541
Maintenance Costs	\$1,222	\$1,528	\$733
EVSE Purchase Costs	\$0	\$0	\$380
EVSE Installation	\$0	\$0	\$0
EVSE Operating Costs	\$0	\$0	\$0
Total	\$24,892	\$27,994	\$23,154

Table B- 5. Mowers: Lifetime total cost of ownership for AEV commercial mower compared to gasoline and diesel commercial mowers

	Gas Gator	John Deere TE 4x2 Electric Gator
Purchase Price	\$11,000	\$15,500
Fuel / Energy Costs	\$187	\$41
Maintenance Costs	\$329	\$198
EVSE Purchase Costs	\$0	\$380
EVSE Installation	\$0	\$0
EVSE Operating Costs	\$0	\$0
Total	\$11,517	\$16,118

Table B- 6. All Terrain Utility Vehicle: Lifetime total cost of ownership for AEV ATUV compared to gasoline ATUV

	Gas Police Sedan	Ford Mustang Mach-E (AWD)
Purchase Price	\$26,000	\$53,925
Fuel / Energy Costs	\$11,154	\$6,761
Maintenance Costs	\$15,355	\$12,200
EVSE Purchase Costs	\$0	\$2,500
EVSE Installation	\$0	\$3,856
EVSE Operating Costs	\$0	\$7,166
Total	\$52,509	\$86,408

Table B- 7. Police Sedan: Lifetime total cost of ownership for AEV police sedan compared to gasoline police sedan

	Mid/Full Police Gas SUV	Ford F 150 Lightning Pro (Extended Battery)
Purchase Price	\$35,000	\$62,495
Fuel / Energy Costs	\$23,120	\$8,198
Maintenance Costs	\$20,889	\$9,457
EVSE Purchase Costs	\$0	\$2,500
EVSE Installation	\$0	\$3,856
EVSE Operating Costs	\$0	\$7,272
Total	\$79,008	\$90,874

Table B- 8. Police SUV: Lifetime total cost of ownership for AEV police light-duty pickup truck compared to gasoline mid/full-size SUV

	Diesel Refuse Truck	Mack LR Electric
Purchase Price	\$300,000	\$460,000
Fuel / Energy Costs	\$215,877	\$65,743
Maintenance Costs	\$307,192	\$204,795
EVSE Purchase Costs	\$0	\$27,900
EVSE Installation	\$0	\$62,700
EVSE Operating Costs	\$0	\$133,110
Total	\$823,069	\$954,248

Table B- 9. Refuse Truck: Lifetime total cost of ownership for AEV refuse truck compared to diesel refuse truck

Emissions: Total lifetime greenhouse gas and criteria air pollutant emissions for Phase One AEV vehicle recommendations compared to gasoline and diesel vehicles.²⁵ Note that tire and brake wear (TBW) produce PM emissions for all vehicles.

Total Petroleum and Emission Reduction					
	Units	ICE	AEV	Savings	% Reduction
LD Petroleum Use	Short Tons	17,565	110	17,455	99%
LD GHGs	lbs	9,722	4,045	5,676	58%
CO	lbs	45,248	-	45,248	100%
NOx	lbs	8,828	-	8,828	100%
PM10	lbs	623	537	86	14%
PM2.5	lbs	156	72	84	54%
VOC	lbs	1,414	-	1,414	100%
SOx	lbs	118	-	118	100%

Table B- 10. Total lifetime emission reduction for Phase One vehicles

²⁵ Motorcycle emissions were not included in emissions analysis due to relatively low lifetime mileage.

Appendix C – Methodology

Fuel Costs

Fuel cost is Milford’s estimated fuel cost based on DE average fuel pricing (June 2023) of approximately \$3.37 per gasoline gallon and \$3.67 per diesel gallon²⁶.

Electricity Costs

Milford’s electric rate class was assumed to be Small General Service Schedule (SGS)²⁷ for their various buildings and parking facilities. SGS is a standard commercial rate, with volumetric energy costs (\$/kWh) and customer services charge set to specific rates per year. Current rates are set to:

All Customers charge: \$30.00

All Energy charge (kWh): \$0.10918

VEIC estimated that approximately 80% of Milford’s EV charging will occur during off-peak hours between 11pm and 6am, with 20% occurring during the day on weekdays (to account for any midday charging opportunities that Milford may choose to utilize). VEIC used SGS year one rate of \$0.10918/kWh to reflect this anticipated charging approach, and used this rate for all TCO calculations.

Demand charges associated with EV charging were not estimated or incorporated into TCO analyses or results.

Avoided Maintenance Costs Through Electrification

EV’s offer fleets operational savings achieved through reduced fueling and maintenance costs. Based on our analysis, we estimate maintenance savings of 35% for AEVs relative to gasoline and diesel vehicles. Vehicles are assumed to be replaced at vehicle type-specific age lifetime thresholds based on Milford’s current fleet operating practices. Current vehicle fuel and maintenance costs were estimated based on defaults utilized from Argonne National Laboratory’s Alternative Fuel Life-Cycle Environmental and Economic Transportation (AFLEET) Tool²⁸, which also provided additional defaults for replacement vehicles.

²⁶ [AAA Gas Prices](#)

²⁷ <https://www.cityofmilford.com/DocumentCenter/View/4948/2023-2026-Electric-Rates>

²⁸ https://greet.es.anl.gov/afleet_tool

Emissions

Gasoline pollutant emissions are from Argonne National Laboratory's GREET model.²⁹ Electricity greenhouse gas data is from the EPA's Emission Factors for Greenhouse Gas Inventories³⁰

²⁹(24 lbs CO_{2eq} /gallon gasoline) <https://greet.es.anl.gov/>

³⁰ (981 lbs CO_{2eq} / MWh electricity for the New England Region) <https://www.epa.gov/energy/emissions-generation-resource-integrated-database-egrid>

Date: December 11th 2023
To: Mayor and City Council
From: Bill Pettigrew
Re: December 2023 Information Technology Department Staff Report

Central Square's Naviline Cloud Migration

The Naviline cloud migration was completed on December 2nd, and we can start the process of decommissioning the two older IBM servers. The new system is now being backed up in the cloud, rather than the on-premise tapes. We have already started the process of performing software updates that we could not perform on the antiquated IBM machines. This Naviline cloud system will eventually twilight once all Tyler Munis modules are implemented, and we have a more affordable offline data retention system. This was one of IT's FY2024 CIP projects.

New Milford PD Building

All necessary computer hardware has been installed, and configured, including switches, firewalls, access points, monitors, televisions, and fiber internet, we are awaiting move in day.

PD Phone System

The phone system for PD is installed and configured and the artificial intelligent auto attendant has been recorded awaiting opening day.

Document / Content Management

We are finalizing scaling and licensing for a new document management system. This is needed with the successful conversion of the now end of life Optiview imaging system. We are looking to convert other legacy systems, and scan in boxes of old paperwork.

Network Switch Upgrades

We have started initial plans regarding updating the now end of life Cisco switches at Public Works with City Hall to follow. It is our plan to segment as much as possible our IT & OT systems. This is another of IT's FY2024 CIP projects.

Tyler Munis ERP

Ongoing & on schedule



Riverwalk Public Wi-Fi

Looking to be released in January

Business Impact / Continuity Plan

Looking to be released in January



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: December 8, 2023
Re: November 2023 Finance Department Staff Report

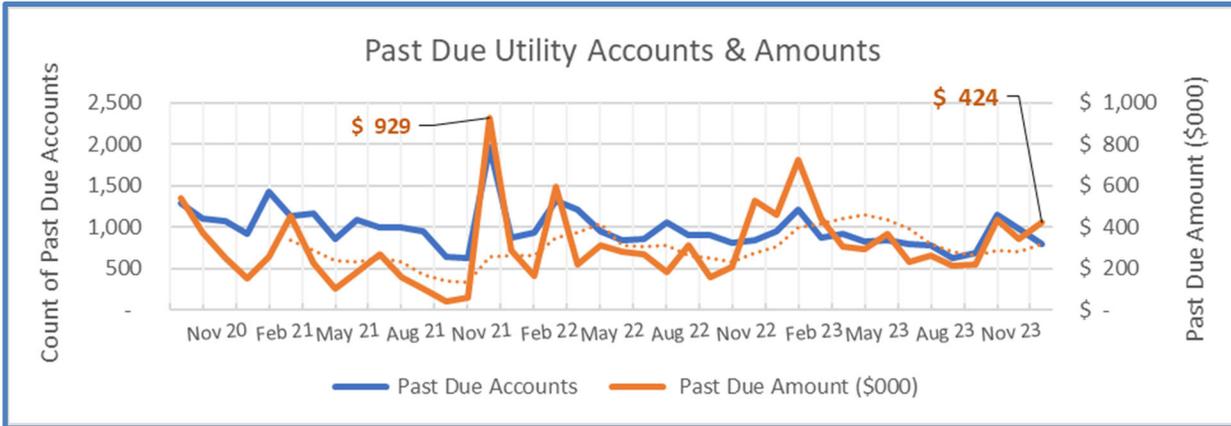
- Monthly Financial Reporting
 - The Finance Report for the month ended October 31, 2023 was approved by Council
- Staffing
 - Accounting specialist Jan Lesperance has joined the Finance team on a contractual basis to assist with certain modules of the ERP conversion process and to support departmental operations
- Training and Improvement Efforts
 - Training related to the Tyler ERP core financial module remain ongoing as other modules phase in
 - Sandra and Katti logged 56 hours and 32 hours, respectively, on the HR/Payroll module
 - Kevin participated in 12 hours on the EAM (Enterprise Asset Management) module
 - Kevin and Jan spent 12 hours cross-training on the City's bank reconciliation process
 - The customer service team logged 12 hours in supervisor training and continued training efforts in support of the onboarding process for the department's two newest Cash Ops Clerks
 - The property tax implementation continued into November with sessions across customer service, finance and IT disciplines, consuming dozens of training hours
- Police Facility Project Financing
 - Weekly update meetings have concluded with the substantial completion of the facility
 - Finance Staff and the City's Bond Counsel continue to work with USDA on permanent financing
 - Construction activity – financial summary:

