City of Milford

AGENDA

Monthly Council Meeting February 11, 2013

Joseph Ronnie Rogers Council Chambers, Milford City Hall, 201 South Walnut Street, Milford, Delaware

7:00 P.M.
COUNCIL MEETING

Call to Order - Mayor Joseph Ronnie Rogers

Invocation

Pledge of Allegiance

Approval of Previous Minutes

Recognition

Monthly Police Report

City Manager Report

Committee & Ward Reports

Communications

Unfinished Business
DSWA Discount Disposal Fee Agreement*
River Art Center/Endowment Fund Committee/Appointment
Trash Container Pickup/Delivery Fee Update
Circle of Light, Incorporated/Task Force for Homelessness
2013 Comprehensive Plan Update Review

New Business
Bid Award/Washington Street Pump Station Rehabilitation**
Introduction of Ordinance 2013-1/Chapter 185 Sewers/Rate Increase
Adoption of Resolution 2013-07/Annexation of Louis and Shirley Renzi Properties

Monthly Finance Report

Adjourn

This agenda shall be subject to change to include additional items including executive sessions or the deletion of items including executive sessions which arise at the time of the public body's meeting.

SUPPORTING DOCUMENTS MUST BE SUBMITTED TO THE CITY CLERK IN ELECTRONIC FORMAT NO LATER THAN ONE WEEK PRIOR TO MEETING; NO PAPER DOCUMENTS WILL BE ACCEPTED OR DISTRIBUTED AFTER PACKET HAS BEEN POSTED ON THE CITY OF MILFORD WEBSITE.

121112 013013 *020513 Late Addition (Date Received from Public Works Department) **020513 Late Addition (Bid Opening Thursday 020713) 020813 Items Removed

Milford Police Department

E. Keith Hudson
Chief of Police

400 N.E. Front Street
Milford, Delaware 19963

MEMORANDUM

TO: Mayor and Members of City Council

FROM: E. Keith Hudson, Chief of Police

DATE: February 11, 2013

RE: Activity Report/January 2013

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Monthly Stats:

A total of 617 arrests were made by the Milford Police Department during January 2013. Of these arrests, 166 were for criminal offenses and 451 for traffic violations. Criminal offenses consisted of 38 felonies and 128 misdemeanors. Traffic violations consisted of 117 Special Duty Radar, 5 Drunk-Driving charges, and 329 other.

Police officers investigated 50 accidents during the month (6 personal injury, and 44 property damage) and issued 156 written reprimands. In addition, they responded to 1049 various complaints including city requests and other agency assistance.

Monthly Activities:

Three officers attended a Street Survival seminar in Atlantic City, New Jersey.

Two officers are currently attending a two-week Sniper and Advanced Sniper School in North Carolina.

The Citizens Police Academy is scheduled to start February 13th. Unless we receive more applications, we may have to cancel the class this year.

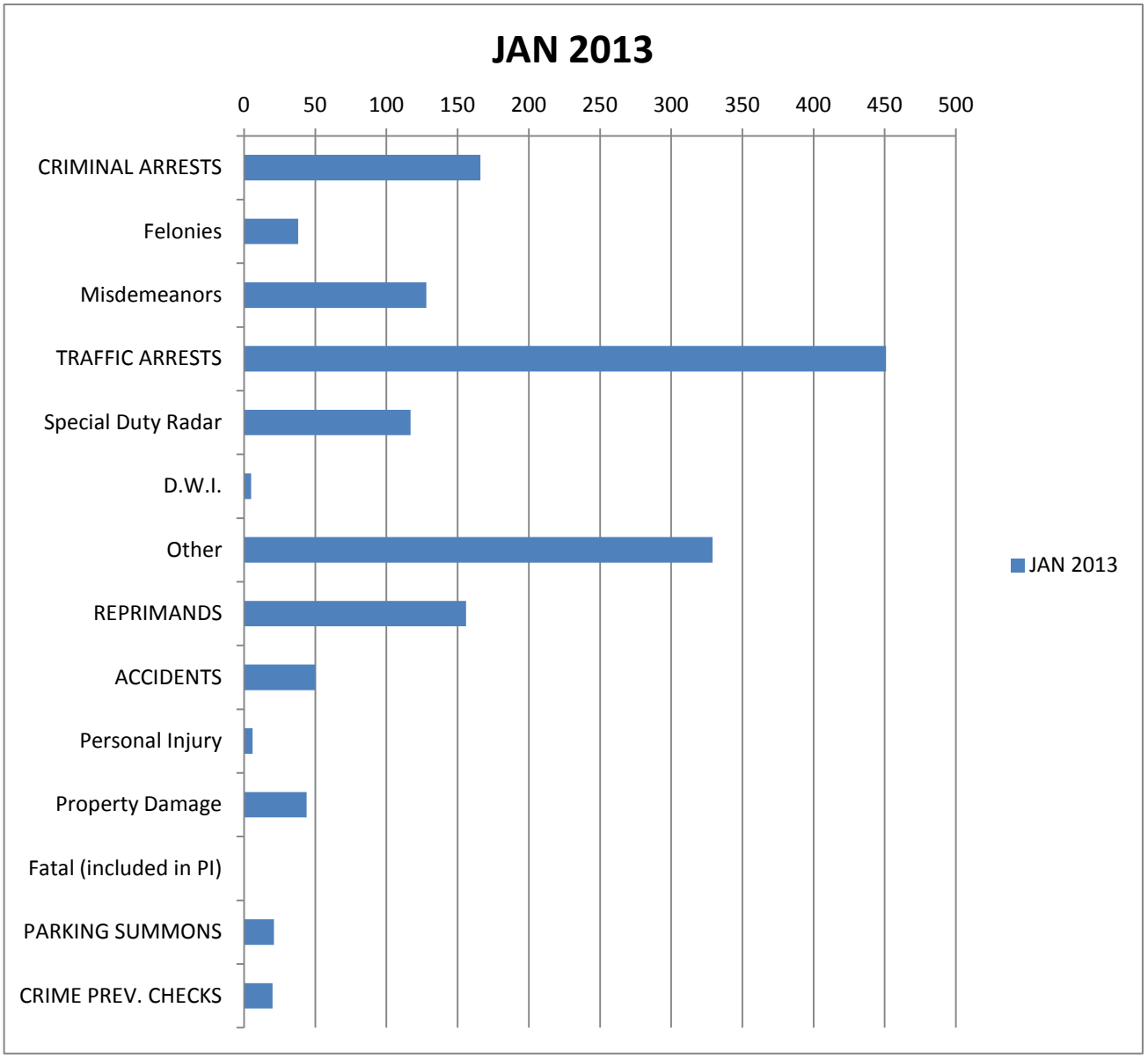
Our School Resource Officer will be hosting a basic & advanced NASRO (National Association of School Resource Officers) training and certification seminar. The seminar will be held in June at the Milford Central Academy.

New vehicles are being equipped and are expected to be on the road soon.

EKH

JANUARY 2013 ACTIVITY REPORT

	JAN 2013	TOTAL 2013	JAN 2012	TOTAL 2012
COMPLAINTS	1049	1049	1100	1100
CRIMINAL ARRESTS	166	166	241	241
Felonies	38	38	49	49
Misdemeanors	128	128	192	192
TRAFFIC ARRESTS	451	451	370	370
Special Duty Radar	117	117	98	98
D.W.I.	5	5	9	9
Other	329	329	263	263
REPRIMANDS	156	156	101	101
ACCIDENTS	50	50	37	37
Personal Injury	6	6	4	4
Property Damage	44	44	33	33
Fatal (included in PI)	0	0	0	0
PARKING SUMMONS	21	21	4	4
CRIME PREV. CHECKS	20	20	45	45
FINES RECEIVED	$ 10,522.02	$ 10,522.02	$ 12,863.86	$ 12,863.86


JAN 2013
0
50
100
150
200
250
300
350
400
450
500
CRIMINAL ARRESTS
Felonies
Misdemeanors
TRAFFIC ARRESTS
Special Duty Radar
D.W.I.
Other
REPRIMANDS
ACCIDENTS
Personal Injury
Property Damage
Fatal (included in PI)
PARKING SUMMONS
CRIME PREV. CHECKS
JAN 2013

CITY MANAGER REPORT
February 11, 2013

ADMINISTRATION

At this time I have to report we may have to replace our boiler in city hall. This boiler was only three or four years when the last city hall renovation was done. The system has to be inspected by the state every few years and the most recent inspection failed due to several issues. I have enclosed the letter of inspection so it is not necessary to describe the violations. I have been told that some of the items can be fixed, although at a cost, but the leak may be another story. The manufacturer of the boiler has stated that to fix the leak may be close to the cost of a new boiler. I will keep mayor and council advised.

It is public knowledge the PNC bank will be closing the branch office located on South Walnut St. Further into my report I will mention the possibility of not putting our billing office at the planned South Washington Street site and the reasons I have decided to pursue acquiring this building to house our billing office. I have been in contact with the PNC realty division to express interest. If council has no interest in the idea, I will drop the matter.

ELECTRIC

Planning and design continues for the new substation. The original route has been changed several times due to our reluctance to use some easements that would in all probability reduce the owners' property values. The easements have been in place for a number of years but due to changes in the area, the properties lend themselves to more lucrative development. We are now laying out what we believe will be the least property impacting route.

The crews did an excellent job of keeping the electric on to customers during the extremely high winds we experienced in recent weeks. We had a few instances of tree limbs causing a fuse to blow in some areas. These were quickly fixed and the power restored. On Friday February 1st we had accidents on Rt. 36 west and Rt. 36 east involving two of our poles being cut off by vehicles striking them. The customers affected by the loss of electric were restored to power within 1½ hours.

SEWER AND WATER

Bids for the Washington Street sewer pumping station rebuild should be opened and brought to mayor and council for an approval. I intend to get work started on that project as quickly as possible. Having three very major construction projects within 100 yards of each other has caused the scheduling of each one to be a little more difficult than usual.

Now that the Washington Street Bridge is complete, I am going to begin the process of demolishing the water treatment facility at the same location. It is my plan to bid this demolition in two phases. Phase one will encompass all structures above grade and phase two would cover those materials below grade. These two phases would not be bid separately. They will just be broken down and priced individually in a single bid. If we change direction on where we place the billing office, we would not have to remove the below grade materials. This would save dollars that could possibly be used elsewhere on water improvements.

I have been contacted by DNREC we have to officially abandon the test well we drilled on the Hall property. I have begun the inquiry into the cost to close this well.

Our southeast water project on Wilkins Road is about 80% complete. The boring under Route 1 will take place next week. The extension of this main to our new tower site is progressing. The owner of the property on which the extension has to be placed has granted permission to use the front of his land for this purpose. We also have the work being completed on running this same extension under the exit ramp of the Route 1 overpass.

STATE OF DELAWARE
Department of Natural Resources and Environmental Control
BOILER SAFETY PROGRAM
BLUE HEN CORPORATE CENTER

FEDERAL E.I. # 51-6000279

655 S BAY ROAD SUITE 5N
DOVER, DE 19901

(302) 744-2735

Office of the Director

CODE VIOLATIONS
FIRST NOTICE

1/30/2013

CITY OF MILFORD
201 S WALNUT STRRET
MILFORD, DE 19963

Company: STATE OF DELAWARE
Delaware #: 28910
Location: CITY OF MILFORD
201 S WALNUT STREET
MILFORD, DE 19963-0000

Plant Location: BASEMENT

Inspection Date: 1/24/2013
Inspector: ESCH, JOHN

Dear Boiler / Pressure Vessel Owner:

NOTICE: You are currently in violation of Title 7 Chapter 74B and will be subject to a fine of up to $1,000 as set forth in the Delaware Code. It is your obligation to notify the Boiler Safety Program when you have corrected the below listed violations.

The boiler or pressure vessel inspection, as required by the Laws of the State of Delaware, has revealed the following violations:

Code Violations:

R-03 Relief valve or safety valve is leaking past seat. Replace the leaking relief valve or safety valve with an ASME approved valve set at or below the allowable working pressure and having a relieving capacity equal to or greater than that specified by the manufacturer.

E-01 Install an electrical disconnect switch capable of being locked in the open position, so that the boiler can be disconnected from all sources of potential, at an accessible location on or adjacent to the boiler.

E-02 A manually operated remote shutdown switch or circuit breaker shall be located just outside the boiler room door and marked for easy identification. If the boiler room door is on the building exterior, the switch should be located just inside the door. If the switch can be tampered with, it may be located just inside the boiler room door.

G-012 The boiler or pressure vessel is leaking water. Repair the boiler or pressure vessel to prevent leakage. Note: If the boiler is steel there shall be no welding performed except by a repair company in possession of an "R" Certification to repair boilers, and the proper documents provided.

A-01 PROVIDE COMBUSION AIR SUPPLY TO BOILER ROOM IN ACCORDANCE WITH NFPA REQUIREMENTS..

These violations are required to be corrected within thirty days. A follow up inspection is required for all violations, notify the Boiler Safety Program at (302) 744-2735 when all repairs have been made.

Sincerely,

ALEX RITTBERG
ENVIROMENTAL PROGRAM MANAGER

NOTE:

DELAWARE LEAGUE OF LOCAL GOVERNMENTS
MONTHLY DINNER MEETING
FEBRUARY 21ST, 2013
SHERATON DOVER HOTEL
1570 NORTH DUPONT HIGHWAY
DOVER, DELAWARE

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SOCIAL HOUR:	6:00 P.M. - 6:45 P.M.
OPENING:	6:45 P.M. - 7:00P.M.
DINNER:	7:00 P.M. - 7:20 P.M.
PROGRAM:	7:20 P.M. - 8:00 P.M.

PROGRAM

"Protecting Your Municipality/County Against Non-Covered Legal Claims," will be presented by Daniel A. Griffith and Scott G. Wilcox of Whiteford Taylor & Preston, LLP. It is vital to municipalities to stay informed about the most recent case law and trends in Delaware. Please do not miss this opportunity to hear and ask questions that could save you from thousands of dollars in legal claims.

NEXT MEETING: MARCH 28TH, 2013

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Special diets can be accommodated with 24 hours notice
WE MUST HAVE YOUR RESERVATIONS NO LATER THAN February 11th,2013

Mail To: Delaware League of Local Governments
P.O. Box 484
Dover, Delaware 19903
Telephone: 302-678-0991 Fax: 302-678-4777

_____ will have _____attendees
(Municipality/County/Agency)

PLEASE LIST THE NAMES OF THOSE ATTENDING

Name		**Title**
_____	&	_____
_____	&	_____
_____	&	_____
_____	&	_____
_____	&	_____
_____	&	_____

( ) Check enclosed for ( ) dinners @ $20.00 each
( ) Please direct bill the Municipality/County/Agency
( ) Payment will be made at the door
( ) Enclosed for ( ) dinners @ $20.00 each



DELAWARE LEAGUE OF LOCAL GOVERNMENTS
P.O. BOX 484, DOVER, DE 19903-0484
Telephone: 302-678-0991 FAX 302-678-4777 E-mail: gwright@udel.edu

President Kenneth Branner Executive Director George C. Wright Jr.

To:	League Members
From:	Executive Director George C. Wright, Jr.
Subject:	Congressional Visit
Date:	January 30, 2013 (10:00am)

The annual Congressional visit to Washington D.C. will be on Wednesday **March 13th, 2013**. The meeting will begin in the Capital, room SVC 214. Both Senators Carper and Coons will speak to our group. Congressman Carney or a representative from his office will also be available.

The meeting will start at 10:00 a.m. and end at 12:00 p.m. Enter the Capitol through the north screening facility, proceeding up the ramp to the north door. Upon entering the building, continue about 75 feet. The Senate Appointments Desk will be on the left before the gift shop. Obtain passes from the Appointments Desk to continue through the Capitol.

If you are planning to attend please fax or email the attached form, no later than **February 22nd, 2013**. Please contact the League office with specific topics you would like to discuss, no later than February 15th.

For security purposes, be sure to include:

- Name
- Title
- Municipality/County/Agency

To: Delaware League of Local Governments
From:
Subject: Congressional Visit Attendance

Email: gwright@udel.edu
Fax: (302) 678-4777

Parking is available nearby at Union Station (Amtrak).
For more information contact me at the League office (302) 678-0991

_____ Will have _____ attendees
(Municipality/County/Agency)

PLEASE LIST THE NAMES OF THOSE ATTENDING

Name	**Title/Office**

Member
NATIONAL LEAGUE OF CITIES

DELAWARE SOLID WASTE AUTHORITY

Pasquale S. Canzano, P.E., BCEE
Chief Executive Officer

Richard P. Watson, P.E., BCEE
Chief Operating Officer

Board of Directors
Richard V. Pryor
Chairman
Ronald G. McCabe
Vice Chairman
Theodore W. Ryan
Timothy P. Sheldon
Tonda L. Parks
Gerard L. Esposito
Gregory V. Moore, P.E.

January 22, 2013

Dear DDF Customer:

The Delaware Solid Waste Authority (DSWA) would like to thank you for being a Discount Disposal Fee Agreement customer. As you are aware, the current contract expires June 30, 2013. The intent of this letter is to advise you that DSWA would like to engage in a new agreement with you to extend through June 30, 2016.

Enclosed you will find two copies of the standard contract for your consideration. Please review the enclosed contract carefully as it does contain some changes from the previous agreement. The rebate given at landfills will be $8.00 and the rebate given at transfer stations will be $4.00. In order to receive a rebate check you must sign the agreement and return it before June 30, 2013. All price increases will go into effect July 1, 2013. Please follow the following steps if you wish to participate in this agreement.

1. Fill in your company or business name and date in the space provided on the first page of **BOTH COPIES.**
2. Print and sign your name in the spaces provided on the last page of **BOTH COPIES.**
3. Please mail **BOTH COPIES** to DSWA 1128 South Bradford St. PO BOX 455 Dover DE 19903

DSWA will execute both copies and return one for your records.

I am always available to discuss any questions or concerns you may have. Please feel free to call me 302-739-5361 or schedule a meeting with me.

Sincerely yours,

Michael Parkowski

Michael D. Parkowski
Manager of Business and Governmental Services

Effective Dates:
Begin: July 1, 2013
End: June 30, 2016

DISCOUNT DISPOSAL FEE AGREEMENT

THIS AGREEMENT, entered into by and between the Delaware Solid Waste Authority ("Authority") and _____ ("Customer"), made this_____, of _____, 20_____.

WHEREAS, the Authority owns and operates facilities throughout the State of Delaware; and

WHEREAS, the Authority receives solid waste and dry waste at its facilities from various customers who collect and/or transport solid waste and dry waste generated in the State of Delaware; and

WHEREAS, the Customer wishes to utilize the services of the Authority for the receipt and disposal of all Customer's solid waste and dry waste collected in the State of Delaware; and

WHEREAS, the Authority wishes to provide disposal services to Customer under this Agreement as an integral part of fulfilling its statutory responsibilities and satisfying its financial obligations.

NOW, THEREFORE, in consideration of the mutual promises set forth in this Agreement, and other good and valuable consideration, the parties, intending to be legally bound, hereby agree as follows:

1. Customer shall, subject to the exceptions set forth in Paragraph 8 hereafter, deliver to Authority designated facilities all solid waste and dry waste generated in the State of Delaware which is collected and/or transported by Customer during the term of this Agreement.
2. Customer shall pay to the Authority:
   (a) a base rate of Eighty Five Dollars and Fifty Cents ($85.50) for each ton of solid waste and dry waste (excluding construction and demolition waste) delivered to the Authority designated facilities, during the period commencing July 1, 2013 and ending June 30, 2014;
   (b) a base rate of Eighty Seven Dollars ($87.00) for each ton of solid waste and dry waste (excluding construction and demolition waste) delivered to the Authority designated facilities, during the period commencing July 1, 2014 and ending June 30, 2015; and
   (c) a base rate of Eighty Eight Dollars and Fifty Cents ($88.50) for each ton of solid waste and dry waste (excluding construction and demolition waste) delivered to the Authority designated facilities, during the period commencing July 1, 2015 to June 30, 2016,
   (d) the base rates for construction and demolition waste shall be determined by the Authority from time to time for each Authority facility, provided that the

Authority shall post the base rates and any changed base rates for construction and demolition waste applicable to its designated facilities at least ten (10) days in advance of the effective date of such base rates for the facility,

3. In the event the Authority establishes a general base rate for disposal of solid waste and dry waste below the base rates specified in Paragraph 2 above for the time periods indicated, Customer shall be entitled to such lower base rates while such lower base rates are in effect. Dry waste shall be as defined in the Regulations of the Delaware Solid Waste Authority and shall be delivered in separated loads free of any commingled municipal solid waste. Construction and demolition waste shall mean the nonhazardous component of dry waste comprised of discarded materials from construction, renovation, restoration and demolition activities and projects. Construction and demolition waste shall be delivered in separated loads free of any commingled municipal solid waste or dry wastes from other sources. The delivery of yard waste to Authority facilities shall be subject to any limitations or prohibitions imposed by law, regulations and permit conditions, and any special restrictions or requirements imposed by the Authority.
4. The term of this Agreement shall be from July 1, 2013 or the execution date of this Agreement thereafter to June 30, 2016.
5. The following rebates shall be paid to Customer:
   (a) a rebate of Eight Dollars ($8.00) shall be paid by the Authority to Customer for each ton of solid waste and dry waste (excluding construction and demolition waste) delivered to the Authority landfills; namely, the Northern Solid Waste Facility located at Cherry Island in Delaware, the Central Solid Waste Facility located at Sandtown in Delaware, and the Southern Solid Waste Facility located at Jones Crossroads in Delaware.
   (b) a rebate of Four Dollars ($4.00) shall be paid by the Authority to Customer for each ton of solid waste and dry waste (excluding construction and demolition waste) delivered to the Authority transfer stations; namely, the Pine Tree Corner facility, the Milford facility, and the Route 5 facility.
   (c) the rebates shall be paid for the following periods in which solid waste and/or dry waste (excluding construction and demolition waste) have been delivered:
      (1) July 1, 2013 to June 30, 2014
      (2) July 1, 2014 to June 30, 2015
      (3) July 1, 2015 to June 30, 2016
6. The rebates set forth in Paragraph 5 above shall be paid to Customer by Authority within forty-five (45) days after the end of the applicable period or after full payment due has been made to the Authority by Customer for all services provided by the Authority, whichever is later, for the solid waste and dry waste (excluding construction and demolition waste) delivered by Customer during the applicable periods set forth in Paragraph 5 above; provided however, that (1) if Customer has not made full payment due for all services provided by the Authority within ninety (90) days of the end of the applicable period, then the entire rebate for the period shall be forfeited without offset for any amounts due from Customer, and (2) payment is conditioned on Customer's full compliance with the terms and conditions of this Agreement during the applicable rebate delivery period.

7. The rates and rebates set forth in paragraphs 2 and 5 above shall be conditioned on full payment by Customer of all amounts due, when due, by Customer under the Authority's payment policy for services provided by the Authority, provided, however, that delinquent payment shall not relieve Customer of the obligation to deliver all solid waste and dry waste (including construction and demolition waste) to designated Authority facilities in accordance with the requirements set forth in paragraph 1 above.

8. For purposes of this Agreement the solid waste and dry waste (including construction and demolition waste) required to be delivered to designated Authority facilities under Paragraphs 1 above shall not include:

(a) recyclable materials source separated at the place of generation, including any materials collected under curbside recycling programs, provided however, the waste residue resulting from the recycling, resource recovery or beneficial use of Delaware solid waste and dry waste (including construction and demolition waste) which is generated from recycling, resource recovery or beneficial use operations conducted within the State of Delaware shall not be subject to this exemption. In order to qualify for the exemption of source separated recyclable materials Customer shall provide written advance notification to the Authority of the location and name of the facility at which recyclable materials are being processed, and written certification of the percentage by weight of the recyclable materials that are recovered by the facility and reused. In order to qualify for the exemption (1) the rate of recovery from source separated recyclable materials shall be at least eighty percent (80%) by weight; (2) the rate of recovery from construction and demolition waste shall be at least seventy percent (70%) by weight; and (3) such recovered recyclable materials must be recovered and reused. This exception shall not apply to solid waste and dry waste collected for purposes of incineration or conversion to any type or form of waste derived fuel, in whole or in part. This exception shall also not apply if the facility at which the recyclable materials are being handled or processed is not operating in full compliance with applicable federal, state and local laws, regulations, ordinances, permits, conditions or other requirements.

(b) special solid waste as defined by the Authority;

(c) industrial solid waste as defined by the Authority;

(d) agricultural waste generated on a farm;

(e) tires;

(f) non-hazardous waste resulting from emergency clean-up actions;

(g) waste materials collected from industrial facilities which have adopted and implemented a company wide policy requiring all waste materials generated at the industrial facility to be disposed at waste to energy plants. In order to qualify for the exemption, Customer must provide a written notification from the industrial facility to the Authority stating the industrial facility's policy, and the name and location of the waste to energy plant where the waste materials are being taken;

(h) yard waste; and

(i) construction and demolition waste as defined in Paragraph 3 above generated and collected in New Castle County, Delaware.

Customer may, however, deliver to Authority designated facilities the solid waste, dry waste and construction and demolition waste generated in the State of Delaware and identified in subparagraphs (a) through (i) above, subject to payment of the applicable disposal fee, and subject to compliance with laws, regulations and permit conditions, and the Authority's rules, regulations and procedures pertaining to such dry waste, solid waste and construction and demolition waste.

9. It shall be a condition of default and cause for termination if Customer:
   (a) fails to maintain a current payment account in accordance with Authority's rules, regulations, procedures, and payment policies;
   (b) fails to deliver the solid waste or dry waste required to be delivered to the Authority's facilities under this Agreement, provided, however, that unintentional and non-material failures by Customer to make the required delivery of solid waste or dry waste will not be grounds for termination if the Customer provides written notice of the failure within seventy-two (72) hours of the event, and cures such failure by making arrangements for delivery to Authority facilities of sufficient amounts of acceptable alternative or replacement solid waste or dry waste (including construction and demolition waste) generated in the State of Delaware, and not subject to the requirements of Paragraph 1 above, to account for the short fall in tonnage and user fee loss experienced by the Authority as a result of the failure; or
   (c) fails on a repeated basis to comply with laws and regulations applicable to solid waste collection and transportation, or the Authority's rules, regulations and policies.
10. It shall be a condition of default and cause for termination if the Authority engages in the curbside collection of municipal solid waste, excluding recyclable materials, provided that the default is not cured by Authority within (30) days of written notification by Customer to Authority of the default.
11. Customer and Authority shall be relieved of responsibility for performance under this Agreement to the extent and for such time or times in which Customer or Authority are prevented or substantially impaired from performing obligations under this Agreement by reason of changes in law or official governmental action by rule, order, regulation or otherwise.
12. This Agreement shall inure to the benefit of and be binding on Customer, its successors, assigns, parents, subsidiaries, affiliates, partners, joint venturers, divisions, contractors and sub-contractors, and all other entities, existing or newly formed, controlled directly or indirectly by Customer or its successors, assigns, parents, subsidiaries, affiliates, partners, joint venturers, divisions, and all other entities, existing or newly formed, controlled directly or indirectly by them, through changes in ownership or status, by transfer of assets or otherwise, and which engage in the collection and/or transportation of solid waste and/or dry waste generated in the State of Delaware.
13. This Agreement shall be interpreted in accordance with the laws of the State of Delaware. Any lawsuit initiated with respect to this Agreement shall be filed in the State courts of the State of Delaware.
14. This Agreement represents the entire understanding of the parties. This Agreement shall not be amended without the written consent of both parties. If Customer has entered a

separate Discount Disposal Fee Agreement with the Authority which is in effect at the time of execution of this Agreement, such prior Agreement shall remain in effect until its expiration date.

IN WITNESS WHEREOF, the Authority and Customer have entered this Agreement.

DELAWARE SOLID WASTE AUTHORITY

By:_____(S)
(Signature)

By:_____
(Please Print Name)

Witness:_____

CUSTOMER

By:_____(S)
(Signature)

By:_____
(Please Print Name)

Witness:_____

DSWA Account # _____

Address:

3203
City of Milford
Christy Murphy
10 South East 2nd Street
Milford, DE 19963-

f:\fmp\!dswa\2012\ddf\final ddf agreement as of 8.20.12.doc

Grant Program Description

Art works to improve the lives of America's citizens in many ways. Communities across our nation are leveraging the arts and engaging design to make their communities more livable with enhanced quality of life, increased creative activity, a distinct sense of place, and vibrant local economies that together capitalize on their existing assets. The NEA defines these efforts as the process of *Creative Placemaking*:

> "In creative placemaking, partners from public, private, nonprofit, and community sectors strategically shape the physical and social character of a neighborhood, town, tribe, city, or region around arts and cultural activities. Creative placemaking animates public and private spaces, rejuvenates structures and streetscapes, improves local business viability and public safety, and brings diverse people together to celebrate, inspire, and be inspired."
>
> Ann Markusen, Markusen Economic Research Services
> Anne Gadwa Nicodemus, Metris Arts Consulting
> From *Creative Placemaking*

Through *Our Town,* subject to the availability of funding, the National Endowment for the Arts will provide a limited number of grants, ranging from $25,000 to $200,000, for creative placemaking projects that contribute toward the livability of communities and help transform them into lively, beautiful, and sustainable places with the arts at their core. *Our Town* will invest in creative and innovative projects in which communities, together with their arts and design organizations and artists, seek to:

- Improve their quality of life.
- Encourage greater creative activity.
- Foster stronger community identity and a sense of place.
- Revitalize economic development.

Through *Our Town* projects, the NEA intends to achieve the following outcome: *Livability: American communities are strengthened through the arts*. See "Intended NEA Outcome" for more details.

Partnerships

A key to the success of creative placemaking is involving the arts in partnership with committed governmental and private sector leadership. All *Our Town* applications must reflect a partnership that will provide leadership for the project. These partnerships must involve two primary partners: a nonprofit organization and a local government entity. One of the two primary partners must be a cultural (arts or design) organization.

Additional partners are encouraged and may include an appropriate variety of entities such as state level government agencies, foundations, arts organizations and artists, nonprofit organizations, design professionals and design centers, educational institutions, real estate developers, business leaders, and community organizations, as well as public and governmental entities.

You may find it helpful to contact your local arts agency as you begin the process within your community.

Projects

The Arts Endowment plans to support a variety of diverse projects across the country in urban and rural communities of all sizes. Please review the list of grants on our website to see the types of projects that have been funded recently through *Our Town* and the related *Mayors' Institute on City Design 25th Anniversary Initiative*.

Our Town projects should represent the distinct character and quality of their communities and must reflect the following principles:

RELATED MATERIALS

- Director's Welcome (video)
- Our Town Communities
- Our Town Webinars
- NEA ARTS Magazine on Creative Placemaking
- *Creative Placemaking* (pdf)
- 2011 & 2012 grants (by state)
- 2011 & 2012 grants (by type)
- Sample Application Narratives

- A systemic approach to civic development and a persuasive vision for enhanced community livability.
- Clearly defined civic development goals and objectives that recognize and enhance the role that the arts and design play at the center of community life.
- An action plan aligned with the project vision and civic development goals.
- A funding plan that is appropriate, feasible, indicates strong and wide community support, and includes a well-conceived strategy for maintaining the work of the project.
- Artistic excellence of the design and/or arts organizations, designers, or artists involved with the project.

Projects may include arts engagement, cultural planning, and design activities such as:

Arts Engagement
Arts engagement projects support artistically excellent artistic production or practice as the focus of creative placemaking work.

- Innovative programming that fosters interaction among community members, arts organizations, and artists, or activates existing cultural and community assets.
- Festivals and performances in spaces not normally used for such purposes.
- Public art that improves public spaces and strategically reflects or shapes the physical and social character of a community.

Cultural Planning
Cultural planning projects support the development of artistically excellent local support systems necessary for creative placemaking to succeed.

- Creative asset mapping.
- Cultural district planning.
- The development of master plans or community-wide strategies for public art.
- Support for creative entrepreneurship.
- Creative industry cluster/hub development.

Design
Design projects that demonstrate artistic excellence while supporting the development of environments where creative placemaking takes place, or where the identity of place is created or reinforced.

- Design of rehearsal, studio, or live/work spaces for artists.
- Design of cultural spaces – new or adaptive reuse.
- Design of public spaces, e.g., parks, plazas, landscapes, neighborhoods, districts, infrastructure, bridges, and artist-produced elements of streetscapes,
- Community engagement activities including design charrettes, design competitions, and community design workshops.

We understand that creative placemaking projects are often multi-year, large-scale initiatives. Please specify in your application which phase or phases of your project are included in your request for NEA funding. All phases of a project -- except for construction, purchase, or renovation of facilities as noted below -- are eligible for support. All costs included in your Project Budget must be expended within your period of support.

If relevant to your project, you will be required to provide information in accordance with the National Environmental Policy Act and/or the National Historic Preservation Act.

Funding under *Our Town* is **not** available for:

- Projects that do not involve the required partnership that will provide leadership for the project. Partnerships must involve at least two primary partners: a nonprofit organization and a local government entity. One of the two primary partners must be a cultural (arts or design) organization.
- Activities that are not tied directly to long-term civic development goals.
- Projects where the arts, design, or cultural activity are not core to the project's plan.
- Capacity building initiatives for artists that are not integral to a broader civic development strategy.
- Construction, purchase, or renovation of facilities. (Design fees, community planning, and installation of public art are eligible; however, no Arts Endowment or matching funds may be directed to the costs of physical construction or renovation or toward the purchase costs of facilities or land.)

- Costs (and their match) to bring a project into compliance with federal grant requirements. This includes environmental or historical assessments or reviews.
- Subgranting or regranting, except for local arts agencies that are designated to operate on behalf of their local governments or are operating units of city or county government. (See more information on subgranting.) Subgranting activity by designated local arts agencies must be directly relevant to the *Our Town* project activities.
- Financial awards to winners of competitions.
- Fund raising or financing activities.

Note: The *Grants for Arts Projects* guidelines provide additional information on what we do not fund.

Intended Outcome

Through *Our Town* projects, the Arts Endowment intends to achieve the following outcome from our strategic plan: *Livability: American communities are strengthened through the arts.*

The anticipated long-term results for Livability projects are measurable community benefits, such as growth in overall levels of social and civic engagement; arts- or design-focused changes in policies, laws, and/or regulations; job and/or revenue growth for the community; or changes in in-and-out migration patterns. You will be asked to address the anticipated results in your application. If you receive a grant, you will be asked to provide evidence of those results at the end of your project. Given the nature of Livability projects, benefits are likely to emerge over time and may not be fully measureable during the period of a grant. You will need to provide evidence of progress toward achieving improved livability as appropriate to the project. Before applying, please review the reporting requirements for Livability. We recognize that some projects involve risk, and we want to hear about both your successes and failures. Failures can provide valuable learning experiences, and reporting them will have no effect on your ability to receive NEA funds in the future.

Beyond the reporting requirements for all grantees, selected *Our Town* grantees may be asked to assist in the collection of additional information that can help the NEA determine the degree to which agency objectives were achieved. For example, *Our Town* grantees may be asked to participate in surveys or interviews, and/or may be asked to assist in publicizing and promoting these data collection efforts. You may be contacted to provide evidence of project accomplishments including, but not limited to, work samples, community action plans, cultural asset studies, programs, reviews, relevant news clippings, and playbills. Please remember that you are required to maintain project documentation for three years following submission of your final report.

We may publish grantees' reports and products on our website. Please note that all federal grantmaking agencies retain a royalty-free right to use all or a portion of grantees' reports and products for federal purposes.

Deadline Date

You are required to submit your application electronically through Grants.gov, the federal government's online application system. The Grants.gov system must receive your validated and accepted application no later than 11:59 p.m., Eastern Time, on January 14, 2013. We strongly recommend that you submit at least 10 days in advance of the deadline to give yourself ample time to resolve any problems that you might encounter. We will not accept late applications.

The Grants.gov Contact Center is available 24 hours a day, 7 days a week.

Privacy Policy Important Notices Contact Us USA.gov

National Endowment for the Arts · an independent federal agency
1100 Pennsylvania Avenue NW
Washington, DC 20506

Kent County

Department of Finance

Susan Durham - Director of Finance
Mary Karol - Assistant Director

Kent County
Administrative Complex
555 Bay Road
Dover, DE 19901
(302) 744-2386
Fax: (302) 736-2270

INVOICE

DATE: January 10, 2013

DUE DATE: February 11, 2013

City of Milford
Attn: Richard Carmean
P.O. Box 159
Milford, DE 19963

DESCRIPTION	COST
Debt Service for Southern Bypass Project 11/10/11 Interest Only Payment 11/13/12 Interest Only Payment	 $16,848.59 29,203.41
TOTAL DUE	**$46,052.00**

+12,735.21 - 2/10/13 1ST PAYMENT

Make check payable to: Kent County Treasurer $ 58,787.21

Please remit payment to: Kent County Levy Court
Department of Finance
Attn: Susan Hitchens
555 Bay Rd.
Dover, DE 19901

"Serving Kent County With Pride"

Loan Amount (P)	$2,146,894.65
Interest Rate (I)	2.250%
Loan Years (L)	38
Yearly Payments	4
Total Payments (N)	152
Period Payment	$21,049.94

KENT COUNTY LEVY COURT, DELAWARE - SOUTHERN BYPASS
BUILD AMERICA BOND TO SECURE USDA/RUS LOAN NO. 92-28
rev 01/18/13

No.	Interest Payment Date	Beginning Balance	Total Payment	Total City of Milford Payment (60.5%)	Total Kent County Payment (39.5%)	Principal	Expected Interest Payment	Total Principal Outstanding on Payment Date
1	11/10/2011 Interest Only*	$2,102,686.75	$27,848.91	$16,848.59	$11,000.32	N/A	$27,848.91	$2,102,686.75
2	11/10/2012 Interest Only	$2,146,894.65	$48,270.10	$29,203.41	$19,066.69	N/A	$48,270.10	$2,146,894.65
3	2/10/2013	$2,146,894.65	$21,049.94	$12,735.21	$8,314.73	$8,973.66	$12,076.28	$2,137,920.99
4	5/10/2013	$2,137,920.99	$21,049.94	$12,735.21	$8,314.73	$9,024.14	$12,025.81	$2,128,896.86
5	8/10/2013	$2,128,896.86	$21,049.94	$12,735.21	$8,314.73	$9,074.90	$11,975.04	$2,119,821.96
6	11/10/2013	$2,119,821.96	$21,049.94	$12,735.21	$8,314.73	$9,125.94	$11,924.00	$2,110,696.02
7	2/10/2014	$2,110,696.02	$21,049.94	$12,735.21	$8,314.73	$9,177.28	$11,872.67	$2,101,518.74
8	5/10/2014	$2,101,518.74	$21,049.94	$12,735.21	$8,314.73	$9,228.90	$11,821.04	$2,092,289.84
9	8/10/2014	$2,092,289.84	$21,049.94	$12,735.21	$8,314.73	$9,280.81	$11,769.13	$2,083,009.03
10	11/10/2014	$2,083,009.03	$21,049.94	$12,735.21	$8,314.73	$9,333.02	$11,716.93	$2,073,676.02
11	2/10/2015	$2,073,676.02	$21,049.94	$12,735.21	$8,314.73	$9,385.51	$11,664.43	$2,064,290.50
12	5/10/2015	$2,064,290.50	$21,049.94	$12,735.21	$8,314.73	$9,438.31	$11,611.63	$2,054,852.20
13	8/10/2015	$2,054,852.20	$21,049.94	$12,735.21	$8,314.73	$9,491.40	$11,558.54	$2,045,360.80
14	11/10/2015	$2,045,360.80	$21,049.94	$12,735.21	$8,314.73	$9,544.79	$11,505.15	$2,035,816.01
15	2/10/2016	$2,035,816.01	$21,049.94	$12,735.21	$8,314.73	$9,598.48	$11,451.47	$2,026,217.54
16	5/10/2016	$2,026,217.54	$21,049.94	$12,735.21	$8,314.73	$9,652.47	$11,397.47	$2,016,565.07
17	8/10/2016	$2,016,565.07	$21,049.94	$12,735.21	$8,314.73	$9,706.76	$11,343.18	$2,006,858.31
18	11/10/2016	$2,006,858.31	$21,049.94	$12,735.21	$8,314.73	$9,761.36	$11,288.58	$1,997,096.94
19	2/10/2017	$1,997,096.94	$21,049.94	$12,735.21	$8,314.73	$9,816.27	$11,233.67	$1,987,280.67
20	5/10/2017	$1,987,280.67	$21,049.94	$12,735.21	$8,314.73	$9,871.49	$11,178.45	$1,977,409.19
21	8/10/2017	$1,977,409.19	$21,049.94	$12,735.21	$8,314.73	$9,927.01	$11,122.93	$1,967,482.17
22	11/10/2017	$1,967,482.17	$21,049.94	$12,735.21	$8,314.73	$9,982.85	$11,067.09	$1,957,499.32
23	2/10/2018	$1,957,499.32	$21,049.94	$12,735.21	$8,314.73	$10,039.01	$11,010.93	$1,947,460.31
24	5/10/2018	$1,947,460.31	$21,049.94	$12,735.21	$8,314.73	$10,095.48	$10,954.46	$1,937,364.83
25	8/10/2018	$1,937,364.83	$21,049.94	$12,735.21	$8,314.73	$10,152.26	$10,897.68	$1,927,212.57
26	11/10/2018	$1,927,212.57	$21,049.94	$12,735.21	$8,314.73	$10,209.37	$10,840.57	$1,917,003.20
27	2/10/2019	$1,917,003.20	$21,049.94	$12,735.21	$8,314.73	$10,266.80	$10,783.14	$1,906,736.40
28	5/10/2019	$1,906,736.40	$21,049.94	$12,735.21	$8,314.73	$10,324.55	$10,725.39	$1,896,411.85
29	8/10/2019	$1,896,411.85	$21,049.94	$12,735.21	$8,314.73	$10,382.62	$10,667.32	$1,886,029.23
30	11/10/2019	$1,886,029.23	$21,049.94	$12,735.21	$8,314.73	$10,441.03	$10,608.91	$1,875,588.20
31	2/10/2020	$1,875,588.20	$21,049.94	$12,735.21	$8,314.73	$10,499.76	$10,550.18	$1,865,088.44
32	5/10/2020	$1,865,088.44	$21,049.94	$12,735.21	$8,314.73	$10,558.82	$10,491.12	$1,854,529.63
33	8/10/2020	$1,854,529.63	$21,049.94	$12,735.21	$8,314.73	$10,618.21	$10,431.73	$1,843,911.41
34	11/10/2020	$1,843,911.41	$21,049.94	$12,735.21	$8,314.73	$10,677.94	$10,372.00	$1,833,233.47
35	2/10/2021	$1,833,233.47	$21,049.94	$12,735.21	$8,314.73	$10,738.00	$10,311.94	$1,822,495.47
36	5/10/2021	$1,822,495.47	$21,049.94	$12,735.21	$8,314.73	$10,798.40	$10,251.54	$1,811,697.07
37	8/10/2021	$1,811,697.07	$21,049.94	$12,735.21	$8,314.73	$10,859.15	$10,190.80	$1,800,837.92
38	11/10/2021	$1,800,837.92	$21,049.94	$12,735.21	$8,314.73	$10,920.23	$10,129.71	$1,789,917.70
39	2/10/2022	$1,789,917.70	$21,049.94	$12,735.21	$8,314.73	$10,981.65	$10,068.29	$1,778,936.04
40	5/10/2022	$1,778,936.04	$21,049.94	$12,735.21	$8,314.73	$11,043.43	$10,006.52	$1,767,892.62
41	8/10/2022	$1,767,892.62	$21,049.94	$12,735.21	$8,314.73	$11,105.55	$9,944.40	$1,756,787.07
42	11/10/2022	$1,756,787.07	$21,049.94	$12,735.21	$8,314.73	$11,168.01	$9,881.93	$1,745,619.06
43	2/10/2023	$1,745,619.06	$21,049.94	$12,735.21	$8,314.73	$11,230.83	$9,819.11	$1,734,388.22
44	5/10/2023	$1,734,388.22	$21,049.94	$12,735.21	$8,314.73	$11,294.01	$9,755.93	$1,723,094.22
45	8/10/2023	$1,723,094.22	$21,049.94	$12,735.21	$8,314.73	$11,357.54	$9,692.40	$1,711,736.68
46	11/10/2023	$1,711,736.68	$21,049.94	$12,735.21	$8,314.73	$11,421.42	$9,628.52	$1,700,315.26
47	2/10/2024	$1,700,315.26	$21,049.94	$12,735.21	$8,314.73	$11,485.67	$9,564.27	$1,688,829.59
48	5/10/2024	$1,688,829.59	$21,049.94	$12,735.21	$8,314.73	$11,550.27	$9,499.67	$1,677,279.31
49	8/10/2024	$1,677,279.31	$21,049.94	$12,735.21	$8,314.73	$11,615.24	$9,434.70	$1,665,664.07
50	11/10/2024	$1,665,664.07	$21,049.94	$12,735.21	$8,314.73	$11,680.58	$9,369.36	$1,653,983.49

PUBLIC NOTICE
Notice of City of Milford Ordinance Review

NOTICE IS HEREBY GIVEN the following ordinance is under review by Milford City Council:

ORDINANCE 2013-1

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

Section 1. Chapter 185 of the Code of the City of Milford, entitled Sewers, Article II Rates and Regulations §185-10, Schedule of Rates and Charges, shall be amended by increasing the sewer rate by 7 cents per thousand gallons as was approved by City Council at its April 13, 2009 meeting due to an amendment in the Kent County Sewer User Agreement.