Police Facility Project: Budget & Payment Activity	Approved Budget	Incurred thru 11/30/23	Less: Retainage & Unpaid	Paid as of 11/30/23
Construction & CM: Total Bid Awards	\$ 13,650,954	\$ 13,611,447	\$ (1,332,123)	\$ 12,279,324
Plus (Less) Proposed Change Orders	331,425	-	-	-
Subtotal: Construction & CM Contracts	\$ 13,982,379	\$ 13,611,447	\$ (1,332,123)	\$ 12,279,324
Other Project Expenses & Contingencies				
Design / Architect (BMG)	\$ 850,480	\$ 834,520	\$ (22,187)	\$ 812,333
Builder's Contingency	486,010	-	-	-
Owner's Contingency	581,132	515,388	(329,985)	185,403
Owner's FFE (\$350k) / Tech (\$150k)	600,000	525,781	(360,149)	165,632
Subtotal: Pre/Post-Construction & Contingencies	\$ 2,517,621	\$ 1,875,689	\$ (712,321)	\$ 1,163,368
Grand Total Project Budget	\$ 16,500,000	\$ 15,487,136	\$ (2,044,444)	\$ 13,442,691

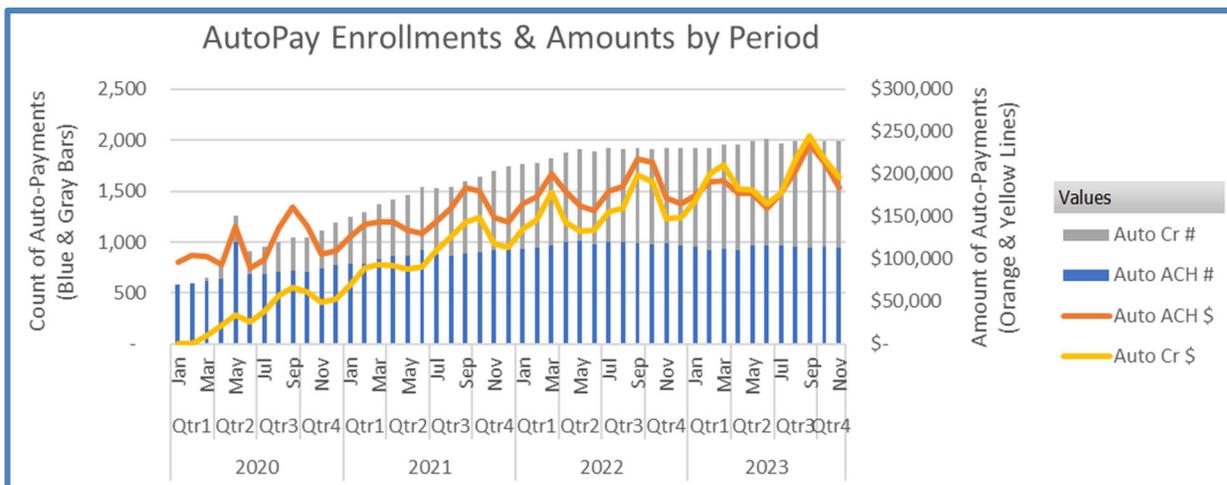
- FY22 Audit
 - The FY22 audit process has been delayed from the outset as a result of the extended FY21 process
 - Significant efforts on the financial statements have positioned us well for December's workshop
 - November consisted of meaningful time conducting internal audit / quality control, cross-training, and we've had open communication with the City's auditors
- Billing & Customer Service Department
 - The table below shows the outstanding tax receivables for the current year and prior years in thousands and as a function of the total levy for comparability

Property Tax Levy	Past Due (\$000) as of: 12/1/23	As % of Levy 12/1/23	Property Tax Levy	As of: 12/1/21	As % of Levy 12/1/21
2023 (FY24)	\$315	5.5%	2022 (FY23)	\$189	3.9%
2022 & Prior	\$142	2.5%	2021 & Prior	\$185	3.8%
Total	\$456	8.1%	Total	\$374	7.7%

- Billing & Customer Service Department, Continued
 - November results are mixed, with outstanding amounts higher despite improved counts



- At first glance, the graph indicates a regression back to a challenging September
- Instead, it is a small group of larger past due accounts spiking the increase in dollar volume
- We are in regular contact with the group, and we are confident in a timely resolution
 - The count of past due accounts (blue line) is improved vs the average and same period last year
 - The dollar amount past due (orange line) is 39% above the average but 8% below last November
- The graph below exhibits the number and dollar amount of automatic payments by type and period from January 1, 2020 through November 30, 2023
 - The value of this report is most evident in the emergence of the following observations & trends:
 - First two years
 - Increased focus and promotion of autopay fueled steady growth in both the count and volume of auto-pay transactions
 - Last two years
 - The count of autopay transactions – the gray and blue bars – has plateaued
 - The dollar volume of autopay transactions exhibits independence from the count due to seasonality and rate growth
 - The implication is that, while serving a valuable purpose for years, the chart has run its course
 - This graph will be replaced with an alternative that expresses the autopay transactions by count and dollar volume as a function of that month’s total to enrich the comparative value of periodic data while invigorating efforts to improve the proportion of autopays



CITY OF MILFORD
NOTICE OF PUBLIC HEARINGS

Planning Commission Hearing: Tuesday, December 19, 2023 @ 6:00 p.m.

City Council Hearing: Monday, January 8, 2024 @ 6:00 p.m.

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 2023-48

Preliminary Conditional Use Application of Southern States Milford Coop, Inc.

4.959 +/- acres of land located along the north side of

Milford-Harrington Highway at the intersection of Williamsville Road

Comprehensive Plan Designation: Commercial

Zoning District: C-3 (Highway Commercial)

Present use: Vacant Proposed Use: Retail Sales & Equipment Repair

Tax Parcel: MD-16-182.00-01-03.00

WHEREAS, the owners of the property as above described herein have petitioned the City of Milford for a Preliminary Conditional Use; and

WHEREAS, the City of Milford Planning Commission will consider the application at a Public Hearing on December 19, 2023; and

WHEREAS, Milford City Council will hold a Public Hearing on January 8, 2024 to allow for public comment and further review of the ordinance; and

WHEREAS, it is deemed in the best interest of the City of Milford to approve the Preliminary Conditional Use, as herein described.

NOW, THEREFORE, the City of Milford hereby ordains as follows:

Section 1. Following adoption of Ordinance 2023-48, and upon the effective date, Southern States Milford Coop, Inc is hereby granted a Preliminary Conditional Use to construct a 50,237 square foot one-tenant commercial building containing retail, equipment service bays, storage and wash bays, in accordance with the application, approved plans, and any conditions set forth at the Public Hearings.

Section 2. Construction or operation shall commence within one year of the date of issuance of the permit otherwise the conditional use becomes void.

Section 3. Dates.

City Council Introduction: December 11, 2023

Planning Commission Review & Public Hearing: December 19, 2023

City Council Public Hearing: January 8, 2024

Effective: Ten days following Adoption by City Council

For additional information, please contact Rob Pierce in the Planning & Zoning Department either by e-mail at RPierce@milford-de.gov or by phone at 302.424.8396.

Advertised: Delaware State News 12-3-2023

KCI TECHNOLOGIES, INC.
TASK ORDER AUTHORIZATION
December 6, 2023
KCI Project No. 131803632.SEUC

The purpose of this form is to obtain your authorization for the work verbally requested and to confirm the terms under which these services will be provided. KCI Technologies, Inc. is pleased to provide the services described below as an amendment to the contract previously executed, dated March 26, 2018 for the Project called Municipal On-Call Services, located in Milford, Delaware.

Invoices to: City of Milford
Attention: Mark A. Whitfield
180 Vickers Drive
Milford, DE 19963

Narrative: The City has requested services to design proposed water, electric, and force main crossings under Route 1. The crossings will extend from Kirby Road to Bucks Road, ending at the future Red Cedar Farm development. The water main will connect to an existing 10" PVC water main along Kirby Road and be capped at the Red Cedar Farm parcel for future extension by the developer. The force main crossing will be capped on both ends to allow for future connections to serve the southeast region. The alignments for both utilities will be approximately 1,300 linear feet. Refer to the enclosed map for the project location and preliminary alignment.

Scope of Work:

Task #1 – Preliminary Design

KCI will develop a concept plan showing potential alignments, easements (if required), tie-in locations, and casing and carrier pipe sizing. We will meet with one (1) trenchless contractor to discuss installation options and potential cost saving approaches to the project. The concept maps will be utilized for upfront discussions with DelDOT to determine the design, permitting, and maintenance of traffic requirements. We have assumed one (1) meeting will be required with DelDOT.

Following the meeting with DelDOT, KCI will finalize the concept plan and provide a preliminary cost estimate for the project. We assumed one (1) meeting with the City will be required to review the final concept plan and cost estimate.

Estimated Fee for this Task: \$7,400.00

Task #2 – Survey

KCI will mobilize a survey team to perform a Topographic Survey and Right-of-Way assessment in the area shown above. The topography corridor will be 75' wide along the alignment, approximately 1,300 linear feet. Topography for the portions of the corridor that pass over travel lanes of roads will be 3D scanned using LiDAR technology to increase safety and limit impact on traffic. Field teams will locate, measure, and detail accessible sewer and storm drain systems passing under the work area. Prior to field work the survey team will request Miss Utility designer tickets of the project area and plans received will be digitized and combined with observed utility evidence to place the approximate location of the utilities. Information will be processed into a Civil 3D base worksheet. Survey work will be referenced to DE SPC NAD83 horizontal and NAVD88 vertical datum by RTN GPS control. The drafting of plats associated

with boundary lines or easements is not included in this scope of work, Right-of-Way geometry will be included in the base worksheet to aid the design work.

We will research and request DelDOT Right-of-Way plats for this project area. Plat geometry will be plotted in the worksheet. Field teams will look for and attempt to recover DelDOT monuments and property corners on the road frontage. Plat geometry will be overlaid on the found corners. Parcel side lines will be shown in their approximate location along the R.O.W. or on found corners if they represent the parcel boundaries, all other sidelines will be based on available county GIS maps. Individual property information will be provided for each parcel along the R.O.W. (Owner, deed record, parcel #, and zoning) if available through GIS sources.

This scope of work does not include the determination of individual property boundaries. If areas are identified as needing boundary determinations and easements, additional survey work will be required, and additional scope and fee will need to be determined for each area based on size and complexity.

No Maintenance-of-Traffic is included in this scope of work. If structure measurements are needed for structures in the roadway, that will require Maintenance-of-Traffic, an additional fee will be required.

Estimated Fee for this Task: \$19,200.00

Task #3 – Final Design

KCI will develop construction plans and specifications for the proposed water main and force main crossings to utilize in publicly bidding the project.

- The construction plans will include plans and profiles for the piping alignments, erosion and sediment control measures, maintenance of traffic, and construction details.
- It is assumed that DelDOT standard maintenance of traffic cases and details will be utilized.
- The specifications will supplement the City's standard specifications. Special attention will focus on the trenchless installation requirements and DelDOT standards and restrictions.
- We have assumed that funding requirements will not apply to the project, however they can be incorporated as needed.
- KCI will provide one (1) engineer's estimate for the probable construction costs for the project.

Once the bidding documents are complete, KCI will submit them to the City for review. Upon approval from the City, KCI will submit the plans for the necessary permit reviews. KCI will address one (1) round of comments for each review agency and resubmit for final approval. Permit reviews will include:

- DHSS Water Construction Permit
- DNREC Wastewater Construction Permit
- DelDOT Utility Construction Permit
- Sussex Conservation District Standard Plan Approval for Minor Linear Utility Disturbances
- Fire Marshal

Estimated Fee for this Task: \$42,200.00

The following task is being provided for budgeting purposes and is not included in the scope of work or the estimated fees included in the Fees and Payment section. It is anticipated that the scope for this task will be confirmed following the completion of Task #1, and the scope and budget be added to the project via an Extra Work Authorization.

Task #4 – Geotechnical Engineering

Geotechnical engineering will be required to provide soil boring information and evaluation to aid in the design and construction of the Route 1 crossings. KCI will review available project information and perform a desktop study including soil, geologic, and Google Earth aerial maps. We will prepare and submit a drilling permit (as required by law), and coordinate with and prepare/submit any shoulder closure permits for DelDOT. As required by law, KCI will Contact MISS UTILITY to clear public utilities prior to beginning fieldwork.

KCI will mobilize a subcontractor to the site with a drill rig and drill Standard Penetration Test (SPT) borings as indicated in the table below or to auger refusal, whichever occurs first. We will obtain soil samples continuously (at 2-foot intervals) to the boring termination depths. We will collect bulk samples from selected borings. KCI will notify the client if conditions warrant that borings be extended, or added. As part of KCI's field quality assurance and quality control purposes, KCI will provide a full-time Field Engineer to oversee all drilling activities. It is assumed that three (3) borings, 20' deep each will be required.

We will monitor short-term water levels with a water-level meter during drilling and at the completion of drilling. We will grout the test borings with bentonite chips. Any borings within the pavement will be cold patched with asphalt after completion of drilling. Any remaining auger cuttings will be spread in green areas of the site as appropriate.

KCI will transport soil samples to a geotechnical laboratory for detailed visual examination, classification, and testing. We will perform physical property tests (water content, grain-size distribution, Atterberg limits, and moisture density Proctor tests) on selected representative soil samples to aid in classification and determination of stratigraphic continuity and to serve as indices to soil behavior. KCI will evaluate the results of the subsurface exploration and laboratory testing, and prepare a geotechnical engineering report which will contain the following:

- *A review of existing site conditions and major features.*
- *A review of area and site geologic conditions.*
- *A brief review and description of the field and laboratory test procedures conducted and their results.*
- *Review and description of subsurface conditions encountered including soil/rock types and physical properties, boring logs, and depth to groundwater (if encountered).*
- *Identification and discussion of geotechnical issues.*
- *Recommendations for the proposed pipe and trenchless installation methods such as jack & bore (J&B) or Horizontal directional drilling (HDD).*
- *General construction recommendations including re-use of on-site soils, subgrade preparation, potential excavation difficulties, and temporary groundwater control.*

Estimated budget for this Task: \$12,000.00 (To be confirmed and added via Extra Work Authorization following completion of Task 1)

Fees and Payments:

KCI will provide the services outlined above on a Time and Materials basis. KCI's estimated fee for the Work listed in the Scope of Services above will be **\$68,800.00 (excluding Task #4 above)**. The Work will be invoiced monthly on a time and material basis using the previously approved rates. KCI will notify the City in advance if this budget estimate is anticipated to be exceeded.

Direct Expenses:

Direct Expenses, such as mileage, postage, reproductions, etc., will be billed based on the previously approved Schedule of Rates. Direct Expenses are **expected not to exceed \$2,500.00**. This amount will be added to the previously approved budget for Direct Expenses.

Additional Work:

Experience indicates that certain additional items of work may be required or necessary which KCI cannot presently determine or estimate. For this reason the fee for these items is not included in the provisions listed above on "Fees and Payments" for the performance of the Work. Further, the performance of these items is not included in the Work unless the item is expressly described as the Work in the preceding Scope of Services section. These additional items of work ("Additional Work") are caused by many factors, usually at the discretion of the Client and/or construction contractors. They may also be caused by reviewing agency or Client variance/deviation from present policies and standards of reviewing governmental agencies. "Additional Work" may sometimes be referred to as extras, change orders, or add-ons, but for purposes of this Proposal, all such descriptions are intended to be encompassed within the term Additional Work.

- Checking of work performed by others with the exception of those items specifically listed in the scope of services above.
- Bidding and Construction Phase Services can be provided for additional fee.
- Certifications not specifically called for in the Scope of Services.
- Changes in policies or regulations during the progress of the work.
- Regulatory, filing and review fees.
- Environmental features assessment. Environmental studies, studies for limited or special uses, forest density studies.
- Flood plain studies.
- All work performed prior to the date of this contract.
- Expert witness testimony.
- Flood plain studies.
- Any off-site work.
- Phase I Environmental Site Assessment.
- Environmental Wetland delineation and/or jurisdictional determination.
- Construction stakeout services.
- Boundary verification surveys, ALTA/NSPS land title surveys, and title reports.
- Preparation of individual easement descriptions, metes and bounds descriptions, and exhibits for private property, including right of way dedication plats.
- Soil boring locations will be accessible to a truck or track-mounted drill rig; without clearing to access boring locations.
- Soil boring can be performed during normal working hours (9:00 AM to 5:00 PM), Monday through Friday.
- Maintenance of traffic design or detour plans.
- Existing utility verification requiring subsurface utility engineering (SUE)

Note: In the event that an extra work authorization is required for an additional project task KCI will not commence the execution of the described work until receiving a signed copy of the extra work authorization.

Fees and Payments for Additional Work:

Fees and payments for Additional Work shall be in addition to any fees and payments for the Work described in the Scope of Services above. Fees and Payments for Additional Work will be billed in accordance with the above Fees and Payments section.

Extra Work Authorization:

If this Proposal is satisfactory, acceptable and fully set forth the terms of our understanding, please sign the Acceptance and return a copy to KCI's office. This Proposal shall be deemed an ADDENDUM to the Contract previously executed between the parties hereto dated March 26, 2018, and all the terms and conditions set forth in the originating contract aforesaid are hereby by reference thereto.