The City of Milford hereby ordains:

Section 2. §185-10 Schedule of rates and charges is hereby amended by removing "which shall be effective July 22, 2010 and" and inserting "Said Fees" and "the" as indicated below:

The Council has the authority to establish sewer rates and charges set forth in the following schedule**.** ~~, which shall be effective July 22, 2010 and~~ ***Said fees*** shall be collected from the customer**s** of the sewer system under ***the*** operation of the City of Milford. The rates and regulations shall be reviewed on an annual basis and adjusted as necessary. Each user of the wastewater facilities will be notified annually of effective user charge rates either by mail or advertisement in a paper of general circulation within the City of Milford.

Section 3. §185-10(A)(1)(b) Rate Scheduled based on Metered Water Consumption is hereby amended by removing $2.71 and inserting $2.78.

A. Rate schedule based on metered water consumption.

(1) City service rate:

(a) Zero to 1,000 gallons: $10 minimum per month.

(b) Over 1,000 gallons: ~~$2.71~~ **$2.78** per 1,000 gallons.

(2) County service rate. This fee is an adjustable sewer charge for sewage treatment performed by the Kent County Disposal District No. 1. It will be adjusted annually to the actual billing and flow documented by Kent County. This rate will be charged to each customer based on total water meter consumption recorded.

Section 4. §185-10(B)(1)(b) Rate Scheduled based on Metered Water Consumption is hereby amended by removing $2.71 and inserting $2.78.

B. Rate schedule based on metered sewage flows.

(1) City service rate:

(a) Zero to 1,000 gallons: $10 minimum per month.

(b) Over 1,000 gallons: ~~$2.71~~ **$2.78** per 1,000 gallons.

(2) County service rate. This fee is an adjustable sewer charge for sewer treatment performed by the Kent County Disposal District No. 1. It will be adjusted annually to the actual billing and flow documented by Kent County. This rate will be charged to each customer based on total metered sewage flow recorded up to the average of the four quarters immediately preceding the effective date of this chapter. The rate is set by Kent County.

Section 5. Dates
Introduction: February 11, 2013
Adoption (Projected): February 25, 2013
Effective (Projected): March 7, 2013

A complete copy of the Code of the City of Milford is available by request through the City Clerk's Office at Milford City Hall, 201 S. Walnut Street, Milford, DE 19963 or by accessing its website at cityofmilford.com.

By: Terri K. Hudson, MMC
City Clerk

Milford City Council Workshop Session

1-28-13

Circle of Light , Inc., a non-profit corporation working to address the needs of homeless women and children in the Milford community, is asking the Milford City Council to partner with us by establishing a Community Task Force on homelessness. Without pre-determining an agenda, we do wish to offer some ideas about what this Task Force might do:

1) Learn - about the causes of homelessness, and raise community awareness

2) Identify - local homeless populations, and those who may be at risk of becoming homeless

3) Support - those who are directly involved in serving Milford's homeless populations

4) Mobilize - the use of governmental, community, professional, non-profit and religious resources to address homeless prevention, and meeting the needs of the area's homeless.

5) Determine - those issues and program areas that need attention and action plans. Possibilities include:

- Affordable housing
- Temporary/Emergency shelter
- Transportation
- Health care
- Employment opportunities
- After School programs
- Family Support services
- Nutrition and Recreation

Revised 1/23/2013 10:00:57 AM

PO Box 35, Milford, DE 19963
302-682-0382
(Fax) 302-422-2335
circleoflightinc@yahoo.com

CIRCLE OF LIGHT, INC. BOARD MEMBERS

NAME	OFFICE	AFFILIATION
Board		
Rev. Deacon Dorothy Vuono	Program Coordinator	Ordained Deacon Episcopal Diocese of Delaware Staff Chaplain – Bayhealth Hospital
The Rev. Kevin Bowers	Assisting Program Coordinator	Pastor First Presbyterian Church
Mrs. Beth Parker	Secretary	Administrator
Mr. Dan Marabello	Treasurer	Member DMI
Mr. Daniel Bond		Owner Towers B & B
The Rev. Dr. Jeanel Starling		Pastor St. Paul's UMC
Mr. Jim Oechsler		Church of the Nazarene
Ms. Suzanne Moore		Administrator Div. of State Service Centers
Mrs. Tita Lewis		Director Milford Community Pantry
Mrs. Katrina E. Wilson		Administrator Nemours
	Honorary Members	
Mrs. Sarah Wyshock Wolfe		Director DE Families Inc.
Mrs. Cherelyn Homlish		Administrator

Milford School District
Homeless Numbers

2010/2011 SY - **77** students
2011/2012 SY - **127** students
*** 2012/2013 SY - **131** students (as of 1/16/13)

*** this number is higher than this time last year and is expected to rise

---

The Homeless Liaison for the district meets regularly with the students and families who are in need. He then coordinates closely with the Director of Student Support Services to ensure that the needs are met. Needs may include transportation to and from school, uniform assistance, other clothing, bedding, school supplies, referrals to outside agencies, etc.

We continue to communicate with families in need, school personnel, and the community as a whole to ensure quality services in a timely manner. This is done by:

1. Providing ongoing annual training for all staff.
2. Participating in community outreach (local churches, businesses, press).
3. Providing family consultation and home visits.
4. Acting as liaison for those outside agencies who provide additional services for our population.

In addition, we continue to explore avenues to provide other services for our families in need through:

a) Grant exploration
b) Community outreach
c) Connection with Dover Air Force Base
d) Local charities
e) "Operation Hug"

We also assist in protecting our homeless population with their safety in mind through:

a) Close contact with local police department and DFS.
b) Close contact with local Social Service Agency for emergency housing and other supports.
c) Ongoing contact with local shelters and motels to assess availability.

City of Milford

PUBLIC NOTICE

City of Milford

2013 Comprehensive and Annexation Plan

The Planning Commission of the City of Milford is currently in the process of updating the 2008 Comprehensive Plan.

The Comprehensive Plan sets forth in graphic and textual form policies to govern the future physical development of the City every five years. Such plan may cover the entire City as well as areas delineated as the Greater Milford Area and all of its functions and services and/or a combination of plans governing specific functions and services of specific geographic areas.

This plan shall serve as a guide to all future action concerning land use and development regulations, urban renewal programs and expenditures for capital improvements.

The enactment of the comprehensive plan is through final adoption by City Council.

Reviews will take place in the Council Chambers of Milford City Hall, 201 South Walnut Street, Milford, Delaware during the following times:

Tuesday, January 15, 2013	7:00 p.m.	Planning Commission
Monday, February 11, 2013	7:00 p.m.	City Council

All parties of interest are invited to be present and participate in the planning process. Written comments will be accepted prior to these reviews and questions should be directed to the Planning Office at 302-424-3712 extension 312.

Amended Date 011013

Office of State Planning (David Edgell) comments regarding DRAFT 2013 Comp Plan (*partial*):

1. Figure Y, New Wharf Road Development: I do not know if the State will support this change to the future land use plan. Although you have described these changes to me before, this is the first time I've had a chance to see them mapped. Honestly, I did not understand where these parcels were located nor their size in our previous conversations. I expect that our office and the State Agencies will have the following concerns:
    a. The location East of Route 1. We have always expected this area to be "Open Space," and that development would be limited in this area.
    b. The size of the parcels and the proposed land uses (Highway Commercial and Moderate Density Residential) can enable a significant amount of development.
    c. There will be noteworthy traffic and highway safety impacts of any development, and those impacts could be significant with the type of high intensity development made possible by both the size and land use / zoning of the parcels. I am aware of the interchange at this intersection that is in the planning stages, and that may mitigate these concerns somewhat. However, the construction of this interchange is some years in the future.
    d. The parcels are remote from the core of Milford. There is no connectivity to the rest of the City except by automobile.
    e. There are many other vacant, commercial and residential parcels available for development in Milford. What is the demand for two more high density development parcels? Will development of these two parcels saturate the market, and make the development of other parcels closer to the CBD and in the Master Plan area less likely?

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DRAFT 01.25.13

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DRAFT 01.25.13

CHAPTER 1 INTRODUCTION

Comprehensive planning is a continuous process. Formulation of this text and maps is not the ultimate objective; the use of the plan is what is important, and a Comprehensive Plan is only as good as the measures used to implement the plan. No single document can pose solutions to all community needs, and the Comprehensive Plan must be a flexible, continuous and a changing activity that is periodically updated based on changing conditions, the shifting of resources, and the alteration of goals.

In addition to providing a general organization of the local community interests, the Comprehensive Plan serves the following purposes and functions:

The Comprehensive Plan represents a focusing of planning thought and effort - an attempt to identify and analyze the complex forces, relationships, and dynamics of growth in order that they can be shaped and directed in accordance with recognized community goals and objectives. It is a realistic appraisal of what the community is now, a normative and futuristic blueprint of what the community wants to be, and a specific set of implementation strategies for achieving community desires.

The plan is based on the foundation that if a community knows where it wants to go, it possesses better prospects of getting there. The plan attempts to recognize the relationships between diverse development goals and objectives and establishes a meaningful basis for the resolution of conflicts. A comprehensive plan functions as a master yardstick for evaluating all significant future development proposals. The plan is intended to provide the essential background and perspective for decision-making in respect to regulations, land subdivisions, public investments, and capital improvement programs. The comprehensive plan also provides guidance to businessmen, investors and developers regarding the development of policies and the future direction and intensity of growth. For the community at large, the plan (if properly implemented) assures that land use conflicts will be resolved if not avoided, that misuses of land will not occur, that traffic congestion will be minimized or averted, that community facilities will be located in areas where people can best use them, and that the community's growth will take place in an orderly, rational manner.

With this in mind, the City of Milford has developed the 2013 Comprehensive Plan. This Plan is divided into four Books. Book One is a comprehensive document explaining the activities of the City. Book Two sets the Goals, Objectives, Implementation Strategies and Time Frames to achieve these results. Book Three presents the Urban Growth Boundary and the Future Land Use of the City and its neighborhoods. Book Four is an Appendix and has various documentation regarding the planning process.

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CHAPTER 2 PLANNING PURPOSE



The City of Milford currently serves over an estimated 8,200 residents within a rapidly growing corridor along US Route 113/DE Route 1 in Kent and Sussex Counties. The City has developed this Comprehensive Plan in recognition of the goals and objectives outlined in conformance with the Comprehensive Planning Checklist and Title 22.

The City of Milford has a history of steady, sustainable growth. It has successfully portrayed a vision for land use through its Comprehensive Plan, and has implemented projects which moved that vision to reality.

The Comprehensive Plan incorporates significant data from Census 2010 and City-specific growth forecasts based on current conditions, as well as new mapping and geographic data sets available through the City's Geographic Information System (GIS) and various federal and state agencies. Under Delaware Code, Title 22, Chapter 7, §702 (e), the City is required to review its adopted plan every five (5) years and to amend the Comprehensive Plan as necessary.

Authority to Plan



The City has vested the authority to plan with the Planning Commission, the City Planner and the City Manager, through its Charter. The Charter dictates there shall be a City Planning Commission consisting of nine (9) members appointed by the City Council. The Commission's responsibilities include the formulation of, and recommendation to, the City Manager a comprehensive plan and any amendments or updates. After receipt of the recommendations of the Planning Commission, City Planner and City Manager, the Council will hold a public hearing on the proposed plan and recommend it be approved with or without amendment. Once the plan is recommended by the Planning Commission and City Council and certified by the Office of State Planning Coordination, the Commission may also review and make recommendations regarding proposed Council action dealing with the implementation of the Comprehensive Plan.

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The Charter provides that the City Council will adopt and modify the Comprehensive Plan (a document of text, maps and other graphics) at least every five years. Under Title 29, Chapter 91 the proposed plan will also be submitted to the Office of State Planning Coordination for the Preliminary Land Use Service (PLUS) review process and certification. The adopted Plan may be certified by the State, and will serve as a guide for future Council actions concerning land use and development regulations, such as annexations, zoning and conditional use permits, as well as long-term budget issues, infrastructure expansions and capital expenses. The Plan will be amended as necessary to remain pertinent to the City's changing population and economic opportunities.

Planning Process

In the mid-1980's, the City of Milford appointed a "Milford Task Force," which oversaw the development of a local census of Milford's demographics and economic activities. The data gathered by the project was used by the Task Force and consultants from the University of Delaware to generate an Action Plan for Milford, Delaware**.** The Action Plan was adopted by the City Council in 1987 and The Comprehensive Land Use Plan of 1990 was produced in response to the Action Plan. The University revised the maps, "Recommended Future Land Use" and "Major Community Facilities," in 1995.

Public Involvement

In July 2002, the City, through the Planning Department and Planning Commission, initiated the 2003 Update to the plan to incorporate the latest census data and utilize Geographic Information Systems (GIS) to produce data sets for mapping and analysis. In January 2004 the City began, through regularly scheduled meetings with the Planning Commission, to develop necessary revisions to the 2003 Update. In September of 2007 a new process began to update the Comprehensive Plan for the City of Milford with a "Vision" meeting of the Planning Commission. This was followed with a series of meetings with invitees of the Planning Commission to inform the Commission of the proposed future activities of various public and private organizations. These groups included the utility departments of the City of Milford, the Milford Parks and Recreation Department, the Milford School District, the Carlisle Fire Company, the Milford Chamber of Commerce, Downtown Milford Inc., various local colleges and universities, the Delaware Department of Transportation, and BayHealth.

Throughout the year, (both 2007 and 2008) the Milford Chronicle and the Milford Beacon reported on the planning process through coverage of Planning Commission and Council meetings, as well as in special news items.

Community input included maintaining neighborhood consistency, support for the Mispillion Riverwalk and Downtown redevelopment efforts.

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Further efforts to include public comment include a "Residential Survey" 100 of which were distributed to the citizens of Milford, 25 from each of the four wards, through a variety of measures to solicit their input regarding various Land Use and Planning issues. Forty responses were returned and the results of this survey and a copy of this survey are found in Book Four of this plan.

The City of Milford has met with both Planning Departments of Kent and Sussex Counties in order to plan adjacent land uses, to coordinate various concerns and to explain the proposed "Urban Growth Boundary Line" to these representatives as well as representatives of the State.

In addition there have been several workshops and public meetings explaining the Comprehensive Plan and the Visions, Goals, Objectives, Implementation Strategies, and Time Frames.

Essentially, there was one vision meeting of the Planning Commission, three Planning Commission Workshops, five public hearing of the Planning Commission, two public hearings of the City Council and one workshop for residents east of Rt 1.

2004 and 2005 Amendments

The City Council passed a resolution to amend the Plan in February 2004, and representatives of the Office of State Planning met with the City on March 24, 2004 to discuss the scope of the amendments. A public workshop was held on March 30, 2004 to review a number of land use and annexation requests with the public and the Planning Commission. The proposed amendments were reviewed through the PLUS process in April 2004 and March 2005.

During 2004 the City and its citizen's were active in a series of meetings and workshops that investigated options to improve north-south traffic flow along US Route 113. The process of eliminating the suggested western by-pass has significant implications for the location and nature of new development being attracted to the Milford area.

Amendments to the Plan have been advertised as part of the regularly scheduled Planning Commission meetings, and for the Public Workshop, as well as through the PLUS schedule posted on the Office of State Planning Coordination web site. Agendas and newspaper references are included in the Appendices.



State Planning Assistance

The City received a Livable Delaware planning grant in August 2002 and again in May 2004 to assist in the development of plan updates and amendments. The Office of State Planning Coordination assisted through providing a number of guidance documents, participation in public meetings and through the coordination of a pre-submission meeting where many of the plan elements where

presented to representatives of Sussex County and Kent County and various state agencies for informal comment.

Implementation

To implement the elements of this Comprehensive Plan, the Council will adopt or amend its land use and development regulations by ordinance, including but not limited to updating its charter, maintaining its official zoning map, and adding to or revising its zoning, subdivision and other land use regulations.

The City of Milford maintains the position that "directed growth" is necessary for the health and well being of the community. Milford's centralized location, transportation system and water and wastewater infrastructure permit a wide variety of economic activities and housing options which can be protected and optimized though municipal ordinances, transportation planning, and coordination with other agencies with planning mandates for the City and its environs. Through this Plan the City presents its vision of a possible future; however, *the plan is not intended to promote accelerated growth or to coerce annexation.*

The State of Delaware outlined its goals in the December 1999 Strategies for State Policies, and March 2001 Livable Delaware initiatives, to..."help manage new growth. . . while revitalizing towns and cities and protecting the state's environment and unique quality of life." In March 2001, Governor Minner proposed and the General Assembly passed legislative initiatives which were directed at implementing the Strategies' goals. The City of Milford recognizes the strengths of the Livable Delaware goals, while maintaining the City's right to consider annexation requests, per the City's Charter, and to develop its own unique zoning ordinance.

The adopted plan "shall have the force of Law and no development shall be permitted except as consistent with the plan." The finalized plan will be submitted to the Governor and the Governor's Advisory Council on Planning Coordination for review, possible public hearing, and ultimately, recommendations regarding certification. The City of Milford has the right to reject or accept any or all recommendations regarding its plan.

The City of Milford has the right to expand its boundaries through annexation under Delaware Title 22 Municipal Corporations, Chapter 1. General Provisions §101 Annexation by city or town. As of July 2001, all annexations must be consistent with the most recently adopted comprehensive plan meeting the requirements of Title 22, Chapter 7. The municipality shall not approve any annexations until the comprehensive plan or plan amendment is adopted.

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The scope of work that produced this Plan included:

- Updating the City's planning area (referred to as "The Urban Growth Boundary Area"), to show the City boundary, 5-year planning area, and available records on City zoning.
- Holding public meetings, through Planning Commission and Council for discussion and approval of a comprehensive development and annexation plan.
- Initiating discussions between the City (Planning Commission, Council and City Departments) and representatives of the County and various State or local agencies (OSPC, DNREC, Milford School District, for example) to form the basis of a draft document.
- Developing an assessment of infrastructure and security needs for the planning area (including commonalities and/or physical interconnections with other systems), capacities, and expansion potential.
- A review of the Plan through the State Preliminary Land Use Service (PLUS) process.

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CHAPTER 3 LOCATION

The City of Milford is located on the Mispillion River, within both Kent and Sussex Counties. The historic center of the town lies on the River, bracketed between US Route 113 on the west side of town and Delaware Business Route 1 on the east. The City is approximately 95 miles from Philadelphia, Pennsylvania, 85 miles from Baltimore, Maryland and 100 miles from Washington, D.C. At a more local level, the City lies 19 miles south of Dover, the Kent County seat and State Capitol, and 17 miles north of Georgetown, the Sussex County seat.



Jurisdictions

The City's motto, "Garden City of the Twin Counties," well describes a town which is dedicated to its green space and which operates within a multitude of districts and jurisdictions. At the State level, elected officials of the General Assembly Senate Districts 16 and 18, and House Districts 33 and 36 represent Milford's citizens.

Kent County is divided into six Levy Court districts, which elect the County's governing commissioners. The Kent County portion of Milford is located within the 4th District. Sussex County is divided into six Council districts. To the west of Herring Branch/Deep Branch the City is included in Council District 2. East of the Branch, District 3 represents City residents.

The City is included within the Milford School District, which also lies on both banks of the Mispillion River. Milford is home to the District's High School, two Elementary schools (Lulu M. Ross and Benjamin Banneker), a Middle school and an administrative headquarters. A proposed Milford Academy will be constructed near the existing High School beginning in 2008, comprising eighth and ninth grades.

Because of its location within the Delaware Bay drainage, Milford's water use planning is overseen by the interstate Delaware River Basin Commission.

The City is located in the Milford Hundred (Kent County) and Cedar Creek Hundred (Sussex County) geopolitical divisions for property ownership location.

Physiography

The City's physiographic location is described as the Atlantic Coastal Plain, and the Delmarva Peninsula. The significant feature of the province is its flat to rolling ground surface that lies at less than 50 feet above sea level and falls steadily to the Delaware Bay shore to the east. Milford is at the center of the Mispillion River Watershed, which is in turn a tributary basin to the Delaware Bay drainage. The bay coastline is dominated by tidal wetlands, and is an area marked for preservation through National Wildlife Refuges, state and private reserves, enrollment in Delaware's agricultural preservation programs, and wetland regulations. A map showing the location of the City and the greater Milford area is shown as Map No 3. The 2004 study modified the Greater Milford Area based on transportation and commuting trends, provision of medical, financial and library services, the evaluation of the school and fire district boundaries and information from retailers regarding store siting criteria. Within a radius of approximately 6 ½ miles (or 10 minutes drive), people will look to Milford for employment, employees, shopping and a wide variety of services.

This Comprehensive Plan developed a much smaller area of study to include the existing corporate boundary and a reasonable area of growth potential during the next five to ten years. While the Greater Milford Area may be defined as a regional "shopping shed area", this Plan takes a greater in-depth approach to the existing "area of concern and potential development". Development proposed and constructed within the Greater Milford Area will affect the City and place additional demands on its transportation system, educational facilities (both public and private), and environmental assets over the next five years. Therefore, the City and its staff are available and agreeable to coordinate with the public, surrounding towns, both adjacent counties and any other governmental agencies.

The steadiest residential growth has been to the southeast, along DE Route 1. Perhaps the most important factor for Milford's increased popularity as a full-time residential community is its proximity - less than 25 miles - to the popular Delaware Atlantic Coast, with its beaches, discount shopping and entertainment. New transportation plans to enhance the traffic flow on US Route 113 to the south will increase the interest in Milford as an attractive place to live, work and shop while enjoying ease of access to the Delaware and Maryland beaches.

The City lies at the dividing point between two major north-south transportation corridors. DE Route 1, also known as the Coastal Highway, runs southeast from Milford parallel to the Delaware Bay shoreline to Rehoboth Beach, where the highway swings south along the Atlantic Coast. US Route 113 runs south through Milford, which is located approximately midway between Dover and Georgetown. Also radiating out from Milford are: DE Route 36 east to Slaughter Beach, and west to Greenwood; DE Route 14 west to Harrington; DE Route 15 northwest to Camden and DE Route 30 south-southeast to the Milton area and onto Millsboro. Growth trends and pressures across central and eastern Sussex County will have significant impacts at Milford's location as an economic and employment designation.

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CHAPTER 4 HISTORY OF MILFORD

While the Milford Hundred in eastern Kent County and the Cedar Creek Hundred in northeastern Sussex County were settled in colonial times as farming districts, the site of Milford was selected as a small, riverside manufacturing and shipping community organized by the Reverend Sydenham Thorne and Joseph Oliver in 1787. Oliver subdivided his farm into town lots and Thorne erected wharves and a sawmill. The town grew rapidly on the north bank of the river and spread north and east, from the mill site that was located at Mill Street on the River. This mill was followed by a number of additional mills in the same area. The industries that first prospered in Milford, either supplied goods needed by the local farming community or processed products of the farms and forests. In 1807, the town on the north bank of the Mispillion was incorporated and a Board of Commissioners was established.

With a good supply of different varieties of wood in the area, shipbuilding became an important industry in the 1820's and it expanded to its height between 1850 and 1890, when over 150 ships of 100 to 600 gross tons were built. Most of these were two masted wooden schooners. However, with the advent of the steel hull, the steamboat and the railroad, shipbuilding in Milford declined until the last yard, the Vinyard Shipyard, remained during the first half of the 20th century. During World War I, this yard built three submarine chasers and four Navy tugboats. During World War II, the shipyard launched 14 submarine chasers and 12 Navy leave boats.



Fortunately, other enterprises formed a diversified economy in Milford. In 1815, P.F. Causey and his family moved to Milford, and he and his son managed a variety of mercantile businesses and industries. The Causey's engaged in the mining of bog ore, operated two saw mills, a tannery and two flour mills. They made good use of the Mispillion River by shipping products to Philadelphia and New York. Eventually, the junior partner Peter F. Causey became sole owner of the business and in 1854 was elected Governor of Delaware.

The middle of the 19th century also saw Milford's economy participate in the industrial revolution. The City's industries included machine shops to support the surrounding agricultural businesses with the repair of steam engines, fruit evaporators and corn shellers.

In 1856 the town's population was 2000, according to one of Milford's newspapers, The Gleaner. The town had 25 stores, 2 hotels, and 12 schooners and sloops running to

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Philadelphia. Export items shipped to the major east coast ports included grains and other farm products, wood products and holly. As the economy grew, so did the need for financial services and in 1876, the First National Bank was established. At this time period, the First National Bank and most of Milford's businesses were headquartered in Kent County.

Milford continued to thrive into the 20th century. In 1887, the town re-incorporated to include the developed areas to the south, in Sussex County, and with the new charter, the City gave women the right to vote. Also in 1887, the first electric light plant built south of Wilmington was started as a private enterprise in Milford. Until the 1920's, electricity was provided only during nighttime hours. The construction of Delaware's first highways in the early 1900's assured continued transportation options for produce and manufactured goods from Milford. In 1925, the fire company raised funds to support a community building. Throughout the 1930's Milford's conservative business habits assisted in insulating the local economy from the more serious impacts of the Great Depression. In 1936, a new sewage treatment plant began operations that began the slow recovery of the polluted Mispillion River.

The City's geographic heart and its many public services are still centered on the River. The City has been actively expanding a greenway network of walkways and bridges to link the downtown area with historic landmarks, schools, public parks and shopping areas.



Historic Structures and Districts

Most prominent of the historic structures preserved in Milford is the Parson Thorne Mansion located on NW Front Street. Surrounded by a spacious lawn and ancient linden trees, the building's beginnings date back to the early 1730's.



During the subsequent 200 years, varied owners of the home added their own architectural imprints with additions in the Georgian and Victorian styles.

Three other notable historic homes include the Banking House (two brick buildings built in 1787 and 1811) and The Towers, a "Steamboat Gothic" inn, originally built in 1793, on NW Front Street and Causey Mansion, a Greek Revival-style home.

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Three separate historic districts are found in the City of Milford. The *North Milford Historic District* is located north of the Mispillion River in Kent County. South of the Mispillion River in Sussex County are the *Shipyard* and the *Victorian Historic Districts*. These Districts are shown on Map 6.



The *North Milford Historic District* encompasses the area of Milford's earliest beginnings as a small riverside community. Its significance is defined by its development as an economic center, bringing craftsmen, farmers, carpenters and coopers to the area. These craftsmen relied on the local resources and also the river for transporting goods and materials. The District contains approximately 21.5 acres, extending from an easterly boundary of N Walnut Street, a westerly boundary near Silver Lake and a northerly boundary as far as NW Third Street. NW Front Street runs through the District and contains early nineteenth century structures. Federal, Greek and Gothic Revival structures are other examples of architecture also represented in this District.

The *Shipyard Historic District* is the smallest district, containing only 4 acres. It is found along a portion of the Mispillion River in Sussex County and is bordered by a portion of the south side of Mispillion Street, and on the easterly side it extends to the intersection of Franklin Street and Cedar Alley. While small in size, this District contains Milford's only surviving shipyard and examples of worker's housing. Shipyards were established in Milford in the late eighteenth century. The river economy was of great importance to the area and to the movement of goods and materials, and eventually passenger traffic. Milford became second to Wilmington in the size and number of shipyards in the State of Delaware by 1859.





The *Victorian Historic District* represents a building period during the prosperous decades of Milford's history when the south side of the River became integrated into Milford's society. It is also considered the last stage of Milford's early development as a community, with building in this area beginning after 1870. It consists of 28 acres, starting at the southern bank of the Mispillion River and following a stretch of S Walnut Street to the railroad tracks and a part of S Washington Street. This District also

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extends along a portion of Causey Avenue. This District contains examples of the variety of decorative and ornamental elements used, as well as a breakaway from the traditional domestic floor plans.

Today, the City of Milford, with a population of approximately 8200, serves as a major employment and business center for southern Delaware. Milford prides itself on the quality and variety of its neighborhoods as well as its historical, cultural, educational and recreational resources that have grown from the banks of the Mispillion River.

Cultural Resources Plan

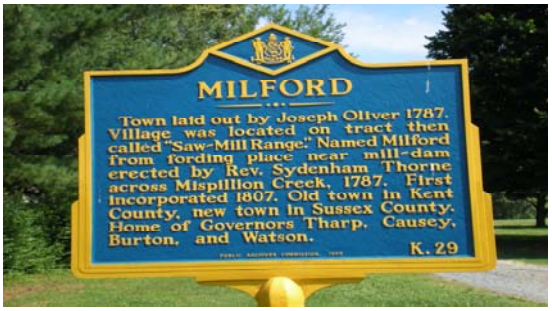
Milford has a rich history that contributes to its community character and the quality of life within the City. Preservation of the physical artifacts that relate to this history, as well as protection of the environment of the Mispillion River, the heart of so much of that history, will maintain and enhance the appearance and ambience of the City and will continuously remind its citizens of their community's past.

Milford is fortunate to have the Milford Historical Society and the Milford Commission of Landmarks and Museum, two community-based organizations dedicated to history and its preservation. In addition, Milford has three designated Historic Districts, which include residential and historic industrial properties in both Kent and Sussex County. The City will continue to support these organizations through recognition, provision of City services to support their events and functions.

Markers have been placed to indicate the Historic Districts, through partnership with private interest groups. Promotion of the City's historic and cultural resources is one key to the success of Milford's integration of the Mispillion Riverwalk master plan and economic redevelopment of the Central Business District.

At present the City has developed a Historical Preservation Ordinance, further public meetings and hearings with all parties will be held to refine and improve this regulation which will add additional regulations to improvements which will be made for all buildings in the three Historical Districts. A draft of this proposed ordinance is attached in Book Four. In addition, the City of Milford through Downtown Milford Inc. was designated as a "Main Street" municipality which would further enhance the Downtown area and the three adjoining Historical Districts. Under this Update, the municipal departments and commissions will continue to work with private groups to recognize properties which are of significance to the Nation, to the State of Delaware or to the community. If requested to assist private preservation efforts, the City will support property owners' requests for federal funding for historic preservation.

Finally, in conjunction with its Transportation Plan the City will encourage DelDOT to develop an alternate route for heavy truck traffic currently moving through the North Milford Historic District. The Historical Society and Downtown Milford, Inc. have expressed concern over the vibration due to heavy vehicle traffic moving through the Historic District on NW and NE Front Streets.



CHAPTER 5 ECONOMICS

Although initially settled as a farming community, Milford's location on the navigable Mispillion River allowed an important manufacturing center to develop. In the late 19th Century, the City was a shipbuilding center, producing nearly 300 vessels, including threemasted schooners that sailed both the Delaware Bay and Atlantic Ocean.

Today, Milford's economic base is strong through diversification. The business community is a mix of small and mid-sized local businesses, as well as important facilities of national firms such as Perdue, Inc. and Dentsply/Caulk. The business base includes manufacturing and industrial enterprises, a rapidly expanding medical facilities sector, professional, educational and government services, as well as retail businesses.

Milford's employers are balanced between both Kent and Sussex County portions of the City. Comparing information from the 2000 and 2010 Census showed the City of Milford's labor force increased from 3,152 persons to 4681. However the unemployment rate within the population ages 16 and older increased from 4.6 percent to 8.4%, reflecting the state and national rise in unemployment from 2000 to 2010.

Milford's residents find work both within the City and throughout Kent and Sussex Counties, with half of Milford's civilian labor force is employed in three business sectors, (Educational, Health and Social Services, Manufacturing, and Retail Trade) tabulated below.

TABLE 5A: Labor Force Employment

BUSINESS SECTOR	PERSONS 2000	PERCENT OF TOTAL LABOR FORCE 2010	PERSONS 2010	PERCENT OF TOTAL LABOR FORCE 2010
EDUCATIONAL, HEALTH AND SOCIAL SERVICES	649	22.5%	892	21.0%
MANUFACTURING	464	16.1%	515	12.2%
RETAIL TRADE	336	11.6%	523	12.3%

Source: 2000 and 2010 Census

These figures reflect, in part, the employment opportunities within the City offered by the Milford School District and within the growing medical facilities sector. The largest employers within the City include agribusiness and related food processing facilities, manufacturing firms and medical service providers. The City's largest employers are tabulated below. Recent inquiries have shown a continuing improvement in the employment picture for the City of Milford. However, while the number of jobs for the largest employers has decreased by nearly 100 jobs from 2007 to 2012 there appears to be more people entering the job market which reflects in an increase in the number of unemployed persons.

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TABLE 5B: Largest Employers

EMPLOYER	TYPE OF BUSINESS	NO. OF EMPOYEES 02/28/03	NO. OF EMPLOYEES 12/07/07	NO. OF EMPLOYEES 09/12/12
PERDUE, INC	POULTRY PROCESSING	1000	1350	1120
BAYHEALTH	HOSPITAL HEALTH CARE	650	810	805
DENTSPLY/CAULK, INC	DENTAL SUPPLY MANUFACTURE	469	436	500
MILFORD SCHOOL DISTRICT	EDUCATION	350	502	523
SEAWATCH INTERNATIONAL, INC	SEAFOD PROCESSING	300	300	255
DE DEPT OF HEALTH AND SOCIAL SERVICE	HEALTH CARE	232	250	220
WAL-MART	RETAIL	165	447	450
MILFORD FERTILIZER	AGRICULTURAL PRODUCTS	120	319	275
VETERANS HOME	HEALTH CARE	N/A	N/A	215
CITY OF MILFORD	GOVERNMENT	80	115	109
KENT-SUSSEX INDUSTRIES	SHELTERED WORKSHOP	130	100	103
TOTAL		3496	4629	4575

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These organizations employ over 4,500 persons, and together with many other smaller businesses, contribute to a healthy demand for employees and derivative demands for transportation options and housing within the City.

Perdue, Inc. operates a poultry processing plant within the City which provides employment opportunities for unskilled labor and is a significant employer for Milford's growing Hispanic and Black populations.

The City of Milford has developed an Industrial Park, located northwest of the intersection of US Route 113 and DE Route 14. This development is mostly occupied, with one 20+/- acre parcel remaining. The Greater Milford Business Park is located in the northwest area of the City. Phase 1 is located on the south side of Airport Road, and all the utilities have been installed. Phase 2 called **Independence Commons** is on the north side of Airport Road and is targeting sales to health and social



service providers and other interested employers. Current occupants include the Delaware Veterans Home, Delaware Hospice, Boys and Girls Club, Response Computer Group and Nephrology Associates.

Independence Commons has a variety of available lots. The Greater Milford Business Park and Independence Commons are shown on Map 7.



Table 5C represents the increase in the Area's Unemployment Rate for all three Counties for the State of Delaware which reflective of the national economic picture.

TABLE 5C: Area Unemployment Rates (not seasonally adjusted)

COUNTY	SEPT. 2007	AUGUST 2007	SEPT. 2006	JULY 2012
NEW CASTLE	3.1	3.1	4.3	7.0
KENT	2.9	3.1	3.0	7.7
SUSSEX	2.5	2.6	2.9	7.2

Income

The median household income in Milford has been reported as $32,525 and the median family income as $40,333, based on the 2000 Census. Statistics from the 2010 Census shows that the median household income has increased to $44,982 and the median family income has increased to $58,065. The mean household income for the City of Milford from the 2010 Census is reported at $51,879 and the mean family income is $62,452, and per capita income at $20,760.

Information provided by the 2000 census showed Milford with a labor force of 3,152 persons, and an unemployment rate within the population ages 16 and older (5,246 persons) of 4.6 percent. Approximately 10 percent of the population had incomes below the poverty level.

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The values reported for unemployment, median income and poverty reflect Milford's position as an urban center, with available low-cost housing, and employment opportunities for unskilled labor.

Travel To Work

Traveling to and from the work place is an expense of time and money for the worker. In Milford, the average commute time to the work place is now 21.4 minutes, an increase of 1.4 minutes from 2000 which is still lower than either the Kent County or Sussex County averages. Milford's work force is located close to employment opportunities and this is reflected in the lower commute time, as well as in the level of walking, biking and use of shared transit options, which provides a place to live, work, shop, and play.

Poverty

According to the 2010 US Census, 10.5% of families in the City of Milford were below the poverty level. This corresponds to the 10.4% poverty level reported in the 2000 US Census for the City of Milford and is less than the 2010 for poverty level for Kent County, which reported a poverty level of 12.4% and Sussex County which reported a 11.5% poverty level.

Redevelopment

The most successful redevelopment program has been through the public/private partnership with Downtown Milford, Inc., (DMI) a non-profit organization. The group has assisted in implementation of Milford's streetscape projects, as well as working with private developers on the conversion or renovation of existing buildings in the center of the city. An example of successful renovation was the conversion of the Kent Sussex Inn, a three-story hotel that had been closed for over 10 years, to office space with parking. The State of Delaware Department of Health and Social Services now occupies the building.

Downtown Milford, Inc. is organized to stimulate economic development: 1) by encouraging cooperation and building leadership in the business community, 2) by creating a positive image for the downtown area by promoting it as an exciting place to live, shop and invest, 3) through the improvement of the downtown appearance, and 4) by rebuilding and diversifying the downtown economy.

Grant funding for redevelopment projects are administered by Downtown Milford, Inc., and supplied through the State of Delaware Community Redevelopment Fund program. A revolving loan fund is also administered by DMI, using seed money from the US Department of Agriculture.

The objectives of Downtown Milford, Inc. are promoted by the City through the Central Business District zoning classification and through the Mispillion Riverwalk master plan. New joint efforts with DMI include a new provision to the Historical District Ordinance to improve and protect buildings in the three established Historical Districts and working jointly with the DMI which has culminated in its efforts to be designated as a "Main Street" city. This will further improve the Downtown Area of the City of Milford.

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Beyond the downtown area, other redevelopment challenges include under-utilized industrial space located in Sussex County on South Washington, McColley and Marshall Streets. From 2005 to 2008, the shopping center on NE Front Street is being refurbished, and other potential sites are found in Kent County along Rehoboth Boulevard. The City's policy is to coordinate with Delaware Economic Development Office to find interested parties for utilization of these and other properties that may become suitable business opportunities. In addition, a full-time Economic Development Coordinator has been hired by the City of Milford to coordinated Economic Development Plans for the City.

Housing

Existing Conditions

According to the 2010 Census, the City of Milford has 4042 housing units with a variety of structure and density options. 2701 units are listed as Single Family Detached Dwelling Units or 66.8%, 1075 units or 27% are listed as multi-family units. In 2010 3727 units or 92.2% were listed as occupied. Of the 3727 occupied units, 2247 are owner occupied units or 60.2% and 1481 are renter occupied or 39.8%. 315 units were listed has being vacant, with a vacancy Home Owner rate of 2.4% and a vacant renter rate of 4.3% The Median Value of a Single Family Detached Dwelling Unit is $194,000. and the Median Rent based on the Census is $955.

Recent Trends in Housing Construction

Since the 2010 Census, in 2011 and 2012 a total of 34 single family detached homes were constructed, 10 duplexes, and 4 villas were constructed for a total of 70 units. Hopefully, in 2013, the City of Milford with low interest rates and pent up demand from consumers will be able to construct approximately another 50 to 60 units on an annual basis.

Future Housing Needs

Based on population estimates from the Office of State Planning using the 2% Growth Scenario, approximately another 1000 people will be added to the population of the City of Milford by 2015. Using the average family size of 3.07 persons per dwelling unit, approximately 325 units would need to be constructed or 65 units per year which is similar to what is being constructed at present. The 4% growth scenario would require the doubling of the number of constructed units to increase the population projection in 2015. So far this does not seem to be happening for the City of Milford.

Land Needed for Housing

Based on the fact that 50% of the new units constructed in the 2011/2012 time frame are single family detached units and using the minimum zoning requirement of an R-1 lot of 10,000 sq ft per unit this means 163 units or 1,630,000 sq ft or 37.5 acres will be removed from existing ground cover and utilized in the construction of these housing units. This represents an average of 7.5 acres being removed on an annual basis. Adding in the multi-family this represents an additional 1.5 acres per year for a total of 9 acres per year.

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Affordable Housing

There are many reasons for the City of Milford to be concerned about affordable housing. Perhaps it is the right thing to do. All hardworking people should be able to live in safe, decent housing and still have enough money for groceries and other basic necessities. Everyone needs a stable home to succeed in life, especially children. In addition, affordable housing for all income levels is important to our local economy. Attracting and retaining a good workforce is one of the most difficult challenges any business faces if it is to remain competitive. Poor housing availability in a community makes this a very difficult task. Those who live here contribute to the local economy by shopping and patronizing businesses. Also, a lack of affordable housing can have a negative effect on the environment and our quality of life. If a local housing stock cannot accommodate the needs of community's employees, then those folks will live outside of Milford and commute to work, thereby affecting our air quality and adding to our existing traffic congestion. Finally, affordable housing can build social capital in the community.

If recent housing construction trends continue in the future, affordable housing in Milford will likely continue to be a significant issue. This is why the City of Milford has formed a partnership with Milford Housing Inc. to work on this problem as well as approving over 120 new units of "Workforce" Housing at the Cascades Development.

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CHAPTER 6 DEMOGRAPHICS

Population

According to the Census 2010, the City of Milford's population is 9,559 people who live in 4,126 household. This represents an increase of 2,827 people from the Census 2000 or a 42% increase in population and an increase in the housing stock. This equates to one of the largest increases of any City in the State of Delaware and hopefully positions the City in a favorable position to attract additional new residential and commercial developments.

This population boom was due in large measure to the positive economic housing market in the 2000 to 2005 time frame and earlier that enabled first generation 'Baby Boomers" to sell their primary home in northern states including New York and New Jersey and relocate to the favorable tax and economic climate of central Delaware.

Population Estimates

While there are no small areas population projections for the City of Milford, there are population projections for both Kent and Sussex Counties from the Delaware Population Consortium (Annual Population Projections: October 25,2012). For Kent County the expected population increase from 2010 to 2015 is approximately 5% and the expected population increase from 2015 to 2020 is again 5%. For Sussex County the expected population increase from 2010 to 2015 is 9.6% and from 2015 to 2020 the expected population increase is 8.5 %. From the following table, the population for the City of Milford in 2000 was 6732. This increased to 9559 in 2010, or 2827 persons, represented a 42% increase. Using a conservative increase of 2% per year, the population estimate for 2015 would be approximately 10500 and in 2020 would be 11650. Using a 4% increase per year, which reflects what happened in the prior decade the estimates would be 11650 for 2015 and 14200 for 2020.

TABLE 6A: Population Estimate

POPULATION	2000	2010	2015	2020
ACTUAL	6732	9559		
ESTIMATE USING 2% ANNUAL GROWTH RATE			10500	11650
ESTIMATE USING 4% ANNUAL GROWTH RATE			11650	14200

Race and Ethnicity

The City's racial and ethnic makeup is tabulated below:

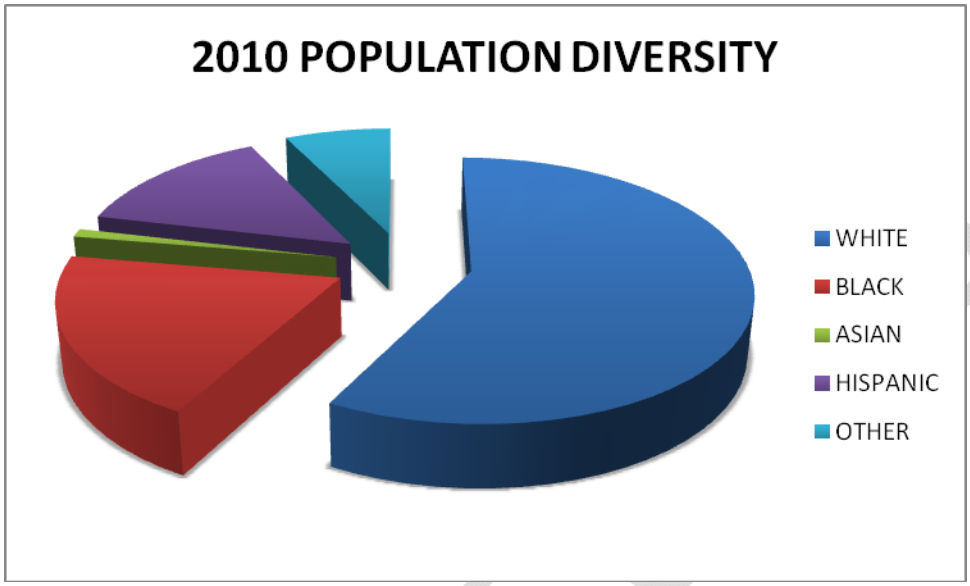
TABLE 6B: Census 2000 and 2010 Population Diversity

POPULATION							
	WHITE	BLACK	AMERICAN	ASIAN	HISPANIC	OTHER	**TOTAL**

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			INDIAN				
2000	4576	1639	56	107	594	354	7326
2010	6512	2128	50	110	1510	778	9559
% INCREASE	36%	30%			244%		42%

This table shows significant increases from 2000 to 2010, in the White, Black and particularly the Hispanic Populations.