KCI welcomes the opportunity to serve the City and looks forward to working with you on this project. The Project Manager to be assigned to the Work is Jason McClafferty, P.E. and his telephone number is (302) 318-1069.

Respectfully submitted,



Daniel String, P.E.
Sr. Project Manager

Work Authorized by:

(Print or Type Name)

(Title)

(Signature)

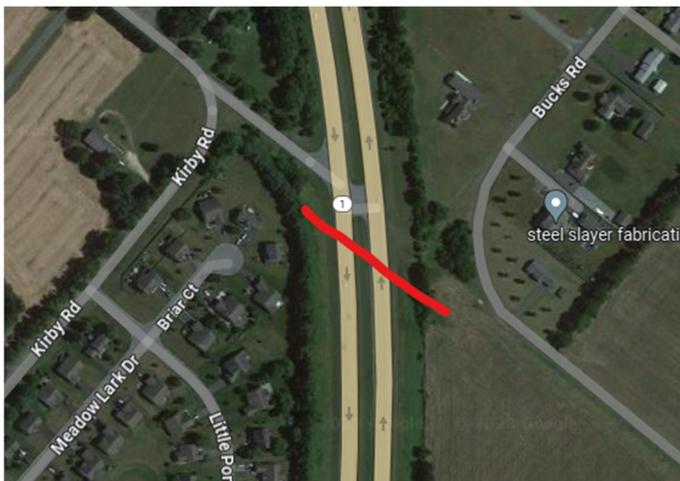
To: City Council and Mayor
Through: Mark A. Whitfield, City Manager
Rob Pierce, Planning Director
From: James Puddicombe, City Engineer
Subject: SE Regional Water and Sewer Extension East of Rt 1
Date: December 11, 2023

The City has previously agreed to extend water service across Route 1 to supply water to the properties on the southeastern side of Route 1. On August 21, 2021, City Council acknowledged the need for the City to install the sewer casing under Route 1 to reserve capacity for future development and limit the future cost for the City. In anticipation of the water crossing, staff have planned to coordinate all utility crossings, water, sewer, electric and fiber, to minimize the disturbance and save money through scale and efficiency. In the interest of limiting construction costs, staff recommend designing and installing these crossings all at once in the area of Bucks Road and Route 1 (see map below).

The Public Works Department received a proposal from KCI Technologies (KCI) totaling \$68,800 to design the crossings, conduct research and verify right-of-way, and to perform associated field verification. The following recommendation is consistent with the projects approved in the FY23 CIP and identified in the enclosed excerpt from the FY24 CIP on lines 62 and 96¹.

Recommendation:

Staff recommends City Council accept the proposal from KCI for Southeast Utility Crossings not to exceed \$68,800 in total with \$45,800 to come from Water Reserves and \$23,000 to come from Sewer Reserves.



¹ Finance: BUA to 32207078 577044 3WA15 & 33307078 577044 3SE16

CIP LINE DETAIL: FY2024-28 FINAL AS APPROVED JUNE 12, 2023

FUND TYPE, OPS DEPT & PROJ CATEGORY		FY20-FY23 (Approved)	FY20-FY23 (Spent/DeOb)	FY23 Balance Remaining	FY24 (Plan)	FY25 (Plan)	FY26 (Plan)	FY27 (Plan)	FY28 (Plan)
42	WATER								
43	EQUIPMENT								
44	NOAA Continuous Operating Reference Station	7,500	(917)	6,583	-	-	-	-	-
45	VEHICLES								
46	Dodge Cargo Van (R: 2006 W-29)	-	-	-	-	60,000	-	-	-
47	Ford F350 (R: W-15)	49,000	(48,966)	34	-	-	-	-	-
48	Ford F450 (R: W-8)	72,000	-	72,000	-	-	-	-	-
49	Ford Transit Van (R: W-028)	-	-	-	-	-	-	-	60,000
50	INFRASTRUCTURE								
51	Milford Corporate Center	8,737,590	(6,685,094)	2,052,496	100,000	250,000	250,000	250,000	-
52	Street Rehab	810,000	(102,866)	707,134	405,000	405,000	405,000	405,000	-
53	10" Water Main - Holly Hill Rd to Westwood Subdivision	-	-	-	45,000	300,000	-	-	-
54	Asbestos Pipe Removal	115,500	-	115,500	115,500	115,500	115,500	115,500	-
55	City-wide Valve & Hydrant Replacement/Improvements	500,000	(250,000)	250,000	100,000	250,000	250,000	250,000	250,000
56	Install Automated Blow-off Valves	198,628	(98,628)	100,000	-	50,000	50,000	50,000	-
57	Lead Service Line Removal	250,000	-	250,000	250,000	1,300,000	-	-	-
58	NE Front Street Waterline Replacement	1,351,175	(1,352,268)	(1,093)	-	-	-	-	-
59	New NW City Area Tower/Wells/Treatment	300,000	-	300,000	2,500,000	2,500,000	-	-	-
60	North Shore Drive Water Extension	-	-	-	25,000	150,000	-	-	-
61	NW Front Street Water Lines	-	-	-	-	375,000	1,125,000	-	-
62	SE Regional Water Infrastructure - East of Route 1	920,000	-	920,000	-	-	-	-	-
63	SE Regional Water Infrastructure - South of Johnson Road	-	-	-	-	150,000	1,000,000	-	-
64	SE Regional Water Quality Study	36,750	(36,750)	-	-	-	-	-	-
65	Shawnee Acres Water Extension	-	-	-	-	30,000	200,000	-	-
66	Treatment Plant Upgrades	200,000	(200,000)	-	150,000	150,000	150,000	150,000	150,000

CIP LINE DETAIL: FY2024-28 FINAL AS APPROVED JUNE 12, 2023

FUND TYPE, OPS DEPT & PROJ CATEGORY	FY20-FY23 (Approved)	FY20-FY23 (Spent/DeOb)	FY23 Balance Remaining	FY24 (Plan)	FY25 (Plan)	FY26 (Plan)	FY27 (Plan)	FY28 (Plan)
SEWER								
EQUIPMENT								
Compressor, Ingersol Rand (R)	-	-	-	-	50,000	-	-	-
Equipment Trailer (R: Currahee)	-	-	-	10,000	-	-	-	-
FN150 Pump & MGS GLG Trailer (R: 2013 SE-27)	-	-	-	-	-	50,000	-	-
John Deere 524K Loader (R: 2018 SE-7)	-	-	-	-	-	-	200,000	-
Kubota Excavator (R: SE26)	-	-	-	-	75,000	-	-	-
Kubota F3060 Mower w/ plow & blower (R: 2011 SE-10)	40,000	-	40,000	1,000	-	-	-	-
Kubota Mower w/ Blower (R: 2015 SE25)	-	-	-	-	50,000	-	-	-
Kubota Mower w/ Plow (R: 2016 SE24)	-	-	-	-	-	50,000	-	-
NOAA Continuous Operating Reference Station	7,500	(917)	6,583	-	-	-	-	-
PS Upgrades (grinders, spares, design)	300,000	(300,000)	(0)	150,000	150,000	150,000	150,000	150,000
Pump Stations	40,000	(40,000)	-	-	-	-	-	-
ROVVER Mainline Sewer Inspection System	120,000	(123,000)	(3,000)	-	-	-	-	-
Stationary Generator Fork Landing Pump Station	-	-	-	75,000	-	-	-	-
VEHICLES								
Ford F250 Pickup (R: SE-2)	75,000	74,632	149,632	-	-	-	-	-
Ford F350 Super Cab (R: 2016 SE-3)	-	-	-	-	-	-	100,000	-
INFRASTRUCTURE								
Milford Corporate Center	330,000	-	330,000	1,170,000	300,000	200,000	200,000	-
Abandon BAC PS & install grav ext. frm Hickory Glen	20,000	-	20,000	20,000	-	150,000	-	-
Abandon USCS PS & install grav ext fm Williamsville Rd	-	-	-	-	20,000	250,000	-	-
Asbestos Removal	50,000	-	50,000	50,000	50,000	50,000	50,000	-
DDD (4th St) Flood Mitigation	100,000	(39,000)	61,000	-	-	-	-	-
I&I Engineering Study	156,735	(156,735)	-	-	-	-	-	-
NE Front St Sewer Ext & Silicato PS Abandmt	-	-	-	-	-	90,000	600,000	-
North Shore Dr Sewer Ext	-	-	-	45,000	300,000	-	-	-
SE 2nd Street Pump Station Replacement	225,000	-	225,000	575,000	1,500,000	-	-	-
SE Reg Pump St/Force Mn: S of Jonsn/FM-NE Front St	-	-	-	-	525,000	3,500,000	-	-
SE Reg Pump Stn & Force Main - East of SR1	500,000	-	500,000	-	-	-	4,560,000	-
SE Reg WW Study FY22	10,000	(9,104)	896	-	-	-	-	-
Shawnee Acres Sewer Extension	-	-	-	-	45,000	300,000	-	-
Street Rehab	200,000	(700)	199,301	100,000	100,000	100,000	100,000	100,000
Washington St Pump Stn Environ Cond & Control Relo	-	-	-	200,000	-	-	-	-
SOLID WASTE								
VEHICLES								
Automated Side Loader Truck (R: SW11)	-	-	-	-	-	500,000	-	-
Automated Side Loader Truck (R: SW28)	-	-	-	-	-	-	650,000	-
Vehicle - Solid Waste	430,571	(430,571)	-	-	-	-	-	-
Vehicle - Solid Waste Crane/Body	144,500	(144,500)	-	-	-	-	-	-



TO: Mayor and City Council

FROM: Rob Pierce, AICP - Planning Director

CC: Mark Whitfield – City Manager

DATE: December 11, 2023

RE: Demolition and Property Clean-up – 22 Cedar Beach Road

The Planning Department requests an appropriation of \$2,500 from General Fund Reserves to the Planning Department *Demolition* budget line (10174051-596810) to cover expenses associated with the demolition and property clean-up of 22 Cedar Beach Road. Written quotes were obtained with Blue Heron Contracting being the lowest bid. The expenses associated with the demolition will be placed on the subject parcel's property taxes.

Staff recommends City Council authorize the appropriation of \$2,500 from General Fund Reserves be allotted to the Planning Department Demolition budget line (10174051-596810) for the demolition of 22 Cedar Beach Road.



PUBLIC WORKS DEPARTMENT

180 Vickers Drive

Milford, DE 19963

PHONE 302.422.6616

FAX 302.422.1117

www.cityofmilford.com

To: Mark Whitfield, City Manager
From: Tony Chipola, Electric Director
Subject: Budget Adjustment – O&M Distribution Lines
Date: December 1, 2023

Staff requests that City Council authorize a budget adjustment increase of \$150,000 to the O&M Distribution Lines budget. The original budget was developed based on trended spend from the past three years. Actual spend is highly variable as outages, equipment faults, and other events impacting the budget cannot be accurately predicted. The system has since experienced several large faults necessitating replacement of cable and major equipment to restore service safely and effectively.

Currently, the CIP has underutilized funds for both Advanced Relocation and Machinery and equipment and would best augment the O&M Distribution Lines budget.

RECOMMENDATION:

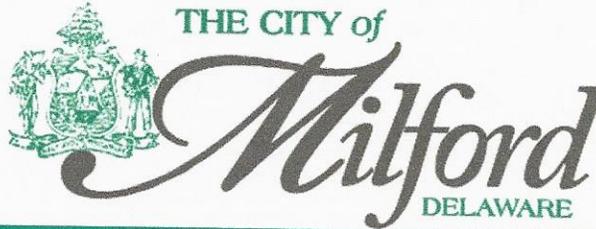
Staff recommend Council authorize a budget adjustment to increase the O&M Distribution Lines budget by \$150,000 to be funded \$100,000 from Advanced Relocation and \$50,000 from Machinery and Equipment to cover anticipated expenses through the remainder of the year.

CIP LINE DETAIL: FY2024-28 FINAL AS APPROVED JUNE 12, 2023

FUND TYPE, OPS DEPT & PROJ CATEGORY	FY20-FY23 (Approved)	FY20-FY23 (Spent/DeOb)	FY23 Balance Remaining	FY24 (Plan)	FY25 (Plan)	FY26 (Plan)	FY27 (Plan)	FY28 (Plan)
ENTERPRISE								
ELECTRIC								
EQUIPMENT								
Bobcat	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 40,000	\$ -
Equipment - Hetra Lifts	-	-	-	-	-	-	-	-
NOAA Reference Station	15,000	(1,834)	13,166	-	-	-	-	-
Portable Light Towers (2)	-	-	-	35,000	-	-	-	-
Snow Blowers	-	-	-	-	4,000	-	-	-
Trailer (R: 1994 Saub E-119)	-	-	-	15,000	-	-	-	-
Trailer (R: 1996 Butler E-123)	-	-	-	12,000	-	-	-	-
Trailer (R: 1999 Homemade E-127)	-	-	-	-	12,000	-	-	-
Trailer, Cable Reel (R: 2007 Butler E-129)	-	-	-	-	-	15,000	-	-
Utility Trailer (R: 1992 Krueger E-121)	-	-	-	-	25,000	-	-	-
Utility Trailer (R: 2005 Butler E-132)	-	-	-	-	-	10,000	-	-
Utility Trailer (R: 2005 Towmaster E-131)	-	-	-	-	-	18,000	-	-
Uiltiy Trailer (R:2002 Towmaster E-126)	-	-	-	-	25,000	-	-	-
VEHICLES								
Internation Digger Derrick Truck (R: 2015 E-107)	-	-	-	-	-	260,000	-	-
Pick up Truck	55,000	-	55,000	10,000	-	-	-	-
Ram QuadCab Pick-up (R: 2017 E-101)	35,000	-	35,000	2,000	-	-	-	-
Trex Bucket with chipper body (Arborist) E-116	-	-	-	300,000	-	-	-	-
INFRASTRUCTURE								
Advanced Relocation	100,000	-	100,000	-	100,000	100,000	100,000	100,000
Arborist Office - P&R Facility	20,000	-	20,000	-	-	-	-	-
DeIDOT Traffic Signals	350,000	(83,822)	266,178	151,000	-	-	-	-
Delivery #1 Circuit Addition	-	-	-	-	-	-	100,000	850,000
Delivery #2 Circuit Additions	-	-	-	-	100,000	850,000	-	100,000
Delivery 1 Electrical Testing	-	-	-	-	-	-	-	65,000
Delivery 2 Electrical Testing	-	-	-	65,000	-	-	-	-
EV Charging Stations Downtown	182,428	(125,914)	56,514	20,000	-	-	-	-
Feeder extention and tie - Hospital Loop (110 & 150)	-	-	-	-	-	-	250,000	-
Fiber Network Mapping	-	-	-	-	25,000	-	-	-
Fiber Optic Backup to PW	20,000	(20,000)	-	40,000	100,000	-	-	-
GIS/Mapping - Smart Metering	300,000	(150,000)	150,000	-	-	-	-	-
Horseshoe Dr Distribution	-	-	-	-	-	-	200,000	-
LED Streetlight Replacements	150,000	(150,000)	-	20,000	-	-	-	-
Milford Corporate Center	120,000	-	120,000	200,000	200,000	200,000	200,000	-
Physical Security	-	-	-	125,000	125,000	75,000	-	-
Pole Inspection	25,000	-	25,000	25,000	25,000	25,000	25,000	25,000
Power Flow Analysis Software	-	-	-	110,000	-	-	-	-
Parks & Rec Consolidation	150,000	(150,000)	-	-	-	-	-	-



OFFICE OF THE CHIEF OF POLICE
CECILIA E. ASHE
cecilia.ashe@cj.state.de.us



400 NE Front Street
Milford Delaware 19963
302.422.8081 Fax 302.424.2330

MEMORANDUM

DATE: December 8, 2023
TO: Mayor & Council
Mark Whitfield, City Manager
FROM: Chief Cecilia E. Ashe
RE: Stryker (AED) Equipment

Attached is a proposal for a contract with Stryker in reference to providing Automated External Defibrillator (AED) in each of the assigned take home vehicles. Under Chapter 30, Automatic External Defibrillators (AEDS) Section 22, Amend § 9705, Title 16, Delaware Code, by inserting as new § 9705(p) the following: All law enforcement vehicles on patrol shall be equipped with a semi-automatic external defibrillator by January 1, 2001, subject to appropriations.

The current vehicles that were assigned to patrol were equipped with AEDS, however with the expansion of the Take Home Vehicle Program this has required us to purchase additional equipment to ensure we are in compliance with Delaware State law. In reviewing the current AED program, we discovered a more cost-efficient way of running the program. Instead of purchasing the equipment outright, we are recommending the equipment be leased under a 5-year contract with Stryker, who is under state contract and has provide the attached state contract proposal. Milford Police Department is not asking for any additional funds to enhance this program, rather bringing it before City Council due to the five (5) annual payments that would be required under this contract. The initial startup funding would come from the Take Home Vehicle Program that has already been approved in the amount of \$6,555.61. The total cost of the equipment over the five-year contract would be \$28,242.50 with five (5) annual payments of \$6,555.61.

Thank you for your attention to this matter.

Date: November 09, 2023

RE: Reference no:0110203178

CITY OF MILFORD, DELAWARE
400 NE FRONT ST
MILFORD, Delaware 19963

Thank you for choosing Stryker for your equipment needs. Enclosed please find the documents necessary to enter into the arrangement. Once all of the documents are completed, properly executed and returned to us, we will issue an order for the equipment.

PLEASE COMPLETE ALL ENCLOSED DOCUMENTS TO EXPEDITE THE SHIPMENT OF YOUR ORDER.

Short Form Conditional Sale Agreement

Exhibit A - Detail of Equipment

State and Local Government Rider

****Conditions of Approval: Insurance Authorization and Verification, State and Local Government Rider , Federal ID , Fiscal Funding Addendum**

PLEASE PROVIDE THE FOLLOWING WITH THE COMPLETED DOCUMENTS:

Federal tax ID number:	_____	AP address:	_____
Purchase order number:	_____		
Upfront Payment Check No:	_____	Contact name:	_____
Phone number:	_____	Email address:	_____

Please fax completed documents to (877) 204-1332. Return original documents to 1901 Romence Road Parkway Portage, MI 49002 (using Fed-Ex Shipping ID# 772-432976)

Your personal documentation specialist is Stephen Doorlag and can be reached at 269-251-2028 or by email stephen.doorlag@stryker.com for any questions regarding these documents.