Age

Milford's population is somewhat younger that the rest of the two counties. Median age however has increased from 2000 to 2010 from 35.1 years of age to 37.9 years of age, reflecting the aging population and possibly the increase in retirees from other states.

Educational Attainment

According to the 2010 Census 38.0% of the population has attained a High School Diploma, 8.6% have attained an Associate's Degree, 9.3% have a Bachelor's degree and 6.5% have a Graduate degree. The percentage of High School Graduates and persons with Associates degrees have increased since 2000, while the percentage of persons with Bachelor's and Graduate degrees have decreased from 2000.

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CHAPTER 7 PUBLIC SERVICES

City Government

The City of Milford Charter was consolidated, amended and revised significantly in 1993, and further revised in 1999. The citizens of the City are represented by a Mayor, elected by citywide election, and by 8 councilmen, elected from within four council districts delineated as Wards. For each of the four wards, one council position is open for election every year. Councilmen and the Mayor serve two-year terms. Under the City Charter, the ward boundaries will be reviewed every ten years, in conjunction with the release of Census data, to assure a nearly equal population within each ward. The wards were updated in 2004, and again in 2011 using the 2010 Census of Population to ensure an equal population of each ward.

A City Manager provides full-time management of the City departments and reports to the Mayor and council. A staffing review was completed in 2004, and in conjunction with the expanding demands on the City's management and public services a City Engineer and an Assistant Manager was hired.

The City also includes a Planning Commission consisting of members representing the wards and are appointed by the Council, as well as a Board of Adjustment.

Under the Charter, the City has the right to annex any contiguous territory to its City limits where the property owner has petitioned for annexation, or where a vote among the affected property owners results in a majority in favor of annexation. Currently, the City still maintains a policy of accepting only petitions for annexation from property owners which meet the requirements for annexation.

The City may enter into an annexation agreement with the affected property owner(s) prior to the election which "…may address any matters which would be relevant to the subject lands, if annexed. By way of example and not in limitation, such agreement may address zoning subdivision approval, tax relief, public utilities and public improvements."

Police Service-TO BE AMENDED

The City of Milford maintains a full-time police force of 30 officers. The Department works with the Delaware State Police, through Troop 4 located in Georgetown, Sussex County and Troop 3 located south of Camden in Kent County.

The Police Department's activities include a wide range of security activities, including investigating citizens' complaints, initiating criminal and traffic arrests, responding to accident situations, and performing crime prevention checks. While specifically organized to serve the citizens within the City limits, the Department is dispatched to calls beyond the City, and the security of persons living within the Greater Milford area does impact the operations of the Department.

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The Department supports a variety of equipment and policing methods, including bike patrols and a dive team. The Department periodically partners with other City departments to expand its community policing activities, such as advertising youth programs through the Parks and Recreation Department newsletter.

The Department is housed in the Richard D. Carmean Building, at 400 NE Front Street, approximately100 feet from the north bank of the Mispillion River in Kent County. The location of is shown on Map 2.



The current location is centralized with good access to the main street system, as well as Business Route 1, to provide rapid response times. The Police Department building is located within the 100-year floodplain and the Station is surrounded by low-lying areas, and has been impacted by severe flooding in the past. The Emergency Contingency Policy of the Milford Police Department is to relocate operations to the Ronnie Vickers Complex located at 180 Vickers Drive, Milford, DE, should the Milford Police Station be inoperable due to storm or other disaster.

The City facilities include the Public Works Center in the Greater Milford Business Park (180 Vickers Drive). The main building of the Public Works Center is located on property elevated above the 100-year flood, and is designed to accommodate emergency operations and communications. The Public Works center includes a large conference room that has been designed for conversion to emergency operations, if necessary, warehousing for materials for roadway, pipe and electrical maintenance, garage facilities, a fueling station and security enhancements.

As the City continues to grow, both in area and in population, the staffing needs and the adequacy of the current Police Station will need to be addressed. The timing of this review will depend on the actual build-out of many of the new subdivisions within the City; however, it is anticipated that this review of service will be accomplished within the five year period under this Update. The review of staffing and deployment should include consideration of the City's police

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policies and practices, the composition of the population, particularly age structures and the number and nature of calls for service.

Fire Protection

The Carlisle Fire Company provides fire and emergency response for Milford and the surrounding area. The Fire Company is located at 615 NW Front Street, in Kent County, with approximately 100 members and full-time Emergency Medical Services staffing. For 2012, the Company estimates that they will respond to 550-600 fire emergencies and 2950-3000 medical calls during an average year.

Trash Collection/Solid Waste TO BE AMENDED

The City of Milford provides trash pickup once a week, by the City Streets Department. The cost of providing trash service has been maintained through effective personnel management and use of City-owned trash receptacles. As the City's area continue to expand, service demands will increase on both equipment and personnel.

The City has a contract with the Delaware Solid Waste Authority (DSWA) to provide weekly curbside recycling; this is available to all residents. This service is provided for at no additional cost. However there is a requirement that the resident must sign up for this service. Currently over 1600 residential customers are enrolled in this program out of approximately 3100 total residential waste customers.

In the fall of each year, a waste diversion program for leaves is available to residents of the City of Milford. Residents may rake or blow leaves to the curb where city waste crews collect them with a vacuum/shredder. The shredded leaves are utilized by the Parks and Recreation Department as mulch for various projects throughout the City.

The DSWA has a transfer station within the City of Milford, on US Route 113. The transfer station cuts travel time and provide savings in operation and maintenance costs.

DSWA operates three Recycle Delaware Centers in the Milford area, located at Milford Plaza Shopping Center on US 113, off of Marshall Street on Industrial Blvd, and at Calhoun's Country Store, at the intersection of Old Shawnee Road and Route 36. The Centers accept various papers, glass, plastic and metal recyclables as well as batteries and aerosol cans.

Other Public Works TO BE AMENDED

The City employees 6 full-time staff members for the Streets and Solid Waste Department. This department provides for street maintenance, trash pickup, and snow removal on the municipal roadway network. Money received from the State for road maintenance is collected into a Street Funds Account and accumulated to provide funding for road maintenance and rehabilitation projects. The City Engineer develops a priority list for roadwork, which is updated when funding becomes sufficient to cost-effectively proceed with projects. Contractors perform most of the larger roadway projects and contracts are awarded by competitive bids.

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The Streets and Solid Waste Department also provides maintenance services on the storm water collection system. The City sweeps streets and gutters on a weekly basis, which keeps catch basin grates open and available to receive runoff and also regularly cleans debris from catch basins. Finally, City ordinance prohibits curbside dumping of grass cuttings and leaf piles which can readily flow and clog the storm sewer systems during normal rainfall events.

All of these activities lead to reduction of sediments and debris entering the Mispillion River through the storm water system.

The Department also works with the Parks and Recreation and Electric Departments to prepare temporary facilities for the City's festivals and parades, and in placing decorations for various holidays.

Public Services Plan TO BE AMENDED

The City of Milford operates on a policy of providing a complete suite of public services to its citizen's that support the principal of sustainable growth. A City Engineer was added to the staff in 2004 and an Assistant City Manager in 2007 respectively.

Building on the mapping technology used to produce this Comprehensive Plan, a number of initiatives will be completed as part of the Public Services Plan. The City will continue to maintain its zoning map and will continue to work with Kent County to share GIS data regarding zoning and tax parcels.

As annexation agreements are being negotiated, the City will refer to this Plan Update to identify items which landowners, joining the City through annexation, can provide to further the City's overall Community Development Plan (compiled in Chapter10). The Land Use and Annexation Plans (Chapter 11) should be used to assess the City's interest and ability to support annexation requests. Annexation agreements will be required to address water; sewer and transportation-related improvements needed to accommodate the EDU and traffic impacts of the proposed projects, and may include improvements in advance of any anticipated bypass, any proposed intersection improvements and Route 1/Route 30 intersection improvements.

It is recommended that population distribution maps and/or GIS data sets used to generate the maps (which will be generated for the redrawing of the Wards) be made available to the Police Department, along with the Future Land Use plans, for a manpower and deployment review. Similarly, the Carlisle Fire Company, recognizing the recent growth to the southeast, has indicated that a substation to the south or east, with easy access to DE Route 1 may be desirable in the future. A potential site is shown on Map No. 10. The City's Land Use Plan map will be made available to the Company to assist them in their planning process.

When the City completed construction of the Public Works Center, located in the Greater Milford Business Park, it consolidated many of the City's departmental facilities. As part of the project, the Water & Wastewater Department moved from the banks of the Mispillion River, fulfilling a recommendation of the Milford Hazard Vulnerability Assessment, completed under a grant from the Delaware Emergency Management Agency in 2000. The new Public Works Center was designed to accommodate emergency operations for the Police Department, in the event of severe flooding at the Police Station.

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Parks and Recreation

Milford is indeed a Garden City, thanks in no small measure to the efforts of the Parks and Recreation Department. The City of Milford supports a Parks and Recreation Department of 5 full-time employees and 8 part-time, seasonal staffers for landscape/cemetery maintenance. The Department also relies on numerous volunteers to coach and chaperon its many activities, as well as soliciting sponsors for athletic leagues to keep costs to a minimum.

The City owns approximately 120 acres of open space managed by the Parks and Recreation Department, in five park sites shown on Map No. 12, Existing Land Use. In addition to the larger parks, landscaped islands of colorful flowerbeds grace roadway medians at the entry points into the City.

Near the center of the City, Bicentennial Park includes flower gardens, walkways and a veterans' memorial. Silver Lake Park, Memorial Park, the NE Front Street Recreation Area and the Mispillion Riverwalk are adjacent to the river and take advantage of the Mispillion River as a recreational, as well as scenic resource. Most of the City's green space projects are grant funded. The Department actively supports the regional Greenways initiative through project coordination, river clean-up and educational programs.



The Department also provides for a wide variety of recreational programs to meet the needs of Milford residents, young and old. Soccer leagues, youth basketball, gymnastics and tumbling for younger children, aerobics for adults, scrap booking and trips to professional league sporting events or big-city theatrical productions are available throughout the year. The Department also works with other athletic leagues to host youth baseball, football, and softball at City of Milford playing fields.

The Milford Parks and Recreation Department annually sponsors the Mispillion Riverwalk Festival, showcasing the Mispillion Riverwalk and greenway initiatives. The Department also partners with local non-profits for events like the spring "Bug and Bud Festival."

The Parks Plan

The City's Parks and Recreation Department has been recognized throughout the state as a model for urban greenways development. The Statewide Comprehensive Outdoor Recreation Plan (SCORP) listed walking or jogging and picnicking as the most popular activities. These activities are readily accommodated by urban parks, and are a current focus along the Mispillion. The Mispillion Greenway will be completed with the development of the 9-acre Goat Island Nature Area in 2013.

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In addition, plans are being implemented to acquire and develop approximately 30,000 square feet of greens space along the Mispillion River's northeast corridor.

The Recreation Plan

As more families move into Milford, the demand for organized recreational activities will increase. The Department has identified soccer as a desirable addition to its programs, with the sport's suitability for young players and co-ed leagues for beginner levels. The City has developed a 10 acre sports complex at Independence Commons adjacent to the new Greater Milford Boys and Girls Club. The project consists of parking, six (6) age-appropriate soccer fields, one (1) multi-purpose field and two (2) age-appropriate playgrounds, a figure 8 walking track and a 9 hole disc golf course. The City will continue to look for opportunities to focus on recreation facilities for youths along the Riverwalk or on redevelopment properties.

In conjunction with the Parks Plan, the Recreation Plan also includes the River as a resource. The boat dock located at the Police Station has been upgraded as part of the DNREC Bank stabilization project. Kayak trails are being investigated in the tidal reaches of the River, from Goat Island toward the mouth of the Mispillion. Deep Creek, which flows from Sussex County to the River near Beaver Dam Road, is also being considered for greenways expansion, a newly installed floating dock will serve as a launch for future eco-tours on the Mispillion watershed. The City's Land Use Plan incorporates preservation areas along these drainages, which support recreational use of the larger waterways.

Other Recreational Plans

The Greater Milford Boys and Girls Club recently obtained a lease for approximately eight (8) acres in the north portion of Independence Commons. The new facility serves as a community center and provides indoor recreation and mentoring activities for Milford's expanding teenage population group.

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Library Services

The Milford Public Library was founded in 1882 with the organization of the Milford Library Association. The Grange Hall acted as Milford's first library with one room dedicated to the cause, and a librarian was hired who earned a salary of $30 per year. As the library grew in size, a children's library was added around 1912 making children's books and storytelling available.

The current Milford Public Library location, overlooking the Mispillion Riverwalk, opened in 1993 and in 2011 underwent a 10,000 square foot addition including two stories which houses a new Children's Library, computers with English and bilingual educational programs, a Teen Area, 24 station computer lab, the Delaware and Research Room that houses the Milford Chronicles from 1883-present digitized and indexed, and meeting rooms to accommodate small to large groups.

As of 2012 the library housed a diverse collection of DVDs and musical CDs and more than 45,000 books for children, adults, and young adults that include current fiction and nonfiction, research materials, and literature on CDs and cassettes. In addition, a variety of current and archived newspapers and periodicals are available for perusal**.** Other services include access to personal computers that provide free Internet and Microsoft™ products. Computer printing and photocopying are also available for a modest fee. Special programs will be provided throughout the year for community members of all ages.





Public Education

The availability of quality public education is an important component in attracting residents and businesses to the community. Milford has a long history of providing and valuing education as a public service.

When Milford was first laid out in 1787, William Johnson took up a lot on the northwest corner of Walnut and Park Avenue and built a home and conducted a day school. The Methodist Church also received land at the same time and conducted a school, as did the Quaker Meeting.

The most famous of Milford schools was the Milford Academy (later North Milford High School) that was in operation as early as 1803. Sometime after 1810, the Academy moved to a one story brick building on the corner of NW Second Street and North Street. It was enlarged sometime around 1818 to two stories. This was a private school until 1846, when it was purchased for a public school. Other private schools in town were the Classical Academy, as well as a number of small schools conducted in people's homes.

The Milford School District covers an area of 166 square miles in central Delaware including areas of both Kent and Sussex County. The district serves approximately 4100 students including those living in the City of Milford and the Towns of Lincoln, Ellendale, Houston, and Slaughter Beach. The school district is one of Milford's largest landowners, employers and traffic generators. District operating costs are financed by the State of Delaware General Fund, land and capitalization taxes.

Six of the Milford School District's seven schools are located within city limits: Milford Senior High School, Milford Central Academy, Milford Middle School, Lulu M. Ross Elementary School, Benjamin Banneker Elementary School, and Mispillion Elementary School. Close by, in Lincoln, is the Evelyn I. Morris Early Childhood Center.

Milford Senior High School, located at 1019 N Walnut Street, was built in 1963 and serves grades 10 through 12 for the entire Milford School District. The school contains 75 classrooms and the last remodeling project was completed in 2001. The 2012 enrollment was 1150 students. The teacher/student ratio for the 2011-2012 school years was one teacher per 14.6 students. Students served by Milford Senior High School are required to choose one of four Career Pathways in their freshman year. In addition to core curriculum classes, they must choose "pathway" courses from Arts and Sciences, Business Technology, Technology, or Visual and Performing Arts. The High School's performance ratings are: 2010 – 2011 "Superior" and 2011-2012 "Met AYP" (considered Superior status under the old rating system.)

The Milford Central Academy serves students in grades 8 and 9. It was built in 2010 and is located at 1021 North Walnut Street. The 2012 enrollment was 634 students. The teacher/student ratio is approximately 16 students per teacher. Students at Milford Central Academy have the opportunity to learn the expectations they will face at Milford High School in terms of rigor and accountability while receiving the support found in a smaller setting. Eighth grade students experience Agricultural Technology, Computer Skills, Chorus/Band and Art. This exposure allows them to narrow their focus during their 9th grade year as they choose one of the following pathways: Business; Agricultural-Technical; Visual and Performing Arts; and Arts and Sciences. Both eighth grade and freshman students at MCA utilize a Career Cruising web-based program. Through this program, students have access to career inventories and exemplary strategies for choosing a college that suits their needs and interests. Additionally, MCA students have access to exemplary, state of the art technology throughout the newly built "green" school. 2010 – 2011 "Superior" and 2011-2012 "Met AYP" (considered Superior status under the old rating system.)

Milford Middle School, located at 612 Lakeview Avenue, was built in 1928 and now serves grades 6 and 7. The Middle School building, though approximately 84 years old, was last remodeled in 2002 and contains 80 classrooms. The 2011 enrollment was 608 students. The teacher/student ratio for 2010-2011 was 16 students per teacher. The Middle School's

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performance ratings are: 2010 – 2011 “Superior” and 2011-2012 “Met AYP” (considered Superior status under the old rating system.) The MMS schedule consists of four 90-minute blocks. Students receive 90 minutes daily of language arts and math and participate in social studies and science on a quarterly rotation for 90 minute blocks. Expressive arts classes enhance the educational experience and include physical and health education, art, keyboarding, business technology. Our expressive offerings also include band and chorus as an elective. Extracurricular activities offered include math league, solar car club and drama club. Sports include football, girls and boys soccer, field hockey, girls and boys basketball, wrestling, competition and seasonal cheerleading, girls and boys track, baseball, softball and cross country. Student Council sponsors school-wide events. MMS recognizes students for excellence in academics and community involvement. We have an active National Junior Honor Society. Students meeting the criteria are invited to join NJHS in the spring of their 6th grade year.

The original Benjamin Banneker Elementary School, located at 449 North Street, was built in 1918. The old building was last remodeled in 1970 and contained 27 classrooms. The School District completed construction on the new Banneker Elementary school in 2003. The old school was demolished when the new facility opened and serves grades 1 through 5. The 2012 enrollment was 514 students. The teacher/student ratio for the 2012 school year was 16 students per teacher. The School’s performance ratings are: 2010 – 2011 “Superior” and 2011-2012 “Met AYP” (considered Superior status under the old rating system.) Banneker focuses on Differentiated Instruction as an instructional method for teaching. DI fosters the teacher's ability to plan instruction to meet a variety of learning styles and academic levels during a lesson. We also implement RTI, Response to Intervention. RTI provides intervention or enrichment to all of our students based on their individual needs in reading and math.

The Lulu M. Ross Elementary School is located at 310 Lovers Lane and was built in 1957. The school serves grades 1 through 5. The building, which originally contained 12 classrooms, doubled that number in 1959. The school continued to expand in 1992 with the addition of 6 more classrooms, and during the 2000-2001 school years 4 more classrooms were added in addition to the renovation of the existing building. The 2012 enrollment was 559 students. The teacher/student ratio for the 2011-2012 school years was 17 students per teacher. The school’s performance ratings are: 2010 – 2011 “Superior” and 2011-2012 “Met AYP” (considered Superior status under the old rating system.) Lulu M. Ross Elementary School was recently honored with the Superstars in Education award applauding our utilization of the school day. This great honor recognized our school’s ability to meet Response to Intervention (RTI) Federal mandates, maintain the integrity of the Milford School District selected curriculum, allow Instructional Support Time for all teachers during the school day to attain ongoing professional development, as well as foster the creative abilities of all of our students through a daily expressive arts class.

The Evelyn I. Morris Early Childhood Center is located at 8609 Third Street in the neighboring town of Lincoln and serves grades Pre-K and K. When it was built in 1931 it contained 4 classrooms. The building was later enlarged in 1958-59. Due to declining enrollment in 1979 the school was closed. In 1992 the school was renovated and additions were added and the school reopened in September 1993. It’s most recent remodeling was completed in 2001. The 2012 enrollment was 351 students. The teacher/student ratio for 2011-2012 school years was 17 students per teacher. The school’s performance ratings are: 2010 – 2011 “Superior” and 2011-2012 “Met AYP” (considered Superior status under the old rating system).

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Mispillion Elementary School is located at 311 Lover's Lane in Milford, DE and serves students in grades 1 through 5. The school was built in 2011 and contains 36 classrooms. The 74,000 sq. ft. elementary school includes a geothermal HVAC system and 100 KW solar panels to help control energy costs. The 2012 enrollment for Mispillion Elementary was 551 students. The teacher/student ratio for the 2011-2012 school year was 17 students per teacher. The school's performance rating for the 2011-2012 school year was "Met AYP" (considered Superior status under the old rating system).

Some of the Milford School District's facilities are available for use on a rental basis to public groups in the community. Rentals may be contingent upon the date, time and type of use desired. Athletic facilities that can be rented include running tracks, open spaces for field play and indoor basketball courts. These facilities are located at the High School, Central Academy, Middle School, Ross and Banneker Schools. Though these facilities are available, the usage may be limited as deemed necessary by the District for security reasons and to control expenses incurred by usage.

The Milford High School (Kent County) and Milford Middle School (Sussex County) serve as Red Cross Emergency Shelters. Banneker Elementary School serves as the Kent County Emergency Medical Needs Shelter and is one of two for the county.

The City zoning ordinance currently recognizes schools as a suitable conditional use within two of its three residential districts. It is recommended that the ordinance be amended to include school facilities as suitable conditional uses within all residential districts. The placement of schools within neighborhoods, where school children live, can assist in traffic management and the opportunities to use walking as a transportation mode.

The City of Milford will continue to participate with the School District in planning to accommodate potential enrollment growth in all seven schools. School facilities should continue to be available to the adult and school age population for social, educational, and recreational opportunities during after-school hours.

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CHAPTER 9 CITY INFRASTRUCTURE

Water System

The City of Milford operates a water system to serve the entire city, and a number of residential and commercial properties beyond the City limits. The system is interconnected across the Mispillion River at a number of points and performs as a unified system which is among the ten largest systems of Kent and Sussex Counties.

The City manages water use through a Water Ordinance defining the City's services and fees. Connection to the system is required for any developed property abutting the system. Public drinking water supplies independent of the City are not permitted. Wells however are permitted for local irrigation. A number of industrial facilities within the City have wells to supply their process water. The City's rate structure is regularly reviewed and water rates are currently in line with operations and maintenance needs for the system.

Milford utilizes 11 DNREC-permitted public water supply wells, operates 4 water treatment plants, and owns two 250,000-gallon water towers and one 500,000-gallon tower. Water usage varies seasonally, and on average ranged from 2.1 million to 2.6 million gallons per day during 2012. As the City steadily grows, the water demand has increased.

The Sussex County Comprehensive Plan does not acknowledge Milford's public water system within its Water/Wastewater chapter, although Milford includes over 1000 connections in Sussex County. Sussex County's "Public Water Systems" map accurately shows the existing Milford system area, and includes an area listed as "Potential Future Public Water System" that implies extension of the system to areas to the east and west of the City.

Water Supply

The City presently has 11 wells with pumping capacities ranging from 80 to 530 gpm. If all wells were activated, a maximum discharge of 1704 gpm could be utilized. Table 8A lists the city's production wells and general information about current capacities.



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TABLE 9A: City of Milford Public Water Supply Wells

WELL ID	DNREC PERMIT	CURRENT CAPACITY (GMP)	AQUIFER TYPE	SCREEN INTERVAL	PUMP CAPACITY (GPD)
WELL NO 1	10250	87	CONFINED	220-236	125,280
WELL NO 2	10187	85	CONFINED	220-236	188,640
WELL NO 3	102338	0	CONFINED	312-342	0
WATER PLANT TOTAL		72			247,600
WELL NO 4R	215129	205	CONFINED	380-440	295,200
WELL NO 5R	208591	412	CONFINED	293-328	593,280
KENTON PLANT TOTAL		617			888,480
WELL NO 9	10192	0	UN-CONFINED	0	0
WELL NO 10	69356	70	CONFINED	444-466	100,800
WELL NO 11	69357	62	CONFINED	317-335	89,280
WELL NO 12	69355	238	CONFINED	215-254	342,920
SEABURY PLANT TOTAL		370			532,800
WELL NO 13	69344	480	CONFINED	401-441	691,200
WELL NO 14	69343	477	CONFINED	284-309	686,200
10TH STREET PLANT TOTAL		957			1,378,080
CITY TOTAL		2116			3,047,040

The City regularly compares water sales with metered water production to monitor leaks and malfunction. The Department is also a member of the Delaware Rural Water Association, and utilizes their equipment for specific leak detection programs. It is the City's intent to meter all water users.

The average daily water usage for 2012 was 3.0 million gpd. Assuming the largest production well could not be utilized, the City has the capability to produce 3,219,840 gpd or 128% of the average daily demand. With all wells in service the production capability rises to 3,987,360 gpd or 159% of the average.

The "Ten State Standards", a widely-used water system standard developed by a coalition of states in the Great Lakes Region, requires that the total developed ground water source capacity exceed the average day demand with the largest producing well out of service. The City exceeds this capability by 709,798 gallons. This correlates to an availability of 2535 EDU's based upon estimated peak usage at 280 gpd/EDU.

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Water Treatment

Treatment facilities include iron removal and aeration at the Seabury Avenue and 10th Street Treatment Plants. Other wells are of sufficient water quality and only require chlorination for disinfection.

Finished Water Storage

The City has three elevated water tanks. The locations and sizes of the tanks are as follows:

Location	*Size*
Pearl Alley & Washington Streets	250,000 gallon
School Lane (Behind Dentsply/Caulk)	250,000 gallon
Tenth Street	500,000 gallon

The total storage capacity of the elevated tanks is approximately 1,000,000 gallons. In addition the City has approximately 100,000 gallons of ground level storage in clear wells at the treatment facilities.

The "Ten State Standards" requires storage facilities to have sufficient capacity to meet domestic demands and fire flow demands. The City currently has 1,000,000 gallons of storage versus an average daily demand of 2,510,042 gallons. Hence, the City has storage capacity for approximately 9.5 hours of usage. This storage capacity is adequate to meet peak demand fluctuations. Storage for emergency use is less critical in Milford because the production and treatment facilities are equipped with standby power to operate during electrical outages.



Water System Proposed Improvements

There are two major industrial users within the City, the Perdue Plant and Sea Watch International, both operating in the food processing business. Perdue operates its own industrial wells to supply process water to the plant. In addition, Bayhealth's Milford Hospital and the associated medical services are a major component of commercial water use.

The City's water distribution system has been maintained continuously and has no major problems within the current service area; however, expansion to the southeast is beginning to extend the system to the point where new production, treatment and storage facilities should be investigated.

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Sanitary Sewer System

The City owns and maintains a wastewater collection system that is interconnected across the River, to serve both Kent and Sussex County residents. No Sussex County regional facility is available to Milford. The Sussex County Comprehensive Plan shows a "wastewater study area" for an area similar in area (although the outlines do not match exactly) to the Milford Annexation Plan area; however, there are no plans for Sussex County to develop wastewater collection of treatment service within this Update timeframe (2012-2017).

Milford contracts with Kent County for wastewater treatment of all flows collected by the City system. The Kent County Regional Wastewater System, which was created in the early 1970's, has its central treatment plant located 5 miles north of Milford. The treatment plant had a NPDES discharge permit of 15.0 million gallons per day in 2001. The Kent County wastewater treatment plant is located within the Murderkill River watershed. According to the Long-Range Wastewater Master Plan, November 2001, the Frederica plant can be both upgraded and expanded to accommodate future flows.

Kent County owns and operates a major pump station in Milford, PS No. 7. The Station discharges to a 24 inch force main which runs north along Rehoboth Boulevard to DE Route 1 and hence to the Frederica plant. Other pump stations within the Milford collection system are owned and operated by the City of Milford.

The City's wastewater collection system has been upgraded since 1990 to separate the storm water collection from wastewater. In 1993, a comprehensive Infiltration and Inflow study of the system was conducted, and problem areas were identified and corrected. As the wastewater system continues to age, additional project areas will be identified for upgrade or replacement to preserve capacity through reduction of inflow.

In 1995, odor problems associated with an industrial user at the Fischer Avenue Pump Station were corrected. In general, the sanitary sewer system is operating well and no major capital improvements are needed for the current level of service. Sewer mains continue to have capacity to accept additional flows from within the City center; however future areas of annexation will require new pump stations and new routing arrangements.

The Sussex County Comprehensive Plan shows a halo of "Study Area" around the City. This area is the same as what is shown on Figure 4, Public Water Systems, for future service, and it is assumed that Sussex County's growth projections show Milford's growth in these areas.

Kent County's Comprehensive Plan places the current City of Milford and most of its Annexation Plan area within the Growth Overlay Zone, which is the County's proposed wastewater service district. Milford's plan differs from Kent County's plan by designating the wedge of land surrounding Woodshaven (Growth Area 4-North, Map No 14A) as "Area of Concern." Although this "Area of Concern" is not included in the Annexation Plan, it should be noted that Milford already has water service facilities in this area.

The City has agreed to follow the County's policy of discouraging large subdivisions utilizing individual wells and on-site wastewater disposal in this area bound by Swan Creek and the

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Mispillion River. Any significant residential development that might be proposed to Kent County should be encouraged to utilize water and wastewater services available through the City.

Wastewater System Operations

The City of Milford owns and operates its own wastewater collection and pump station facilities, which are tied at PS 7 to the Kent County Wastewater Treatment facility east of Frederica.

The City of Milford maintains a Sewer Ordinance assuring that all properties within the City or annexed to the City which generate wastewater are connected to the municipal sanitary sewer system. No privately owned systems are permitted within the City, unless grandfathered per the ordinance. No existing individual system may be replaced after failure; rather, the property owner is required to tie into the City's collection system. Wastewater collection service to users beyond the City limits is permitted. Under the Ordinance, fees are reviewed periodically to assure adequate receivables for operations and maintenance, debt service, and to prepare for replacement of equipment. The current ordinance and the review procedures contained within the ordinance are appropriate and adequate to support the City's wastewater facility and its anticipated growth.

Recent adoption of new Total Maximum Daily Load (TMDL) environmental regulations for wastewater discharges into the Murderkill watershed in central Kent County, will affect Kent County's wastewater discharge (NPDES) permit. The County is currently reviewing a variety of options to comply with the new regulations, with one objective being to limit the anticipated rate increases associated with compliance. The City of Milford supports the County's efforts to identify a sustainable, least-cost alternative.

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CHAPTER 10 ENVIRONMENTAL ISSUES TO BE AMENDED

Water Quality of the Mispillion River

The City of Milford is located on the Atlantic Coastal Plain, within the drainage to the Delaware Bay. The City is less than 10 miles from the Bay, which generates a mild climate year-round. Average monthly temperatures range from 76o to 32o F. The average annual rainfall is 45 inches. Rainfall runoff flows to ditches, small streams and rivers dependent on the ground surface topography. A geographic area that directs surface waters to a common drainage network is called a watershed, and the Delaware Bay Basin has been divided into 16 watersheds. The Mispillion River Watershed includes Milford and much of the Greater Milford area. To the north of Milford, surface water flows to the Murderkill River Watershed.

Milford is located within the Mispillion River watershed, which is an impaired watershed according to Section 303(d) of the Clean Water Act. Under Section 303(d) of the 1972 Federal Clean Water Act (CWA), states are required to identify all impaired waters and establish total maximum daily loads to restore their beneficial uses (e.g. swimming, fishing, and drinking water). A TMDL defines the amount of a given pollutant that may be discharged to a water body from point, nonpoint, and natural background sources and still allows attainment of maintenance of the applicable narrative and numerical water quality standards. A TMDL is the sum of the individual Waste Load Applications (WLAs) for point sources and Load Allocations (Las) for nonpoint sources and natural background sources of pollution. A TMDL may include a reasonable margin of safety (MOS) to account for uncertainties regarding the relationship between mass loading and resulting water quality. In simplistic terms, A TMDL matches the strength, location and timing of pollution sources within a watershed with the inherent ability of the receiving water to assimilate the pollutant without adverse impact. A Pollution Control Strategy (PCS) specifies actions necessary to systematically achieve pollutant load reductions specified by a Total Maximum Daily Load for a given water body, and must reduce pollutants to levels specified by State Water Quality Standards.

The City of Milford is located within the Mispillion Watershed of the greater Delaware River and Bay drainage. This watershed is assigned a range of nutrient (nitrogen and phosphorus) and bacterial TMDL load reduction requirements that, as mentioned previously, must be met in order to meet the State Water Quality Standards (See table 1).

Delaware River and Bay Drainage	**N- reduction requirements**	**P- reduction requirements**	**Bacteria- reduction requirements**
Mispillion	57%, 88% in Kings Causeway Branch	57%, 88% in Kings Causeway Branch	87%

Table 1: TMDL Nutrient (Nitrogen and Phosphorus) and Bacteria reduction requirements for the Mispillion watershed.

The Mispillion River, from the mill ponds of Haven Lake and Silver Lake, to the tidal reach from Silver Lake spillway to the Delaware Bay, was first listed in 1996 for elevated levels of bacteria, nutrients as well as low dissolved oxygen. The probable sources of the contamination are primarily non-point sources.

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DNREC has completed and published a TMDL Study for the Mispillion River watershed and it is available on their webpage. The City will participate in any "Mispillion Tributary Action Team" to assure that the City's interest in improving the River's environment will benefit both its citizens and its businesses.

Groundwater Resources

The City's groundwater resource options are many and varied. Water sources are: unconfined aquifer, Milford aquifer, Frederica aquifer, Federalsburg aquifer and Cheswold aquifer. Water is produced from 11 wells screened in 4 aquifers. Production from the unconfined aquifer is limited to one well, because the shallow water requires filtration for iron removal. Approximately 89% of the City's water production is from the deeper, confined aquifers: the Milford, Frederica and Federalsburg. The Cheswold is not used at this time. Confinement in aquifers naturally protects the City's supply from surface contamination and reduces the City's exposure to reduced productivity during drought conditions.

Groundwater is recharged through infiltration of rainfall and surface waters through the soil systems on the earth's surface. The ability of soils to recharge groundwater resources has been approximated and mapped by the Delaware Geological Survey. Areas of excellent recharge are shown on Map No. 13. In general, large areas of excellent recharge have been mapped to the west of US Route 13, in both Kent and Sussex County. In 2007, new DNREC regulations required the City to protect excellent recharge areas, through limitations on the percent of impervious area permitted by new development. These regulations have been promulgated and have been approved by City Council.

The City's wellhead protection areas have been delineated by DNREC and are shown on Map 13 in combination with the Excellent Groundwater Recharge zones as "Water Resource Protection Zone."

Waterways and Drainage

Milford is divided by the Mispillion River, which has been dammed into a series of lakes to the west of Mill Street. East of Mill Street the river is channelized to Washington Street, where a tidal gate structure restricts normal tidal flows. East of Washington Street the River is unrestricted to the influence of tides and storm surges from the Delaware Bay.

In November 2000, the City of Milford completed a Hazard Vulnerability Study, under a grant from the Delaware Emergency Management Agency. The study's scope was directed at the City's critical facilities and included a survey of fire, hazardous materials, winter storms, and wind and flood risk. Flood hazards were identified as the hazard most likely to affect the citizens and businesses of Milford on a frequent basis.

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The Federal Emergency Management Agency (FEMA) administers the National Flood Insurance Program, which evaluates the height of floodwaters, and their probability of occurring. A flood which has 1-in-100-chance of occurring (1 percent chance) in any year is popularly referred to as the "100-year flood". FEMA publishes a Flood Insurance Rate Map (FIRM) illustrating the Special Flood Hazard Area (Zone A or the 100-year floodplain) as 400 to 800 feet wide on the Kent County side of the Mispillion, and 200 to 1000 feet wide on the Sussex County side. The 100-year flood elevations range from 9 feet on the tidal reaches of the River to 16 feet on Haven Lake, with 0 feet being mean sea level.

The City includes a floodway along the River through the historic downtown, from Washington Street up river to the Silver Lake spillway at Maple Street. A floodway is the channel of a stream plus any adjacent land areas that must be kept free of encroachment so that the 1% annual change flood can be carried without substantial increases in flood heights. If a floodway is restricted by new structures, flood elevations may be increased, upstream of the restriction. The floodway in downtown Milford has been heavily developed throughout most of the 20th century; however, revitalization efforts should avoid encouraging additional impediments to flow within the floodplain fringe and floodway itself. Floodplains and drainage ways are shown on Map 3, Natural Areas.

Flood History

Milford is a Delaware Bay community, located less than 10 miles from the coast. Ground elevations range from just above mean sea level in the east along the River, to approximately 45 feet at the north and west boundary of the City. Significant flooding was caused by a hurricane in September, 1935, as 10 inches of rain fell on the City in one day. The original dam and spillway at Maple Street, impounding Silver Lake failed, and the river flooded the original office buildings and manufacturing plants of the L.D. Caulk Company. Today, most of Milford's manufacturing and critical public facilities are beyond the 100-year floodplain of the River.

Milford has been fortunate in the past 60 years to have been missed by tracking hurricanes moving along the eastern Atlantic Coast. Although hurricanes have affected Milford, flooding is more frequently caused by northeaster storm systems and high intensity thunderstorms. Storm surges increase the height and duration of flooding along the tidal reaches of the Mispillion and its tidal tributaries (Swan Creek in Kent County and Deep Branch in Sussex County). Storm surge effects drove several historic flood events in Milford. The Delaware Coast and Delaware Bay area has the highest expected surge elevations in the nation -- 5 feet or higher with a 10-year recurrence interval (FEMA, 1997).

In February 1998, a northeaster storm bottled high tides in the Mispillion flood plain and the downtown bridges on Walnut and Washington Streets were impassable. The flooding did not extend to the 100-year delineation; however the flooding revealed the vulnerability of some public buildings and a parking lot for the State of Delaware fleet vehicles. Although located on high ground above the flood elevation, flooding affected the roadways leading to the Milford Police Station. A fertilizer warehouse located on the riverbank was also flooded and significant product was destroyed.

Intense rain events can cause localized street flooding in many areas around the City. In August, 2000, a severe thunderstorm caused localized road flooding near the Milford High

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School (one of Milford's emergency shelters) as well as at the level crossing of the Norfolk Southern railroad at South Walnut Street. During the event, rail traffic was stopped, over the concerns derailment and adjacent bank instability of flood-induced derailment and adjacent bank instability.

Mispillion River

Historically, the Mispillion River and its tributaries powered the commercial and industrial enterprises, which generated the wealth of Milford. Numerous mills, including sawmills used to supply the wood for Milford's shipyards were located on dams which have shaped the "waterscape" of Milford today. Both working and pleasure boats use the Mispillion in Milford as a homeport. The river is tidal up to the Washington Street Bridge. The normal tide range is 2 feet from high to low tide, but wind conditions influence the river with "blow out" tides which expose the river bottom and northeasters which produce flooding of the rivers banks. Historically, the river had a wider flood plain and wetlands system, but the banks have been filled in and channelized for control of malaria and to support industrial and commercial enterprises.

From the eastern city limits along DE Route 1, the River is sparsely developed and widely flanked by tidal wetlands. At the moveable bridge on Rehoboth Boulevard, the riverbank and flood plain is move heavily developed and a bank stabilization project has been in progress through the Kent and Sussex Conservation Districts/DNREC Soil and Water Conservation since 1998. The project generally consists of riprap placement along the riverbank from the movable bridge at Rehoboth Boulevard to the dam at Washington Street.

The Washington Street dam is a concrete and steel arc with two sluice gates located at the Washington Street Bridge. It is the eastern-most dam within the City. When closed, the dam limits normal tidal flows further up river and provides very limited storage. The structure is submerged at high tide. The bridge at Washington Street was constructed in 1933 and the dam appears to have been constructed at about the same time.

About a ½ mile upstream, a second dam impounds Silver Lake near the intersection of Maple and Lakeview Avenue. The dam is part of the railroad embankment and was built in 1964. The Silver Lake spillway normally impounds 60 acre-feet and consists of a 6-foot high, 90- foot long arc weir made of steel and concrete. The maximum discharge through the spillway is 5,040 cubic feet per second (37,700 gps). A small culvert to the north of the weir provides additional discharge under the railroad and Maple Street along the original river diversion for the nineteenth century Milford Mill, located on Mill Street. Flow from the culvert under the railroad and Maple Street returns to the Mispillion along the remnants of the mill's tailrace.

Kent County Drainages

Swan Creek is on the northeastern quadrant of the Milford area. It flows east for 1-½ miles to the Mispillion River from the outlet of Tub Mill pond. There is limited residential development along the north side of the flood plain, and the community of Woods Haven lies to the south on a sandy ridge above the flood plain. The 100-year flood elevation is evaluated to be 9 feet. Sections of New Wharf Road which run at elevations less than 15 feet (at the northwest

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intersection with US Route 113 and at the eastern-most road way crossing the creek) are prone to flooding due to spring tides and combined tidal and runoff events.

Tub Mill Branch in the immediate vicinity of Tub Mill Pond is the most northern of Milford's flood plains. Land use within the drainage of Tub Mill Branch is evolving from agricultural to residential and this change will extend the periods of high discharge from storm water runoff. The 100-year flood elevation is mapped as 9 feet. A low-lying section of Tub Mill Pond Road (north of the pond and just west of US Route 113) is within the flood plain.

Mullet Run drains the northwestern section of the City, flowing from the center of Phase I of Greater Milford Business Complex, southeast into the North Historic District and discharging into the Mispillion through a narrow ditch along the back property lines of properties on Church Street. Development pressures along Airport Road and within the 91 acre Business Complex will extend periods of high discharge from storm water runoff. Elevation of the 100-year flood range is listed as 24 feet west of US Route 113, and ranges from 18 feet just east of the US Route 113 culvert to 10 feet at the Mispillion. A narrow floodway is delineated through the channel from the highway to the Mispillion.

Sussex County Drainages

Deep Branch flows from south to north through Milford's recently annexed residential areas in the southeast quadrant of the City. Its flood plain is mapped from slightly west of the intersection of Marshall and McCoy Streets to the stream's junction with the Mispillion. The flood plain also extends approximately 1/3 mile to the east on an unnamed tributary to Deep Branch. The tributary drains an area which includes over 1,000 recently subdivided residential lots which are currently for sale and being improved for development and other residential projects within the drainage are in the permitting stages.

Flow on Deep Branch is impounded at Marshall Mill Pond, on the southeast side of Rehoboth Avenue at SW 2nd Street. Flood elevation at the pond is 14 feet, while the elevation after the outfall structure is 9 feet. The Branch is tidally influenced below this structure. Cedar Beach Road crosses Deep Branch by a narrow bridge with an elevation of approximately 7 feet. The bridge may be prone to flooding during spring tides or combined high tide and storm runoff events. The continued change in land use from agricultural to residential within the drainage will extend the periods of high discharge from storm water runoff.

Presbyterian Branch flows north from the west side of US Route 113 and Lakeview Avenue through a developed residential neighborhood to discharge into Silver Lake. The narrow flood zone includes a floodway along the channel. The flood elevation ranges from 21 feet to 11 feet at Silver Lake. Bowman Branch roughly parallels Presbyterian Branch ½ mile to the west, and flows north to Haven Lake through neighborhoods which are not currently within the City limits. Further west, Johnson Branch flows northeast through a wooded valley from Abbott's Mill Pond and nature preserve to Haven Lake.

Land Use Changes

How easily surface water can flow through an area, and the volume of water which constitutes that flow are the chief physical elements which define the probability and violence of flooding.

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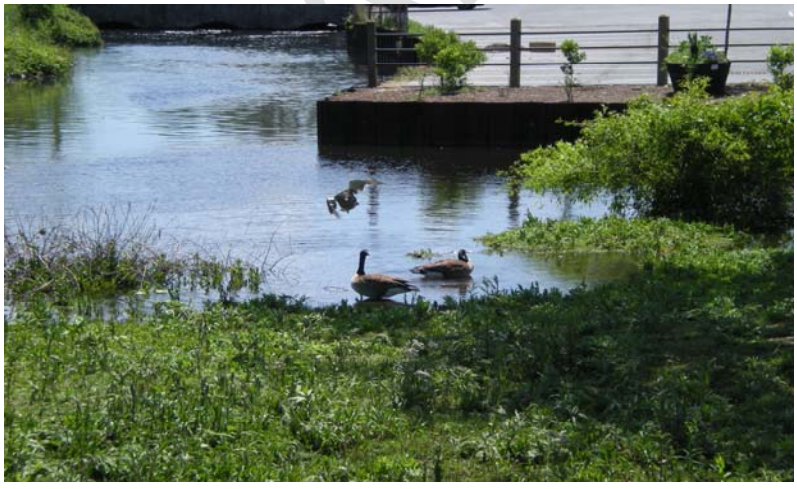
What land use is impacted by a flood event determines the cost of flood damages. Milford grew up on the banks of the Mispillion, but as the cost of flood damage increased – as the City's factories, mills and warehouses obstructed the floodplain and elevated the floodwaters – businesses moved off the river. Today, the lowest locations along the River have been utilized for parking areas, or the City's Greenway - a corridor of open space extending wherever possible along both sides of the River.

The flood problems of tomorrow are developing today along the tributaries to the Mispillion, as agricultural and forested areas are being converted to residential use. Land that previously absorbed rainfall and snowmelt becomes impervious. Current regulations address this issue by requiring water from impervious areas be stored in management ponds, and released at pre-development rates. However, the fact remains that more water is on the surface or directed to the City's storm water pipe system to be moved by the Mispillion and its tributaries. As more rainfall is diverted from infiltrating to flowing over land, flood elevations and the Special Flood Hazard Areas will increase.

Wetlands

Wetlands are prevalent within the City on some shores and islands of the River, along the margins of tributaries and along the banks of the mill ponds impounded on the upper reaches of the River. Much of the River has been diverted, channelized or impounded as part of the historic development of Milford. The Mispillion Riverwalk has sections of boardwalk, which elevate the system above the banks, and new wetlands landscaping has been introduced. The Parks Plan includes an extension of the Riverwalk system to the east, to a wooded wetland area called Goat Island. The area is also targeted for a perimeter boardwalk system, with educational guideposts highlighting the wetland environment.

The Code of the City of Milford, Part II, Chapter 200, § 200-5 requires that wetlands delineation including jurisdictional determination is required as part of the subdivision approval process. In addition, for cluster-type development wetlands are excluded from gross area calculations.





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Source-Water Protection Areas

Source-water protection areas are wellhead-protection areas and excellent-recharge areas.

Wellhead-Protection Areas

A wellhead-protection area is the surface and subsurface area surrounding a water well that supplies a public water system through which contaminants are likely to reach the well.

All such areas are as depicted on Source Water Protection Area maps located in City Hall as adopted as part of the update and implementation of the 2008 Comprehensive Land Use Plan. These maps are also available in GIS overlays from Delaware Department of Natural Resources and Environmental Control, Division of Water Resources, Source Water Assessment, and Protection Program.

As there are eleven wellhead-protection areas in Milford that provide the town's drinking water supply. In addition, there are two large wellhead-protection areas serving properties outside of Milford whose boundaries stretch on to properties within Milford's corporate limits.

Excellent-Recharge Areas

A recharge area is land on top of an aquifer. Precipitation falling on the land surface provides all the water that recharges aquifers. Recharge areas are classified as excellent, good, fair, and poor according to how rapidly rain water filters through the ground to the underlying aquifer. Aquifers are layers of gravel and sand within which water is stored and moves underground. Maintaining good water quality in local aquifers is especially important, because Milford obtains drinking water from wells drilled into aquifers. Care must be taken when developing recharge areas to ensure that precipitation does not pick up and carry contaminants downward to aquifers and that sufficient open area is preserved so that precipitation can recharge the aquifers beneath it. There are three excellent-recharge areas within the City's limits. Excellent-recharge areas consist of predominantly sandy soils that allow precipitation to most rapidly infiltrate to the underlying aquifer. Good-, fair-, and-poor recharge areas have respectively slower infiltration rates.

Source-Water Protection

The Safe Drinking Water Act Amendments of 1996 mandated that each state develop a Source Water Assessment and Protection (SWAP) Program to protect public drinking water sources. There are three basic components of all SWAP Programs.

- Delineation of the boundaries of the land areas most important to public water sources
- Identification of potential sources of contamination within those boundaries
- Assessment of susceptibility of the public water source to these contaminants

Title 7, Section 6082 of the *Delaware Code* requires each local jurisdiction with a population greater than 2,000, as determined by the most-recent census, to implement measures to protect sources of public drinking water within its boundaries. Local governments with fewer than 2,000 residents are not required to implement source-water protection measures, but are

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strongly encouraged to do so. A variety of tools are available to assist jurisdictions in their efforts to better protect sources of public drinking water, including ordinances, best management practices, and public education. These measures are provided in the *Source-Water Protection Guidance Manual for the Local Governments in Delaware* developed for DNREC by the Institute for Public Administration's Water Resources Agency at the University of Delaware.

Environmental Plan

The City's Environmental Plan is developed to support other elements of the Community Development Plan. The Environmental Plan's place within the City's suite of policies is to assure that economic development can occur while recreational and natural assets are sustainably utilized.

Milford is committed, through its Parks and Economic Development Plan to preserve the Mispillion River as a cultural and economic asset. The regulatory process has continued and an actual TMDL development study has been completed; In addition a "Mispillion Tributary Action Team" will be established to include stakeholders (municipalities, farmers, concerned citizens and industries). The City of Milford will participate on the team to assure that the City's interest in improving the River's environment is met to the benefit of Milford's citizens and businesses.

A number of specific initiatives will be pursued by Milford which will support the objectives of the Clean Water Act and the TMDL program. To protect the Mispillion River corridor, the City will develop preservation corridor setback requirements for new development. The City will also develop a riparian buffer standard which would be offered as an alternative to setback or other screening requirements currently in the zoning and subdivision codes. These elements would be presented under a new Environmental Preservation ordinance.

To enhance the River's water quality, the City will promote the elimination of individual septic systems where feasible. The City's Annexation and Land Use Plans include existing subdivisions where property owners may wish to tie-in to available public water and sewer.

The City will continue to provide regular maintenance, and participate in sanitary surveys to provide protection at the wellheads.

Regulatory Protection of wetlands is mandated under Section 404 provisions of the Federal Clean Water Act. Certain other wetlands (mainly in tidal areas) are accorded additional regulatory protection under provisions of Title 7, Delaware Code, Chapter 66. Compliance with these statutes may require an Army Corps of Engineers approved field wetlands delineation and/or an official DNREC wetland jurisdictional determination.

To assure adequate water supplies, the City developed a land use ordinance, for areas designated "Water Resource Protection Zone" per new DNREC regulations (in conformance with the Source Water Protection Law, Title 7, Delaware Code, Chapter 60, Subchapter VI.) These regulations required the City to protect excellent recharge areas and recharge areas for wells in the unconfined aquifer. By placing limitations on the percent of impervious area permitted by new development the City hopes to protect these designated areas.

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To protect both property owners and the Mispillion environment, the existing Floodplain Management ordinance will be updated per DNREC recommendations. The elevation of the first finished floor within a 100-year floodplain will be made consistent at 1 foot above base flood elevation. Additional impedance within a floodway will be prohibited.

The City's Land Use Plan, Economic Development and Transportation Plans emphasize placing workplaces and shopping close to residential neighborhoods. The City's residential zoning districts will be updated to include the most recent planning options. Milford will continue to promote the advantages of shorter commuting times and distances, and fewer vehicle trips as an important element of the Community Development Plan. An environmental consequence of these policies is better air quality through lower automobile emissions.



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CHAPTER 11 COMMUNITY DEVELOPMENT PLAN TO BE AMENDED

The Community Development Plan is the combination of plan elements developed in detail in the previous chapters. It unifies the elements by placing them in the context of the City's goals. The Community Development Plan, the Land Use Plan and Annexation Plan together constitute the 2008 Update to the Milford Comprehensive Plan and subsequent amendments.

Identified Goals

Based on the evidence provided by the 2000 census data, investigations of current land use and the inputs from the community, Milford's Comprehensive plan should address the following goals:

1) To encourage a growing, diversified economy using "smart growth" policies discouraging sprawl, placing employment opportunities near transportation alternatives, and supporting Milford's cultural and environmental assets, rather than degrading them.

2) To encourage appealing, affordable housing through a variety of Residential Zoning options. Housing options should be capable of maintaining the character of Milford's established neighborhoods, while providing a transition from City living to the rural setting of Kent and Sussex County. The housing stock should provide a variety of income levels with suitable residences.

3) To recognize the Mispillion River, its tributaries and floodplain as valuable environmental and economic assets. The surface and groundwater systems should be both protected and utilized for the public benefit.

4) To promote Milford's unique look and cultural assets as important components of the City's quality of life.

Economic Development

One of Milford's strengths is the variety of business sectors and business sizes which operate within the City. This is the key to providing economic opportunity to all the citizens of Milford and the Greater Milford Area. Beyond the City limits, the City recognizes that agriculture and associated businesses are intimately tied to many of the City's large employers and product producers. State and County programs that keep farming profitable, such as agricultural preservation and transferable development rights are supported by the City.

The City is committed to continuing its policy of providing a variety of suitable zoning categories and targeted land use areas within the City to accommodate the assortment of business sectors. Diversification is important for a sustainable and stable economy.

Independence Commons and the Greater Milford Business Complex will be promoted through the City's own initiatives as well as in concert with the Greater Milford Area Chamber of Commerce. Manufacturing, retailing and other commercial enterprises, and profit and non-profit

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providers of educational and medical arts all have a place within Milford's city limits – as directed by the land use plan – as sources of quality employment.

The City will continue to advocate Milford as an employment center by providing adequate water and sewer facilities, and by promoting the availability of natural gas and state-of-the art telecommunications infrastructure. Expansion of Milford's fiber optic data lines is a significant part of attracting new enterprises, as well as assisting existing businesses to utilize the latest technologies.

The City will continue to accommodate the growing number of medical services businesses that relocating along US Route 113, in Sussex County, as well as in the Business Complex in Kent County. This sector provides the double benefit of employment opportunities for Milford's residents, and convenient access to important services. The City will also continue to work with the development of a large tract of land east of Rt 1 designed for medical.

Milford recognizes that maintaining the appearance and functionality of the existing developed properties is an important adjunct to the goal of providing employment, housing and shopping within convenient distances to people living and working in the City. Redevelopment of under-utilized properties will continue to be promoted through the City's Planning Department. The City will coordinate with Downtown Milford, Inc., to integrate downtown redevelopment efforts with the Parks, Cultural Resources and Economic Development Plans included in this Comprehensive Plan. The City will also coordinate with the Delaware Economic Development Office to expand opportunities to keep constructed facilities fully utilized.

Housing

Providing employers with a suitable workforce is a natural objective in support of economic development. When employees live close to work as well as to shopping and social/medical services, they can be more productive. Milford's Community Development Plan is based on a policy of active participation in programs and initiatives that forward the concept of residents having access to work, recreation and shopping. The City is participating in the "Live Near Your Work" program to provide economic incentives for people to locate their homes near Milford's employers.

Under Milford's current residential zoning districts, vacant lands are available for additional development of many housing options Thus, Milford's housing options are currently adequate to support the City's population; however, three areas should be addressed under this Comprehensive Plan to keep up with anticipated growth.

First, the City will continue to work with the Community Development Block Grant Program and other federal and state housing programs to assist low-income property owners to rehabilitate their structures. The City is dedicated to keeping the older residential neighborhoods attractive places for young persons and families, and to maintain affordable housing central to work places, shopping, community and recreational facilities.

Second, the City will continue to apply a variety of zoning classifications for residential uses to assure diversity in the new housing stock, from apartment blocks to upscale residences throughout the City and to provide a transition from the City to the rural lands of Kent and

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Sussex Counties. The City will encourage lower density, single family residential uses and Traditional Neighborhood developments (through the Planned Unit Development in the City of Milford ordinance) to provide transition and buffer to the surrounding agricultural lands. In many cases, the City has utilized natural drainage features to provide logical margins to its potential growth areas.

The third element in the Housing Plan is directed at neighborhood preservation. With the growth in Milford's medical sector, which includes the Bayhealth Hospital at its center, a growing pressure to include commercial medical offices within Milford's established neighborhoods is occurring. Citizens participating in Planning Commission meetings have expressed their concern over conditional use applications and re-zoning requests.

The City believes that this mixed use of commercial medical services and residential neighborhoods can be accommodated, if new regulations are developed to protect the character of those neighborhoods. The City will develop additional new conditional use regulations such as low level lighting, shared parking, building height limitations, architectural review and additional landscaping requirements as part of the site plan review process.

Transportation

As Delaware's population grows, additional stresses are occurring on the State's roadway system. Overall trip reduction and reduction of the length of trips extends the useful life of the roadway infrastructure and has positive environmental and economic benefits. The Community Development Plan works toward trip reduction in the Milford area. The goal of encouraging both employment and residence is advanced when the internal City transportation is in good repair and offers walking and bicycle options. The local component of the City's transportation plan focuses on transportation alternatives. New focus has been placed on encouraging service roads to link commercial areas while limiting intersections on the City's principle arterial roadways.

Most of Milford's streets are bound by sidewalks and the City has a long-term commitment to improved pedestrian safety and convenience. Transportation Enhancement funding has been used to complete sidewalks in both Sussex and Kent Counties in the vicinity of the Milford Middle School, Banneker Elementary School and from the Milford Crossing apartments to the new Buccaneer Boulevard at the Milford High School. Prioritization of sidewalk projects has generally considered the pedestrian traffic moving to and from the primary schools and to commercial centers within the City.

Future sidewalk improvement projects are being developed for the streets in Sussex County in the vicinity of Lulu M. Ross Elementary School. The Truitt Avenue Pedestrian Connector, which provides sidewalk and bridge link from various residential neighborhoods to the Milford Plaza Shopping Center, will be expanded with sidewalk extensions from a potential residential development located near NW Front Street.

The Mispillion Riverwalk links the downtown business district on both sides of the River with pleasant sidewalks, boardwalk and footbridges. The Riverwalk Masterplan includes expansion of the greenway across the City's historic center. The Riverwalk and Streetscape projects are also central to linking the municipal parking lots with shopping, office use and cultural activities in the downtown district. Proposed additions include linking the Riverwalk with the two elementary

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schools through a system of pedestrian and bicycle trails and with future residential development.

Minor street rehabilitation projects are also proposed for various areas within the City, for both municipally maintained streets and for NW Front Street, under DelDOT's maintenance jurisdiction.

Milford also fits well into the State's transit system. The City's location at the junction of Route 1 and US Route 113, as well as Routes 14, 15, 30 and 36 make it a good choice for bus transfer points and express routes. As the City grows, additional bus service should be considered by DART.

A regional component to the transportation plan proposes a study of potential roadway improvements, intersection improvements and a potential, limited access by-pass around the built-up segments of US Route 113, depending on DelDot recommendations. The benefits of such a by-pass would include more rapid travel to Georgetown and south, and a reduction of through traffic on US 113 within the City.

The City supports the existing Corridor Capacity Preservation Program for DE Route 1 bypass and will work with DelDOT as the intersection modification plans mature, to evaluate the full impact on City services, public safety and development pressures.

Environment

Livable Delaware strategies emphasize concentrating investment and development in cohesive communities. This effort encourages preservation of agricultural and environmental resources beyond the community. However, development concentration can also have the unintentional consequence of stressing natural resources within the strategy area.

As Milford extends its water service to new users within the City and to areas requesting annexation, water production will increase. To assure adequate water supplies, the City has completed a General Water Facility Plan, approved bonding to improve the water and sewer service to the residents of Milford and is completing a series of test wells and groundwater evaluations. The City has developed and approved a wellhead protection ordinance. The City will develop preservation corridor setback requirements for new development in the future and the City will also develop a riparian buffer standard as an alternative to setback or other screening requirements. These elements would be presented under a new Environmental Preservation ordinance.

To protect the Mispillion River corridor, a central cultural and recreational asset, the City will participate in the Mispillion Tributary Action Team and assist in the development of pollution control strategies for the River. To enhance the River's water quality, the City will promote the elimination of individual septic systems, where feasible.

To protect both property owners and the Mispillion environment, the existing Floodplain Management ordinance will be clarified and updated per DNREC and FEMA recommendations. The elevation of the first finished floor within a 100-year floodplain will be made consistent at 1 foot above base flood elevation. Additional impedance within a floodway will be prohibited.

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Additional training by the Building Officer and City Planner will take place to keep current with these regulations.

The City's Community Development Plan elements emphasize placing workplaces and shopping close to residential neighborhoods. Milford will continue to promote the advantages of shorter commuting times and distances, and fewer vehicle trips through the Comprehensive Plan process. A consequence of this element is better air quality through lower automobile emissions.

Parks and Open Space

The City's Parks and Recreation Department has taken the lead in developing Milford's local system of parks and streetscape projects into a Riverwalk master plan. The program has been recognized throughout the state as a model for urban greenways development. The Mispillion Riverwalk plays a significant role in economic development in the downtown area, and in improving access to parking, recreation, and shopping via travel options which are healthy, enjoyable and picturesque. The Parks element focuses on continuing the Mispillion Greenways expansion to Goat Island on the east and Mill Street to the west side of the City.

The Greenway development is currently in Phase 21, and the City is actively pursuing easements or land purchases to expand the riverside walkways to the west with the goal of developing an interpretive center and parking at the property obtained through Peninsula Oil, on Mill Street at the riverside. The Peninsula Oil site will allow the Greenway to tie into the North Milford Historic District, and holds the potential for walking tours which could include the Parson Thorne property managed by the Milford Historical Society, the redeveloped Downtown commercial area, the Milford Library and the City's Bicentennial Park. New entry points onto the Greenway also include parking, which further assists the economic development plan for the downtown area.

Recreation

Recreation plan elements include the River as a resource, in conjunction with economic development and parks proposals. The City will actively support a regional Blueway canoe and kayak trail from Abbott's Mill Nature Center through Haven Lake and Silver Lake to Goat Island.

In anticipation of the larger Blueway, the boat dock located at the Police Station will be reconstructed and expanded as part of the DNREC Boat Launch project. The Boat Launch has been designed to be handicapped-accessible and to include use by kayak enthusiasts. In addition, kayak trails are being investigated in the tidal reaches of the River, from Bicentennial Park to Goat Island and hence northeast to the mouth of the Mispillion. Deep Creek, which flows from Sussex County to the River near Beaver Dam Road, is also being considered at this time. The City's environmental component of the Community Development Plan incorporates preservation areas along these drainages supporting recreational use of the larger waterways.

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Cultural Resources

Using the Mispillion Riverwalk and the larger promise of a regional Blueway, additional pedestrian and bike ways, the City continues to connect the community with its past. Presentation to the public of the physical artifacts that relate to Milford's history, as well as protection of the environment of the Mispillion River, the heart of so much of that history, will maintain and enhance the appearance and ambience of the City and will continuously remind its citizens of their community's past.

Milford is fortunate to have the Milford Historical Society and the Milford Commission of Landmarks and Museum, two community-based organizations dedicated to history and its preservation. The City will continue to support these organizations through civic recognition and the provision of City services to support their events and functions.

The City desires ***additional*** informational markers placed indicating the three Historic Districts, and ***additional*** signage which would direct travelers on Route 1, US Route 113 and Route 14 to the Districts. Specifically, the City will work to have markers placed to indicate the Historic Districts, through either partnership with the State of Delaware or with private interest groups. Promotion of the City's historic and cultural resources is one key to the success of Milford's integration of the Mispillion Riverwalk master plan and economic re-development of the Central Business District.

Although the City does not intend to impose historic preservation by ordinance under this Update, the City of Milford has prepared a draft Historical Preservation Ordinance which will be further reviewed by City Council and the public in the future. In addition, the municipal departments and commissions will continue to work with private groups to recognize properties which are of significance to the nation, to the State of Delaware or to the community within the City limits and within the Urban Growth Boundary Area. If requested to assist private preservation efforts, the City will support property owners' requests for federal funding for historic preservation.

The Transportation and Parks elements of the Community Development Plan emphasize alternative transportation options to link the City's historic structures, museum, theaters and library, including pedestrian and bike trails.

The City would also like to address concerns of civic groups regarding truck traffic on NW Front Street The route is currently posted for a weight limit of 27 tons, which should enforced, if necessary. Civic groups such as the Historical Society and Downtown Milford, Inc. have expressed concern over the vibration due to heavy vehicle traffic moving through the Historic District on NW and NE Front Streets.

The City will initiate discussions with the Dover/Kent MPO regarding how best to determine whether the perceived vibrations are a significant problem. With the assistance of DelDOT and the MPO, the City would like to evaluate alternative routes for trucks.

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Public Services

The City has long held a commitment to cost-effective provision of public services for its citizens. Water, sewer and electric service are continuously maintained, and periodically expanded to meet the needs of a growing population. Long-range plans put forward by both Kent County and Sussex Counties acknowledges and compliment Milford's role for the future. The City will continue to use a series of long-range facility management plans for expansion evaluation and implementation.

In addition to utility services, the City also plays a role in protecting the value of property and public safety. The City will continue to maintain its zoning map and will continue to work with Kent County and the Office of State Planning Coordination to share GIS data regarding annexations, zoning and tax parcels. The GIS data collected from the Census for this Plan Update will be utilized to review the Council Ward boundaries and update them as necessary.

The Zoning Ordinance will be updated to reflect the objectives, goals, and implementation strategies of the City's Comprehensive Plan. The current Zoning and Subdivision ordinances will first be reviewed for consistency with the Land Use Plan. Properties with zoning classifications that is not consistent with the Land Use Plan will be re-zoned. This process must be accomplished within 18 months of certification.

As re-zoning, conditional use and annexation agreements are being negotiated, the City will refer to this Plan Update to identify items which property owners and developers can provide to further the City's overall Community Development Plan. For inquiries in the south, the City will provide information regarding the DelDOT N/S study, including the possibility that right-of-way will be needed for the future road way and the contacts at DelDOT regarding the location of ROW. Parcel-specific negotiations for ROW must be between the property owner(s) and DelDOT. The Annexation and Land Use Plan presented in the Update document will be used to assess the City's interest and ability to support annexation requests.

It is recommended that population distribution map(s) which are generated for the Ward redistricting be made available to the Police Department, along with the Land Use Plan, for a manpower and deployment review. Similarly, the Carlisle Fire Company, recognizing the residential growth to the southeast in and beyond the City, has indicated that a substation to the south or east, with easy access to DE Route 1 may be desirable in the future. The City's Land Use Plan map will be made available to the Company to assist them in their planning.

Finally, it is recommended that the City review the Annexation and Future Land Use Plan with the Delaware Solid Waste Authority, to evaluate additional recycling locations to serve growth areas as they develop.

State Goals and Policies

The State of Delaware outlined its goals in the December 1999 Strategies for State Policies, and March 2001 Livable Delaware initiatives, to..."help manage new growth... while revitalizing town and cities and protecting the state's environment and unique quality of life." In March 2001, Governor Minner proposed and passed legislative initiatives which were directed at

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implementing the Strategies' goals. The maps delineating four strategy levels and sites identified as out-of-play for future development were adopted in mid 2004. Representatives of the City of Milford's staff, Planning Commission and City Council participated in the public workshop process and submitted a detailed comment letter. While none of the City's concerns were addressed directly, the State did provide for an overlay and a Memorandum of Understanding for planning this southeast section of the City called "Area of Study" that tied modification of the Strategy levels in this area only to refinement of DelDOT's plans for a limited access bypass to link DE Route 1 to US Route 113.

The Department of Agriculture has significant acreage under Agricultural Preservation to the east of Milford in Kent and Sussex Counties, as well as tracts along the Mispillion River of Purchased Development Rights.

The City of Milford agrees with the concept of limited access on DE Route 1 as it by-passes Milford, and with the goal of preservation of farm land, particularly along the tidal reach of the Mispillion River to the east of the City on both the Kent and Sussex sides of the river, however this should be paired with directing growth to the areas west of Route 1 adjacent to the City.

Similarly, the City is proposing to annex existing commercial properties east of DE Route 1 and west of Big Stone Beach Road (Kent County) as part of the reduction of cross-overs and access points on the highway in that area. Addition of a service road and elimination of onsite septic system in the area will promote a number of the City's transportation and environmental policies.

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CHAPTER 12 LAND USE PLAN/ANNEXATION PLAN

Using local zoning ordinances and infrastructure enhancements, the City of Milford will direct commercial and industrial/ business/ professional office development to the northwestern quadrant of the City. The existing residential demand in the southeast quadrant will be addressed through the annexations under lower density residential classifications as well as consideration of Traditional Neighborhood Development and through the City's Planned Unit Development Conditional Use regulations. For additional information regarding existing and proposed development in the southeast quadrant please consult the Milford Southeast Neighborhood Master Plan July25, 2010.

In the southwestern quadrant of the City, existing residential neighborhoods are under pressure to accommodate medical service offices in conjunction with the expansion of the Milford Hospital. One recommendation is to consider additional requirements under the Conditional Use regulations in order to conserve the mixed-use pattern but preserve the neighborhood consistency.

Potential Expansion

Annexation into Milford is an attractive option, and the City's infrastructure and organization can support the addition of acreage, population and new business activities. Annexations will be considered as the property owners make application to the City. The City of Milford can support additional expansion under the plan of service and infrastructure maintenance and improvements. Annexation agreements will be required to assign and guarantee developer responsibility for expansion and/or upgrades to water, sewer, electric and transportation facilities. The annexation agreements will also reference potential regional transportation projects, such as the DE Route 1/DE Route 30 intersection improvements, which will require additional agreements with DelDOT and the developers of land in proximity of this intersection.

Within the Urban Growth Boundary Area, a number of existing residential subdivisions in the southwest have been included in the Annexation Plan. These lots may require emergency connection for failed on site water or sewer service and the City has the potential of supporting those needs.

The Urban Growth Boundary represents a potential future corporate boundary for the City of Milford. Within the Urban Growth Boundary, the City of Milford would entertain annexation requests from property owners on a case by case basis during the five year planning period and coordination with both Kent and Sussex Counties regarding the desired land use.

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Future Land Use in 5-Year Expansion Areas

Neighborhood Area – North and Southeast

This area is approximately 758 acres situated in both Kent and Sussex Counties. The area includes undeveloped acreage north of Williamsville Road in Kent County, as well as eight, existing single-family subdivisions south of Williamsville Road and an existing industrial plant located between the railroad right-of-way and Holly Hill Road.

As described under the Environmental Plan, the developed properties are included to allow extension of City water and sewer service to these sites currently utilizing on-site septic systems on an as-requested basis if systems should fail. On Holly Hill Road, the Baltimore Air Coil plant has been connected to City sewer service to relieve a failing septic system. A few residences on East Lane of the North Shores subdivision are currently connected to the City's wastewater collection system. Approximately 300 on-site systems are operating within 2000 feet of the banks of Haven Lake in this area. Inclusion of the subdivisions in this area supports the long-term objective of reducing on-site wastewater disposal and its attendant nutrient loads on the Mispillion watershed.

Future land use within this area will remain substantially low density residential as described in the 2008 Land Use Plan, and maintains the usage pattern of the existing development. Expansion of residential development is anticipated north of Haven Lake, and south of DE Route 14. The Baltimore Air Coil properties would remain as industrial use. North of DE Route 14, the City continues to encourage business, commercial development, and professional office development continuing the trend in place at the Milford Industrial Park to the east, Independence Commons to the northeast and the existing commercial/business development along DE Route 14.

A subarea of this Neighborhood Area is an area located to the north of Airport Road and the current City limits, and west of Bowman and Warner Roads, in Kent County. This area is already subdivided into single-family lots, including a number of large lots designated as "farmettes." A number of existing land enclaves and boundary irregularities with the City boundary are included. The area is experiencing renewed interest in mixed-use and multifamily residential in response to proposed transportation improvements at the Thompsonville Road intersection with DE Route 1 and the intersection of DE Route 14 and 15. This area is approximately 600 acres and the future land use within Northwest Milford is envisioned as residential with a mix of housing options and limited commercial along the arterial highways.

The area to the extreme northern existing corporate boundary line contains Milford's water system and the County's wastewater collection system which currently serve a number of developed properties in this area north of the DE Route 1 and the US Route 113 split. Landowners have requested to be included in the Urban Growth Boundary Area to receive additional City services and relief from out-of-town rates. Future control of this area will permit the City to implement additional water main looping and transportation improvements as described in the long-range infrastructure plan. This area is approximately 250 acres.

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The City is working with DelDOT to implement corridor capacity preservation through the combination of service roads on the east and west side of the highway, and strategic closure or limitations for cross-overs. The area will be connected to the City of Milford with the extension of Carpenters Pit Road to New Wharf Road. Continuation of the current mix of commercial and residential development with affordable housing is favored for this area.

The other subarea in the northeastern section of the Urban Growth Boundary Area includes infill within the current City limits to the west of DE Route 1 and properties to the east of DE Route 1. The Urban Growth Boundary area includes approximately 182 acres. The Urban Growth Boundary area includes the existing community of Woodshaven. The City has a water main which loops through Woodshaven and a limited number of homes are currently served.

Future land use for this area would ideally be a combination of low-density residential, and preservation of a riparian buffer along both the Swan and Mispillion waterways. This preservation area of approximately 150 acres, is a proposal under Milford's Flood Mitigation Plan, and also enhances Milford's integration into the significant Mispillion greenway and Milford Neck agricultural and wildlife preservation efforts. The City's largest water production and treatment plant is located on the east side of DE Route 1 in this area, which adds to the City's interest in environmentally responsible development in the area.

Neighborhood Area - Southeast

The Milford Southeast Neighborhood Master Plan dated July25, 2011 dictates all development in the Southeast Neighborhood.

Major Changes to the Four Neighborhoods from 2008 to 2012

From the 2008 Comprehensive Plan the City identified four Neighborhoods (North, Southeast, Southwest and the Town Center) the major changes to these Neighborhoods since 2008 include the following:

Town Center

The major changes to this Neighborhood include:
1. Continue expansion and development of the Central Core or Downtown Area of the City of Milford.
2. Annexation of lands east of DEL 1 and south of Route 14. This area is currently within the Urban Growth Boundary and outside of the corporate limits of the City, but the landowners have request to be included as part of the 2013 Comprehensive Plan and be designated as a Residential, Commercial, and Open Space Future Land Use.
3. Continued Commercial expansion west of DEL 1, south of Airport Road to Route 14 presently the site of a Royal Farms Convenience Store and Grotto's Pizza.

Southwest

The major changes to this Neighborhood include:

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1. The proposed 200 to 250 million dollar expansion of the Milford Hospital which will provide improved and increased Medical Facilities to the City and surrounding area which could provide additional spin off medical activities as well as an economic stimulus to this Neighborhood.
2. Continued commercial development and expansion west of Route 113, just south of Seabury Avenue at the present site of Redner's Grocery Store.
3. The possible Residential development at the former Central Park at Milford Ponds approved PUD.

Southeast

The major changes to this Neighborhood include:
1. The certified amendment to the 2008 Comprehensive Plan with the inclusion of the **Milford Southeast Neighborhood Master Plan.** This amendment sets out how this area will develop and the how expenses for development will be shared among property owners and State agencies.
2. The proposed overpass at Route 30 and DEL 1 will enable the area east of DEL 1 to have access to this area without the current transportation impediments.
3. Continued Commercial development at the proposed Shopping Center located at Wilkins Road, Route 30 and potential commercial development west of DEL 1 and east of Route 30.

North

The major changes to this Neighborhood include:
1. Continued Industrial and Commercial expansion at Independence Commons.
2. Expansion at the Milford Senior High School with the construction of the Milford Academy.
3. The construction of a 26 acre Solar Farm north of Route 14.

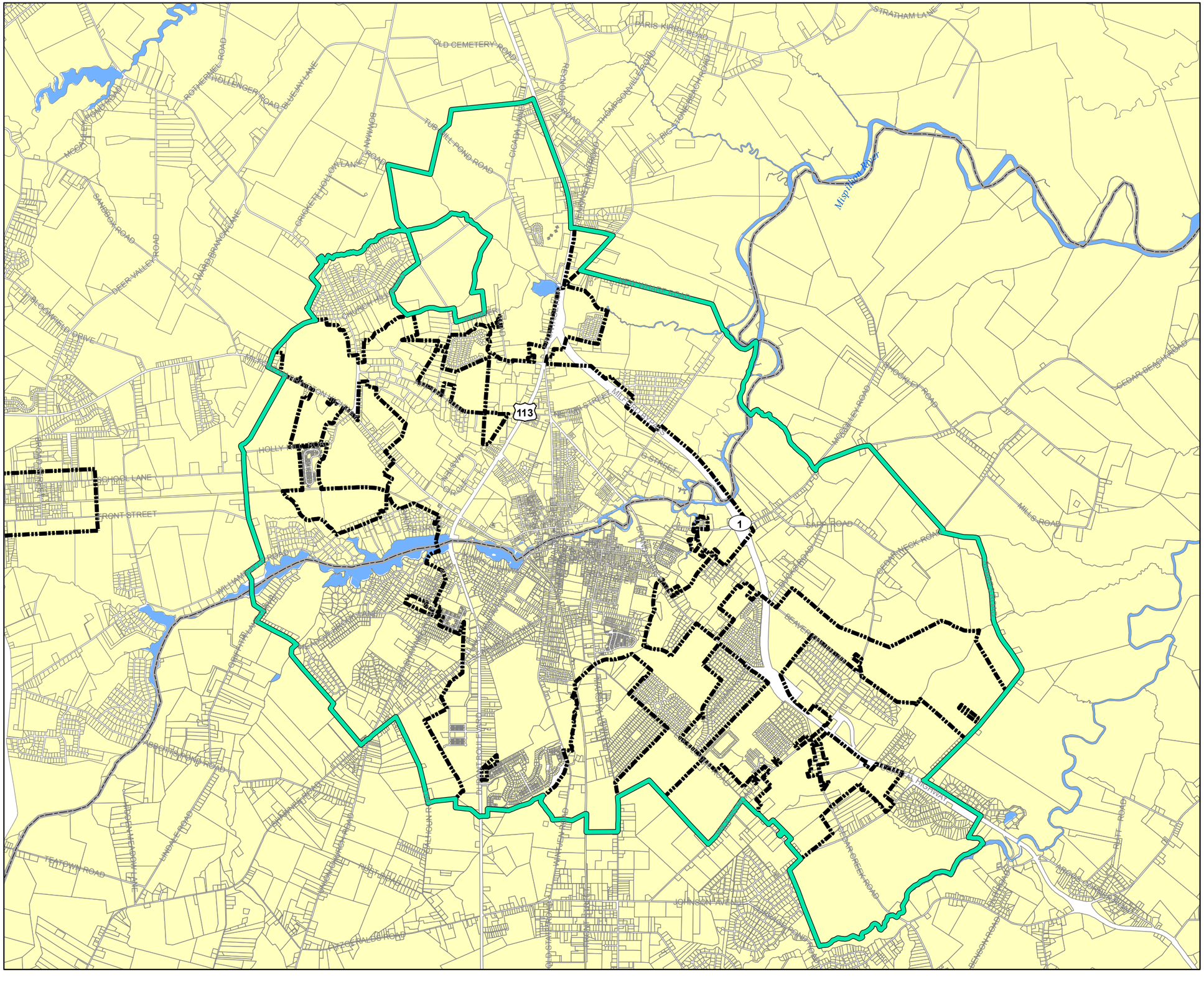
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Milford Comprehensive Plan

2013

Figure 4

Urban Growth Boundary



Legend

- City Boundary
- Urban Growth Boundary
- County Boundary
- Parcel
- Water

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1 inch = 4,000 feet

Data Sources:
Roads - DELDoT
State, County, Municipal Boundaries - State of Delaware
Future Land Use - City of Milford

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February 2013

Milford Comprehensive Plan

2013

Figure 10

Future Land Use

These parcels are enrolled in an Agricultural Preservation District (APD) which will be subject to possible removal by the owners in March 2014. The City of Milford may consider these parcels for annexation when and if the APD is removed by the owners, but only with the property owners consent. A plan amendment will be required unless five years have passed between the date of plan certification and the application for annexation. If annexation is considered under these criteria the future land use will be considered residential.

Refer to Milford South East Neighborhood Master Plan, Map #1 Land Use.

Legend

- City Boundary
- Urban Growth Boundary
- Downtown
- County Boundary
- Parcel
- Water

Future Land Use

- Low Density Residential
- Moderate Density Residential
- Highway / Commercial
- Government
- Institutional
- Industrial
- Employment
- Business Park
- Open Space
- Transfer Station
- Proposed Highway / Commercial
- Proposed Low Density Residential
- Proposed Moderate Density Residential
- Proposed Institutional
- Proposed Employment
- Proposed Open Space
- Proposed Thompsonville Intersetion
- Refer to MIlford Southeast Neighborhood Master Plan, Map #1 Land Use

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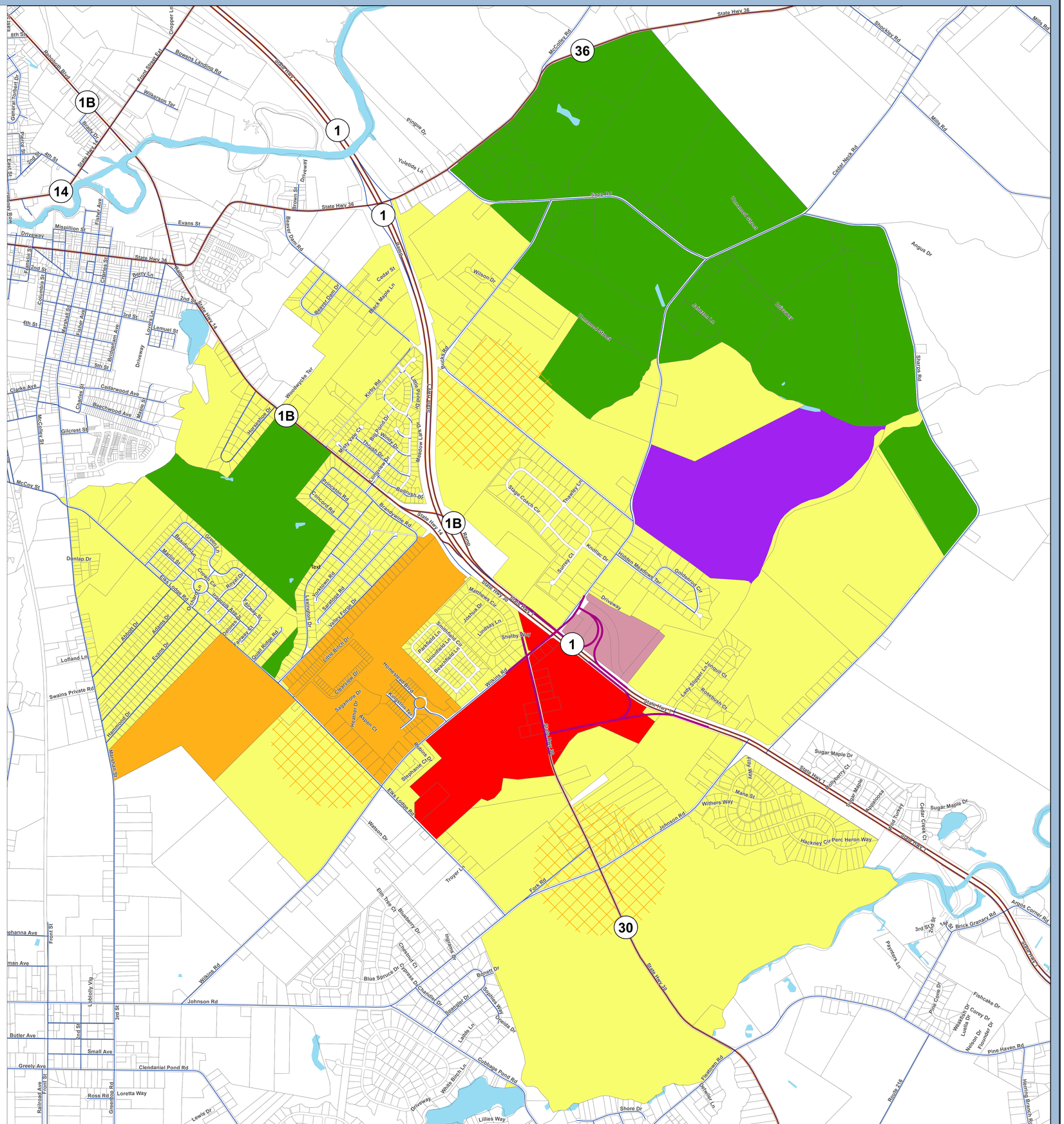
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Data Sources:
Roads - DELDoT
State, County, Municipal Boundaries - State of Delaware
Future Land Use - City of Milford

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Milford
South East
Neighborhood
Master Plan

Map #1
Land Use


State Hwy 36
McColley Rd
Blockley Rd
Mills Rd
Cedar Neck Rd
Angus Dr
Shaws Rd
Supply Rd
Fairmount Manor
Plantation Manor
Johnson Ln
Driveway
Wilson Dr
Cedar St
Grace Rd
Yuletide Ln
Pingue Dr
Brown St
Driveway
Barrens Dam Rd
Evans St
Mispillion St
Fisher Ave
Driveway
Columbia St
Marshall St
Chandler St
Gerry Ln
Lewis Ln
Lamuel St
Brittingham Ave
2nd St
3rd St
4th St
5th St
Clarks Av's
Cedarwood Ave
Beechwood Ave
Maple St
Gilcrest St
McColley St
McCoy St
Front St
Railroad Ave
Woodbrooke Ter
Kirby Rd
Little Pond Dr
Meadow Lake Dr
Thrush Dr
Big Pond Dr
Windy Dr
Mary Van Ct
Driveway
Bellthush Dr
Brandywine Rd
Concord Rd
Duncaton Rd
Horseshoe Dr
Stage Coach Cir
Hawkey Ln
Knollac Dr
Surrey Ct
Hidden Meadows Ter
Gateshead Cir
Driveway
Shelby Dale
Lady Slipper Ln
Locquil Ct
Rosebush Ct
Joshua Dr
Lindsay Ln
Parkland Ln
Unionfield Dr
Beachfield Dr
Willetta Rd
Valley Forge Dr
Saratoga Rd
Yorktown Rd
Manheim Ct
Matthews Cir
Dupont Blvd
Texaco
Dunlap Dr
Abbott Dr
Evans Dr
Hammond Dr
Lofland Ln
Swains Private Rd
Walnut St
Elliott Lodge Rd
Orchard Ln
Crowley Cir
Royal Dr
Trotwood Ave
Fairway Dr
Dukes Ridge Rd
Bradbury Ave
Martin St
Ernest Ln
Bowens Landing Rd
Front Street Ext
Wilkerson Ter
Bahaloth Blvd
Prices St
Church St
Walnut St
Brady Dr
South Hwy Ln
General Torbert Dr
Grosper Ln
Sunnyway
Sunnyway
Sunnyway

Milford Comprehensive Plan

2013

Figure 14A Neighborhood Map North

These parcels are enrolled in an Agricultural Preservation District (APD) which will be subject to possible removal by the owners in March 2014. The City of Milford may consider these parcels for annexation when and if the APD is removed by the owners, but only with the property owners consent. A plan amendment will be required unless five years have passed between the date of plan certification and the application for annexation. If annexation is considered under these criteria the future land use will be considered residential.