The proposal evidenced by these documents is valid through the last business day of November, 2023

Sincerely,

Flex Financial, a division of Stryker Sales, LLC

Notice: To help the government fight the funding of terrorism and money laundering activities, U.S. Federal law requires financial institutions to obtain, verify and record information that identifies each person (individuals or businesses) who opens an account. What this means for you: When you open an account or add any additional service, we will ask you for your name, address, federal employer identification number and other information that will allow us to identify you. We may also ask to see other identifying documents. For your records, the federal employer identification number for Flex Financial, a Division of Stryker Sales, LLC is 38-2902424.

Owner ("we" or "us"):
 Flex Financial, a division of Stryker Sales, LLC
 1901 Romence Road Parkway
 Portage, MI 49002

Customer name and address ("You" and "Your"): CITY OF MILFORD, DELAWARE 400 NE FRONT ST MILFORD ,Delaware 19963	Equipment Location: 400 NE FRONT ST MILFORD, Delaware 19963 Supplier: Stryker Sales, LLC, 3800 E. Centre Avenue, Portage, MI 49002 Equipment description: see Exhibit A (and/or as described in invoice(s) or equipment list attached hereto and made a part hereof)
--	--

Payment information

Number of payments	Payment frequency	Payment amount
5	Annual	\$6,555.61 (First payment due 30 days after Agreement is commenced), (plus applicable sales/use taxes - see "Taxes" section below)

Terms and conditions:

1. Purchase agreement/ acceptance/ payments: You agree to purchase from us the Equipment and services, if any, described above and on any attached schedule (the "Equipment") in accordance with the terms of this Agreement (this "Agreement"). You shall be deemed to have accepted the Equipment for purchase under this Agreement on the date that is ten (10) days after the date it is shipped to you by the Supplier ("Acceptance Date") and, at our request, you shall confirm for us such acceptance in writing. No acceptance of any item of Equipment may be revoked by you. You agree to pay the Payments described above ("Payments") beginning on the Acceptance Date or any later date we designate and thereafter until all fully paid. Unless otherwise instructed by us in writing, all Payments and other amounts due hereunder shall be made to our address above. This Agreement is non-cancelable and may not be prepaid. Your obligations under this Agreement (your "Obligations") are absolute, unconditional, and are not subject to cancellation, defense, recoupment, reduction, setoff or counterclaim. If a Payment is not made when due, you will pay us a late charge of 5% of each Payment or \$10.00, whichever is greater, but only to the extent permitted by law. We may charge you a fee of \$55.00 for any check that is returned. You authorize us to adjust the Payments at any time if taxes included in the Payments differ from our estimate. You agree that the Payments were calculated by us based, in part, on an interest rate equivalent as quoted on Bloomberg under the SOFR Swap Rate, that would have a repayment term equivalent to the Term (or an interpolated rate if a like-term is not available) as reasonably determined by us (and if the SOFR Swap Rate is no longer provided by Bloomberg, such rate shall be determined in good faith by us from such sources as we shall determine to be comparable to Bloomberg [or any successor]) and in the event the Term of this Agreement starts more than 30 days after we send this Agreement to you, we may adjust the Payments once to compensate us, in good faith, for any increase in such rate. "SOFR" with respect to any day means the secured overnight financing rate published for such day by the Federal Reserve Bank of New York, as the administrator of the benchmark, (or a successor administrator) on the Federal Reserve Bank of New York's Website as quoted by Bloomberg.

2. Ownership/security interest/laws/use/maintenance: Upon acceptance of the Equipment by you, you shall hold title to and be the owner of the Equipment for all purposes including, without limitation, tax purposes. The purchase of the Equipment by you under this Agreement shall be "AS IS, WHERE IS", without representation or warranty of any kind from us, provided that this Agreement shall not impair any express warranties or indemnifications, written service agreements or other obligations of Stryker Corporation or any of its subsidiaries to you regarding the Equipment and we hereby assign all of our rights in any Equipment warranties to you. As security for all of your Obligations, you hereby grant to us a first priority security interest in all of your rights, title and interests in the Equipment, all replacements, additions, accessions, accessories and substitutions thereto or therefore and all proceeds and products thereof, including, without limitation, all proceeds of insurance. Upon timely payment of all amounts due hereunder (plus all applicable Taxes), our security interest in the Equipment shall terminate and you shall be the owner of the Equipment, free and clear of any interest created by us. You agree not to permit any lien, security interest (except ours), claim or encumbrance to be placed upon the Equipment. You shall comply with all applicable laws, rules and regulations and manufacturer's specifications and instructions concerning the operation, ownership, use and/or possession of the Equipment. You must, at your cost, keep the Equipment in good working condition. If Payments include maintenance and/or service costs, you agree that (i) no Assignee (as defined below) is responsible to provide the maintenance or service, (ii) you will make all maintenance and service related claims to the persons providing the maintenance, service or warranty, and (iii) any maintenance, warranty or service claims will not impact your Obligations. The Equipment cannot be moved from the location above without our prior written consent.

3. Taxes: You shall pay when and as due all sales, use, property, excise and other taxes, and all license and registration fees now or hereafter imposed by any governmental body or agency upon this Agreement or the ownership, use, or sale of the Equipment, together with all interest and penalties for their late payment or non-payment ("Taxes"). You shall indemnify and hold us harmless from any such Taxes. You shall prepare and file all tax returns relating to Taxes for which you are responsible hereunder. If we receive any tax bill pertaining to the Equipment from the appropriate taxing authority, we may, without obligation, pay such tax and if we pay such tax bill we will invoice you for the expense. Upon receipt of such invoice, you will promptly reimburse us for such expense.

4. Assignment: You agree not to transfer, sell, lease, assign, pledge or encumber the Equipment or any rights under this Agreement without our prior written consent, which consent shall not be unreasonably withheld, and if you do, even with our consent, you will still be fully responsible for all your Obligations. You shall provide us with at least 45 days' prior written notice of any change to your principal place of business, organization or incorporation. You agree that we may, without notice to you, sell, assign, or transfer ("Transfer") this Agreement to a third party (each, an "Assignee"), and each Assignee will have our Transferred rights, but none of our obligations, and such rights will not be subject to any claims, recoupment, defenses, or setoffs that you may have against us or any supplier even though an Assignee may continue to bill and collect all of your Obligations in the name of "Flex Financial, a division of Stryker Sales, LLC."

5. Risk of loss, insurance and reimbursement: Effective upon delivery to you, you shall bear all risk of Equipment loss or damage. If any such loss or damage occurs you still must satisfy all of your Obligations. You will (i) keep the Equipment insured against all risks of loss or damage for an amount equal to its replacement cost, (ii) list us as the insurance sole loss payee and (iii) give us written proof of the insurance. If you do not provide such insurance, we have the right, without obligation, to obtain such insurance and add an insurance fee (which may include a profit) to the amount due from you. You will obtain and maintain comprehensive public liability insurance naming us as an additional insured with coverages and amounts acceptable to us. To the extent not expressly prohibited by applicable law, you will reimburse and defend us, including each Assignee for and against any losses, injuries, damages, liabilities, expenses, claims or legal proceedings asserted against or incurred by us, including any Assignee, relating to the Equipment and which relate to or arise out of your act or omission or the act or omission of your agents or employees or others (excluding us) with access to the Equipment. The terms of this paragraph will continue after the termination of this Agreement.

6. Default remedies: You are in default under this Agreement if: a) you fail to pay a Payment or any other amount when due; or b) you breach any other obligation under this Agreement; or c) your principal owner or any guarantor of this Agreement dies; or d) you or any guarantor dissolves, ceases to do business as a going concern, becomes insolvent, bankrupt, merges, or is sold; or e) you or any guarantor fails to pay any other material obligation owed to us or any of our affiliates. Upon default, we may: a) declare the entire balance of unpaid Payments immediately due and payable; b) sue you for and receive the total amount due with future Payments discounted to the date of default at a rate of 3% per annum; c) charge you interest on all monies due at the rate of 18% per year or the highest rate permitted by applicable law from the date of default until paid; and/or d) require you to immediately return the Equipment to us or we may peaceably repossess it. Upon default, you will also pay all expenses including but not limited to reasonable attorneys' fees, legal costs, cost of storage and shipping incurred by us in the enforcement and attempted enforcement of any remedies under this Agreement. If the Equipment is returned or repossessed we will, if commercially reasonable, sell or otherwise dispose of the Equipment at terms we determine, at one or more public or private sales, with notice as required by law, and apply the net proceeds (after deducting any related expenses) to your Obligations. You remain liable for any deficiency with any excess being retained by us or applied as required by applicable law.