North

Southwest

Town Center

Southeast

Legend

- City Boundary
- Urban Growth Boundary
- Neighborhood Boundary
- Downtown
- County Boundary
- Parcel
- Water

Future Land Use

- Low Density Residential
- Moderate Density Residential
- Highway / Commercial
- Government
- Institutional
- Industrial
- Employment
- Business Park
- Open Space
- Transfer Station
- Proposed Highway / Commercial
- Proposed Low Density Residential
- Proposed Moderate Density Residential
- Proposed Institutional
- Proposed Employment
- Proposed Open Space
- Proposed Thompsonville Intersetion

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1 inch = 2,000 feet

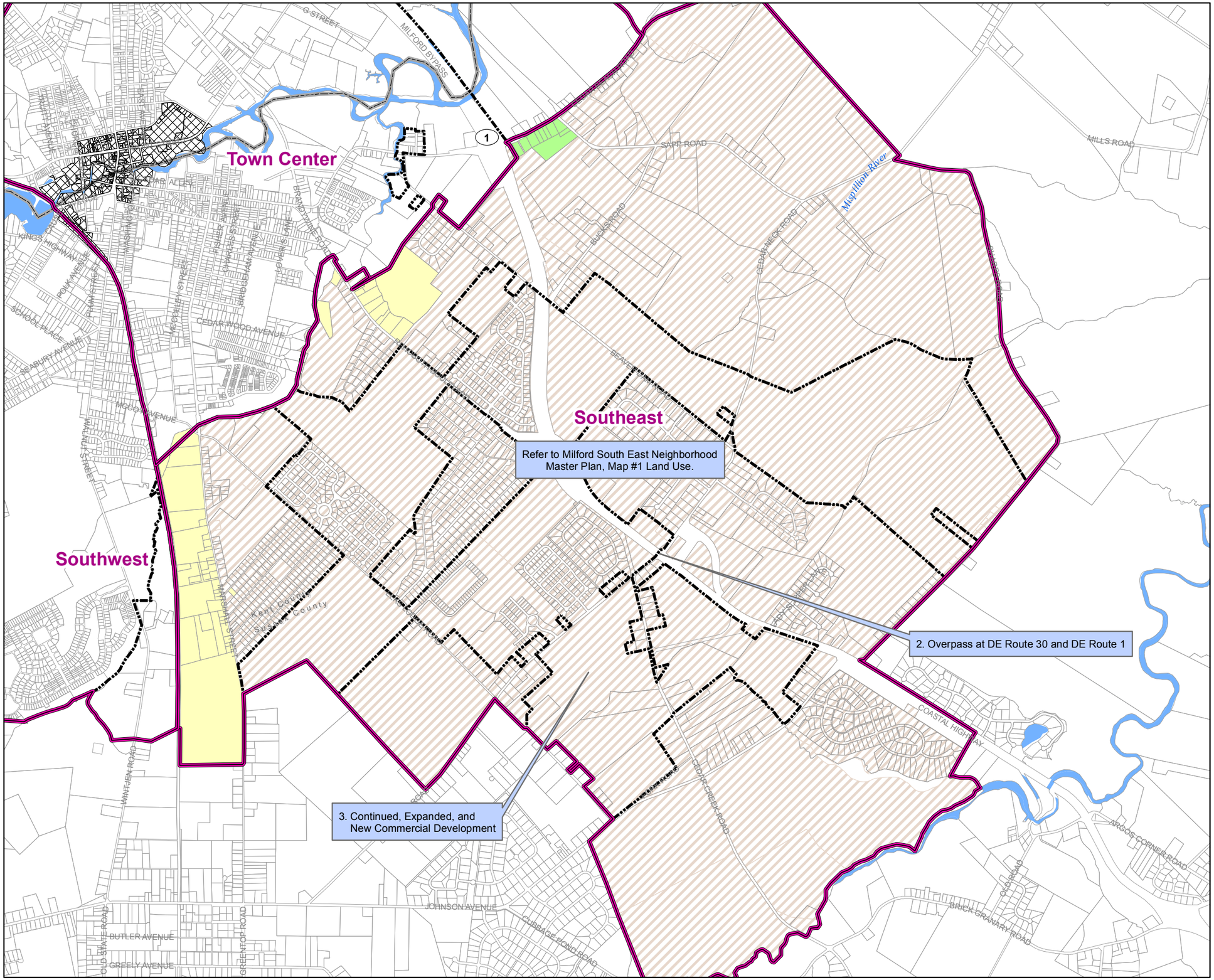
Data Sources:
Roads - DELDoT
State, County, Municipal Boundaries - State of Delaware
Future Land Use - City of Milford

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February 2013

Milford Comprehensive Plan

2013

Figure 14B Neighborhood Map Southeast



Legend

- City Boundary
- Urban Growth Boundary
- Neighborhood Boundary
- Downtown
- County Boundary
- Parcel
- Water

Future Land Use

- Low Density Residential
- Moderate Density Residential
- Highway / Commercial
- Government
- Institutional
- Industrial
- Employment
- Business Park
- Open Space
- Transfer Station
- Proposed Highway / Commercial
- Proposed Low Density Residential
- Proposed Moderate Density Residential
- Proposed Institutional
- Proposed Employment
- Proposed Open Space
- Proposed Thompsonville Intersetion
- Refer to Mllford Southeast Neighborhood Master Plan, Map #1 Land Use

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1 inch = 2,000 feet

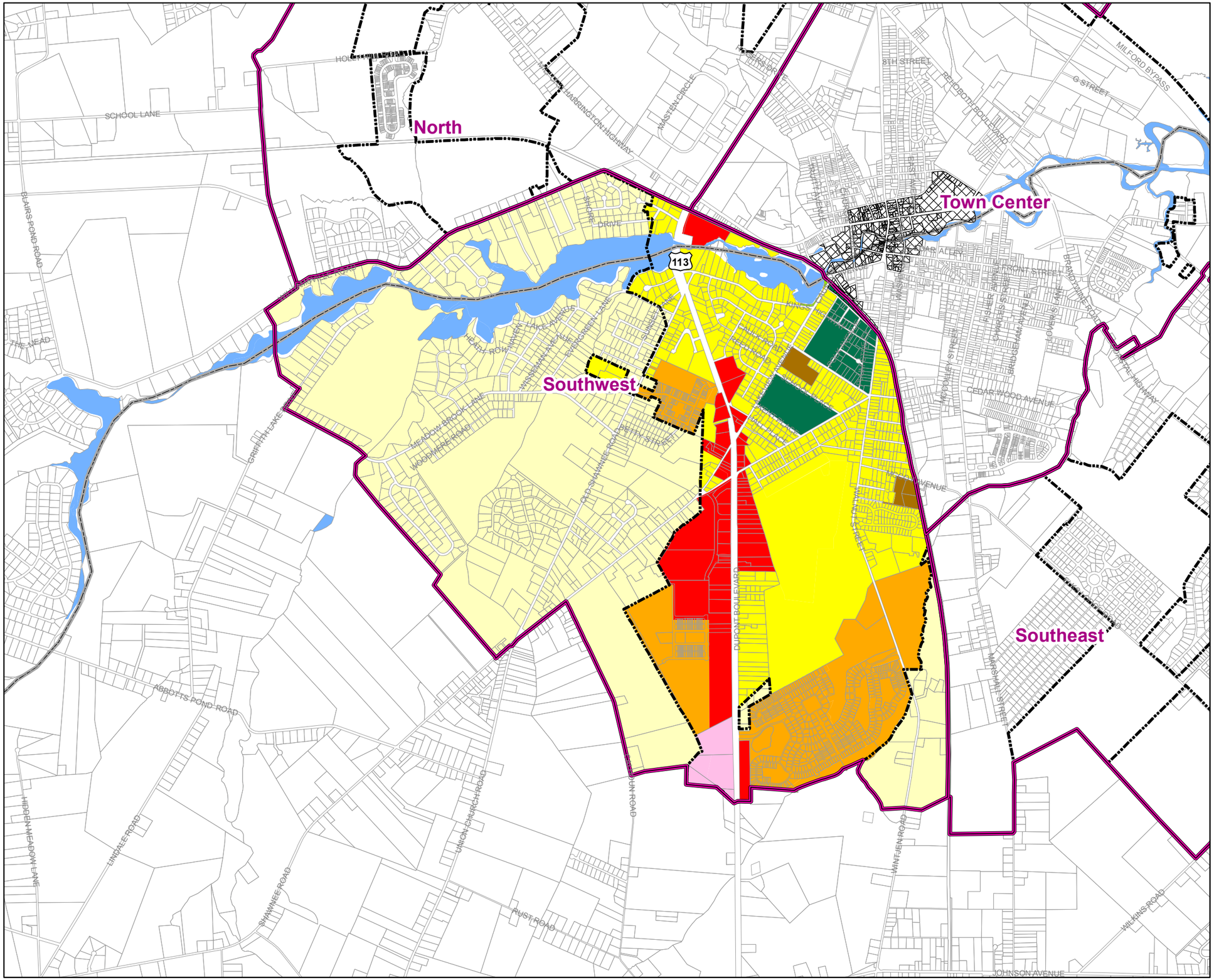
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State, County, Municipal Boundaries - State of Delaware
Future Land Use - City of Milford

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February 2013

Milford Comprehensive Plan

2013

Figure 14C
Neighborhood Map
Southwest



Legend

- City Boundary
- Urban Growth Boundary
- Neighborhood Boundary
- Downtown
- County Boundary
- Parcel
- Water

Future Land Use

- Low Density Residential
- Moderate Density Residential
- Highway / Commercial
- Government
- Institutional
- Industrial
- Employment
- Business Park
- Open Space
- Transfer Station
- Proposed Highway / Commercial
- Proposed Low Density Residential
- Proposed Moderate Density Residential
- Proposed Institutional
- Proposed Employment
- Proposed Open Space
- Proposed Thompsonville Intersetion

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1 inch = 2,000 feet

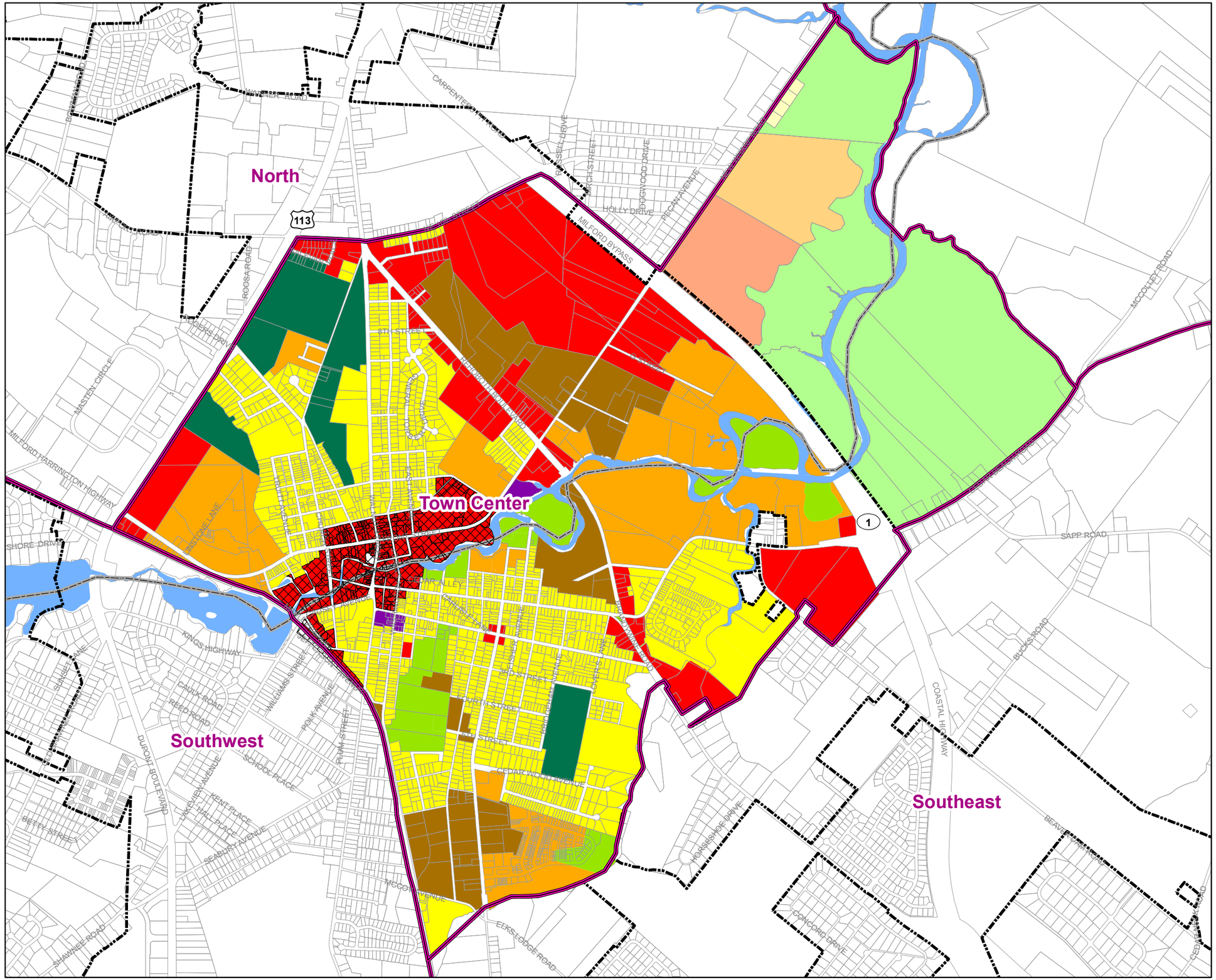
Data Sources:
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State, County, Municipal Boundaries - State of Delaware
Future Land Use - City of Milford

Path: V:\Projects\1551\DE_Milford\20611641\GIS_job\Mapping\2013\Fig14C_FutureLandUse_SW.mxd
February 2013

Milford Comprehensive Plan

2013

Figure 14D
Neighborhood Map
Town Center



Legend

- City Boundary
- Urban Growth Boundary
- Neighborhood Boundary
- Downtown
- County Boundary
- Parcel
- Water

Future Land Use

- Low Density Residential
- Moderate Density Residential
- Highway / Commercial
- Government
- Institutional
- Industrial
- Employment
- Business Park
- Open Space
- Transfer Station
- Proposed Highway / Commercial
- Proposed Low Density Residential
- Proposed Moderate Density Residential
- Proposed Institutional
- Proposed Employment
- Proposed Open Space
- Proposed Thompsonville Intersetion

0 1,500 3,000 Feet

1 inch = 1,500 feet

Data Sources:
Roads - DELDoT
State, County, Municipal Boundaries - State of Delaware
Future Land Use - City of Milford

Path: V:\Projects\1551\DE_Milford\20611641\GIS_job\Mapping\2013\Fig14D_FutureLandUse_TC.mxd
February 2013

Milford Comprehensive Plan

2013

Figure 15

Recent Annexations

All in City Limits
(6 Parcels)

McColley
Annexed 12/2008

Thomas II
Annexed 11/08/2010

Thawley
Annexed 02/2010

Hall
Annexed 02/2010

Geyer/ Milford
Annexed 10/23/2012

Legend

- City Boundary
- Urban Growth Boundary
- County Boundary
- Parcel
- Water

0 4,000 8,000 Feet

1 inch = 4,000 feet

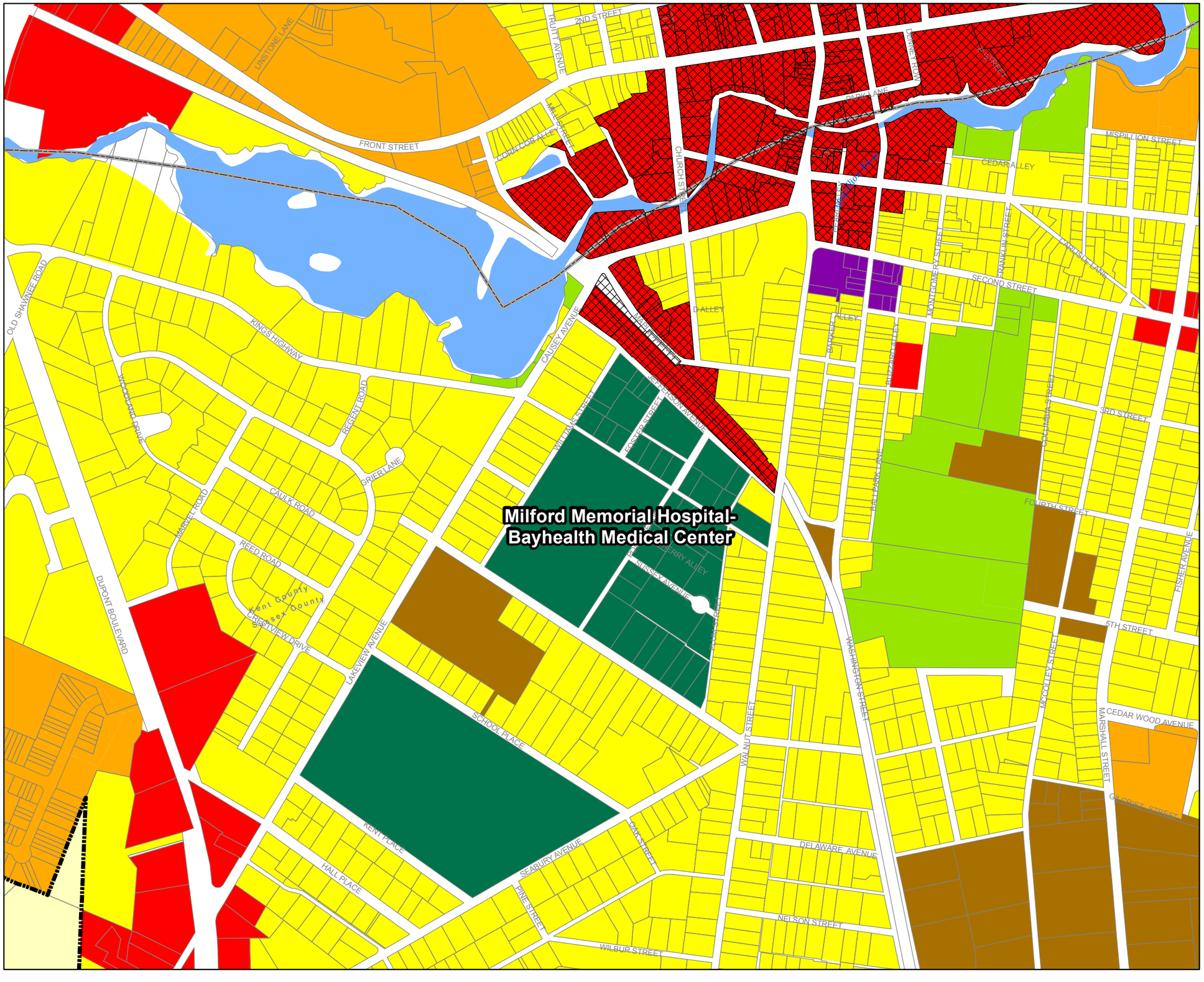
Data Sources:
Roads - DELDoT
State, County, Municipal Boundaries - State of Delaware
Recent Annexations - City of Milford

Path: V:\Projects\1551\DE_Milford\20611641\GIS_job\Mapping\2013\Fig15_RecentAnnexations.mxd
February 2013

Milford Comprehensive Plan

2013

Figure X
Hospital Area



Legend

- City Boundary
- Urban Growth Boundary
- Downtown
- County Boundary
- Parcel
- Water

Future Land Use

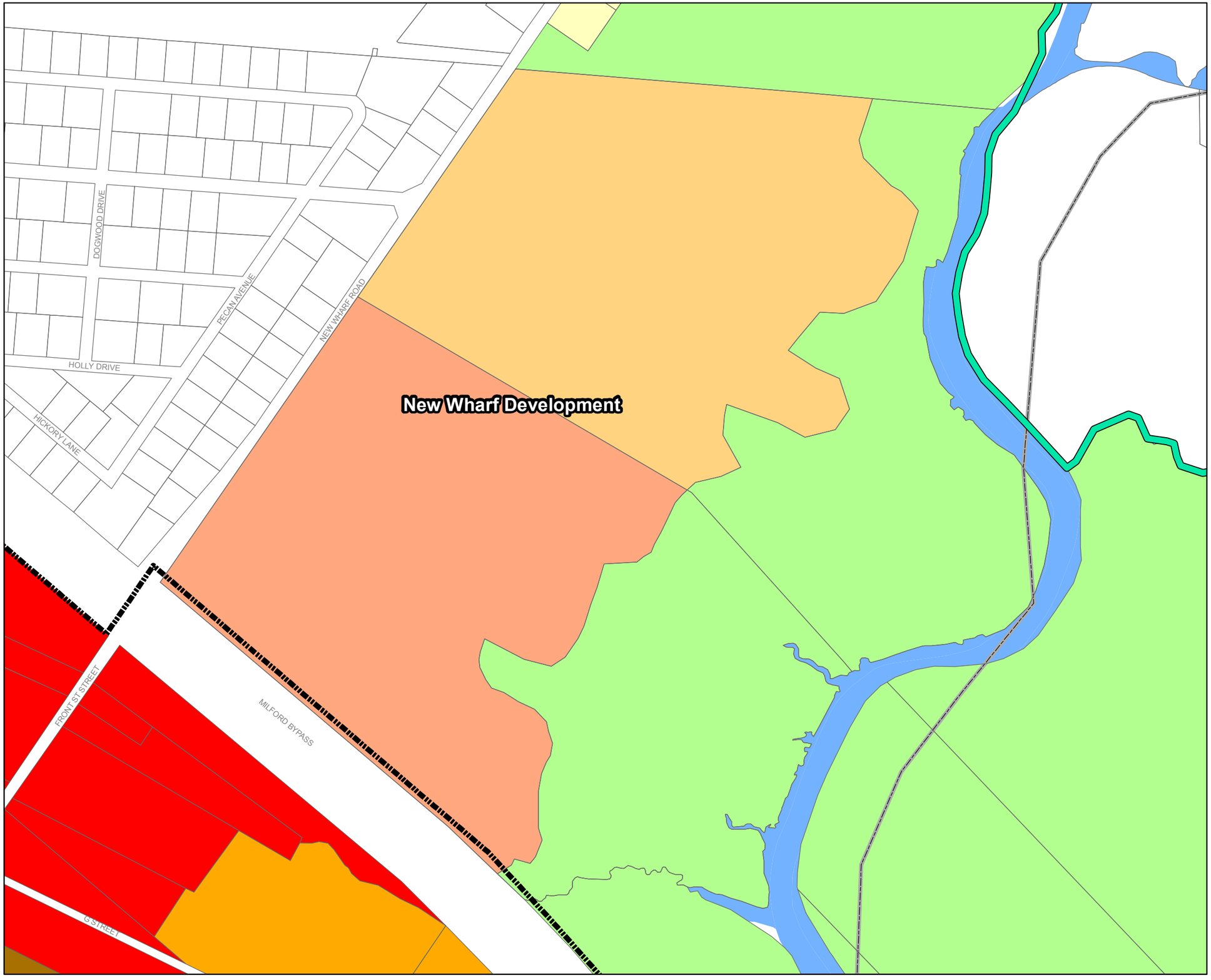
- Low Density Residential
- Moderate Density Residential
- Highway / Commercial
- Government
- Institutional
- Industrial
- Employment
- Business Park
- Open Space
- Transfer Station
- Proposed Highway / Commercial
- Proposed Low Density Residential
- Proposed Moderate Density Residential
- Proposed Institutional
- Proposed Employment
- Proposed Open Space
- Proposed Thompsonville Intersetion

0 500 1,000 Feet

1 inch = 500 feet

Data Sources:
Roads - DELDoT
State, County, Municipal Boundaries - State of Delaware
Future Land Use - City of Milford

Path: V:\Projects\1551\DE_Milford\20611641\GIS_job\Mapping\2013\FigX_FutureLandUse_Hospital.mxd
February 2013



Milford Comprehensive Plan

2013

Figure Y
Neighborhood Map
New Wharf Development

Legend

- City Boundary
- Urban Growth Boundary
- Downtown
- County Boundary
- Parcel
- Water

Future Land Use

- Low Density Residential
- Moderate Density Residential
- Highway / Commercial
- Government
- Institutional
- Industrial
- Employment
- Business Park
- Open Space
- Transfer Station
- Proposed Highway / Commercial
- Proposed Low Density Residential
- Proposed Moderate Density Residential
- Proposed Institutional
- Proposed Employment
- Proposed Open Space
- Proposed Thompsonville Intersetion

0 400 800 Feet

1 inch = 400 feet

Data Sources:
Roads - DELDoT
State, County, Municipal Boundaries - State of Delaware
Future Land Use - City of Milford

Path: V:\Projects\1551\DE_Milford\20611641\GIS_job\Mapping\2013\FigY_FutureLandUse_Wharf.mxd
February 2013

INVITATION TO PROSPECTIVE BIDDERS

The City of Milford is seeking responsible contracting firms for the completion of construction improvements as part of their Washington Street Pump Station Rehabilitation. The scope of work on the proposed project includes the removal and replacement of existing pumps, motors, piping, instrumentation, controls, electrical and mechanical systems and any accessory work including bypass pumping.

Responsible bidders will be required to provide bid security in the amount of 10% of the bid sum. The successful bidder must post Performance and Payment Bonds equal to 100% of the contract price upon execution of the contract.

Pursuant to Delaware Code, Title 29, Chapter 69 Subchapter IV §6962.(d)(13)a, the City shall determine that each bidder on any public works contract is responsible before awarding the contract.

Factors to be considered in determining the responsibility of a bidder are as defined in the above-referenced section of the Delaware Code with a preference for local businesses. Accordingly, the City has prepared a questionnaire which establishes the criteria for evaluating a prospective bidder's responsibility for the successful completion of the project based upon the factors listed above. A determination of each potential bidder will be made based upon their responses to the questionnaire. Each prospective bidder must meet the responsibility criteria established for the project prior to the submission of a priced bid.

The questionnaire can be obtained at the office of Davis, Bowen, & Friedel, Inc., 23 N. Walnut Street, Milford, Delaware 19963, (302)424-1441. Completed questionnaires including all necessary supporting documents shall be received by the City of Milford, 201 S. Walnut Street, Milford, Delaware 19963 no later than 2:00 p.m. local time on Friday, December 21, 2012.

The City reserves the right, as the interest of the City of Milford may appear, to reject any and all questionnaires and to waive any informality or irregularity in the questionnaires received.

City of Milford
By: Richard Carmean
City Manager

432205 DSN 12/7,14/2012

SECTION 00300R

BID FORM *(REVISED)*

Proposal of_____ (hereafter called "BIDDER"), organized and existing under the laws of the State of _____ doing business as _____ (*Insert "a corporation", "a partnership", or "an individual" as applicable)* to the City of Milford (hereinafter called "OWNER").

In compliance with the INVITATION TO RESPONSIBLE BIDDERS, BIDDER hereby proposes to perform all WORK for the **Washington Street Pump Station Rehabilitation**, in strict accordance with the CONTRACT DOCUMENTS, within the time set forth herein, and at the prices stated below.

By submission of this BID, each BIDDER certifies that this BID has been arrived at independently, without consultation, communication, or agreement as to any matter relating to this BID with any other BIDDER or with any competitor.

BIDDER hereby agrees to commence WORK under this CONTRACT on or before a date to be specified in the NOTICE TO PROCEED and to fully complete the PROJECT within **180 consecutive calendar days** thereafter. BIDDER further agrees to pay, as liquidated damages, an amount of **$1,500.00 per calendar day** as defined in the GENERAL CONDITIONS.

BIDDER acknowledges receipt of the following ADDENDA:

_____

_____

_____

This BID includes sales tax and all other applicable taxes and fees. BIDDER agrees to perform all the WORK described in the CONTRACT DOCUMENTS for the following unit prices or lump sum:

ITEM NO. & DESCRIPTION OF WORK		UNIT	SIZE OR DEPTH	EST QTY	UNIT PRICE	TOTAL PRICE
1.	Mobilization/Demobilization (Max. 3% of Total Bid)	LS	--	--	--	$
2.	Modify Existing Siphon Pit	LS	--	--	--	$
3.	By-Pass Pumping Operations (including Purchase and Use of Spare Backup Pump)	LS	--	--	--	$
4.	Furnish and Install Wet Well and Comminutor Channel Lining System	LS	--	--	--	$
5.	Prepare and Paint Concrete Ceilings, Walls, and Floors (Non-Wetted Areas)	LS	--	--	--	$
6.	Demolish, Furnish, and Install Interior Pump Station Equipment and Piping	LS	--	--	--	$
7.	Furnish and Install Pulsed Air Mixing and Air Supply System	LS	--	--	--	$
8.	Demolish, Furnish, and Install Electrical Components	LS	--	--	--	$
9.	Demolish, Furnish, and Install Mechanical Components	LS	--	--	--	$
10.	Demolish, Furnish, and Install Exterior Pump Station Improvements	LS	--	--	--	$
CONTINGENT ITEMS (TO BE COMPLETED AT DIRECTION OF ENGINEER)						
11.	Miscellaneous Concrete Repair (Non-Wetted Areas)	SF	--	600	$	$
12.	Miscellaneous Concrete Repair (Wetted Areas – Underlayment)	SF	--	300	$	$
13.	Miscellaneous Concrete Repair (Wetted Areas – Epoxy Filler)	SF	--	300	$	$

TOTAL BID AMOUNT (ITEMS 1-13): $_____

The Total Bid Amount for this project is to include the purchase and use of a diesel-powered spare backup pump. The OWNER reserves the right to award the contract based on an alternative pricing option. Alternate BID Item 3A, if used, shall replace BID Item 3. CONTRACT AWARD will be based on the total amount BID for BID Items 1 through 13, with or without the Alternate BID Item, as is in the best interest of the OWNER.

ALTERNATE BID ITEMS						
ITEM NO. & DESCRIPTION OF WORK		UNIT	SIZE OR DEPTH	EST QTY	UNIT PRICE	TOTAL PRICE
3A.	By-Pass Pumping Operations (including Rental of Spare Backup Pump)	LS	--	--	--	$

TOTAL BID AMOUNT
(ITEMS 1-13) WITH BID ITEM 3A IN PLACE OF BID ITEM 3: $ _____

SUBCONTRACTOR and SUPPLIER LIST

In accordance with Title 29, Chapter 69, §6962 (d) (10) b. of the Delaware Code, the following SUBCONTRACTOR and SUPPLIER listing must accompany the BID submittal. The name and address (City and State only) of all major material SUPPLIERS and SUBCONTRACTORS must be listed for each category where the BIDDER intends to use a SUPPLIER or SUBCONTRACTOR to perform that category of WORK. In order to provide full disclosure and acceptance of the BID by the OWNER, it is required that BIDDERS list themselves as being the SUBCONTRACTOR or SUPPLIER for all categories where he/she is qualified and intends to perform such WORK.

SUBCONTRACTORS				
	CATEGORY	COMPANY NAME	ADDRESS (CITY, STATE)	DBE (Y/N)
1.	Electrical			
2.	HVAC/Mechanical			
3.	Painting			
4.	Lining			
5.	Roofing			
6.	Metal Work			
7.	Bypass Pumping			
8.	Carpentry			
9.	Landscaping			
10.	Masonry			
11.	Concrete			
12.	Concrete X-raying			

SUPPLIERS				
	CATEGORY	COMPANY NAME	ADDRESS (CITY, STATE)	DBE (Y/N)
1.				
2.				
3.				
4.				
5.				
6.				
7.				

BIDDER Please Note:

The OWNER reserves the right to accept or reject any or all BIDS. The OWNER may elect to delete some or all portions of any BID item, shown above and described in the CONTRACT DOCUMENTS, or accept any or all alternate BID items, in any order, such that the best interests of the OWNER are served.

By submission of this BID, BIDDER certifies that: (1) he is licensed, or has initiated the license application, as required by Title 30, Chapter 25, §2502 of the Delaware Code; (2) he has not, either directly or indirectly, entered into any agreement, participated in any collusion or otherwise taken any action in restraint of free competitive bidding in connection with this submitted proposal; and (3) he comprehends the bidding requirements set forth in the CONTRACT DOCUMENTS and herein and is thoroughly familiar with the provisions of the CONTRACT DOCUMENTS.

BIDDER agrees that this BID shall be good and may not be withdrawn for a period of ninety (90) days after the scheduled closing time for receiving BIDS. Upon receipt of written notice of the acceptance of this BID, BIDDER will execute the formal CONTRACT, attached to said notice, within twenty (20) days and deliver a Surety BOND or BONDS as required by the INFORMATION TO BIDDERS.

The BID security attached in the sum of $_____, representing ten percent (10%) of the total Project BID, is to become the property of the OWNER in the event the CONTRACT and BONDS are not executed within the time above set forth, as liquidated damages for the delay and additional time expense to the OWNER caused thereby.

Respectfully submitted:

_____	_____
Signature	Date
_____	_____
Title	Address
_____	_____
License Number (If applicable)	Address (cont'd)

Seal - (if bid is by a corporation)

END OF SECTION

DAVIS BOWEN & FRIEDEL, INC.

ARCHITECTS ENGINEERS SURVEYORS

Michael R. Wigley, AIA, LEED AP
Randy B. Duplechain, P.E.
Charles R. Woodward, Jr., LS
W. Zachary Crouch, P.E.
Michael E. Wheedleton, AIA
Jason P. Loar, P.E.
Gerald G. Friedel, P.E.

ADDENDUM NO. 1
PUMP STATION REHABILITATION PROJECT
WASHINGTON ST. SEWAGE PUMPING STATION
CITY OF MILFORD, DELAWARE
CONTRACT NO. 052A155
FEBRUARY 1, 2013

The following items are hereby made part of the contract documents:

BIDDING AND CONTRACT RELATED ITEMS:

1. Bids shall be received by the City of Milford at City Hall, 201 ***South*** Walnut Street, Milford, Delaware 19963, until **2:00 p.m. on February 7, 2013** at which time they will be opened publicly. Any bids received after this time will be returned unopened.

2. Replace Bid Form, Section 00300, in its entirety with the attached REVISED Bid Form, Section 00300R. The following items have been changed:

   A. The Subcontractor categories to be included in the SUBCONTRACTOR and SUPPLIER LIST on page 3 of the Bid Form shall be:
      - Electrical
      - HVAC/Mechanical
      - Painting
      - Lining
      - Roofing
      - Metal Work
      - Bypass Pumping
      - Carpentry
      - Landscaping
      - Masonry
      - Concrete
      - Concrete X-raying

   Please make sure to complete the SUPPLIERS list as well when submitting the bid. The above-listed subcontractor categories and all major material suppliers to be utilized in the completion of the project must be identified in this listing which is part of the BID submittal.

3. A mandatory pre-bid meeting was held on Thursday January 24, 2013. Minutes from that meeting are attached to this addendum and shall hereby be made part of the contract documents. Only those items written in the minutes shall be considered part of the contract documents; no verbal conversations from the meeting shall be included or considered official.

4. Alternative suppliers and equipment may be utilized for the bypassing operations. There is no need to submit qualifications for equals as the design and maintenance of the bypassing system is the responsibility of the Contractor.

5. Sale Pump shall be manufactured by Godwin and as specified in Section 01521 – Sale Pump.

6. Alternative suppliers will be accepted for Mechanical Equipment. Actual equipment and specifications will be reviewed during the shop drawing phase.

CLARIFICATIONS

7. Internal ductile iron piping to be Class 53, not Class 52 as stated in the specifications.

8. All piping, fittings, valves, etc. installed within the pumping station shall be pressure tested at 100 psi for a 2 (two) hour period.

9. Leaking pipe penetration shall be repaired from the exterior of the structure. The existing water table in the project area is unknown and it is the responsibility of the Contractor to secure any dewatering permits needed for the repair. All costs for dewatering shall be included in prices bid for exterior pump station improvements. The Contractor shall perform any necessary test pitting and include time in the schedule to secure any necessary permits. No time extension for delays due to dewatering permits will be granted if the Contractor does not follow this instruction.

REVISIONS / CORRECTIONS

10. Specification Section 11400 - Air Mixing System (Page 11400-1)
Part 2 – Products, Subsection 2.1 – Equipment, A. 2. shall be revised to read:

> "2. An air filter with a **40-micron element** and an auto-drain is provided to remove particulates and water to protect the regulator and pulsing valves. Air filter shall be metal type with non-breakable view window. Glass type view tube shall not be used."

11. Specification Section 11400 - Air Mixing System (Page 11400-2)
Part 3 – Execution, Subsection 3.1 – Stipulations, A. shall be revised to read:

> "A. The **following** items **shall be** provided by the manufacturer under this contract**:**
> **1.** Air Pulsing Components install in a NEMA 4X Control Panel.

2. Bubble forming Plate(s)
3. 12 month warranty on air pulsing components and bubble forming plates."

To clarify, the original language stated that all the items were to be installed in a NEMA 4X Control Panel. Only the Air Pulsing Components are to be installed in the enclosure.

END OF ADDENDUM

DAVIS BOWEN & FRIEDEL, INC.

ARCHITECTS ENGINEERS SURVEYORS

Michael R. Wigley, AIA, LEED AP
Randy B. Duplechain, P.E.
Charles R. Woodward, Jr., LS
W. Zachary Crouch, P.E.
Michael E. Wheedleton, AIA
Jason P. Loar, P.E.
Gerald G. Friedel, P.E.

January 14, 2013

Bearing Construction, Inc.
805 Shine Smith Road
Sudlersville, Maryland 21668

Attn: Leslie A. Miller

RE: **Invitation to Responsible Bidders**
Pump Station Rehabilitation Project
Washington St. Sewage Pumping Station
City of Milford, Delaware
DBF #052A155

Dear Ms. Miller:

As your firm has met the responsibility criteria for the project as established in the Questionnaire portion of the Information for Prospective Bidders, the City of Milford would like to invite your firm, as a responsible bidder, to submit a priced bid on the above-referenced project.

Sealed BIDS, in duplication, will be received by the City of Milford at City Hall, 201 Walnut Street, Milford, Delaware 19963, until **2:00 p.m. local time on February 7, 2013** for the general construction of the **Washington Street Pump Station Rehabilitation Project**, at which time they will be opened publicly. Any bids received after said time will be returned unopened.

The work includes the removal and replacement of the existing pumps, motors, piping, valves, instrumentation, ventilation and electrical systems as well as the installation of an odor control and air burst system and interior and exterior renovation and rehabilitation work. To perform the work, the Contractor will be responsible for providing the necessary bypass pumping equipment for completion of the project. Bypassing the existing pump station will require modifications to one of the existing structures.

The CONTRACT DOCUMENTS may be examined and/or obtained at the office of Davis, Bowen & Friedel, Inc., 23 North Walnut Street, Milford, Delaware, 19963, 302-424-1441, upon payment of $250.00 for each set, non-refundable. Checks should be made payable to Davis, Bowen & Friedel, Inc.

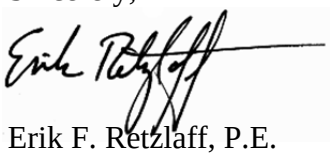
Responsible bidders will be required to provide bid security in the amount of 10% of the bid sum. The successful bidder must post Performance and Payment Bonds equal to 100% of the contract price upon execution of the contract.

A **MANDATORY** PRE-BID meeting will be held at **10:00 a.m. on January 24, 2013**, at the office of Davis, Bowen & Friedel, Inc., 23 North Walnut Street, Milford, Delaware, 19963.

The City reserves the right, as the interest of the City of Milford may appear, to reject any and all bids, to waive any informality or irregularity in bids received, and to accept or reject any items of any bid.

Thank you for your consideration of this project.

Sincerely,



Erik F. Retzlaff, P.E.
Associate

Enc.

cc: Richard Carmean, City Manager
Brad Dennehy, Director of Public Works
Bob Cannon, Carew Associates

DAVIS BOWEN & FRIEDEL, INC.

ARCHITECTS ENGINEERS SURVEYORS

Michael R. Wigley, AIA, LEED AP
Randy B. Duplechain, P.E.
Charles R. Woodward, Jr., LS
W. Zachary Crouch, P.E.
Michael E. Wheedleton, AIA
Jason P. Loar, P.E.
Gerald G. Friedel, P.E.

January 14, 2013

George & Lynch, Inc.
150 Lafferty Lane
Dover, Delaware 19901

Attn: Michael Megonigal

RE: **Invitation to Responsible Bidders**
Pump Station Rehabilitation Project
Washington St. Sewage Pumping Station
City of Milford, Delaware
DBF #052A155

Dear Mr. Megonigal:

As your firm has met the responsibility criteria for the project as established in the Questionnaire portion of the Information for Prospective Bidders, the City of Milford would like to invite your firm, as a responsible bidder, to submit a priced bid on the above-referenced project.

Sealed BIDS, in duplication, will be received by the City of Milford at City Hall, 201 Walnut Street, Milford, Delaware 19963, until **2:00 p.m. local time on February 7, 2013** for the general construction of the **Washington Street Pump Station Rehabilitation Project**, at which time they will be opened publicly. Any bids received after said time will be returned unopened.

The work includes the removal and replacement of the existing pumps, motors, piping, valves, instrumentation, ventilation and electrical systems as well as the installation of an odor control and air burst system and interior and exterior renovation and rehabilitation work. To perform the work, the Contractor will be responsible for providing the necessary bypass pumping equipment for completion of the project. Bypassing the existing pump station will require modifications to one of the existing structures.

The CONTRACT DOCUMENTS may be examined and/or obtained at the office of Davis, Bowen & Friedel, Inc., 23 North Walnut Street, Milford, Delaware, 19963, 302-424-1441, upon payment of $250.00 for each set, non-refundable. Checks should be made payable to Davis, Bowen & Friedel, Inc.

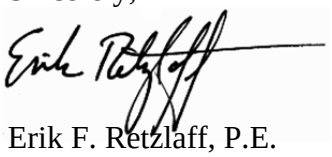
Responsible bidders will be required to provide bid security in the amount of 10% of the bid sum. The successful bidder must post Performance and Payment Bonds equal to 100% of the contract price upon execution of the contract.

A **MANDATORY** PRE-BID meeting will be held at **10:00 a.m. on January 24, 2013**, at the office of Davis, Bowen & Friedel, Inc., 23 North Walnut Street, Milford, Delaware, 19963.

The City reserves the right, as the interest of the City of Milford may appear, to reject any and all bids, to waive any informality or irregularity in bids received, and to accept or reject any items of any bid.

Thank you for your consideration of this project.

Sincerely,



Erik F. Retzlaff, P.E.
Associate

Enc.

cc: Richard Carmean, City Manager
Brad Dennehy, Director of Public Works
Bob Cannon, Carew Associates

DAVIS BOWEN & FRIEDEL, INC.

ARCHITECTS ENGINEERS SURVEYORS

Michael R. Wigley, AIA, LEED AP
Randy B. Duplechain, P.E.
Charles R. Woodward, Jr., LS
W. Zachary Crouch, P.E.
Michael E. Wheedleton, AIA
Jason P. Loar, P.E.
Gerald G. Friedel, P.E.

January 14, 2013

Johnston Construction Company
4331 Fox Run Road
P.O. Box 98
Dover, Pennsylvania 17315-0098

Attn: Trey Johnston

RE: **Invitation to Responsible Bidders**
Pump Station Rehabilitation Project
Washington St. Sewage Pumping Station
City of Milford, Delaware
DBF #052A155

Dear Mr. Johnston:

As your firm has met the responsibility criteria for the project as established in the Questionnaire portion of the Information for Prospective Bidders, the City of Milford would like to invite your firm, as a responsible bidder, to submit a priced bid on the above-referenced project.

Sealed BIDS, in duplication, will be received by the City of Milford at City Hall, 201 Walnut Street, Milford, Delaware 19963, until **2:00 p.m. local time on February 7, 2013** for the general construction of the **Washington Street Pump Station Rehabilitation Project**, at which time they will be opened publicly. Any bids received after said time will be returned unopened.

The work includes the removal and replacement of the existing pumps, motors, piping, valves, instrumentation, ventilation and electrical systems as well as the installation of an odor control and air burst system and interior and exterior renovation and rehabilitation work. To perform the work, the Contractor will be responsible for providing the necessary bypass pumping equipment for completion of the project. Bypassing the existing pump station will require modifications to one of the existing structures.

The CONTRACT DOCUMENTS may be examined and/or obtained at the office of Davis, Bowen & Friedel, Inc., 23 North Walnut Street, Milford, Delaware, 19963, 302-424-1441, upon payment of $250.00 for each set, non-refundable. Checks should be made payable to Davis, Bowen & Friedel, Inc.

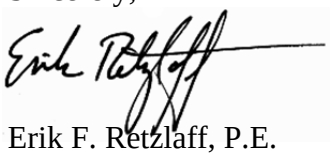
Responsible bidders will be required to provide bid security in the amount of 10% of the bid sum. The successful bidder must post Performance and Payment Bonds equal to 100% of the contract price upon execution of the contract.

A **MANDATORY** PRE-BID meeting will be held at **10:00 a.m. on January 24, 2013**, at the office of Davis, Bowen & Friedel, Inc., 23 North Walnut Street, Milford, Delaware, 19963.

The City reserves the right, as the interest of the City of Milford may appear, to reject any and all bids, to waive any informality or irregularity in bids received, and to accept or reject any items of any bid.

Thank you for your consideration of this project.

Sincerely,



Erik F. Retzlaff, P.E.
Associate

Enc.

cc: Richard Carmean, City Manager
Brad Dennehy, Director of Public Works
Bob Cannon, Carew Associates

DAVIS BOWEN & FRIEDEL, INC.

ARCHITECTS ENGINEERS SURVEYORS

Michael R. Wigley, AIA, LEED AP
Randy B. Duplechain, P.E.
Charles R. Woodward, Jr., LS
W. Zachary Crouch, P.E.
Michael E. Wheedleton, AIA
Jason P. Loar, P.E.
Gerald G. Friedel, P.E.

January 14, 2013

Teal Construction, Inc.
612 Mary Street
P.O. Box 779
Dover, Delaware 19903

Attn: Charles W. Reed, III

RE: **Invitation to Responsible Bidders**
Pump Station Rehabilitation Project
Washington St. Sewage Pumping Station
City of Milford, Delaware
DBF #052A155

Dear Mr. Reed:

As your firm has met the responsibility criteria for the project as established in the Questionnaire portion of the Information for Prospective Bidders, the City of Milford would like to invite your firm, as a responsible bidder, to submit a priced bid on the above-referenced project.

Sealed BIDS, in duplication, will be received by the City of Milford at City Hall, 201 Walnut Street, Milford, Delaware 19963, until **2:00 p.m. local time on February 7, 2013** for the general construction of the **Washington Street Pump Station Rehabilitation Project**, at which time they will be opened publicly. Any bids received after said time will be returned unopened.

The work includes the removal and replacement of the existing pumps, motors, piping, valves, instrumentation, ventilation and electrical systems as well as the installation of an odor control and air burst system and interior and exterior renovation and rehabilitation work. To perform the work, the Contractor will be responsible for providing the necessary bypass pumping equipment for completion of the project. Bypassing the existing pump station will require modifications to one of the existing structures.

The CONTRACT DOCUMENTS may be examined and/or obtained at the office of Davis, Bowen & Friedel, Inc., 23 North Walnut Street, Milford, Delaware, 19963, 302-424-1441, upon payment of $250.00 for each set, non-refundable. Checks should be made payable to Davis, Bowen & Friedel, Inc.

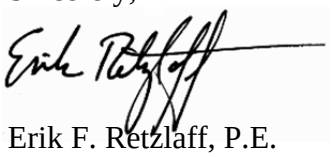
Responsible bidders will be required to provide bid security in the amount of 10% of the bid sum. The successful bidder must post Performance and Payment Bonds equal to 100% of the contract price upon execution of the contract.

A **MANDATORY** PRE-BID meeting will be held at **10:00 a.m. on January 24, 2013**, at the office of Davis, Bowen & Friedel, Inc., 23 North Walnut Street, Milford, Delaware, 19963.

The City reserves the right, as the interest of the City of Milford may appear, to reject any and all bids, to waive any informality or irregularity in bids received, and to accept or reject any items of any bid.

Thank you for your consideration of this project.

Sincerely,



Erik F. Retzlaff, P.E.
Associate

Enc.

cc: Richard Carmean, City Manager
Brad Dennehy, Director of Public Works
Bob Cannon, Carew Associates

City of Milford
Washington Street Pump Station Rehabilitation

Bid Opening: February 7, 2013 @ 2 p.m.
Milford City Hall
Milford, Delaware

BIDDER	Bid Amount Items 1-13	Alternate Bid	Bid Bond
Johnston Construction Company Dover, Pennsylvania	**$918,201**	**$893,201**	√
Bearing Construction Company Sudlersville, Maryland	**$762,400**	**$717,400**	√

Certified by:

Teresa K. Hudson
City Clerk

DAVIS BOWEN & FRIEDEL, INC.

ARCHITECTS ENGINEERS SURVEYORS

Michael R. Wigley, AIA, LEED AP
Randy B. Duplechain, P.E.
Charles R. Woodward, Jr., LS
W. Zachary Crouch, P.E.
Michael E. Wheedleton, AIA
Jason P. Loar, P.E.
Gerald G. Friedel, P.E.

February 8, 2013

City of Milford
201 S. Walnut Street
P.O. Box 159
Milford, Delaware 19963

Attn: Richard D. Carmean
City Manager

RE: **Recommendation for Award**
Pump Station Rehabilitation Project
Washington St. Sewage Pumping Station
Milford, Delaware
DBF # 052A155

Dear Richard:

Please find enclosed the tabulation and copies of the bids received for the above-referenced project. After reviewing the submitted bids, our office recommends award of the contract to **Bearing Construction, Inc. in the amount of $762,400.00**.

While reviewing the submitted bids, we identified a multiplication error in the bid submitted by Johnston Construction Company. This discrepancy is seen in the unit price bid and total price listed for Bid Items 11, 12 and 13. Correcting the multiplication error reduces Johnston Construction Company's submitted bid by a total of $112.00 and has no impact on the ranking of the bidders. The multiplication error has been corrected in the attached bid tabulation.

Should you have any questions or wish to discuss the matter further, please contact our office.

Sincerely,

Erik F. Retzlaff, P.E.
Associate

Milford\052A155\RC Award Rec

Enclosure

❑ ONE PLAZA EAST, SUITE 200, P.O. BOX 93, SALISBURY, MD 21803-0093 • 410.543.9091
☒ 23 NORTH WALNUT ST, P.O. BOX 809, MILFORD, DE 19963 • 302.424.1441
❑ 106 NORTH WASHINGTON ST, EASTON, MD 21601• 410.770.4744
❑ 2525 RIVA RD, STE 102, ANNAPOLIS, MD 21401 • 410.897.1004
www.dbfinc.com

CITY OF MILFORD

PUMP STATION REHABILITATION PROJECT
WASHINGTON ST. SEWAGE PUMPING STATION

Contract: 052A155
Bid Date: February 7, 2013

BID RESULTS

Item No.	Description	Size/ Depth	Unit	Est. Qty	Bearing Construction, Inc. Unit Price	Bearing Construction, Inc. Total Price	Johnston Construction Company Unit Price	Johnston Construction Company Total Price
1	Mobilization/Demobilization (Max. 3% of Total Bid Contract)	---	LS	---	---	$22,000.00	---	$26,643.00
2	Modify existing siphon pit	---	LS	---	---	$44,000.00	---	$42,228.00
3	Bypass pumping operations (incl. purchase and use of spare backup pump)	---	LS	---	---	$120,000.00	---	$158,948.00
4	Furnish and install wet well and comminutor channel lining system	---	LS	---	---	$21,000.00	---	$12,000.00
5	Prepare and paint concrete ceilings, walls and floors (non-wetted areas)	---	LS	---	---	$24,000.00	---	$25,262.00
6	Demolish, furnish and install interior pump station equipment and piping	---	LS	---	---	$336,000.00	---	$440,000.00
7	Furnish and install pulsed air mixing and air supply system	---	LS	---	---	$21,000.00	---	$8,902.00
8	Demolish, furnish and install electrical components	---	LS	---	---	$108,000.00	---	$79,767.00
9	Demolish, furnish and install mechanical components	---	LS	---	---	$4,000.00	---	$3,164.00
10	Demolish furnish and install exterior pump station improvements	---	LS	---	---	$60,000.00	---	$91,175.00
	Contingent Items (To be Completed at the Direction of the Engineer)							
11	Miscellaneous concrete repair (non-wetted areas)	---	SF	600	$1.50	$900.00	$23.00	$13,800.00
12	Miscellaneous concrete repair (wetted areas - underlayment)	---	SF	300	$3.00	$900.00	$27.00	$8,100.00
13	Miscellaneous concrete repair (wetted areas - epoxy filler)	---	SF	300	$2.00	$600.00	$27.00	$8,100.00
	TOTAL BID (ITEMS 1 - 13)					**$762,400.00**		**$918,089.00**

	Alternate for Bid Item 3A							
3A	Bypass pumping operations (incl. rental of spare backup pump)	---	LS	---	---	$75,000.00	---	$133,948.00
	TOTAL BID (ITEMS 1 - 13 with 3A)					**$717,400.00**		**$893,089.00**

SECTION 00300R

BID FORM *(REVISED)*

Proposal of Bearing Construction, Inc. (hereafter called "BIDDER"), organized and existing under the laws of the State of Delaware doing business as Corporation (*Insert "a corporation", "a partnership", or "an individual" as applicable)* to the City of Milford (hereinafter called "OWNER").

In compliance with the INVITATION TO RESPONSIBLE BIDDERS, BIDDER hereby proposes to perform all WORK for the **Washington Street Pump Station Rehabilitation**, in strict accordance with the CONTRACT DOCUMENTS, within the time set forth herein, and at the prices stated below.

By submission of this BID, each BIDDER certifies that this BID has been arrived at independently, without consultation, communication, or agreement as to any matter relating to this BID with any other BIDDER or with any competitor.

BIDDER hereby agrees to commence WORK under this CONTRACT on or before a date to be specified in the NOTICE TO PROCEED and to fully complete the PROJECT within **180 consecutive calendar days** thereafter. BIDDER further agrees to pay, as liquidated damages, an amount of **$1,500.00 per calendar day** as defined in the GENERAL CONDITIONS.

BIDDER acknowledges receipt of the following ADDENDA:

Addendum No. 1 dated Feb. 1, 2013

This BID includes sales tax and all other applicable taxes and fees. BIDDER agrees to perform all the WORK described in the CONTRACT DOCUMENTS for the following unit prices or lump sum:

ITEM NO. & DESCRIPTION OF WORK		UNIT	SIZE OR DEPTH	EST QTY	UNIT PRICE	TOTAL PRICE
1.	Mobilization/Demobilization (Max. 3% of Total Bid)	LS	--	--	--	$ 22,000-
2.	Modify Existing Siphon Pit	LS	--	--	--	$ 44,000-
3.	By-Pass Pumping Operations (including Purchase and Use of Spare Backup Pump)	LS	--	--	--	$ 120,000-
4.	Furnish and Install Wet Well and Comminutor Channel Lining System	LS	--	--	--	$ 21,000-
5.	Prepare and Paint Concrete Ceilings, Walls, and Floors (Non-Wetted Areas)	LS	--	--	--	$ 24,000-
6.	Demolish, Furnish, and Install Interior Pump Station Equipment and Piping	LS	--	--	--	$ 336,000-
7.	Furnish and Install Pulsed Air Mixing and Air Supply System	LS	--	--	--	$ 21,000-
8.	Demolish, Furnish, and Install Electrical Components	LS	--	--	--	$ 108,000-
9.	Demolish, Furnish, and Install Mechanical Components	LS	--	--	--	$ 4,000-
10.	Demolish, Furnish, and Install Exterior Pump Station Improvements	LS	--	--	--	$ 60,000-
CONTINGENT ITEMS (TO BE COMPLETED AT DIRECTION OF ENGINEER)						
11.	Miscellaneous Concrete Repair (Non-Wetted Areas)	SF	--	600	$ 1.50	$ 900-
12.	Miscellaneous Concrete Repair (Wetted Areas – Underlayment)	SF	--	300	$ 3.00	$ 900-
13.	Miscellaneous Concrete Repair (Wetted Areas – Epoxy Filler)	SF	--	300	$ 2.00	$ 600-

TOTAL BID AMOUNT (ITEMS 1-13): $ 762,400

The Total Bid Amount for this project is to include the purchase and use of a diesel-powered spare backup pump. The OWNER reserves the right to award the contract based on an alternative pricing option. Alternate BID Item 3A, if used, shall replace BID Item 3. CONTRACT AWARD will be based on the total amount BID for BID Items 1 through 13, with or without the Alternate BID Item, as is in the best interest of the OWNER.

ALTERNATE BID ITEMS						
ITEM NO. & DESCRIPTION OF WORK		UNIT	SIZE OR DEPTH	EST QTY	UNIT PRICE	TOTAL PRICE
3A.	By-Pass Pumping Operations (including Rental of Spare Backup Pump)	LS	--	--	--	$ 75,000-

TOTAL BID AMOUNT (ITEMS 1-13) WITH BID ITEM 3A IN PLACE OF BID ITEM 3: $ 717,400-

SUBCONTRACTOR and SUPPLIER LIST

In accordance with Title 29, Chapter 69, §6962 (d) (10) b. of the Delaware Code, the following SUBCONTRACTOR and SUPPLIER listing must accompany the BID submittal. The name and address (City and State only) of all major material SUPPLIERS and SUBCONTRACTORS must be listed for each category where the BIDDER intends to use a SUPPLIER or SUBCONTRACTOR to perform that category of WORK. In order to provide full disclosure and acceptance of the BID by the OWNER, it is required that BIDDERS list themselves as being the SUBCONTRACTOR or SUPPLIER for all categories where he/she is qualified and intends to perform such WORK.

SUBCONTRACTORS				
	CATEGORY	COMPANY NAME	ADDRESS (CITY, STATE)	DBE (Y/N)
1.	Electrical	Bilbrough Elec.	Denton, MD	No
2.	HVAC/Mechanical	Bearing Const.	Sudlersville, MD	NO
3.	Painting	Maccari Company	Newport, De	NO
4.	Lining	Maccari Company	Newport, De	no
5.	Roofing	Joshi Const.	Hockessin, De	yes
6.	Metal Work	Bearing Const.	Sudlersville, MD	NO
7.	Bypass Pumping	Bearing Const.	Sudlersville, MD	NO
8.	Carpentry	Joshi Const.	Hockessin, De	yes
9.	Landscaping	Bearing Const.	Sudlersville, MD	NO
10.	Masonry	Bearing Const.	Sudlersville, MD	NO
11.	Concrete	Bearing Const.	Sudlersville, MD	NO
12.	Concrete X-raying	Bearing Const.	Sudlersville, MD	NO
SUPPLIERS				
	CATEGORY	COMPANY NAME	ADDRESS (CITY, STATE)	DBE (Y/N)
1.	Grinder	Channel Monster	Exton, PA	no
2.	Air Mixing Sys.	PHI	Blue bell, PA	no
3.	Odor Control	Siemans	San Diego, CA	no
4.				
5.				
6.				
7.				

BIDDER Please Note:

The OWNER reserves the right to accept or reject any or all BIDS. The OWNER may elect to delete some or all portions of any BID item, shown above and described in the CONTRACT DOCUMENTS, or accept any or all alternate BID items, in any order, such that the best interests of the OWNER are served.

By submission of this BID, BIDDER certifies that: (1) he is licensed, or has initiated the license application, as required by Title 30, Chapter 25, §2502 of the Delaware Code; (2) he has not, either directly or indirectly, entered into any agreement, participated in any collusion or otherwise taken any action in restraint of free competitive bidding in connection with this submitted proposal; and (3) he comprehends the bidding requirements set forth in the CONTRACT DOCUMENTS and herein and is thoroughly familiar with the provisions of the CONTRACT DOCUMENTS.

BIDDER agrees that this BID shall be good and may not be withdrawn for a period of ninety (90) days after the scheduled closing time for receiving BIDS. Upon receipt of written notice of the acceptance of this BID, BIDDER will execute the formal CONTRACT, attached to said notice, within twenty (20) days and deliver a Surety BOND or BONDS as required by the INFORMATION TO BIDDERS.

The BID security attached in the sum of $ bond, representing ten percent (10%) of the total Project BID, is to become the property of the OWNER in the event the CONTRACT and BONDS are not executed within the time above set forth, as liquidated damages for the delay and additional time expense to the OWNER caused thereby.

Respectfully submitted:

Signature James R. Merrell	Feb. 7, 2013 Date
President Title	805 Shine Smith Rd. Address
DE License No. 2000106704 License Number (If applicable)	Sudlersville, MD 21668 Address (cont'd)

Seal - (if bid is by a corporation)

END OF SECTION

SECTION 00370

BID BOND

KNOW ALL MEN BY THESE PRESENTS, that we, the Undersigned, Bearing Construction, Inc., as PRINCIPAL, and Fidelity and Deposit Company of Maryland, as SURETY, are hereby held and firmly bound unto the City of Milford, as OWNER, the penal sum of Ten Percent of Amount Bid, ($ 10%) for the payment of which, well and truly to be made, we hereby jointly and severally bind ourselves, successors and assigns.

Signed, this 7th day of February, 2013.

The condition of the above obligation is such that whereas the PRINCIPAL has submitted to the City of Milford a certain BID, attached hereto and hereby made a part hereof to enter into a CONTRACT in writing, for the **Washington Street Pump Station Rehabilitation**.

NOW, THEREFORE,

(a) If said BID shall be rejected, or

(b) If said BID shall be accepted and the PRINCIPAL shall execute and deliver a CONTRACT in the form of CONTRACT attachment hereto (properly completed in accordance with said BID) and shall furnish a BOND for faithful performance of said CONTRACT, and for the payment of all persons performing labor and furnishing materials in connection therewith, and shall in all other respects perform the agreement created by the acceptance of said BID, then this obligation shall be void, otherwise the same shall remain in force and effect; it being expressly understood and agreed that the liability of the SURETY for any and all claims hereunder shall, in no event, exceed the penal amount of this obligation as herein stated.

The SURETY, for value received, hereby stipulates and agrees that the obligations of said SURETY and its BOND shall be in no way impaired or affected by any extension of the time within which the OWNER may accept such BID; and said SURETY does hereby waive notice of any extension.

In WITNESS WHEREOF, the PRINCIPAL and the SURETY have hereunto set their hands and seals, and such of them as are corporations have caused their corporate seals to be hereto affixed and these presents to be signed by their proper officers, the day and year first set forth above. SURETY executing BONDS shall be a licensed agent in the State of Delaware.

Bearing Construction, Inc.

_____ (L.S.)
Principal

Fidelity and Deposit Company of Maryland
Surety

By: _____
Stephanie D. Freeman, Attorney-In-Fact

IMPORTANT – SURETY companies executing BONDS must appear on the Treasury Department's most current list (Circular 570 as amended) and be authorized to transact business in the state where the project is located.

END OF SECTION

ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND
POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Maryland, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Maryland (herein collectively called the "Companies"), by **JAMES M. CARROLL, Vice President,** in pursuance of authority granted by Article V, Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint **Michael A. WALTER, Beth K. MCNELLIS, Stephanie D. FREEMAN, Dayna M. BETZ, Mary Ann MARBURY, Richard C. FAINT III and Kent M. PAGOOTA, all of Columbia, Maryland, EACH** its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: **any and all bonds and undertakings,** and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York., the regularly elected officers of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at its office in Owings Mills, Maryland., and the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills, Maryland., in their own proper persons.

The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies, and is now in force.

IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said **ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND,** this 13th day of July, A.D. 2012.

ATTEST:

ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND

By: _____
Assistant Secretary
Eric D. Barnes

_____
Vice President
James M. Carroll

State of Maryland
City of Baltimore

On this 13th day of July, A.D. 2012, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, **JAMES M. CARROLL, Vice President, and ERIC D. BARNES, Assistant Secretary,** of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, deposeth and saith, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.

_____
Maria D. Adamski, Notary Public
My Commission Expires: July 8, 2015

EXTRACT FROM BY-LAWS OF THE COMPANIES

"Article V, Section 8, Attorneys-in-Fact. The Chief Executive Officer, the President, or any Executive Vice President or Vice President may, by written instrument under the attested corporate seal, appoint attorneys-in-fact with authority to execute bonds, policies, recognizances, stipulations, undertakings, or other like instruments on behalf of the Company, and may authorize any officer or any such attorney-in-fact to affix the corporate seal thereto; and may with or without cause modify of revoke any such appointment or authority at any time."

CERTIFICATE

I, the undersigned, Vice President of the ZURICH AMERICAN INSURANCE COMPANY, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that Article V, Section 8, of the By-Laws of the Companies is still in force.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the ZURICH AMERICAN INSURANCE COMPANY at a meeting duly called and held on the 15th day of December 1998.

RESOLVED: "That the signature of the President or a Vice President and the attesting signature of a Secretary or an Assistant Secretary and the Seal of the Company may be affixed by facsimile on any Power of Attorney...Any such Power or any certificate thereof bearing such facsimile signature and seal shall be valid and binding on the Company."

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at a meeting duly called and held on the 5th day of May, 1994, and the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990.

RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seals of the said Companies, this 7th day of February, 2013.



Geoffrey Delisio

Geoffrey Delisio, Vice President

SECTION 00300R

BID FORM *(REVISED)*

Proposal of Johnston Construction Company (hereafter called "BIDDER"), organized and existing under the laws of the State of Pennsylvania doing business as a corporation (*Insert "a corporation", "a partnership", or "an individual" as applicable)* to the City of Milford (hereinafter called "OWNER").

In compliance with the INVITATION TO RESPONSIBLE BIDDERS, BIDDER hereby proposes to perform all WORK for the **Washington Street Pump Station Rehabilitation**, in strict accordance with the CONTRACT DOCUMENTS, within the time set forth herein, and at the prices stated below.

By submission of this BID, each BIDDER certifies that this BID has been arrived at independently, without consultation, communication, or agreement as to any matter relating to this BID with any other BIDDER or with any competitor.

BIDDER hereby agrees to commence WORK under this CONTRACT on or before a date to be specified in the NOTICE TO PROCEED and to fully complete the PROJECT within **180 consecutive calendar days** thereafter. BIDDER further agrees to pay, as liquidated damages, an amount of **$1,500.00 per calendar day** as defined in the GENERAL CONDITIONS.

BIDDER acknowledges receipt of the following ADDENDA:

Addendum No. 1 - Friday February 1, 2013

This BID includes sales tax and all other applicable taxes and fees. BIDDER agrees to perform all the WORK described in the CONTRACT DOCUMENTS for the following unit prices or lump sum:

ITEM NO. & DESCRIPTION OF WORK		UNIT	SIZE OR DEPTH	EST QTY	UNIT PRICE	TOTAL PRICE
1.	Mobilization/Demobilization (Max. 3% of Total Bid)	LS	--	--	--	$ 26,643
2.	Modify Existing Siphon Pit	LS	--	--	--	$ 42,228
3.	By-Pass Pumping Operations (including Purchase and Use of Spare Backup Pump)	LS	--	--	--	$ 158,948
4.	Furnish and Install Wet Well and Comminutor Channel Lining System	LS	--	--	--	$ 12,000
5.	Prepare and Paint Concrete Ceilings, Walls, and Floors (Non-Wetted Areas)	LS	--	--	--	$ 25,262
6.	Demolish, Furnish, and Install Interior Pump Station Equipment and Piping	LS	--	--	--	$ 440,000
7.	Furnish and Install Pulsed Air Mixing and Air Supply System	LS	--	--	--	$ 8,902
8.	Demolish, Furnish, and Install Electrical Components	LS	--	--	--	$ 79,767
9.	Demolish, Furnish, and Install Mechanical Components	LS	--	--	--	$ 3,104
10.	Demolish, Furnish, and Install Exterior Pump Station Improvements	LS	--	--	--	$ 91,175
CONTINGENT ITEMS (TO BE COMPLETED AT DIRECTION OF ENGINEER)						
11.	Miscellaneous Concrete Repair (Non-Wetted Areas)	SF	--	600	$ 23.00	$ 13,870
12.	Miscellaneous Concrete Repair (Wetted Areas – Underlayment)	SF	--	300	$ 27.00	$ 8,121
13.	Miscellaneous Concrete Repair (Wetted Areas – Epoxy Filler)	SF	--	300	$ 27.00	$ 8,121

TOTAL BID AMOUNT (ITEMS 1-13): **$** 918,201

The Total Bid Amount for this project is to include the purchase and use of a diesel-powered spare backup pump. The OWNER reserves the right to award the contract based on an alternative pricing option. Alternate BID Item 3A, if used, shall replace BID Item 3. CONTRACT AWARD will be based on the total amount BID for BID Items 1 through 13, with or without the Alternate BID Item, as is in the best interest of the OWNER.

ALTERNATE BID ITEMS						
ITEM NO. & DESCRIPTION OF WORK		UNIT	SIZE OR DEPTH	EST QTY	UNIT PRICE	TOTAL PRICE
3A.	By-Pass Pumping Operations (including Rental of Spare Backup Pump)	LS	--	--	--	$ 133,948

TOTAL BID AMOUNT (ITEMS 1-13) WITH BID ITEM 3A IN PLACE OF BID ITEM 3: $ 893,201

SUBCONTRACTOR and SUPPLIER LIST

In accordance with Title 29, Chapter 69, §6962 (d) (10) b. of the Delaware Code, the following SUBCONTRACTOR and SUPPLIER listing must accompany the BID submittal. The name and address (City and State only) of all major material SUPPLIERS and SUBCONTRACTORS must be listed for each category where the BIDDER intends to use a SUPPLIER or SUBCONTRACTOR to perform that category of WORK. In order to provide full disclosure and acceptance of the BID by the OWNER, it is required that BIDDERS list themselves as being the SUBCONTRACTOR or SUPPLIER for all categories where he/she is qualified and intends to perform such WORK.

SUBCONTRACTORS				
	CATEGORY	COMPANY NAME	ADDRESS (CITY, STATE)	DBE (Y/N)
1.	Electrical	Bilbroughs Electric	Denton, MD	N
2.	HVAC/Mechanical	Johnston	Dover, PA	N
3.	Painting	Baytown Painting	Baltimore, MD.	N
4.	Lining	Baytown Painting	Baltimore, MD.	N
5.	Roofing	Tiger Roofing	Cambridge, MD	N
6.	Metal Work	Johnston	Dover, PA	N
7.	Bypass Pumping	Godwin	Bridgeport, NJ	N
8.	Carpentry	Johnston	Dover, PA	N
9.	Landscaping	Johnston	Dover, PA	N
10.	Masonry	Wagman	Elkton, MD	N
11.	Concrete	Johnston	Dover, PA	N
12.	Concrete X-raying	Ground Penetrating Radar	Wimington, DE	N
SUPPLIERS				
	CATEGORY	COMPANY NAME	ADDRESS (CITY, STATE)	DBE (Y/N)
1.	Pumps	Xylem	Malvern, PA.	N
2.	Odor Control	Siemens c/o Riordan	Crofton, MD	N
3.	Air Mixing	Pulsed Hydraulics c/o Riordan	Crofton, MD	N
4.				
5.				
6.				
7.				

BIDDER Please Note:

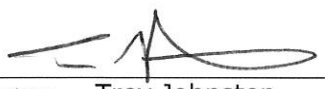
The OWNER reserves the right to accept or reject any or all BIDS. The OWNER may elect to delete some or all portions of any BID item, shown above and described in the CONTRACT DOCUMENTS, or accept any or all alternate BID items, in any order, such that the best interests of the OWNER are served.

By submission of this BID, BIDDER certifies that: (1) he is licensed, or has initiated the license application, as required by Title 30, Chapter 25, §2502 of the Delaware Code; (2) he has not, either directly or indirectly, entered into any agreement, participated in any collusion or otherwise taken any action in restraint of free competitive bidding in connection with this submitted proposal; and (3) he comprehends the bidding requirements set forth in the CONTRACT DOCUMENTS and herein and is thoroughly familiar with the provisions of the CONTRACT DOCUMENTS.

BIDDER agrees that this BID shall be good and may not be withdrawn for a period of ninety (90) days after the scheduled closing time for receiving BIDS. Upon receipt of written notice of the acceptance of this BID, BIDDER will execute the formal CONTRACT, attached to said notice, within twenty (20) days and deliver a Surety BOND or BONDS as required by the INFORMATION TO BIDDERS.

The BID security attached in the sum of $ 10% , representing ten percent (10%) of the total Project BID, is to become the property of the OWNER in the event the CONTRACT and BONDS are not executed within the time above set forth, as liquidated damages for the delay and additional time expense to the OWNER caused thereby.

Respectfully submitted:



Signature Trey Johnston

February 7, 2013
Date

President and C.E.O.
Title

4331 Fox Run Road - P.O. Box 98
Address

DE #1996108476
License Number (If applicable)

Dover, PA. 17315-0098
Address (cont'd)

Seal - (if bid is by a corporation)

END OF SECTION

SECTION 00370

BID BOND

KNOW ALL MEN BY THESE PRESENTS, that we, the Undersigned, Johnston Construction Company, as PRINCIPAL, and Travelers Casualty and Surety Company of America, as SURETY, are hereby held and firmly bound unto the City of Milford, as OWNER, the penal sum of Ten Percent of Total Amount Bid, ($ 10%) for the payment of which, well and truly to be made, we hereby jointly and severally bind ourselves, successors and assigns.

Signed, this 7th day of February, 2013.

The condition of the above obligation is such that whereas the PRINCIPAL has submitted to the City of Milford a certain BID, attached hereto and hereby made a part hereof to enter into a CONTRACT in writing, for the **Washington Street Pump Station Rehabilitation**.

NOW, THEREFORE,

(a) If said BID shall be rejected, or

(b) If said BID shall be accepted and the PRINCIPAL shall execute and deliver a CONTRACT in the form of CONTRACT attachment hereto (properly completed in accordance with said BID) and shall furnish a BOND for faithful performance of said CONTRACT, and for the payment of all persons performing labor and furnishing materials in connection therewith, and shall in all other respects perform the agreement created by the acceptance of said BID, then this obligation shall be void, otherwise the same shall remain in force and effect; it being expressly understood and agreed that the liability of the SURETY for any and all claims hereunder shall, in no event, exceed the penal amount of this obligation as herein stated.

The SURETY, for value received, hereby stipulates and agrees that the obligations of said SURETY and its BOND shall be in no way impaired or affected by any extension of the time within which the OWNER may accept such BID; and said SURETY does hereby waive notice of any extension.

In WITNESS WHEREOF, the PRINCIPAL and the SURETY have hereunto set their hands and seals, and such of them as are corporations have caused their corporate seals to be hereto affixed and these presents to be signed by their proper officers, the day and year first set forth above. SURETY executing BONDS shall be a licensed agent in the State of Delaware.

Johnston Construction Company (L.S.)
Principal

By: _____

Trey Johnston - President & C.E.O.

Travelers Casualty and Surety Company of America
Surety

By: _____

Sarah E. Jordan, Attorney-in-Fact

IMPORTANT – SURETY companies executing BONDS must appear on the Treasury Department's most current list (Circular 570 as amended) and be authorized to transact business in the state where the project is located.

END OF SECTION

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

TRAVELERS

POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No. 225257 **Certificate No.** 005331713

KNOW ALL MEN BY THESE PRESENTS: That Farmington Casualty Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company are corporations duly organized under the laws of the State of Connecticut, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc., is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Alan P. Lubas, James E. Bradford Jr., Sheila E. Turnbull, and Sarah E. Jordan

of the City of Lancaster, State of Pennsylvania, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 14th day of January, 2013.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

State of Connecticut
City of Hartford ss.

By: _____
Robert L. Raney, Senior Vice President

On this the 14th day of January, 2013, before me personally appeared Robert L. Raney, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.
My Commission expires the 30th day of June, 2016.

Marie C. Tetreault
Marie C. Tetreault, Notary Public

58440-8-12 Printed in U.S.A.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, Kevin E. Hughes, the undersigned, Assistant Secretary, of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 7th day of February, 20 13

Kevin E. Hughes, Assistant Secretary

To verify the authenticity of this Power of Attorney, call 1-800-421-3880 or contact us at www.travelersbond.com. Please refer to the Attorney-In-Fact number, the above-named individuals and the details of the bond to which the power is attached.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

LICENSE NO. 1996108476 DORNL

POST CONSPICUOUSLY

STATE OF DELAWARE
DIVISION OF REVENUE

VALID
01/01/13 - 12/31/13
NOT TRANSFERABLE

DLN: 12 98524 83

BUSINESS CODE / GROUP CODE: 335

LICENSED ACTIVITY: CONTRACTOR-NON-RESIDENT

DATE ISSUED: 12/28/12

VALIDATED

2013

LICENSE FEE: $ 75.00

BUSINESS LICENSE

MAILING ADDRESS

JOHNSTON CONSTRUCTION COMPANY
PO BOX 98
DOVER PA 17315-0098

BUSINESS LOCATION

JOHNSTON CONSTRUCTION COMPANY
PO BOX 98
DOVER PA 17315-0098

IS HEREBY LICENSED TO PRACTICE, CONDUCT OR ENGAGE IN THE OCCUPATION OR BUSINESS ACTIVITY INDICATED ABOVE IN ACCORDANCE WITH THE LICENSE APPLICATION DULY FILED PURSUANT TO TITLE 30, DEL CODE.

PATRICK T. CARTER
DIRECTOR OF REVENUE

IMPORTANT - TEAR AT ABOVE PERFORATION AND DISPLAY IN A PUBLIC LOCATION

Federal E.I. No. or Social Security Number: 1 23221 6549 001

Business Code / Group Code: 335

Licensed Activity: CONTRACTOR-NON-RESIDENT

The State of Delaware Business License printed above must be posted in a public area at the location address listed. If you have any questions regarding this license, please call (302) 577-8778.

REPLACEMENT LICENSES

Keep this portion of your license separate, in case you need a replacement for any lost, stolen or destroyed license. A $15 fee will be charged for the replacement of a license. Send the $15 along with a copy of this form or provide your Federal Employer Identification Number, or Social Security Number, suffix, Business Code, Business Name and address to Delaware Division of Revenue, Attn.: Business Master File, PO Box 8750, Wilmington, DE 19899-8750. You will receive your replacement license within three to four weeks.

OTHER IMPORTANT INFORMATION

Most licensees are also required to pay either gross receipts or excise taxes in addition to the license fee. You can file these taxes online or obtain a paper form from our website at www.revenue.delaware.gov. You must **submit all business tax returns** filed with the Division of Revenue **under the same identification number.** If you are a sole-proprietor, and have a federal employer identification number, use the employer identification number, not your social security number. Only sole proprietors with no employees are allowed to file under their social security number. Inquiries regarding your coupon booklets to pay withholding, corporate tentative, and Sub Chapter "S" estimated taxes, or to make changes to your name, address, or identification number, should be directed to the Business Master File Unit at **(302) 577-8778.**

INTERNET SITE

The Division of Revenue web address is: www.revenue.delaware.gov. Visit our web site for tax tips, links to telephone numbers, forms that you can download, links to other State agencies, the Delaware Code, the publication "Delaware Guide for Small Business" and lots more. Internet filing of personal income tax returns via the Division of Revenue's website is available. Internet filing for Withholding, Gross Receipts and Corporate Tentative payments is also available.

Kent County

Department of Public Works

Engineering Division (302) 744-2430
Fax Number (302) 736-2100
Wastewater Facilities (302) 335-6000
Facilities Management (302) 744-2357

Kent County
Administrative Complex
555 Bay Road
Dover, DE 19901
(Handicapped Accessible)

April 29, 2009

David Baird
City Manager
City of Milford
180 Vickers Drive
Milford, DE 19963

RE: REVISED 2009 CONTRACT USER AGREEMENT WITH KENT COUNTY

Dear Mr. Baird:

We are in receipt of your (2) signed original "2009 Revised Contract User Agreements" between the City of Milford and Kent County reflecting the revisions to Article V that were approved by Levy Court on Tuesday, April 14, 2009. The "Agreements" have been counter-signed by the President of Levy Court. Therefore, enclosed please (1) fully executed original for your records.

Should you have any questions regarding this matter, please contact me at (302) 744-2430.

Sincerely,

Hans Medlarz, P.E.
Director
Department of Public Works

HM/jz
Enclosures

AGREEMENT FOR SERVICES

Between

CITY OF MILFORD

and

KENT COUNTY LEVY COURT

for and on behalf of

KENT COUNTY SEWAGE DISPOSAL DISTRICT NO. 1

In Connection with

the Transmission and Treatment of Sewage Discharge from

the City of Milford, Delaware

The Agreement for Services is made and entered into this 28th day of April, 2009, by and between Kent County Levy Court, the governing body of Kent County, Delaware (hereinafter referred to as "Owner"), on behalf of Kent County Sewage Disposal District No. 1, and City of Milford (hereinafter referred to as "Contract User").

WITNESSETH:

For and in consideration of the mutual promises and covenants herein contained, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto do hereby agree as follows:

ARTICLE I - TERM OF AGREEMENT

The term of this Agreement shall be ten (10) years, commencing upon the date of this Agreement, and terminating ten (10) years thereafter. If, at the expiration of the term of this Agreement, Contract User shall not be in default upon any of the terms or conditions of this Agreement, then Contract User shall have an option to renew this Agreement for an additional term of ten (10) years.

The Contract User must notify the Owner in writing, via certified mail, no later than ninety (90) days prior to this Agreement's expiration, in order to indicate the Contract User's intentions to either renew or terminate this Agreement. If the Contract User does not indicate their intentions in writing to the Owner, as described above, then this Agreement will be automatically renewed on a year to year basis.

ARTICLE II - DEFINITION OF TERMS

The following terms, as used herein, shall have the following meanings:

A "Collection System" shall mean gravity or pressurized pipelines used to convey Contract User's sewer discharge to a main line pumping station connected directly to a Transmission Line.

B. "Biological Treatment" shall mean the handling of constituents sewage by means of biological processes performed within the Kent County Wastewater Treatment Facility.

C. "Sewage" shall mean a combination of the water-carried waste from residences, businesses, institutions, industrial establishments, or other structures, buildings, or improvements, together with such ground, surface, and storm water as may be present.

D. "Sewer" shall mean a pipe or conduit which carries sewage.

E. "Transmission System" shall mean main transmission pipelines and pump stations used to convey sewage to the Kent County Wastewater Treatment Facility.

ARTICLE III - SERVICES TO BE RENDERED

The services to be rendered to Contract User by Owner shall be sufficient to carry out and perform the functions contemplated by terms of this Agreement, including but not limited to the following:

A. Transmission of Sewage

The transmission of all sewage will include pumping and piping necessary to transmit sewage through Owner's Transmission System to the Kent County Wastewater Treatment Facility. This obligation extends only to construction and operation of Owner's Transmission System and does not include the construction and operation of the Contract User's Collection System and local Transmission Lines which feed sewage into the Owner's Transmission System. Contract User is to construct, maintain and operate their Collection System and local Transmission Lines.

B. Treatment of Sewage

1. Upon transmission of Contract User's sewage through Owner's main conveyance system and pumping stations to the Kent County Wastewater Treatment Facility, Owner agrees to treat Contract User's sewage to a degree sufficient to enable the final effluent to comply with the Kent County Wastewater Treatment Facility National Pollutant Discharge Elimination System (NPDES) Permit. In the event that Owner cannot for

any reason transmit and/or treat any sewage produced and/or delivered by Contract User, as contemplated by Article III(A.1.) above, and provided that Owner's inability to transmit and/or treat such sewage is not due to any cause or fault directly attributable to Contract User or any significant change in the characteristics of the sewage of any existing or new contributor, or in the event such sewage is not amendable to Biological Treatment due to any cause or fault which is not directly attributable to Contract User or any significant change in the characteristics of the sewage of any existing or new contributor, the Owner agrees to construct and provide such additional facilities as may be necessary, in the sole discretion of Owner, to accomplish treatment of such sewage, with the expense of such additional facilities to be allocated and paid in accordance with Article V of this Agreement.

2. In the event that Owner's inability to transmit and/or treat such sewage is due to a cause or fault directly attributable to Contract User due to a significant change in the characteristics of sewage produced and/or delivered by Contract User, in the event such sewage is not amendable to Biological Treatment due to a cause or fault directly attributable to Contract User or due to a significant change in the characteristics of sewage produced and/or delivered by Contract User, then User shall assume full responsibility for any and all costs or expenditures required to transmit and/or treat such sewage, as contemplated by Article III (A) above, including but not limited to any and all operation, maintenance, engineering and legal expenses, or other financial liability. Within thirty (30) days of Contract User's receipt of written notice from Owner that Owner is unable to transmit and/or treat such sewage, Contract User shall take all appropriate remedial action to render such sewage capable of transmission and/or treatment by Owner or, alternatively, Contract User shall submit to Owner a written plan for appropriate remedial action to render such sewage capable of transmission and/or treatment by Owner in manner and upon such other terms as may be acceptable to Owner. Upon Contract User's failure to take appropriate remedial action or failure to submit to Owner a written plan for appropriate remedial action as aforesaid, Owner may, at its option, (1) advance all costs and expenditures required to transmit and/or treat such sewage and invoice Contract User for same, in which event Contract User shall reimburse Owner for all such costs and expenditures within sixty (60) days of the receipt of any invoice for same, or (2) terminate this Agreement upon (30) days written notice.

ARTICLE IV - CHARACTERISTICS AND QUANTITY OF CONTRACT USER'S SEWAGE

Owner's obligation to transmit and treat Contract User's sewage, as required hereunder, is and shall be subject to the following conditions:

A. Quality of Sewage

Contract User's sewage may be either raw or pretreated sewage but will not be acceptable if (1) if it does not comply with the Kent County Code, Chapter 180, originally adopted in April of 1976, as amended, or (2) if, upon the addition of said sewage to the sewage flow entering the Kent County Wastewater Treatment Facility, the resulting combined sewage flow is not amendable to Biological Treatment or (3) the resulting combined sewage flow contributes to a violation of standards set in the Kent County Wastewater Treatment Facility's (NPDES) Permit.

B. Quantity of Flow

On or before the first (1st) day of July in each even numbered year during the term of this Agreement, Contract User shall submit to Owner a projection of Contract User's sewage flow for each of the next succeeding five (5) year period. All submissions shall clearly identify Contract User's current and projected sewage flows.

Based upon the aforesaid projections submitted by Contract User and the projected flows of other contributors to Owner's main conveyance system Owner shall initiate preplanning for the expansion of Transmission System capacity and/or treatment capacity, as Owner deems necessary or appropriate, if and when the **projected capacity** of a particular Transmission System component and/or the projected treatment capacity of the Kent County Wastewater Treatment Facility reaches eighty-five percent (85%), respectively. Owner shall subsequently contract to expand Transmission System capacity if and when the **actual capacity** of any particular Transmission System component has reached ninety percent (90%) of its available transmission capacity, as determined by Owner. Similarly, Owner shall subsequently contract to expand treatment capacity if and when the **actual monthly average influent flow** of the Kent County Wastewater Treatment Facility reaches ninety percent (90%) of its permitted capacity, as stated in the NPDES permit. Owner agrees to make good faith effort to fund and construct aforementioned improvements, however, as circumstances dictate, execution of this Agreement does not constitute a guaranty by Owner of transmission system and/or treatment capacity at the time when Contract User's projected flows require it.

In the event that Owner's inability to transmit and/or treat Contract User's sewage flow request is due to a cause directly attributable to Contract User's a significant change in the projected flow of sewage, not comparable in percentage to requests of other contributors or previous updates of the Contract User, then Contract User shall assume full responsibility for any and all costs or expenditures required to transmit and/or treat such sewage flow increase, as contemplated by Article III (A) above, including but not limited to any and all operation, maintenance, engineering, and legal expenses, or other financial liability. Within thirty (30) days of Contract User's receipt of written notice from Owner that Owner is unable to transmit and/or treat such sewage flow increase requests, Contract User shall submit to Owner a written plan for appropriate action to render such sewage flow increases capable of transmission and/or treatment by Owner in manner and upon such other terms as may be acceptable to Owner. Upon Contract User's failure to submit to Owner a written plan for appropriate remedial action, the User's request for sewage flow increase shall be considered withdrawn.

ARTICLE V - PAYMENT FOR SERVICES

A. Manner of Payment

Payment for any and all transmission and/or treatment services rendered by Owner hereunder shall be made in monthly installments and delivered to the Kent County Treasurer, based upon invoices generated on or before the 15th day of the following month. Payment upon any invoice so generated shall be due within twenty (20) days of the date of the invoice. Upon Contract User's failure to pay any invoice so generated, the outstanding balance due upon such invoice shall accrue a financing charge in the amount of one and one-half percent (1.5%) per month.

All monies received from the Contract User by the Kent County Treasurer shall be deposited into Owner's Sewer Fund. It shall be deemed a violation of this Agreement for Owner to cause or permit any such monies received from Contract User pursuant to this Agreement to be mingled with any of the Owner's general revenue sources (including but not limited to real property tax revenues) or withdrawn from Owner Sewer Fund and expended for any purpose not a necessary and integral function of the operation of Kent County Sewage Disposal District No. 1.

B. Uniform Rates

Contract User agrees to pay Owner for all of Contract User's sewage transmitted and treated by Owner at

a rate known as "the Uniform Rate". The Uniform Rate shall be based upon the Annual Sewer Fund Budget adopted by Owner, which shall assume and identify the annual projected flow of Contract User's sewage is to be transmitted and treated by Owner. From the annual projected flow of Contract User's Sewage, Owner shall calculate the Uniform Rate per 1000 gallons of sewage basis. Owner shall then adopt the Uniform Rate in the form of a Resolution at the same time as Owner's Annual Sewer Fund Budget. Capital expenses associated with Owner's operation and maintenance of the Owner's Transmission System and Treatment Facilities shall be a part of the annual Sewer Fund Capital Budget adopted by Owner, and shall be incorporated into the Uniform Rate with the exception of the debt service associated with the portion of the Southern Transmission Bypass located within the corporate limits of the Contract User.

C. Southern Transmission Bypass Debt Service Rate

Contract User agrees to pay Owner for the debt service associated with the construction of the Southern Transmission Bypass located within the cooperate limits of Contract User.

D. Monthly Invoicing

Throughout the term of this Agreement, Owner shall invoice Contract User for the flows transmitted through Kent County Pump Station No. 7. Contract User shall pay Owner for all Contract User's sewage transmitted and treated by Owner, on a monthly basis as provided herein above, in an amount determined by multiplying the Contract User's actually measured sewage flow for each month times the Uniform Rate.

In addition, Owner shall invoice Contract User quarterly for the actual principle and interest associated with the portion of the Southern Transmission Bypass located within the corporate limits of Contract User incurred by Owner on behalf of Contract User in the previous quarter.

ARTICLE VI - MEASUREMENT OF CONTRACT USER'S SEWAGE FLOW

Any and all measurements of Contract User's sewage flow, as required by Article V above, shall be performed under a monitoring program conducted and supervised by Owner. The results of all flow measurements shall be evaluated monthly, and shall serve as the basis for Owner's charges to Contract User.