7. Miscellaneous: This Agreement shall be governed and construed in accordance with the laws of Michigan. You agree that the Equipment will only be used for business purposes and not for personal, family or household use. This Agreement may be executed in counterparts and any facsimile, photographic or other electronic transmission and/or electronic signing or manual signing of this Agreement by you and when manually countersigned by us or attached to our original signature counterpart shall constitute the sole original chattel paper as defined in the UCC for all purposes and will be admissible as legal evidence thereof; provided, however, that if this Agreement constitutes "electronic chattel paper" or "an electronic record evidencing chattel paper" under the UCC and both you and we have signed electronically, the version identified by us as the "single authoritative copy" is the chattel paper for purposes of perfection by control. You agree not to raise as a defense to the enforcement of this Agreement or any related documents hereto the fact that such documents were executed by electronic means. We may inspect the Equipment at any time prior to payment in full of your Obligations. No failure to act shall be deemed a waiver of any rights hereunder. If you fail to pay (within thirty days of invoice date) any freight, sales tax or other amounts related to the Equipment which are not financed hereunder and are billed directly by us to you, such amounts shall be added to the Payments set forth above (plus interest or additional charges thereon) and you authorize us to adjust such Payments accordingly. If you are required to report the components of your payment obligations hereunder to certain state and/or federal agencies or public health coverage programs such as Medicare, Medicaid, SCHIP or others, and such amounts are not adequately disclosed in any attachment hereto, then Stryker Sales, LLC will, upon your written request, provide you with a detailed outline of the components of your payments which may include equipment, software, service and other related components. You acknowledge that you have not received any tax or accounting advice from us. You agree that you shall upon request from us, promptly provide to us a copy of your most recent annual financial statements and any of your other financial information (including interim financial statements) that we may request. You authorize us to share such information with our affiliates, subsidiaries and Assignees. This Agreement, any schedules hereto, any attachments to this Agreement or any schedules and any express warranties made by Stryker Sales, LLC constitute the entire agreement between the parties hereto regarding the Equipment and its use and possession and supersede all prior agreements and discussions regarding the Equipment and any prior course of conduct. You waive all rights to any indirect, punitive, special or consequential damages in connection with the Equipment or this Agreement. There are no agreements, oral or written, between the parties which are contrary to the terms of this Agreement and such other documents. **YOU AGREE THAT THIS IS A NON-CANCELLABLE AGREEMENT AND WAIVE TRIAL BY JURY.**

I CERTIFY THAT I AM AUTHORIZED TO SIGN THIS AGREEMENT FOR CUSTOMER

Customer signature	
Signature:	Date:
Print name:	
Title:	

Accepted by Flex Financial, a division of Stryker Sales, LLC	
Signature:	Date:
Print name:	
Title:	

Exhibit A to Short Form Conditional Sale Agreement Number 0110203178

Description of equipment

Customer name: CITY OF MILFORD, DELAWARE

Delivery Location: 400 NE FRONT ST, MILFORD, Delaware , 19963

Part I - Equipment/Service Coverage (if applicable)

Model number	Equipment description	Quantity
99512-001261	CR2BAAAABFHBBBCDBAAAALPCR2 CONFIGURED UNIT	15
11101-000021	KIT, SHIPPING, SINGLE ELECTRODE, LPCR2, LL,MULTI	15
TR-PFR3-LPCR2	TR-PHL HEARTSTART FR3 TO CR2	8
TR-LP1K-LPCR2	TR-SYK LP1000 TO CR2	7

Total equipment: \$28,242.50

Freight: \$465.45

Total Amount: \$28,707.95

Customer signature	
Signature:	Date:
Print name:	
Title:	

Accepted by Flex Financial, a division of Stryker Sales, LLC	
Signature:	Date:
Print name:	
Title:	

State and Local Government Customer Rider

This State and Local Government Customer Rider (the "Rider") is an addition to and hereby made a part of **Short Form Conditional Sale Agreement No. 0110203178 (the "Agreement") between Flex Financial**, a division of Stryker Sales, LLC ("Owner") and CITY OF MILFORD, DELAWARE ("Customer")**to be executed simultaneously herewith and to which this Rider is attached. Capitalized terms used but not defined in this Rider shall have the respective meanings provided in the Agreement. Owner and Customer agree as follows:**

1. Customer represents and warrants to Owner that as of the date of, and throughout the Term of, the Agreement: (a) Customer is a political subdivision of the state or commonwealth in which it is located and is organized and existing under the constitution and laws of such state or commonwealth; (b) Customer has complied, and will comply, fully with all applicable laws, rules, ordinances, and regulations governing open meetings, public bidding and appropriations required in connection with the Agreement, the performance of its obligations under the Agreement and the acquisition and use of the Equipment; (c) The person(s) signing the Agreement and any other documents required to be delivered in connection with the Agreement (collectively, the "Documents") have the authority to do so, are acting with the full authorization of Customer's governing body, and hold the offices indicated below their signatures, each of which are genuine; (d) The Documents are and will remain valid, legal and binding agreements, and are and will remain enforceable against Customer in accordance with their terms; and (e) The Equipment is essential to the immediate performance of a governmental or proprietary function by Customer within the scope of its authority and will be used during the Term of the Agreement only by Customer and only to perform such function. Customer further represents and warrants to Owner that, as of the date each item of Equipment becomes subject to the Agreement and any applicable schedule, it has funds available to pay all Agreement payments payable thereunder until the end of Customer's then current fiscal year, and, in this regard and upon Owner's request, Customer shall deliver in a form acceptable to Owner a resolution enacted by Customer's governing body, authorizing the appropriation of funds for the payment of Customer's obligations under the Agreement during Customer's then current fiscal year.
2. To the extent permitted by applicable law, Customer agrees to take all necessary and timely action during the Agreement Term to obtain and maintain funds appropriations sufficient to satisfy its payment obligations under the Agreement (the "Obligations"), including, without limitation, providing for the Obligations in each budget submitted to obtain applicable appropriations, causing approval of such budget, and exhausting all available reviews and appeals if an appropriation sufficient to satisfy the Obligations is not made.
3. Notwithstanding anything to the contrary provided in the Agreement, if Customer does not appropriate funds sufficient to make all payments due during any fiscal year under the Agreement and Customer does not otherwise have funds available to lawfully pay the Agreement payments (a "Non-Appropriation Event"), and provided Customer is not in default of any of Customer's obligations under such Agreement as of the effective date of such termination, Customer may terminate such Agreement effective as of the end of Customer's last funded fiscal year ("Termination Date") without liability for future monthly charges or the early termination charge under such Agreement, if any, by giving at least 60 days' prior written notice of termination ("Termination Notice") to Owner.
4. If Customer terminates the Agreement prior to the expiration of the end of the Agreement's initial (primary) term, or any extension or renewal thereof, as permitted under Section 3 above, Customer shall (i) on or before the Termination Date, at its expense, pack and insure the related Equipment and send it freight prepaid to a location designated by Owner in the contiguous 48 states of the United States and all Equipment upon its return to Owner shall be in the same condition and appearance as when delivered to Customer, excepting only reasonable wear and tear from proper use and all such Equipment shall be eligible for manufacturer's maintenance, (ii) provide in the Termination Notice a certification of a responsible official that a Non-Appropriation Event has occurred, (iii) deliver to Owner, upon request by Owner, an opinion of Customer's counsel (addressed to Owner) verifying that the Non-Appropriation Event as set forth in the Termination Notice has occurred, and (iv) pay Owner all sums payable to Owner under the Agreement up to and including the Termination Date.
5. Any provisions in this Rider that are in conflict with any applicable statute, law or rule shall be deemed omitted, modified or altered to the extent required to conform thereto, but the remaining provisions hereof shall remain enforceable as written.

Customer signature	
Signature:	Date:
Print name:	
Title:	

Accepted by Flex Financial, a division of Stryker Sales, LLC	
Signature:	Date:
Print name:	
Title:	



12/11/2023

MILFORD POLICE DEPT
400 NE FRONT ST
MILFORD, Delaware 19963

Equipment:

See proposal for detailed equipment descriptions and pricing.

Finance structure:

Conditional Sale

Payment terms:

	5 annual payments
Equipment total	\$28,242.50
Freight total	\$465.45
Equipment payment	\$6,449.32
Freight payment	\$106.29
Total payment	\$6,555.61

Payments are exclusive of all applicable taxes and freight unless otherwise noted.

Contract commencement:

Upon delivery, installation, and acceptance.

Transfer of title:

At contract commencement.

Down payment:

No down payment required.

First payment due:

Net 30 following installation.

Interim rent:

Stryker does not charge interim rent.

Documentation fees:

Stryker does not charge documentation fees.

Payment adjustment:

The payments quoted herein were calculated based, in part, on an interest rate equivalent as quoted on Bloomberg under the SOFR Swap Rate that would have a repayment term equivalent to the initial term (or an interpolated rate if a like-term is not available) as reasonably determined by Stryker's Flex Financial division. Flex Financial reserves the right to adjust the payments prior to contract commencement to maintain current economics of this proposed transaction. "SOFR" with respect to any day means the secured overnight financing rate published for such day by the Federal Reserve Bank of New York, as the administrator of the benchmark (or a successor administrator) on the Federal Reserve Bank of New York's Website as quoted by Bloomberg.

Deal consummation:

This proposal is subject to final credit, pricing, and documentation approval. Legal documents must be signed before your equipment can be delivered.

Please note that this proposal is subject to change if documents are not signed prior to **12/22/2023**.