The metering device(s) utilized to measure Contract User's sewage flow shall be calibrated semi-annually by an independent testing agency for average daily flow rates over 0.10 mgd. Metering devices with average daily flow rates less than 0.10 mgd shall be calibrated on a bi-annual basis. The results of calibrations shall be made available to Contract

User. If the calibration reveals a discrepancy greater than 10% the monthly sewer billing to the Contract User shall be adjusted (up or down) for a three (3) month period immediately preceding the calibration. No action shall be taken for metering devices within 10% accuracy. The costs of calibrations for metering devices in Owner's facilities shall be included in the operation and maintenance costs of Owner's main conveyance system and shall be incorporated into Owner's annual Sewer Fund Operating Budget. The costs of calibrations maintenance, repair and replacement for metering devices located in Contract User's facilities shall be borne by the Contract User and the prorated share of the calibration cost shall be added to Contract User's monthly bill. Owner shall secure and retain services for the repair and maintenance of the aforesaid metering devices, including provision for the immediate replacement of any faulty or inoperable metering device (s). The costs associated with maintenance, repair and replacement of metering devices located in Contract User's facilities shall be borne by the Contract User and shall be added to Contract User's monthly bill. In the event that it becomes impossible to accurately measure Contract User's sewage flow for a portion of a billing period, due to the failure or malfunction of any particular metering device, then Contract User's sewage flow for said portion shall be deemed to occur at the same rate as Contract User's sewage flow for the immediately preceding billing period.

ARTICLE VII - AUDIT

Financial information concerning Contract User revenue and expenses and District revenue and expenses shall be tracked separately within the Sewer Fund. An audit of the financial position of the Sewer Fund shall be conducted annually, and shall be performed in conjunction with and according to the same procedures as the annual audit of the financial records of Kent County.

ARTICLE VIII - TERMINATION OF SERVICES

Except as otherwise provided herein, either party may terminate this Agreement upon twenty-four (24) months written notice to the other party; provided that, notwithstanding any such notice of termination, Contract User agrees to pay Owner for any and all transmissions and/or treatment services rendered by Owner hereunder; and further provided that, notwithstanding any such notice of termination, Contract User shall reimburse Owner for Contract User's prorate share of capital debt charges incurred by Owner (less depreciation) for any capital project which, during the term of this Agreement, was undertaken by Owner for the specific benefit of Contract User. In the latter event, Contract User shall

reimburse Owner by making prorated payments in accordance with the debt service schedule originally contemplated by the parties at the time such capital debt charges were incurred by Owner.

ARTICLE IX - RIGHTS OF WAY

Contract User agrees to make reasonable efforts to secure, obtain and transfer to Owner any and all rights-of way, easements, or other covenants concerning real property within its control or jurisdiction which may be necessary or required by Owner for the construction, operation, maintenance, or repair of Transmission System.

ARTICLE X - ARBITRATION

Any controversy or claim arising out of or related to this Agreement, or any breach thereof, shall be settled by binding arbitration in accordance with the Rules of the American Arbitration Association and judgment upon the award rendered by the arbitrator(s) may be entered in any court having jurisdiction thereof. If any such controversy or claim, each party shall bear its own costs and neither party shall be responsible for payment of the other's legal, technical, or other costs of arbitration or litigation.

ARTICLE XI - SANITARY CODE OF KENT COUNTY

In the event of direct conflict between the terms of the Agreement and the provisions of the Kent County Code, Chapter 180, originally adopted in April of 1976, as amended, the terms of this Agreement shall control and be determinative. In all other events and respects, including but not limited to any ambiguity in terms of this Agreement or any failure of this Agreement to make provision for any fact or circumstance, the provision of the Kent County Code, Chapter 180, originally adopted in April of 1976, as amended, shall control. To this end, the provisions of the Kent County Code, Chapter 180, originally adopted in April of 1976, as amended, are hereby incorporated herein by this reference.

ARTICLE XII - INTENDED LEGAL EFFECT

Owner and Contract User agree it is the intent of both parties, and a condition to the formation of this Agreement, that any future owners of the property of Contract User serviced in the accord with this Agreement be legally bound in accord with the terms hereof. For that reason, Contract User understands that recordation of this Agreement may be deemed necessary by Owner, and consents thereto, for the purpose of providing notice to future owners of the property of the conditions and obligations set forth in this Agreement.

Further, Contract User agrees it will not sell the aforesaid property without giving thirty (30) days written notice to Owner of the sale of any or all of the property. Contract User also agrees it will give any purchaser of some or all of the property thirty (30) days written notice of the terms and conditions of this Agreement. Failure of Contract User to give such notices may be viewed by Owner as a material breach of this contract, permitting Owner to refuse to provide the services or other value provided in the Agreement. Owner may require the execution by any party assuming the ownership of some or all of the Contract User's property covered by this Agreement to enter into a new written Agreement, under the same terms and conditions, to the extent permitted by law.

ARTICLE XIII - MAIN SYSTEM CAPITAL IMPROVEMENT FEES AND SANITARY SEWER DISTRICT EXPANSION FEES

Contract User shall be subject to payment of Main System Capital Improvement Fees in accordance with Kent County Code Chapter 128, Fees, Article IV for all properties. In addition, Contract Users shall be subject to payment of District Expansion Fees for EDU's connected through county owned sewer district infrastructure. This applies to the area served by Pump Station No. 26 - Colony West.

ARTICLE XIV - MISCELLANEOUS

A. This Agreement supersedes any and all previous agreements and understandings, written or oral, between the parties hereto concerning the subject matter hereof.

B. This Agreement constitutes the entire understanding of the parties with regard to the subject matter hereof, and the parties acknowledge and agree that there is no other agreement or understanding, written or oral, between the parties hereto concerning the subject matter hereof.

C. No change, modification, revision, or amendment to this Agreement shall be made or enforceable unless such change, modification, revision, or amendment is reduced to a writing duly executed by both parties hereto.

D. If any provision of this Agreement shall be deemed invalid or unenforceable for any reason whatsoever, then such invalidity or unenforceability shall not render invalid or unenforceable any of the other provisions of this Agreement which may be given effect without such invalid or unenforceable provision, and to this end, the provisions of this Agreement are hereby deemed to be severable.

E. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors, heirs, and assigns.

F. Any notice required to be delivered to or by either party under this Agreement shall be sent via certified mail, return receipt requested. For purposes of this provision, Owner's address shall be 555 Bay Road, Kent County Administrative Complex, Dover, Delaware 19901, and Contract User's address shall be as set forth herein below.

IN WITNESS WHEREOF, intending to be legally bound hereby, the parties to this Agreement have hereunto set their respective hands and seals the day and year first above written.

Attest:

Signature
Kent County Clerk of the Peace

KENT COUNTY LEVY COURT
("Owner")

BY: _____ (Seal)
P. Brooks Banta
President, Kent County Levy Court

4/28/09
Date

Attest:

Signature

CITY of MILFORD
("Contract User")

BY: _____ (Seal)
Signature

Mayor
Title

Daniel Marabello
Print Name

180 Vickers Dr
Address

Milford, De 19963
City, State, Zip

4.23.09
Date

Attachment: Kent County Code, Chapter 180

PUBLIC NOTICE
Notice of City of Milford Ordinance Review

NOTICE IS HEREBY GIVEN the following ordinance is under review by Milford City Council:

ORDINANCE 2013-1

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

Section 1. Chapter 185 of the Code of the City of Milford, entitled Sewers, Article II Rates and Regulations §185-10, Schedule of Rates and Charges, shall be amended by increasing the sewer rate by 7 cents per thousand gallons as was approved by City Council at its April 13, 2009 meeting due to an amendment in the Kent County Sewer User Agreement.

The City of Milford hereby ordains:

Section 2. §185-10 Schedule of rates and charges is hereby amended by removing "which shall be effective July 22, 2010 and" and inserting "Said Fees" and "the" as indicated below:

The Council has the authority to establish sewer rates and charges set forth in the following schedule**.** ~~, which shall be effective July 22, 2010 and~~ ***Said fees*** shall be collected from the customer**s** of the sewer system under ***the*** operation of the City of Milford. The rates and regulations shall be reviewed on an annual basis and adjusted as necessary. Each user of the wastewater facilities will be notified annually of effective user charge rates either by mail or advertisement in a paper of general circulation within the City of Milford.

Section 3. §185-10(A)(1)(b) Rate Scheduled based on Metered Water Consumption is hereby amended by removing $2.71 and inserting $2.78.

A. Rate schedule based on metered water consumption.

(1) City service rate:

(a) Zero to 1,000 gallons: $10 minimum per month.

(b) Over 1,000 gallons: ~~$2.71~~ **$2.78** per 1,000 gallons.

(2) County service rate. This fee is an adjustable sewer charge for sewage treatment performed by the Kent County Disposal District No. 1. It will be adjusted annually to the actual billing and flow documented by Kent County. This rate will be charged to each customer based on total water meter consumption recorded.

Section 4. §185-10(B)(1)(b) Rate Scheduled based on Metered Water Consumption is hereby amended by removing $2.71 and inserting $2.78.

B. Rate schedule based on metered sewage flows.

(1) City service rate:

(a) Zero to 1,000 gallons: $10 minimum per month.

(b) Over 1,000 gallons: ~~$2.71~~ **$2.78** per 1,000 gallons.

(2) County service rate. This fee is an adjustable sewer charge for sewer treatment performed by the Kent County Disposal District No. 1. It will be adjusted annually to the actual billing and flow documented by Kent County. This rate will be charged to each customer based on total metered sewage flow recorded up to the average of the four quarters immediately preceding the effective date of this chapter. The rate is set by Kent County.

Section 5. Dates
Introduction: February 11, 2013
Adoption (Projected): February 25, 2013
Effective (Projected): March 7, 2013

A complete copy of the Code of the City of Milford is available by request through the City Clerk's Office at Milford City Hall, 201 S. Walnut Street, Milford, DE 19963 or by accessing its website at cityofmilford.com.

By: Terri K. Hudson, MMC
City Clerk

January 17, 2013

CITY OF MILFORD
Planning and Zoning Department
201 S. Walnut Street
Milford, DE 19963

Attn: Mr. Gary Norris, AICP

RE: **Request for Annexation of Property**
Tax Parcel # 3-30-15.00-59.00 & 3-30-15.00-59.01 (Lots 1 & 2)

Dear Gary:

We wish to request the above referenced tax parcels be annexed in to the City of Milford from Sussex County, approximately 3.00+/- acres in total. Currently these parcels are zoned AR-1 in Sussex County.

The property is located on the west side of Cedar Creek Road (Rt. 30) approximately 1,500' south of the intersection of Wilkens Road (County Rd. 206) and Cedar Creek Road (Rt. 30).

The reason for the annexation request is so that this property will be zoned commercial and to be consistent with the most current City of Milford Comprehensive Plan. We hereby request this property be zoned C-3 Commercial (Highway Commercial).

We are enclosing the recorded deed and property survey plan as required.

Sincerely,

Louis J. Renzi

Shirley L. Renzi

7296 Cedar Creek Road
Lincoln, DE 19960

Witness

Witness

Land Use Application Cover Sheet

File Name: Renzi Annexation

File Number: 13.194

CITY OF MILFORD
JAN 31 2013
RECEIVED

Instructions for Applicants:

Please read and follow all instructions on your application carefully. If you have any questions about the process or your project, it is strongly recommended that you speak with staff prior to submitting your application to help ensure that processing can advance in a timely manner. Every application must include this cover sheet, the application/checklist and all required items. No applications will be accepted if violations exist or if any fees owed the City are delinquent.

Specify Type of Land Use Application to be submitted (check all that apply):

☐ Preliminary Site Plan	☐ Preliminary Major Subdivision	☐ Final Minor Subdivision
☐ Final Site Plan	☐ Final Major Subdivision	☐ Variance/Appeal
☐ Change of Zone	☐ Conditional Use	☑ Annexation

Please Type or Print Legibly

Property Owner: Louis J. & Shirley L. Renzi			Phone: 302-422-2365
Address: 7296 Cedar Creek Road			Cell: 302-745-8640
City: Lincoln	State: DE	Zip: 19960	Fax: 302-422-6787
E-Mail: srenzi@harringtonera.com			
Contact Person For This Application: Timothy M. Metzner			Phone: 424-1441
Address: 23 N. Walnut Street			Cell:
City: Milford	State: DE	Zip: 19963	Fax: 424-0430
E-Mail: tmm@dbfinc.com			
Applicant Name and/or Company: Davis, Bowen & Friedel, Inc.			Phone:
Address: Same as Contact			Cell:
City:	State:	Zip:	Fax:
E-Mail:			
Site Address: 7296 Cedar Creek Road, Lincoln, DE 19960			Zoning: AR-1
Tax Map & Parcel Number (s): 3-30-15.00-59.00 & 3-30-15.00-59.01			Acreage: 3.00 +/-

Description of Proposal:

Owners request the above tax map parcels to be annexed in to the City of Milford and zoned C-3 Commercial (Highway Commercial) based on the latest approved Milford Comprehensive Plan.

I/We certify that the information provided in this application, including all submittals and attachments, is true and correct to the best of my/our knowledge.

Signature of Applicant: Louis J. Renzi Shirley L. Renzi Date: 1/24/13

Signature of Property Owner: Louis J. Renzi Shirley L. Renzi Date: 1/24/12

REVISED: 11.15.11

CITY OF MILFORD

JAN 31 2013

RECEIVED

Annexation Application

File Name: Renzi Annexation

File Number: 13-194

A Land Use Application for Annexation is deemed complete when it is accompanied by the required items identified below. Please be advised that additional information may be required during the review process in order to respond to or resolve particular issues. No application shall be considered complete if any of the required information is missing.

Current County Zoning: AR-1 **Requested Zoning:** C-3 **Comprehensive Plan Designation:** C-3

		For Staff Use ONLY	
REQUIRED ITEMS		Verified	Waived
☑	1. Land Use Application Cover Sheet.	cc	
☑	2. Petition for annexation, signed by ALL property owners with signature of each petitioner duly witnessed; petition must contain:		
	A. Site address; Lincoln address ?	cc	
	B. Tax map number (s);	cc	
	C. Size of property in acres;	cc	
	D. Reasons for request;	cc	
	E. General location description (proximity to closest roadways, streets and intersections).	cc	
☑	3. A full legal description of the property in Word format.	cc	
☑	4. Current recorded deed showing legal description and ownership.	cc	
☑	5. Current sealed survey (no larger than 11" x 17"), drawn to scale, showing:		
	A. Property identified for annexation indicating existing location of City limits;	cc	
	B. Date, scale and north arrow;	cc	
	C. Existing right-of-ways and improvements;	cc	
	D. Existing utilities;	cc	
	E. Existing natural features;	cc	
	F. Existing structures and other improvements;	cc	
	G. All structures, natural features and other improvements on abutting property.	cc	
☑	6. Application fee (see page 2).	cc	

I/We certify that the information provided in this application, including all submittals are attachments, is true and correct to the best of my/our knowledge.

Signature of Applicant: Date: 1/24/13

Signature of Property Owner: Date: 1-21-12

Date: 1-21-12

FOR STAFF USE ONLY

	DAC	Planning Commission	City Council	BOA
				n/a
Applicant				
Owner				

201 South Walnut Street – Milford, DE 19963
Phone: 302.424.3712 Fax: 302.424.3558 www.cityofmilford.com

Christine R. Crouch

From: Tim Metzner [tmm@dbfinc.com]
Sent: Thursday, January 31, 2013 8:46 AM
To: Christine R. Crouch
Cc: Terri Hudson; Gary J. Norris
Subject: RE: Renzi Annexation

Christine,

The reason for the annexation request is because the owner wants to be in the City of Milford as well as to have their property zoned highway commercial. The reason is simply to have this property be consistent with the City's comprehensive plan.

Thanks,
Tim

Timothy M. Metzner, R.L.A. | Davis, Bowen & Friedel, Inc.
23 North Walnut Street | Milford, DE 19963 | Web: www.dbfinc.com
Office: 302-424-1441| Fax: 302-424-0430 | Email: tmm@dbfinc.com

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From: Christine R. Crouch [mailto:CCrouch@milford-de.gov]
Sent: Monday, January 28, 2013 9:49 AM
To: Tim Metzner
Cc: Terri Hudson; Gary J. Norris
Subject: Renzi Annexation

Good morning Tim.

I've started processing the Renzi annexation petition and have the following comments before the petition can move forward in the process:

A reason for the annexation request, as required be inluded in the petition.
There are two surveys included in the submission. One is larger than 11x17, which is the maximum size the City requires.

> Please provide a sealed survey, not larger than 11x17, indicating the existing location of City limits, right of ways and easements, existing utilities, existing natural features, existing structures, and all structures, natural features and other improvements on abutting property.

Thank you Tim. Please let me know if you have any questions.

Christine Crouch
302.424.3712 x308
F 302.424.3558
www.cityofmilford.com

DAVIS
BOWEN &
FRIEDEL, INC.

ARCHITECTS ENGINEERS SURVEYORS

Gerald G. Friedel, P.E.
Michael R. Wigley, AIA, LEED AP
Randy B. Duplechain, P.E.
Charles R. Woodward, Jr., LS
W. Zachary Crouch, P.E.
Michael E. Wheedleton, AIA
Jason P. Loar, P.E.

LEGAL DESCRIPTION
LANDS OF
LOUIS J. & SHIRLEY L. RENZI
LOT 1

January 18, 2013

ALL that piece or parcel of land, hereinafter described, situate, lying and being on the westerly side of Cedar Creek Road and being located in Cedar Creek Hundred, Sussex County, Delaware, being all of Lot 1 as shown on a plat entitled "Minor Subdivision, Mary Louise & Francis A. Webb, IV," completed by AKS Associates, Inc., dated January 2001; said piece or parcel being more particularly described as follows:

BEGINNING at an iron pipe set at a point formed by the intersection of the westerly right-of-way line of Cedar Creek Road, 60 feet wide, with the northerly line of lands of, now or formerly, James H. Vreeland et al, thence running,

1) leaving said right-of-way line of Cedar Creek Road and running by and with said James H. Vreeland lands, South 87 degrees 15 minutes 00 seconds West 288.00 feet to an iron pipe set on the easterly line of residue lands of James H. Vreeland, et al; thence running,

2) running by and with said James H. Vreeland residue lands, North 00 degrees 00 minutes 23 seconds East 270.31 feet to an iron pipe set at a point on said Vreeland lands, thence running,

3) North 87 degrees 15 minutes 00 seconds East 275.00 feet to an iron pipe set at a point on the aforementioned right-of-way line of Cedar Creek Road, thence running,

4) leaving said Vreeland lands and running by and with said right-of-way line of Cedar Creek Road, South 02 degrees 45 minutes 00 seconds East 270.00 feet to the point and place of beginning; **CONTAINING** 1.74 acres of land, more or less.

46618 BK02566 PG026

TAX MAP #3-30-15.00-59.00 Part Of
Prepared by: Moore & Rutt, P.A.
P.O. Box 554
Georgetown, DE 19947

Return to: Mr. & Mrs. Louise Renzi
7296 Cedar Creek Road
Lincoln, DE 19960

THIS DEED, made this 12th day of February, in the year of our LORD Two Thousand One,

BETWEEN ***FRANCIS A. WEBB IV AND MARY L. WEBB also known as MARY LOUISE V. WEBB,*** of P.O. Box 182, Milford, Delaware 19963, parties of the first part,

- AND -

LOUIS J. RENZI AND SHIRLEY L. RENZI, husband and wife, as tenants by the entirety with the right of survivorship and not as tenants in common, of 7296 Cedar Creek Road, Lincoln, Delaware 19960, parties of the second part,

WITNESSETH, that the said parties of the first part, for and in consideration of the sum of ONE DOLLAR ($1.00) lawful money and other valuable considerations of the United States of America, the receipt whereof is hereby acknowledged, hereby grant and convey unto the said parties of the second part,

ALL that certain parcel of land situated in Cedar Creek Hundred, Sussex County, Delaware fronting on the westerly side of Cedar Creek Road (#30), located 0.25 miles southerly from Wilkins Road (#206) and being more particularly described by AKS Associates, Inc. on January 22, 2001, as follows:

COMMENCING at the centerline intersection point of Cedar Creek Road (#30) and Wilkins Road (#206); thence South 02 degrees 46 minutes 50 seconds East 1,336.8 feet to an iron pipe set on the westerly right of way of Cedar Creek Road (60 feet wide) the point of beginning; thence with Cedar Creek Road South 02 degrees 45 minutes 00 seconds East 270.00 feet to an iron pipe set; thence South 87 degrees 15 minutes 00 seconds West 288.00 feet to an iron pipe set; thence North 00 degrees 00 minutes 25 seconds East 270.31 feet to an iron pipe set; thence North 87 degrees 15 minutes 00 seconds East 275.00 feet to the point of beginning, containing 1.74 acres of land.

This land is encumbered by an access easement to adjoining lands on the west, described as follows: Commencing at the centerline intersection point of Cedar Creek Road (#30)

County 2250.00 State 2250.00 Total 4500.00
Date: 2/16/2001
Consideration: 150000.00

and Wilkins Road (#206); Thence South 02 degrees 46 minutes 50 seconds East 1,336.8 feet to an iron pipe set on the westerly right of way of Cedar Creek Road (60 feet wide); thence South 02 degrees 45 minutes 00 seconds East 223.37 feet to the point of beginning; thence South 02 degrees 45 minutes 00 seconds East 20.11 feet; thence South 81 degrees 16 minutes 41 seconds West 126.13 feet; thence South 88 degrees 34 minutes 11 seconds West 161.77 feet to point on adjoining lands; thence with same North 00 degrees 00 minutes 25 seconds East 20.01 feet; thence North 88 degrees 34 minutes 11 seconds East 160.00 feet; thence North 81 degrees 16 minutes 41 seconds East 126.95 feet to the point of beginning, containing 5,748 square feet of land.

BEING a portion of the lands conveyed to Francis A. Webb IV and Mary L. Webb by deed of Howard S. Vreeland and Mary L. Vreeland dated July 9, 1979, filed for record in the Office of the Recorder of Deeds in and for Sussex County, Georgetown, Delaware in Deed Book 960, Page 236. ALSO BEING a portion of the lands conveyed to Francis A. Webb IV and Mary Louise V. Webb by deed of Howard S. Vreeland and Mary L. Vreeland dated October 4, 1973, filed for record in Deed Book 719, Page 932.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals, the day and year aforesaid.

SIGNED, SEALED, DELIVERED,
and witnessed in the
presence of

Francis A. Webb IV (SEAL)
FRANCIS A. WEBB IV

Mary L. Webb (SEAL)
MARY L. WEBB

Mary Louise V. Webb (SEAL)
MARY LOUISE V. WEBB

STATE OF DELAWARE :
: ss.
COUNTY OF SUSSEX :

BE IT REMEMBERED, that on this 13TH day of FEBRUARY, 2001, personally appeared before me, the Subscriber, a Notary Public for the State and County aforesaid, FRANCIS A. WEBB IV, party to this Indenture, known to me personally to be such, and he acknowledged this Indenture to be his act and deed.

GIVEN under my hand and seal of office, the day and year aforesaid.

Notary Public

DAVID N. RUTT, ESQ.
ATTORNEY-NOTARY PUBLIC
Chap. Notorial Act 10 Del. C. 4323(a)(3)

Printed Name of Notary
My Commission Expires: Non Expiring Commission

STATE OF DELAWARE :
: ss.
COUNTY OF SUSSEX :

BE IT REMEMBERED, that on this 12th day of February, 2001, personally appeared before me, the Subscriber, a Notary Public for the State and County aforesaid, MARY L. WEBB aka MARY LOUISE V. WEBB, party to this Indenture, known to me personally to be such, and she acknowledged this Indenture to be her act and deed.

GIVEN under my hand and seal of office, the day and year aforesaid.



Sally Ann Dasey
Notary Public

Printed Name of Notary
My Commission Expires:

RECORDER OF DEEDS
RICHARD H. BELL, II

01 FEB 16 PM 3:55

SUSSEX COUNTY
DOC. SURCHARGE PAID

Received
FEB 20 2001
ASSESSMENT DIVISION

RECORDER OF DEEDS
RICHARD H. BELL, II

01 FEB 16 PM 3:55

SUSSEX COUNTY
DOC. SURCHARGE PAID

DAVIS
BOWEN &
FRIEDEL, INC.

ARCHITECTS ENGINEERS SURVEYORS

Gerald G. Friedel, P.E.
Michael R. Wigley, AIA, LEED AP
Randy B. Duplechain, P.E.
Charles R. Woodward, Jr., LS
W. Zachary Crouch, P.E.
Michael E. Wheedleton, AIA
Jason P. Loar, P.E.

LEGAL DESCRIPTION
LANDS OF
LOUIS J. & SHIRLEY L. RENZI
LOT 2

January 18, 2013

ALL that piece or parcel of land, hereinafter described, situate, lying and being on the westerly side of Cedar Creek Road and being located in Cedar Creek Hundred, Sussex County, Delaware, as shown on a plat entitled "Property to be conveyed to Louis J. & Shirley L. Renzi," completed by Charles D. Murphy Associates, Inc., dated October 2004; said piece or parcel being more particularly described as follows:

COMMENCING at an iron pipe found at a point formed by the intersection of the westerly right-of-way line of Cedar Creek Road, 60 feet wide, with the northerly line of lands of, now or formerly, James H. Vreeland et al, thence running,

1)leaving said right-of-way line of Cedar Creek Road and running by and with said James H. Vreeland lands, South 87 degrees 15 minutes 00 seconds West 288.00 feet to an iron pipe found at the point of **BEGINNING**; thence running,

2) running by and with said James H. Vreeland lands, the following 3 courses and distances, South 87 degrees 15 minutes 00 seconds West 196.00 feet to a capped rebar set at a point, thence running,

3) North 02 degrees 45 minutes 00 seconds West 270.00 feet to a capped rebar set at a point, thence running,

4) North 87 degrees 15 minutes 00 seconds East 209.00 feet to an iron pipe found at a point on the westerly line of other lands of, Louis J. & Shirley L. Renzi, thence running,

5) leaving said James H. Vreeland lands and running by and with said other Renzi lands, South 00 degrees 00 minutes 23 seconds West 270.31 feet to the point and place of beginning; **CONTAINING** 1.26 acres of land, more or less.

RETURN TO:
Louis J. Renzi and Shirley L. Renzi
7296 Cedar Creek Road
Lincoln, DE 19960

TAX MAP AND PARCEL #: 3-30-15.00-59.00
PREPARED BY:
Moore & Rutt, PA
122 West Market Street
P.O. Box 554
Georgetown, DE 19947
File No. 7982-201/

THIS DEED, made this 19th day of October, 2004,

- BETWEEN -

FRANCIS A. WEBB, IV and **MARY LOUISE WEBB**, of 3246 Deep Grass Lane, Houston, DE 19954, parties of the first part,

- AND -

LOUIS J. RENZI and **SHIRLEY L. RENZI**, of 7296 Cedar Creek Road, Parcel 2, Lincoln, DE 19960, as tenants by the entirety, their assigns and unto the survivor of them, and the survivor's personal representatives and assigns, parties of the second part.

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of ONE AND 00/100 DOLLARS ($100), lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grant and convey unto the parties of the second part, and their heirs and assigns, in fee simple, the following described lands, situate, lying and being in Sussex County, State of Delaware:

All that certain tract, piece and parcel of land, lying and being in Cedar Creek Hundred, Sussex County, and the State of Delaware, lying west of but not contiguous to Cedar Creek Road, also known as State Route 30, at sixty (60) feet wide, adjoining other lands of Louis J. and Shirley L. Renzi, and lands now or formerly of James Howard Vreeland, et al, and being more particularly described as follows, to wit:

Beginning at a found iron pipe at the southwest corner of other lands of grantees, which point is located the following two (2) courses and distances from the intersection of the westerly right-of-way line of Cedar Creek Road with the centerline of County Road 206: (1) South 02 deg. 15 min. 00 sec. East 1,807 feet and (2) South 87 deg. 15 min. 00 sec. West 288.00 feet; thence running from said found iron pipe and with lands now or formerly of James Howard Vreeland, et al, the following three (3) courses and distances: (1) South 87 deg. 15 min. 00 sec. West 196.00 feet to a set capped rebar (2) North 02 deg. 45 min. 00 sec. West 270.00 feet to a set capped rebar and (3) North 87 deg. 15 min. 00 sec. East 209.00 feet to a found iron pipe at the northwesterly corner

Consideration: $35000.00 Exempt Code: A

County	State	Total
525.00	525.00	1050.00

1 counter Date: 11/03/2004

for aforementioned other lands of grantees; thence finally running with said other lands of grantees South 00 deg. 00 min. 23 sec. West 270.31 feet to the place of beginning, containing 1.26 acres of land, more or less.

BEING part of the same property conveyed to Francis A. Webb, IV and Mary L. Webb from Howard S. Vreeland and Mary L. Vreeland, by Deed dated July 9, 1979, and recorded in the Office of the Recorder of Deeds in and for Sussex County, Delaware, in Deed Book 960, Page 236. ALSO BEING part of the same property conveyed to Francis A. Webb, IV and Mary Louise Webb by deed from Howard S. Vreeland and Mary L. Vreeland dated October 4, 1973, and recorded in the Office of the Recorder of Deeds in and for Sussex County, Delaware, in Deed Book 719 page 932.

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered
in the presence of:

David N. Rutt

Francis A. Webb IV (SEAL)
Francis A. Webb, IV

_____

Mary Louise Webb (SEAL)
Mary Louise Webb

STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

BE IT REMEMBERED, that on October 19, 2004, personally came before me, the subscriber, Francis A. Webb, IV, party of the first part to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his act and deed.

Given under my Hand and Seal of office the day and year aforesaid.

David N. Rutt

Notary Public
Printed Name: DAVID N. RUTT, ESQ.
Attorney-Notary Public
My Commission Expires: ~~Notarial Act 10 Del. C. 4323~~(a)(3)
Non Expiring Commission

STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

BE IT REMEMBERED, that on October 19, 2004, personally came before me, the subscriber, Mary Louise Webb, party of the first part to this Indenture, known to me personally to be such, and acknowledged this Indenture to be her act and deed.

Given under my Hand and Seal of office the day and year aforesaid.

Sandra M. Whaley

Notary Public
Printed Name: SANDRA M. WHALEY
My Commission Expires: 10-16-07

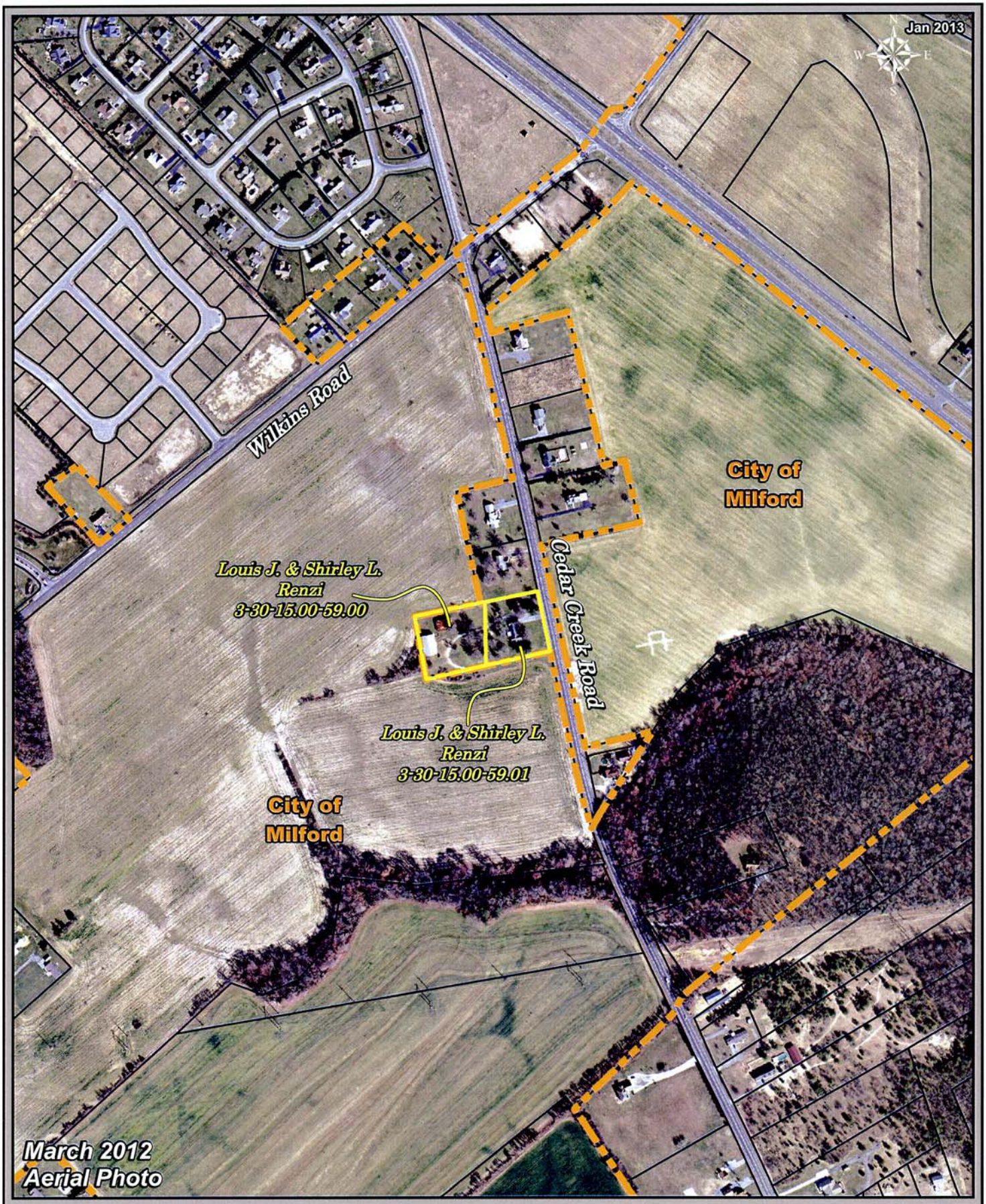
RECORDER OF DEEDS
JOHN F. BRADY
04 NOV -3 PM 3:31
SUSSEX COUNTY
DOC. SURCHARGE PAID

Received
NOV 05 2004
ASSESSMENT DIVISION

RECORDER OF DEEDS
JOHN F. BRADY

04 NOV -3 PM 3:31

SUSSEX COUNTY
DOC. SURCHARGE PAID



Sources:
Tax Parcels per Sussex County
Aerial Photograph Courtesy of the USGS

Renzi Property

City of Milford, Sussex County

0 400 Feet

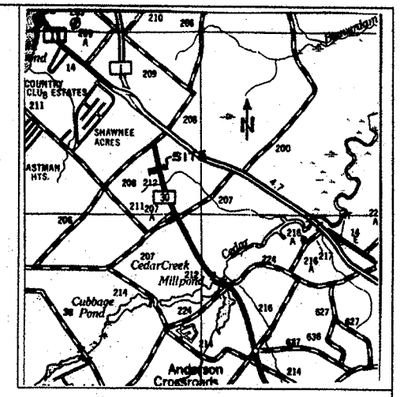
DAVIS BOWEN & FRIEDEL, INC.
ARCHITECTS • ENGINEERS • SURVEYORS

CLASS C RURAL SURVEY

DEED NORTH

TIE LINE NOTE:

SET IRON PPE LABELED "A" IS LOCATED
S 2-46-50 E 1,336.8' FROM THE CL P.I.
OF RT. 30 AND RD. 206



LOCATION MAP
1" = 1 MILE

N/F JAMES H. VREELAND, ET AL
(W.B. 113-297)

N/F JAMES H. VREELAND
(D/R 1161-55)

A

N 87°15' 00" E 209.00'

N 87°15' 00" E 275.00'

40' X 52'
METAL SIDED
POLE SHED

8' X 10'
WDN. SHED

9'X14'
CONC.
PAD

108'

62'

EXIST. 20' WIDE STONE
ENTRANCE & DRIVEWAY

1 STY. BRICK
DWELLING

POR.

LOT
1
1.74 AC.

S 2°45' 00" E 270.00'
223.37'

66.1'

RT. 30 CEDAR CREEK RD.
(60' WIDE)

N 2°45' 00" W 270.00'

50' X 80' METAL
EQUIP. SHED

N 0°00' 23" E 270.31'

1.26 AC.
RESIDUE
TO BE CONVEYED TO
JAMES H. VREELAND, ET AL.
AS AN EXTENSION OF ADJOINING LANDS

N 88°34' 11" E 160.01'

N 81°16' 41" E
126.95'

20.11'

88.4'

20.01'

20'

ACCESS EASEMENT
5,748 S.F.

S 81°16' 41" W 126.13'

26.5'

17.1'

S 88°34' 11" W 161.77'

S 87°15' 00" W 288.00'

S 87°15' 00" W 196.00'

NOTE:
PROPOSED 20' WIDE ACCESS EASEMENT
IS CENTERED ON EXISTING 15' WIDE
STONE ENTRANCE AND DRIVEWAY.

N/F JAMES H. VREELAND, ET AL
(W.B. 113-297)

NOTE:
AN ENTRANCE PERMIT MUST BE OBTAINED FROM THE DELDOT
DISTRICT PERMIT SUPERVISOR PRIOR TO CONSTRUCTION.
R. WAYNE THORNTON PH. 856-5441
P.O. BOX 32, GEORGETOWN, DE 19947

OWNERS:
MARY LOUISE & FRANCIS A. WEBB, IV
RR 1, BOX 96
LINCOLN, DE 19960

RESIDUAL AREA 0.00 AC.

RESIDUAL FRONTAGE 0.0'

LEGEND:

- O IRON PIPE SET
- N/F NOW OR FORMERLY
- D/R DEED REFERENCE
- W.B. WILL BOOK

MICHAEL D. SWAIN
REGISTERED
NO. 529
DELAWARE
PROFESSIONAL LAND SURVEYOR
8/23/01

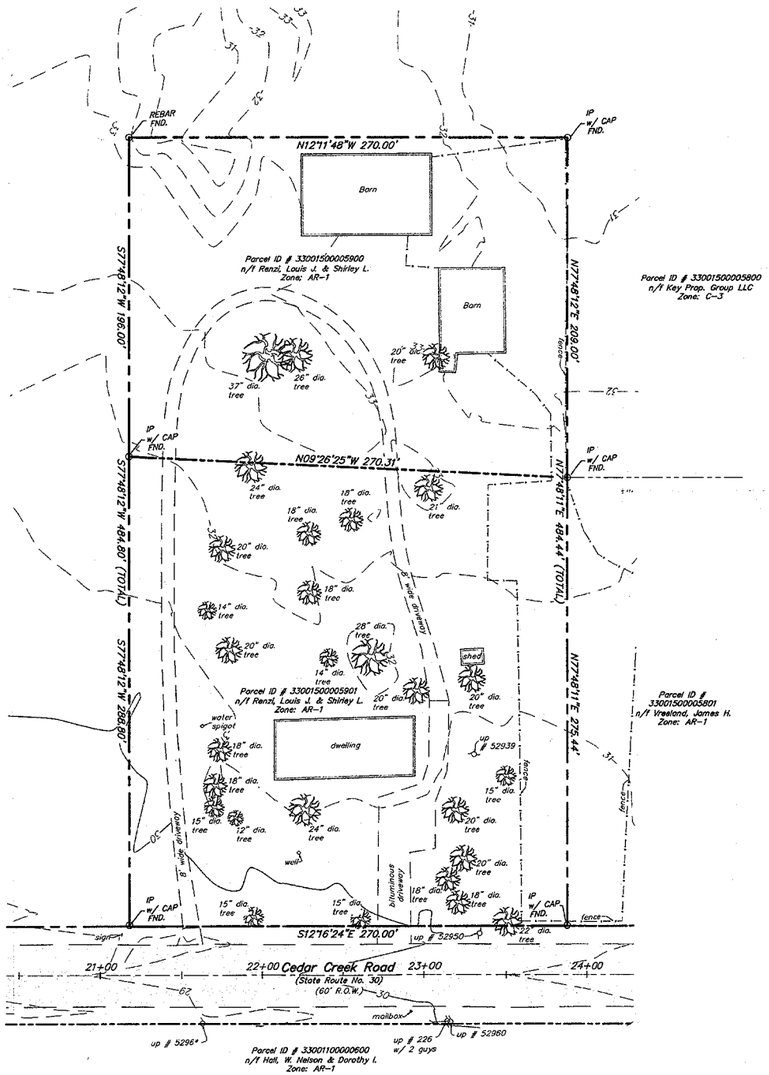
MINOR SUBDIVISION

MARY LOUISE AND FRANCIS A. WEBB, IV

CEDAR CREEK HUNDRED

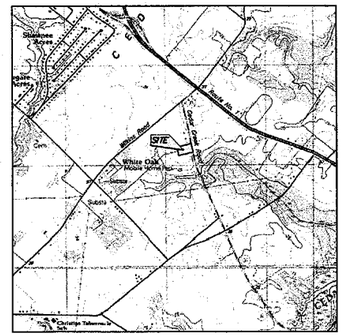
SUSSEX COUNTY DELAWARE

TAX MAP #: 3-30-15-59	AKS ASSOCIATES, INC.
DATE: 01/22/01 SCALE: 1"=50'	P.O. Box 123
JOB #: 01-005 F.B.#: 55-65	Front St. & Butler Ave.
DEED REF: 960-236	Lincoln, DE 19960
DEED REF: 719-932	1-302-422-2755
	Michael D. Swain, PLS 529



SITE

Scale 1" = 40'



Location Map

Scale: 1"=1,000'

GRAPHIC SCALE

40 0 20 40 80 160

(IN FEET)

1 inch = 40 ft.

General Notes

No.	Revision/Issue	Date

OFFICES THROUGHOUT NJ, DE AND EASTERN PA

Van Cleef ENGINEERING ASSOCIATES

Consulting Civil Engineering
Environmental Engineering
Municipal Engineering

Land Surveying
Professional Planning
Landscape Architecture

530 CHURCHMANS ROAD, SUITE 105, NEWARK, DE 19702
E-MAIL: NORTHERNDE@VCEA.ORG WEB: WWW.VCEA.ORG
PHONE (302) 368-3164 FAX (302) 368-7195

Existing Conditions Plan
FOR
Renzi Property

Parcel ID# 3-30 15.00 58.00 & 3-30 15.00 59.01

City of Milford
Sussex County, Delaware

Project 07-01-MLD	Sheet 1 of 1
Date 3/15/2007	
Scale 1" = 40'	

BY: _____

SCOTT E. LOBDELL DATE

DELAWARE PROFESSIONAL ENGINEER NO. 12260

City of Milford
RESOLUTION 2013-07

Annexation/Lands belonging to Louis J. & Shirley L. Renzi
Tax Parcel No. 3-30-15.00-059.00
3-30-15.00-059.01
3.00 +/- Acres
Current Zone AR-1/Proposed Zone C-3

COMMITTEE DIRECTED TO INVESTIGATE ANNEXATION

Whereas, a Petition, signed by the legal property owner and duly witnessed, requesting annexation into the City of Milford, situated on the west side of Cedar Creek Road (SR 30) approximately 1,500 feet south of the intersection of Wilkins Road (CR 206) and Cedar Creek Road (SR 30), legally described as follows:

Tax Parcel 3-30-15-59.00

ALL that piece or parcel of land, hereinafter described, situate, lying and being on the westerly side of Cedar Creek Road and being located in Cedar Creek Hundred, Sussex County, Delaware, as shown on a plat entitled "Property to be conveyed to Louis J. & Shirley L. Renzi," completed by Charles D. Murphy Associates, Inc., dated October 2004; said piece or parcel being more particularly described as follows:

COMMENCING at an iron pipe found at a point formed by the intersection of the westerly right-of-way line of Cedar Creek Road, 60 feet wide, with the northerly line of lands of, now or formerly, James H. Vreeland et al, thence running,

1)leaving said right-of-way line of Cedar Creek Road and running by and with said James H. Vreeland lands, South 87 degrees 15 minutes 00 seconds West 288.00 feet to an iron pipe found at the point of BEGINNING; thence running,

2) running by and with said James H. Vreeland lands, the following 3 courses and distances, South 87 degrees 15 minutes 00 seconds West 196.00 feet to a capped rebar set at a point, thence running,

3) North 02 degrees 45 minutes 00 seconds West 270.00 feet to a capped rebar set at a point, thence running,

4) North 87 degrees 15 minutes 00 seconds East 209.00 feet to an iron pipe found at a point on the westerly line of other lands of, Louis J. & Shirley L. Renzi, thence running,

5) leaving said James H. Vreeland lands and running by and with said other Renzi lands, South 00 degrees 00 minutes 23 seconds West 270.31 feet to the point and place of beginning; CONTAINING 1.26 acres of land, more or less.

and

Tax Parcel 3-30-15-59.01

ALL that piece or parcel of land, hereinafter described, situate, lying and being on the westerly side of Cedar Creek Road and being located in Cedar Creek Hundred, Sussex County, Delaware, being all of Lot 1 as shown on a plat entitled "Minor Subdivision, Mary Louise & Francis A. Webb, IV," completed by

AKS Associates, Inc., dated January 2001; said piece or parcel being more particularly described as follows:

BEGINNING at an iron pipe set at a point formed by the intersection of the westerly right-of-way line of Cedar Creek Road, 60 feet wide, with the northerly line of lands of, now or formerly, James H. Vreeland et al, thence running,

1) leaving said right-of-way line of Cedar Creek Road and running by and with said James H. Vreeland lands, South 87 degrees 15 minutes 00 seconds West 288.00 feet to an iron pipe set on the easterly line of residue lands of James H. Vreeland, et al; thence running,

2) running by and with said James H. Vreeland residue lands, North 00 degrees 00 minutes 23 seconds East 270.31 feet to an iron pipe set at a point on said Vreeland lands, thence running,

3) North 87 degrees 15 minutes 00 seconds East 275.00 feet to an iron pipe set at a point on the aforementioned right-of-way line of Cedar Creek Road, thence running,

4) leaving said Vreeland lands and running by and with said right-of-way line of Cedar Creek Road, South 02 degrees 45 minutes 00 seconds East 270.00 feet to the point and place of beginning; CONTAINING 1.74 acres of land, more or less.

has been submitted to the City Council of the City of Milford.