15-Stryker LIFEPAK CR2 AEDs

Quote Number: 10810242

Version: 1

Prepared For: MILFORD POLICE DEPT
Attn: Richard L Jefferson

Rep: James Springer
Email: jim.springer@stryker.com

richard.jefferson@cj.state.de.us
(302) 422-8081

Phone Number: 4109848234
Mobile: 4109848234

GPO: NASPO/STATE OF DELAWARE CONTRACT

Quote Date: 12/11/2023

Expiration Date: 12/22/2023

Contract Start: 10/30/2023

Contract End: 10/29/2024

Delivery Address

Name: MILFORD POLICE DEPT

Account #: 20158724

Address: 400 NE FRONT ST

MILFORD

Delaware 19963-1436

Attn: Lt. Richard L. Jefferson
Administrative Lieutenant

Sold To - Shipping

Name: MILFORD POLICE DEPT

Account #: 20158724

Address: 400 NE FRONT ST

MILFORD

Delaware 19963-1436

Bill To Account

Name: MILFORD POLICE DEPT

Account #: 20158724

Address: 400 NE FRONT ST

MILFORD

Delaware 19963-1436

Equipment Products:

#	Product	Description	U/M	Qty	List Price	Sell Price	Total
1.0	99512-001261	LIFEPAK CR2 Defibrillator, Semi-Automatic, WIFI, English, carrying case, 8 year warranty. Includes 1 PR QUIK-STEP electrodes and 1 battery (4 years each), LIFELINKcentral AED Program Manager Basic Account, USB cable, Operating Instructions	PCE	15	\$3,253.00	\$2,114.45	\$31,716.75
2.0	11101-000021	QUIK-STEP pacing/ECG/defibrillation electrodes, 4 year. Includes electrode cover, 1 set of adult/pediatric electrodes, LPCR2	PCE	15	\$177.00	\$115.05	\$1,725.75

Equipment Total: \$33,442.50

Trade In Credit:

Product	Description	Qty	Credit Ea.	Total Credit
TR-PFR3-LPCR2	TRADE-IN-PHILIPS HEARTSTART FR3 TOWARDS PURCHASE OF LIFEPAK CR2	8	-\$300.00	-\$2,400.00
TR-LP1K-LPCR2	TRADE-IN-STRYKER LIFEPAK 1000 TOWARDS PURCHASE OF LIFEPAK CR2	7	-\$400.00	-\$2,800.00



15-Stryker LIFEPAK CR2 AEDs

Quote Number: 10810242

Version: 1

Prepared For: MILFORD POLICE DEPT
Attn: Richard L Jefferson

Rep: James Springer
Email: jim.springer@stryker.com

richard.jefferson@cj.state.de.us
(302) 422-8081

Phone Number: 4109848234
Mobile: 4109848234

GPO: NASPO/STATE OF DELAWARE CONTRACT

Quote Date: 12/11/2023

Expiration Date: 12/22/2023

Contract Start: 10/30/2023

Contract End: 10/29/2024

Price Totals:

Estimated Sales Tax (0.000%):	\$0.00
Freight/Shipping:	\$465.45
Grand Total:	\$28,707.95

Prices: In effect for 30 days

Terms: Net 30 Days

Terms and Conditions:

Deal Consummation: This is a quote and not a commitment. This quote is subject to final credit, pricing, and documentation approval. Legal documentation must be signed before your equipment can be delivered. Documentation will be provided upon completion of our review process and your selection of a payment schedule. Confidentiality Notice: Recipient will not disclose to any third party the terms of this quote or any other information, including any pricing or discounts, offered to be provided by Stryker to Recipient in connection with this quote, without Stryker's prior written approval, except as may be requested by law or by lawful order of any applicable government agency. A copy of Stryker Medical's terms and conditions can be found at https://techweb.stryker.com/Terms_Conditions/index.html.



OFFICE OF THE CHIEF OF POLICE
CECILIA E. ASHE
cecilia.ashe@cj.state.de.us



400 NE Front Street
Milford Delaware 19963
302.422.8081 Fax 302.424.2330

MEMORANDUM

DATE: December 8, 2023

TO: Mayor & Council
Mark Whitfield, City Manager

FROM: Chief Cecilia E. Ashe

RE: Request for Authorization for additional Communications Personnel and New Crime Analyst Position

The Milford Police Department is requesting authorization to hire additional personnel for the Communication Center and a new Crime Analyst position within the police department. The Communications Center currently has assigned eight (8) full-time personnel, which allows only for two (2) personnel per shift, with four shifts to cover 24-hour operations. Upon my hire, I promised City Council I would conduct a staffing study of all personnel within the Police Department showing priority to those areas that require immediate attention due to operational need and the safety of the citizens of Milford. Upon a preliminary review of staffing, it was glaring that the communications center was understaffed and cost saving measures could be put in place to run this division more efficiently and effectively. The current make up of creates a serious issue if an employee calls out sick or takes vacation as it will only leave one (1) employee to handle all communications center responsibilities. This does not take into account the number of calls that are received and dispatched for other divisions such as the Electric Department if there is a power outage or other storm related events such as flooding, where the Streets Department would need to be notified. In reviewing Computer Aided Dispatch (CAD) system if one of these events was to take place communications would be fielding on average a hundred calls, while also dispatching and monitoring the police operations on the street. Currently for us to maintain two dispatchers in the communications center at all times requires us to call in another full-time dispatcher on overtime if he/she is available to come in or contact one of the part-time dispatchers, who may or may not be available to work. This also limits the amount of time off that can be granted to employees, as we are in most cases unable to fill shifts with part-time employees due to their schedule or holidays. Finally this does not taking in to consideration if there is an employee out on long term leave such as FMLA or Military. In any of the above examples, this causes us to pay staff overtime or pay additional staff which is not the most cost-efficient way to run this type of Communications Center.

Therefore, I am proposing one (1) additional dispatcher to each shift, totaling four (4) additional personnel. Under this proposal, I would request two (2) of those positions be filled immediately and the other two (2) positions be added within the FY25 budget. I have consulted with the Director of Finance Lou Vitola along with the City Manager Mark Whitfield and the following impact and projections on the

FY24 budget are expected to be neutralized with offsetting O&M savings. The impact on the FY25 budget is provided below, gross of interdepartmental cost sharing:

Police-Civilian	Salary & Wages	Benefits	
Dispatch 1 - FY25	\$ 44,554	\$ 22,623	\$ 67,177
Dispatch 2 - FY25	\$ 44,554	\$ 22,623	\$ 67,177
Dispatch 3 - FY25	\$ 43,576	\$ 22,597	\$ 66,173
Dispatch 4 - FY25	\$ 43,576	\$ 22,597	\$ 66,173
			\$ 266,700

Internal funding through utility cost sharing would be in place permanently to defray a portion of the cost to add dispatchers.

- FY25 cost sharing (\$45k) results in a net impact of \$222k.
- FY26 cost sharing (\$46k) results in a net impact of \$228k.
- FY27 cost sharing (\$48k) results in a net impact of \$235k.
- FY28 cost sharing (\$49k) results in a net impact of \$242k.
- FY29 cost sharing (\$51k) results in a net impact of \$250k.

This request is in line with the Strategic Plan 2023 under the Public Safety and Preparedness Objective 1, Deployment of Police Resources.

In addition, I am requesting authorization to hire a full-time Crime Analyst with the intent to fill this position within the next sixty (60) days. I am requesting this position to be able to move into the next phase of our Strategic Plan as well as the ability to receive grant funding to help offset some of the costs. As you are aware, Milford Police Department is currently applying for grant funding through the Delaware Criminal Justice Council to fund additional personnel within the Behavioral Health Unit. As part of this grant, we are requesting to receive partial funding for a Crime Analyst to track and monitor, with more detail and precision, the success and gaps within our Behavioral Health Unit. This opportunity to offset some of these expenses has presented itself prior to the FY25 fiscal. I have consulted with the Director of Finance Lou Vitola along with the City Manager Mark Whitfield and the following impact and projections on FY25 budget are provided below:

Police-Civilian	Salary & Wages	Benefits	
Crime Analyst - FY25	\$ 72,450	\$ 27,479	\$ 99,929

A portion of a two-year Behavioral Health Unit (BHU) grant is expected to provide temporary support to the crime analyst position, which would partially mitigate costs late in FY24, all of FY25 and most of FY26.

- FY25 grant funding of \$18k results in a net impact of \$81k.
- FY26 grant funding of \$12k results in a net impact of \$91k.
- FY27 cost impact is \$106k
- FY28 cost impact is \$109k
- FY29 cost impact is \$112k

A Property tax increase of 5.3% (3.1 cents per \$100 of AV) instituted in FY26 would carry the cost of the revised operational structure from then onward if we are successful absorbing the net costs associated with the crime analyst and dispatch positions the remainder of FY24 through FY25.

This request is in line with the Strategic Plan 2023 under the Public Safety and Preparedness which will impact six (6) of the seven (7) objectives while also allowing us to implement seventeen (17) of the twenty-one (21) Strategies. The most important of all of the strategies that this position will produce is transparency of accurate crime numbers and transparency of accountability within the Police Department.

It is my belief that prioritizing these areas will provide an enhanced proactive approach to the safety of our community members. This will also provide and foster economic growth and bring new businesses and residents to the City of Milford.