Now, Therefore, a Committee, composed of three (3) elected members of City Council and one (1) member of the Planning Commission has been appointed by the Mayor to investigate the possibility of annexing said property, said Committee to be comprised of Chair Katrina Wilson, Douglas Morrow, S. Allen Pikus and Planning Commission Chairman James Burk.

Be It Further Resolved, that said Committee shall submit a written report containing its findings and conclusions, including the advantages and disadvantages of the proposed annexation both to the City and to the property proposed to be annexed and said report shall further contain the committees' recommendations whether or not to proceed with the proposed annexation and the reasons therefor.

_____

City Clerk

Adopted: February 11, 2013

CITY OF MILFORD
FUND BALANCES REPORT

Date: DECEMBER 2012

Cash Balance - General Fund Bank Balance	$3,178,173
Cash Balance - Electric Fund Bank Balance	$3,820,002
Cash Balance - Water Fund Bank Balance	$1,933,311
Cash Balance - Sewer Fund Bank Balance	$295,680
Cash Balance - Trash Fund Bank Balance	$393,377

	General Improvement	Municipal Street Aid	Real Estate Transfer Tax	Solid Waste Reserves
Beginning Cash Balance	450,244	894,976	1,921,204	0
Deposits			21,674	
Interest Earned this Month	39	128	296	
Disbursements this Month	(180,116)	(11,554)	(41,667)	
Investments				250,000
Ending Cash Balance	$270,167	$883,550	$1,901,507	$250,000

	GF Capital Reserves	Water Capital Reserves	Sewer Capital Reserves	Electric Reserves
Beginning Cash Balance	2,474,759	4,421,418	3,541,103	11,109,862
Deposits				
Interest Earned this Month	395	706	564	1,728
Disbursements this Month				(91,743)
Investments	250,000			
Ending Cash Balance	$2,725,154	$4,422,124	$3,541,667	$11,019,847

	Water Impact Fee	Sewer Impact Fee	Electric Impact Fee
Beginning Cash Balance	1,026,052	$722,728	$265,483
Deposits	8,217	$3,155	$2,400
Interest Earned this Month	148	$107	$42
Disbursements this Month			
Investments			
Ending Cash Balance	$1,034,417	$725,990	$267,925

INTEREST THROUGH THE SIXTH MONTH OF THE FISCAL YEAR:

General Fund	5,449	Water Fund	1,657
GF Capital Reserves	7,148	Water Capital Reserves	11,335
General Improvement Fund	256	Water Impact Fees	385
Municipal Street Aid	725	Sewer Fund	496
Real Estate Transfer Tax	4,640	Sewer Capital Reserves	11,917
Electric Fund	3,608	Sewer Impact Fees	279
Electric Reserves	53,078	Trash Fund	3,029
Electric Impact Fees	108		

TOTAL INTEREST EARNED TO DATE $104,110

REVENUE REPORT

Page Two

50% of Year Expended

Date: December 2012 ACCOUNT	AMOUNT BUDGETED	MTD	YTD	YTD%
Budgeted Fund Balance	163,735	0	163,733	100.00%
General Fund Capital Reserves	334,705	52,654	89,932	26.87%
Property Transfer Tax-Police	500,000	41,667	250,000	50.00%
Real Estate Tax	3,508,380	(1,554)	3,576,124	101.93%
Business License	35,000	1,050	4,075	11.64%
Rental License	85,000	3,050	7,600	8.94%
Building Permits	60,000	3,775	78,129	130.22%
Planning & Zoning	25,000	300	3,000	12.00%
Grasscutting Revenue	5,000	416	2,496	49.92%
Police Revenues	431,454	82,769	235,695	54.63%
Misc. Revenues	262,810	6,163	52,158	19.85%
Transfers From	3,215,480	267,956	1,607,740	50.00%
Total General Fund Revenues	$8,626,564	$458,246	$6,070,682	70.37%
Water Revenues	2,330,000	185,762	1,278,397	54.87%
Sewer Revenues	2,030,920	161,765	1,042,039	51.31%
Kent County Sewer	1,500,000	112,082	735,123	49.01%
Solid Waste Revenues	1,118,252	92,051	554,155	49.56%
Electric Revenues	23,686,500	1,827,205	12,758,344	53.86%
TOTAL REVENUES	$39,292,236	$2,837,111	$22,438,740	57.11%
YTD Enterprise Expense		45,212		
YTD Enterprise Revenue		45,447		
LTD Carlisle Fire Company Building Permit Fund		81,367		

EXPENDITURE REPORT
Page Three

Date: December 2012 — 50% of Year Expended

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	YTD%	UNEXPENDED BALANCE
City Manager					
Personnel	477,650	$37,801	248,705	52.07%	228,945
O&M	156,505	$7,129	51,590	32.96%	104,915
Capital	0	$0	0		0
Total City Manager	$634,155	$44,930	$300,295	47.35%	333,860
Planning & Zoning					
Personnel	127,535	$9,159	55,151	43.24%	72,384
O&M	35,550	$845	10,005	28.14%	25,545
Capital	0	$0	0		0
Total P, C & I	$163,085	$10,004	$65,156	39.95%	97,929
Code Enforcement & Inspections					
Personnel	141,890	$10,858	64,892	45.73%	76,998
O&M	55,200	$3,556	20,547	37.22%	34,653
Capital	0	$0	0		0
Total P, C & I	$197,090	$14,414	$85,439	43.35%	111,651
Council					
Personnel	31,225	$1,849	12,333	39.50%	18,892
O&M	39,650	$5,342	14,812	37.36%	24,838
Council Expense	17,000	$856	11,026	64.86%	5,974
Contributions	369,735	$140,000	369,733	100.00%	2
Codification	3,000	$0	2,642	88.07%	358
Employee Recognition	9,000	$8,885	8,885	0.00%	115
Insurance	17,000	$4,464	13,418	78.93%	3,582
Capital	18,275	$0	18,338	100.34%	(63)
Total Council	$504,885	$161,396	$451,187	89.36%	53,698
Finance					
Personnel	330,625	$27,152	152,546	46.14%	178,079
O&M	51,325	$3,354	21,689	42.26%	29,636
Capital	0	$0	0		0
Total Finance	$381,950	$30,506	$174,235	45.62%	207,715
Information Technology					
Personnel	170,165	$14,631	80,055	47.05%	90,110
O&M	169,550	$1,850	57,829	34.11%	111,721
Capital	61,575	$0	28,540	46.35%	33,035
Total Information Technology	$401,290	$16,481	$166,424	41.47%	234,866

EXPENDITURE REPORT
Page Four

Date: December 2012

50%of Year Expended

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	YTD%	UNEXPENDED BALANCE
Police Department					
Personnel	3,585,375	$270,241	1,634,377	45.58%	1,950,998
O&M	489,260	$47,677	277,298	56.68%	211,962
Capital	243,954	$27,040	77,389	31.72%	166,565
Total Police	$4,318,589	$344,958	$1,989,064	46.06%	2,329,525
Streets & Grounds Division					
Personnel	422,865	$29,336	171,318	40.51%	251,547
O&M	407,265	$24,991	178,226	43.76%	229,039
Capital	75,000	$0	0	0.00%	75,000
Debt Service	46,095	$44,182	44,182	95.85%	1,913
Total Streets & Grounds	$951,225	$98,509	$393,726	41.39%	557,499
Parks & Recreation					
Personnel	480,345	$30,487	243,633	50.72%	236,712
O&M	233,950	$14,422	127,736	54.60%	106,214
Capital	360,000	$140,000	165,997	46.11%	194,003
Total Parks & Recreation	$1,074,295	$184,909	$537,366	50.02%	536,929
Total General Fund					
Operating Budget	$8,626,564	$906,107	$4,162,892	48.26%	4,463,672

EXPENDITURE REPORT
Page Five

Date: December 2012

50 % of Year Expended

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	YTD%	UNEXPENDED BALANCE
Water Division					
Personnel	219,350	$16,649	102,484	46.72%	116,866
O&M	1,185,150	$103,030	572,218	48.28%	612,932
Capital	80,000	$0	31,377	39.22%	48,623
Debt Service	845,500	$474,716	474,716	56.15%	370,784
Total Water	$2,330,000	$594,395	$1,180,795	50.68%	1,149,205
Sewer Division					
Personnel	219,350	$16,649	102,477	46.72%	116,873
O&M	1,092,885	$85,623	531,145	48.60%	561,740
Capital	35,000	$0	26,854	0.00%	8,146
Debt Service	633,685	$482,769	482,769	76.18%	150,916
Sewer Sub Total	$1,980,920	$585,041	$1,143,245	57.71%	837,675
Kent County Sewer	1,550,000	$122,092	745,123	48.07%	804,877
Total Sewer	$3,530,920	$707,133	$1,888,368	53.48%	1,642,552
Solid Waste Division					
Personnel	338,610	$27,899	162,369	47.95%	176,241
O&M	779,642	$79,239	380,819	48.85%	398,823
Capital	0	$0	0		0
Total Solid Waste	$1,118,252	$107,138	$543,188	48.57%	575,064
Total Water, Sewer Solid Waste	$6,979,172	$1,408,666	$3,612,351	51.76%	3,366,821
Electric Division					
Personnel	972,700	$85,270	457,658	47.05%	515,042
O&M	1,801,635	$125,845	788,783	43.78%	1,012,852
Transfer to General Fund	2,500,000	$208,333	1,250,000	50.00%	1,250,000
Capital	266,725	$0	7,940	2.98%	258,785
Debt Service	645,440	$250,123	308,469	47.79%	336,971
Electric Sub Total	$6,186,500	$669,571	$2,812,850	45.47%	3,373,650
Power Purchased	17,500,000	$1,523,700	9,722,801	55.56%	7,777,199
Total Electric	$23,686,500	$2,193,271	$12,535,651	52.92%	11,150,849
TOTAL OPERATING BUDGET	$39,292,236	$4,508,044	$20,310,894	51.69%	18,981,342

INTERSERVICE DEPARTMENTS REPORT

Page Six

Date: December 2012

50% of Year Expended

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	YTD%	UNEXPENDED BALANCE
Garage					
Personnel	91,800	6,599	35,973	39.19%	55,827
O&M	65,655	4,665	30,742	46.82%	34,913
Capital	0	0	0		0
Total Garage Expense	$157,455	11,264	$66,715	42.37%	90,740
Public Works					
Personnel	310,070	17,432	104,375	33.66%	205,695
O&M	205,550	12,687	78,148	38.02%	127,402
Capital	21,300	0	20,880	98.03%	420
Total Public Works Expense	$536,920	30,119	$203,403	37.88%	333,517
Meter Department-Water					
Personnel	123,030	9,986	58,614	47.64%	64,416
O&M	100,145	2,602	40,275	40.22%	59,870
Capital	0	0	0		0
Total Water Meter Expense	$223,175	12,588	$98,889	44.31%	124,286
Meter Department-Electric					
Personnel	174,500	13,854	83,330	47.75%	91,170
O&M	97,560	3,295	25,691	26.33%	71,869
Capital	0	0	0		0
Total Electric Meter Expense	$272,060	17,149	$109,021	40.07%	163,039
Billing & Collections					
Personnel	445,725	32,703	208,538	46.79%	237,187
O&M	283,830	19,204	137,596	48.48%	146,234
Capital	0	0	0		0
Total Billing & Collections	$729,555	51,907	$346,134	47.44%	383,421
City Hall Cost Allocation					
Personnel	0	0	0		0
O&M	54,600	2,611	23,330	42.73%	31,270
Capital	0	0	0		0
Total City Hall Cost Allocation	$54,600	2,611	$23,330	42.73%	31,270

ALL COSTS SHOWN ON PAGE 6 ARE ALSO INCLUDED IN THE VARIOUS DEPARTMENTS LISTED ON PAGES 3-5 OF THE EXPENDITURE REPORT WHO UTILIZE THE SERVICES OF THE DEPARTMENTS LISTED ABOVE. INTERSERVICE FUNDS ARE ENTIRELY FUNDED BY OTHER CITY DEPARTMENTS.

MILFORD CITY COUNCIL
MINUTES OF MEETING
January 14, 2013

The Monthly Meeting of Milford City Council was held in the Joseph Ronnie Rogers Council Chambers of Milford City Hall, 201 South Walnut Street, Milford, Delaware on Monday, January 14, 2013.

PRESIDING: Mayor Joseph Ronnie Rogers

IN ATTENDANCE: Councilpersons Steve Johnson, Garrett Grier III, S. Allen Pikus, Dirk Gleysteen, Owen Brooks, Jr., Douglas Morrow, Sr., and James Starling, Sr.

City Manager Richard Carmean, Police Chief Keith Hudson and City Clerk/ Recorder Terri Hudson

Assistant Solicitor James P. Sharp, Esquire

CALL TO ORDER

Mayor Rogers called the Monthly Meeting to order at 7:02 p.m.

INVOCATION AND PLEDGE

The Pledge of Allegiance followed the invocation given by Councilman Starling.

APPROVAL OF MINUTES

Motion made by Mr. Pikus, seconded by Mr. Brooks to approve the minutes of the December 10, 2012 and December 26, 2012 Council Meeting as presented. Motion carried.

RECOGNITION

Mayor Rogers acknowledged Assistant Solicitor James Sharp of Moore and Rutt who was attending in the absence of City Solicitor David Rutt who was out of state.

MONTHLY POLICE REPORT

After presenting the monthly police report on behalf of Chief Hudson, Mr. Pikus moved to accept the police report as submitted, seconded by Mr. Brooks. Motion carried.

CITY MANAGER REPORT

Mr. Carmean presented the following report:

ADMINISTRATION

The radio system upgrade is well underway. We have fitted approximately 50% of the vehicles with the new broadband capabilities. We have approval from the FCC regarding our radio system improvement timeline. However, the final approval will be received after completion of the entire changeover including the new tower.

I am advising Mayor and Council that I intend to have our Finance Director start the process of refinancing some general obligation bonds from 2005. These bonds were used to build the Public Works Complex and at that time the interest rate was much higher than it is today. By refinancing we will save approximately $353,000.00 over the remaining life of the issuance.

ELECTRIC

The solar field is completely energized and operating to all expected specifications. I included in the Council packets an aerial photograph.

I will need Council to vote on a DEMEC proposal concerning the state's mandate for Delaware electric providers to purchase certain quotas of sustainable energy for their portfolios. This is our proposal that meets that mandate.

SEWER AND WATER

The contractor has completed the water main extension on the east side of Rt. 1. The bore under Route 1 may be finished by tonight's meeting, but in all probability it will be early February. However, it has been determined it was not completed. The work with the entire Wilkins Road water main extension is going according to scheduled timeline.

I will meet with the owners of Wickersham Development tomorrow to discuss our plans on proceeding with the water tower planned at that location. We will also begin the process of deciding the best way to serve the development with sewer. The developer will be responsible for the sewer extension to serve the project, but we will be involved in the engineering of the system including the pump station.

The Washington Street sewer pump station project will have bids opened around the second week of February. At the present time the station is operating, and while not as efficient as we would like, it is keeping up with the required needs.

STREETS AND SOLID WASTE

The Washington Street Bridge is open and soon to be finished completely. The concrete will receive a sealer of some type, and the decorative lights remain to be installed. We had the lights delivered some time ago, but discovered they were too tall to fit on top of the bridge. The height of the lights was miscalculated because the heads added an additional three feet. I plan to have a local metal worker cut the posts to a length that will work.

FINANCE

Mr. Portmann brought to my attention that a bond issuance from 2005 can now be refinanced. The funds from the sale of these bonds were used primarily for the building of the public works facility. We will save in excess of $300,000.00 through a much better interest rate than we receive on the initial offering.

Mr. Pikus moved to accept the city manager report, seconded by Mr. Grier. Motion carried.

COMMITTEE & WARD REPORTS

Finance Committee Meeting

Mr. Pikus invited council members to attend the finance committee scheduled for tomorrow evening at 5:30 p.m.

COMMUNICATIONS & CORRESPONDENCE

St. Paul Free Christmas Dinner

City Clerk Hudson read the following letter into record:

It is with heartfelt thanks that the pastor and members of St. Paul send a letter of gratitude to you for providing free hams to support our Free Christmas Dinner on Christmas Day. This is a major outreach ministry for St. Paul. Christmas is such a time for giving and you helped. Because of your support, we were able to feed over 200 people in the Milford Community and beyond.

Lives were touched because of you. We even received calls from a local motel informing us about residents with no food. Because of your continued gifts to us, we extended our outreach. With God's help, we will continue this annual Christmas outreach ministry.

Once again, we thank you,

Rev. Dr. Jeanel D. Starling, Pastor and Members of St. Paul United Methodist Church

Mr. Starling thanked everyone for the cards and prayers during his recent illness.

Mr. Brooks thanked the city manager and city employees for taking care of the sewer backup on Tenth Street last week.

UNFINISHED BUSINESS

River Art Center/Endowment Fund Committee/Appointment

Matter will be addressed at a future council meeting.

NEW BUSINESS

Request for Abandonment of Right of Way/Harold Roberts

Mr. Carmean explained that Clarke Avenue runs in front of Milford Hospital and where it meets Lakeview, it crosses Lakeview and extends between the Roberts home and his neighbor. Initially, the city's intent was to extend Clarke Avenue into Lakelawn Estates. At some point, a home was built on Lakelawn Drive which prevented the street from extending into Lakeview. As a result, it dead-ended on the parcel next to Mr. Roberts' home.

Over the years, Mr. Roberts has maintained the property and used the right-of-way as a driveway. Approximately a year ago, he submitted a request for the city to consider abandoning the property for his use. At the time, Mr. Carmean explained that he would need to offer half the property to the adjoining neighbor. He has since received a letter from neighbor Henry Saunders stating he had no interest in the property and wishes to convey the property to Mr. Roberts.

He said we have done this numerous times with alleys and dead-end streets that were no longer useful to the city.

It is Mr. Carmean's recommendation that the city abandon the property for use by Mr. Roberts. However, where Jean Chodowski's property on Lakelawn Drive butts up to the parcel at the rear of the Roberts' right-of-way, there is an accessory building. As a result, the surveyor subdivided that portion to be offered to Ms. Chodowski.

Mr. Carmean said the city never blacktopped or maintained the right of way in any manner appropriate for use as a street.

Mr. Pikus said that because this is a non-usable street and is only used by the two property owners, and the fact that Mr. Saunders does not want a portion, he moves that the properties are deeded to Harold and Mary Roberts and Jean Chodowski as shown on the survey. Mr. Gleysteen seconded motion.

Attorney Sharp then explained the process for abandoning public property. He explained that Superior Court would have to be petitioned. A written notice of the intent to file the petition would be mailed to the neighbors, the petition then filed and DelDOT, Sussex County and adjoining land owners notified. A sign would then posted noting the hearing. The court would then hold the hearing.

When questioned by council, Mr. Sharp explained this process is outlined in Title 17 of the Delaware Code noting it is not as simple as deeding the property over.

Mr. Pikus asked if over the years the city acted illegally by giving away a number of coal alleys. Mr. Brooks said the people receiving the property paid for any related expenses.

Mr. Carmean said this land would have to be sold through public auction otherwise.

Mr. Sharp does not envision this to be a complex matter. The drafting of the petition is straightforward and the hearing would be similar to a Rule to Show Cause type hearing where anyone with an objection would attend. He would expect it would be on the routine motions calendar day in Superior Court. Therefore, he does not anticipate a long or expensive process. He believes it will only involve a presentation of the facts before the court.

The city manager said if it were contested, he would have to appear. Otherwise, no one from city will need to attend.

Mr. Starling suggests sending Mr. Roberts a letter explaining the process and let him proceed and advising him there will be associated costs. It was agreed the city has no use for the right-of-way.

The city manager said it was his intention that Mr. Roberts would be responsible for any related expenses. Mr. Pikus said he is willing to look at the costs before making a decision on the payment of the expenses.

Motion carried.

Request for Abandonment of Portion of Evans Street/Seawatch

City Manager Carmean advised that Seawatch's CFO Jerry Gordon informed him they are purchasing the Bailey Lawnmower property for a future warehouse. It was noted that Evans Street crosses South Rehoboth Boulevard and extends into the Seawatch property. Previously, the city abandoned Charles Street on the opposite end when Seawatch initially expanded.

Mr. Brooks recalled around 1985, all truck traffic entered Seawatch from Charles Street. John Frederick was city manager when council decided to relocate the entrance off Rehoboth Boulevard. That is why the street was abandoned.

Mr. Carmean noted that a survey has not been done. He said the same procedure will be followed as Mr. Sharp explained during the Roberts' request.

Mr. Brooks moved to proceed with the abandonment of the portion of Evans Street as discussed, in the same manner as is being followed with the Roberts' abandonment, seconded by Mr. Starling. Motion carried with Mr. Morrow abstaining due to a personal conflict.

DEMEC/RPS Compliance Plan

Mr. Pikus moved to adopt the RPS Compliance Plan, seconded by Mr. Gleysteen. Motion carried.

Approval of Buyback of Alexander Property/General Fund Reserves

Mr. Carmean said he discussed this matter with council several months ago. He explained that Dr. Roger Alexander has owned this lot in the business park for a number of years. All purchasers sign a deed of covenants and one states that if the property is not developed within two years, the city will repurchase the property at the original price.

He recalled that council approved Dr. Alexander be paid $35,000 for the acre. Today, one acre is selling for $125,000 though in the year 2000, Dr. Alexander purchased the property for $24,000. He came up with a figure of $35,000 to compensate Dr. Alexander for property taxes and maintenance costs over that period of time.

Mr. Pikus moved to proceed with the buyback of the Alexander property to be paid from General Fund Reserves, seconded by Mr. Gleysteen. Motion carried.

Adoption of Resolution 2013-1/USDA Loan Term Resolution/USDA $5 Million Closing

Mr. Carmean recalled council directing him to move a number of projects along, including this one which involves tower treatment and water main improvements.

Referencing the 2008 referendum, the city manager reported that he has been getting a lot of pressure from the USDA to use the money because it has 'aged'. He said now that he has started the process, the city can proceed with selling the bonds which cover the cost of the tower, the treatment facility and water mains. He said that some of it could have been used for the purchase of the land, but Wickersham is signing the agreement tomorrow to donate land for the water tower.

When asked if the city will be spending the entire $5 million due to the land being donated, Mr. Carmean said there is a possibility another $200,000 could be spent, based on recent estimates, though that will come out of reserves where there are sufficient funds.

Eric Retzlaff of Davis, Bowen and Friedel was present and confirmed the interest rate will be 1.87%. The city manager noted that by waiting longer, we have received a better interest rate.

Mr. Grier moved to adopt Resolution 2013-1, seconded by Mr. Pikus:

APPROVING ISSUANCE OF A GENERAL OBLIGATION BOND TO THE UNITED STATES DEPARTMENT OF AGRICULTURE - RURAL UTILITIES SERVICE, AS REGISTERED OWNER, TO FINANCE IMPROVEMENTS TO THE CITY OF MILFORD'S WATER FACILITIES, AS APPROVED BY THE ELECTORS; DETERMINING THAT THE BOND WILL BE SOLD BY PRIVATE SALE AND AUTHORIZING EXECUTION OF LOAN DOCUMENTS; PLEDGING THE FULL FAITH, CREDIT AND TAXING POWER OF THE CITY FOR THE BOND; AND AUTHORIZING OTHER NECESSARY ACTION.

WHEREAS, the City Council of The City of Milford, Delaware (the "City") pursuant to Section 8, 72 Del. Laws Ch. 148 as amended (the "City Charter"), proposed to the electors of the City by Resolution dated November 26, 2007 (the "First Resolution") to borrow up to Fifteen Million Dollars ($15,000,000) which may be used in order to fund, among other things, capital improvement programs of the City, including up to Five Million Dollars ($5,000,000) in upgrades and improvements to the water facilities of the City, specifically, improvements associated with the development of new wells, a production and treatment facility, a storage tower and system mapping (collectively, the "Water Project") and properly placed notice of hearing on the First Resolution as required by the City Charter; and

WHEREAS, the City Council thereafter passed a second resolution on January 14, 2008 (the "Second Resolution") ordering and directing a special election to be held not less than thirty (30) days and not more than sixty (60) days after the hearing to borrow the said money, for the purpose of voting for or against the proposed borrowing. The passage of the Second Resolution calling the special election was considered the City Council's determination to proceed in the matter at issue as authorized by the City Charter; and

WHEREAS, a special election was held on February 23, 2008 (the "Special Election"), and notice was properly given for the Special Election, whereby a majority of the electors approved the borrowing by voting in the Special Election which was conducted and certified in accordance with the provisions of the City Charter; and

WHEREAS, the United States Department of Agriculture - Rural Utilities Service (the "Department") has authorized a loan to the City in an amount not to exceed Five Million Dollars ($5,000,000), for a term not to exceed forty (40) years at an interest rate to be determined per the Department's current interest rate policy, but which in no case shall exceed 5%; and

WHEREAS, pursuant to and in accordance with the City Charter, the First Resolution, the Second Resolution and this Resolution, the City now proposes to issue its General Obligation Bond (the "Bond") in a principal amount not to exceed $5,000,000 to finance the Water Project and the costs of issuance of the Bond, as approved by the electors in the Special Election; and

WHEREAS, the City Council desires to formalize, ratify, and confirm such action by adoption of a formal written resolution.

NOW, THEREFORE, BE IT HEREBY RESOLVED AND DETERMINED by the City Council of the City of Milford, Delaware, as follows:

Section 1. Authorization of the Incurrence of Indebtedness as Approved by the Electors. The City shall borrow an amount not to exceed Five Million Dollars ($5,000,000) as approved by referendum of the electors in the Special Election held on February 23, 2008 by the issuance of the Bond.

Section 2. Authorization of Issuance of the Bond. The City shall issue, pursuant to the City Charter, the First Resolution, the Second Resolution and this Resolution, up to $5,000,000 aggregate principal amount of its General Obligation Bond to provide funds for the Water Project and the costs of issuance of the Bond.

Section 3. Form and Terms of the Bond. The Bond shall be substantially in the Form of Bond provided in Exhibit A with appropriate omissions, insertions and variations. The actual Bond will contain the terms of the Bond as required by Section 8.05 of the City Charter. The Bond will be issued for a term not to exceed forty (40) years at an interest rate not to exceed 5% per annum per the current interest rate policy of the Department.

Section 4. Sale of the Bond. The Bond shall be sold at a private sale by negotiation to the United State Department of Agriculture - Rural Utilities Service pursuant to the terms of the Bond and pursuant to loan documents to be entered into by the City and the Department (the "Loan Documents").

Section 5. Covenant to Pay Debt Service - Pledge of Full Faith, Credit and Taxing Power. The City hereby covenants with the Department pursuant to this Resolution as follows: that the City will include in its budget for each fiscal year during the life of the Bond, the amount of the debt service on the Bond issued hereunder which will be payable in each such fiscal year so long as the Bond shall remain outstanding; that the City shall appropriate such amounts from its general revenues to the payment of such debt service; that the City shall duly and punctually pay or cause to be paid the principal of the Bond and the interest thereon at the dates and places and in the manner stated in the Bond according to the true intent and meaning thereof; and for such budgeting, appropriation and payment, the City hereby pledges its full faith, credit and taxing power. The covenant contained in this Section 5 shall be specifically enforceable.

Section 6. Authorization of Loan Documents. The Mayor and the City Clerk are hereby authorized to execute and deliver the Bond and any Loan Documents by and between the City and the Department setting forth the terms of the loan and the City's obligation to repay the loan, which will be evidenced by the delivery of the Bond.

Section 7. Reimbursement Declaration of Intent. The City reasonably expects to reimburse itself from proceeds of the obligations authorized by this Resolution for capital expenditures initially paid for from current or other available funds of the City. This constitutes a declaration of "official intent" within the meaning of Treasury Regulations §1.150 2. The City hereby certifies that this declaration is reasonable on the date hereof in that (i) it is consistent with the budgetary and financial circumstances of the City, (ii) no funds (other than the proceeds of the obligations authorized by this Resolution) are, or are reasonably expected to be, reserved, allocated on a long term basis, or otherwise set aside by the City pursuant to its budget or financial policies with respect to the capital expenditures to be reimbursed, and (iii) the City does not have a pattern of failing to reimburse itself for capital expenditures actually paid and for which an official intent was declared, other than due to unforeseeable extraordinary circumstances beyond the City's control. Once a series of bonds are issued, the City shall allocate Bond proceeds to reimburse a prior expenditure by making the allocation on its books and records maintained with respect to the Bond; provided that such costs to be reimbursed were paid not more than sixty (60) days prior to the date hereof, except to the extent that such costs constitute preliminary costs within the meaning of the Treasury Regulations. Such allocation shall specifically identify the actual original expenditure to be reimbursed. Such allocation shall occur not later than eighteen (18) months after the later of: (i) the date on which the original expenditure is paid, or (ii) the date the Water Project is placed in service or abandoned, but in no event more than three (3) years after the original expenditure is paid.

Section 8. Further Action. The proper officers of the City are hereby authorized and directed to take all such action, execute, deliver, file and/or record all such documents, publish all notices and otherwise comply with the provisions of this Resolution and the City Charter in the name and on behalf of the City.

Section 9. City Charter Applicable to Bond. This Resolution is adopted pursuant to, and the Bond issued hereunder shall be subject to, the provisions of the City Charter and all of the mandatory provisions thereof shall apply hereunder whether or not explicitly stated herein.

Section 10. Contract with Bondholder. This Resolution constitutes a contract with the Department as registered owner of the Bond and shall be enforceable in accordance with the provisions of the laws of the State of Delaware.

Section 11. Severability. In case any one or more of the provisions contained in this Resolution or in the Bond issued pursuant hereto shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision of this Resolution or of said Bond and this Resolution or said Bond shall be construed and enforced as if such invalid, illegal or unenforceable provisions had never been contained therein.

Section 12. Repealer. All Resolutions and parts of Resolutions heretofore adopted to the extent that the same are inconsistent herewith are hereby repealed.

Section 13. Effective Date. This Resolution shall take effect on the date this Resolution is adopted by the City Council.

ADOPTED AND RESOLVED this 14th day of January 2013.

Motion carried.

MONTHLY FINANCE REPORT

Chairman Pikus reported that through the fifth month of Fiscal Year 2012-2013 with 42% of the fiscal year having passed, 49.89% of revenues have been received and 40.22% of the operating budget expended.

Mr. Pikus referenced the $33,751 credit on the Real Estate Tax line item. He explained that is the result of an administrative adjustment in the assessment of the Milford Plaza Shopping Center. Their assessment was decreased which reduced the overall percentage from 102.94% to 101.98%.

To date, all but $261,000 has been collected in taxes according to Mr. Pikus.

He also reported that building permits are 24% over what was budgeted which is proof people are building in Milford.

Income is higher than expected for this time of the year and expenses are down. Thereby, the overall financial picture remains favorable.

Mr. Carmean added that he met with University of Delaware representatives who are compiling numbers in Milford. They reviewed the growth rate in comparison to our general fund costs which includes police, administration, parks and recreation and streets. They found that considering the growth that has occurred between 2000 and 2010 and inflation, the city is operating today at less money than we did in 2000.

Mr. Brooks noted the 42% increase in population during that time span.

He advised the current police department was built for 22 officers in 1978 at which time there were 18 full-time officers and two part-time officers.

The city manager also pointed out the population numbers noting that when we had 6,500 residents, he thinks there was approximately 22 police officers. With the 30 to 40% increase, we added about 30% which aligns with the increase in growth.

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

Mr. Grier moved to go into Executive Session reference a personnel matter, seconded by Mr. Pikus. Motion carried.

Mayor Rogers recessed the Council Meeting at 7:38 p.m. for the purpose of an Executive Session as is permitted by Delaware's Freedom of Information Act.

Return to Open Session

City Council returned to Open Session at 8:08 p.m.

Executive Session Matter

Mr. Grier made a motion to act on the items discussed in executive session and that City Manager Carmean move forward as recommended. Mr. Morrow seconded motion.

Mr. Gleysteen stated that based on the city manager's recommendation, he was voting yes.

Motion carried by unanimous roll call vote.

ADJOURN

With no further business, Mr. Pikus moved to adjourn the Council Meeting, seconded by Mr. Starling. Motion carried.

The Council Meeting adjourned at 8:10 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk

MILFORD CITY COUNCIL
MINUTES OF MEETING
January 15, 2013

A Meeting of the Finance Committee of Milford City Council was held in the Joseph Ronnie Rogers Council Chambers of Milford City Hall, 201 South Walnut Street, Milford, Delaware on Tuesday, January 15, 2013.

PRESIDING: Chairman S. Allen Pikus

IN ATTENDANCE: Committee Members: Councilmen Douglas Morrow, Sr. and Garrett Grier III

Mayor Joseph R. Rogers, Council Members Steve Johnson, Dirk Gleysteen and Owen Brooks, Jr.

City Manager Richard Carmean and Recorder/City Clerk Terri Hudson

The meeting was called to order at 5:48 p.m. by Chairman Pikus.

Mr. Pikus advised that he invited other members of city council to attend the meeting to hear the request from Downtown Milford, Incorporated.

Request for Funding 2013 to 2018

Mr. Pikus then introduced DMI President Irv Ambrose. Mr. Ambrose advised his purpose in attending this evening was to request the funding for Downtown Milford be continued. He stated that five to six years ago, city council approved funding for the Milford Public Library expansion, the building of the new Boys and Girls Club and $35,000 a year for DMI to defer the costs of their one paid employee who is the Executive Director. He said that funding ran out at the end of last fiscal year.

He feels DMI would be in extreme jeopardy if they were not funded by the city in the amount of $40,000 per year over the next five years. According to Mr. Ambrose, they are healthy but not wealthy.

Mr. Ambrose reported that DMI runs nine to ten activities per year. The latest is Milford Magic Mondays with the first of three shows on Monday, January 21st. He explained those activities help them put together the types of programs they take part in.

Of DMI's numerous missions, one is to support the downtown businesses.

Mr. Ambrose assumed he was going to be meeting with Chairman Pikus, Councilman Grier and Councilman Morrow. In advance of the meeting, he provided them with the packet that he brought this evening. He planned to meet with each of them individually and explain his request.

He believes DMI is extremely successful in their primary mission in supporting the downtown businesses. In the past sixteen months, they have overseen the opening of eleven new businesses. With the help of DMI, the Gray's building was sold to become a retail business for at least one and possibly two businesses though the building will need to be subdivided.

Mr. Ambrose reported there is a potential buyer for the Norman Hotel which currently houses an international food market, a store front church and the entrance to the apartments upstairs. By spring, a business that designs discarded furniture into art deco-inspired furniture will be open. She is currently negotiating with Sam Passwaters, owner of the hotel. Arrangements have already been made for the church to be relocated.

This ties into their main objective to see as many retail businesses in the downtown area.
He said that the success of DMI is a result of the city's support. They partner frequently with Parks and Recreation as with the Bug N Bud Festival. DMI provided almost $9,000 toward the Parks and Recreation fund this past April which was their share of the proceeds from that event.

Mr. Gleysteen asked how that compares to their expenses; Mr. Ambrose explained that is net. That covers any expenses with the exception of their employee costs. He noted that Parks and Recreation pay for the porta potty rentals and purchase the give away trees. He said they take the proceeds and pay their bills so it does not come out of the city budget.

Mr. Pikus asked if the $9,000 goes back into the city budget; Mr. Carmean said yes. Mr. Ambrose added that they use that money to support their youth programs.

Mr. Grier asked if this is a 50/50 split of the proceeds; Mr. Ambrose stated yes noting that the expenses are split down the middle. DMI pays for advertising and related items along with Parks and Recreation expenses. What is left is split between the two organizations.

DMI also partnered with Parks and Recreation on the Paddle Pedal Festival and 10K Run/Walk which was held for the first time this past October.

Mr. Ambrose stated that when the merchants want to do cooperative advertising, DMI takes the responsibility of putting it together. In some cases, they pay half of the costs though sometimes, they divide the costs equally among the number of merchants and DMI.

DMI is also interested in purchasing property to start incubator businesses. He explained that with the money they received from the city and the profits from the festivals will not cover that cost. It will provide seed money to obtain matching grants.

Mr. Ambrose then referenced Budget FYE 10/31/2012 noting their fiscal year runs from November 1 to October 31. The $35,000 received from the city is put in their account and used for the fiscal year starting the following November 1st.

He confirmed they are fine this fiscal year but he is trying to anticipate what is needed.

Mr. Johnson confirmed the city contribution falls under the operations income; Mr. Ambrose stated yes. Mr. Johnson asked the salary of the director; Mr. Ambrose stated $38,500 with no benefits.

Mr. Johnson asked if there is an agreement that if the director acquires grants, he receives a percentage. Mr. Ambrose stated no though that was considered when they were drafting his contract. However, they decided against that.

Mr. Carmean said they also considered giving the director a portion of the proceeds from the programs sponsored by DMI though that was set aside as well. Mr. Ambrose said the director is one person and their organization is volunteer-driven. Therefore, if there is a grant to be applied for, the director will be doing part of that, but the volunteers are handling a portion as well. DMI felt that would be too difficult to figure out. Last year, they approved a $1,000 bonus for the work the director did.

Mr. Johnson said besides the $35,000 donation from the city, how much does DMI receive from grants; Mr. Ambrose said not a lot. He said they are not using grant money to supplement his salary. However, they were able to take some of the proceeds from the Bug N Bud Festival to supplement the city contribution.

Mr. Ambrose said the Bug N Bud makes, what DMI considers, to be a large amount of money. Other events, such as the Pub Crawl, brings in between $300 and $400. Most of the events do not make a lot of money.

Mr. Ambrose explained that one grant provided partial funding for the expenses of the Movies and Music in the Park. However, that had to be supplemented. He reported that anytime they show a movie you can purchase, a license is required. Expenses include the license and rental of the movie from one of the three companies that provide them. For example, a movie you can purchase for $5.95 cost DMI $300 because of the license.

Another grant received was for the public arts project. Right now, there are six models of the Augusta. In conjunction with Milford High School Art Department and Mispillion Art League, they are putting out a call to artists who will apply to decorate one of them. Parks and Recreation will erect them in the park.

Grants were also received from the Lions Club and Delaware Division of the Arts. In order to get the grant from the state, they had to provide matching funds.

Last year, the merchants wanted a sidewalk sale on a Saturday. DMI voted that $1,000 or $2,000 could be used to publicize that event which turned out to be very successful. Another merchant wanted some television advertising. As a result, the downtown now has an ad that runs on the cable channels.

Mr. Pikus emphasized that in FY 2011-2012, the city provided an additional $7,500 over the $35,000 contracted. Mr. Ambrose agreed noting that this year, the city only donated $35,000.

Mr. Pikus said that total cash available as of November 1, 2011 is $106,700. Mr. Ambrose explained that is the top part of the budget which is how they previously budgeted. The bottom part is the way they are currently budgeting. They are still looking at the same amount of money though it has been split into a more sophisticated budgeting system. For example, it costs approximately $5,000 a month to run their office. That covers the salary, office expenses, telephone costs, etc.

Mr. Ambrose said they are not broke and do have money, but they want to keep that money to do what they want. For example, if they get a grant, they have to provide matching funds and need the funds to do that. As a result, there is $35,000 budgeted for that purpose. The Santa Clause House was kept as a separate budget item with $14,000 allocated.

He also noted there is only one business taking advantage of a revolving loan. Businesses can use that to spruce up their building or whatever else is necessary to conduct business. Two businesses are interested in the loan fund. If it exceeds the $11,500 left, they can shift some of the monies around.

The non-restricted fund has $36,000 which is used for requests from merchants for advertising and any share costs they need to provide.

Mr. Ambrose confirmed that as of January 2013, $106,700 cash remains available.

He explained that documents entitled 'Budget vs. Actuals: Budget FYE 10/31/2012 - FY12 P&L' is their budget for the completed year. It shows what was budgeted and how it was expended.

Mr. Grier asked what year did DMI accumulate the bulk of their money; Mr. Ambrose explained that when DMI first started, there was a sale of the marble plaques in the downtown sidewalks. That raised approximately $50,000. They have been nursing that money which is the bulk of their cash balance.

Mr. Brooks asked if Economic Development Director Steve Masten helps DMI; Mr. Ambrose said yes. Mr. Brooks then referenced the list of DMI Achievements which indicates that DMI was responsible for ten new businesses and two business expansions.

Mr. Ambrose recalled there were five areas John Rhodes identified in his economic development study. They included downtown, the strip areas on Route 113, Southeast Milford (proposed Lifestyle Mall), the old manufacturing section off McColley Street and the business/industrial park area.

He said that DMI envisions themselves as the economic development arm of the city for downtown. Mr. Ambrose said that Steve Masten does not have to worry about downtown though they will work with him. For example, if someone comes in and needs information, he refers them to Mr. Masten. In addition, if Steve Masten is in contact with someone interested in a business downtown, he will contact Executive Director Lee Nelson or Mr. Ambrose.

Mr. Ambrose feels that Mr. Masten's areas of responsibility is the other four areas. Mr. Brooks pointed out that between the Downtown Executive Director and the city's Economic Director, the city has approximately $135,000 tied up. Mr. Ambrose pointed out that currently, DMI's $35,000 is not coming out of the city's economic development fund. Mr. Brooks said he is talking about city money in general. Mr. Ambrose said the $35,000 they receive is paid out of the general fund.

Mr. Ambrose said he feels DMI is doing a terrific job. Mr. Brooks agreed adding he is pleased that he finally knows what DMI does.

Mr. Ambrose then reported there are 2,000 main street towns in the United States and nine in Delaware. Milford is one of those. He said that anytime the Delaware Main Street Office, which works out of DEDO (Delaware Economic Development Office), has something they want to try, they come to Milford. According to Mr. Ambrose, they do that knowing it will get done and be done right.

Mr. Pikus asked for comments from the committee.

Mr. Morrow stated that council has a number of challenges they are facing. DMI has gained a lot of momentum in recent years with the addition of even more new businesses recently. Mr. Morrow acknowledged Mr. Ambrose' enthusiasm. He feels he is a plus in this area especially considering his experience on the planning commission and city council.

He would hate to miss an opportunity to continue to financially support DMI. The question is how this can be done which is again another challenge for council. He does not believe we can provide an answer tonight. However, Mr. Morrow believes we need to keep the ball rolling downtown and help them with this request. There are people in place downtown that are genuinely interested in Milford. The volunteerism in their organization is worthy of recognition according to Mr. Morrow.

Mr. Morrow feels this needs to be considered along with our bigger challenges such as the new police department. The city has other challenges that need to be addressed that involve potholes, infrastructure, paving, code issues, etc. He feels we need to dig deep to figure out how to accomplish this.

Mr. Ambrose emphasized the most important thing in a city is a vibrant downtown. He said we can have all these wonderful developments in the city, but unless there is a downtown that is attractive to people, it is like having a very nice apple with a rotten core because it just will not work.

He recalled when he moved here in 1978 and was able to get anything he wanted within walking distance from his home. There was a hardware store, grocery stores, clothing stores and drug stores downtown. Over a period of time, that changed and the only thing down there at one point was a pawn shop or a store front church.

Mr. Ambrose feels that the downtown is trending upwards right now and he wants to keep that going.

Mr. Morrow noted that Mr. Ambrose also acquired the interest of corporate businesses. Mr. Ambrose and his team have asked his place of business (Seawatch) to donate or contribute to their efforts. Mr. Morrow feels that was one area that was previously untapped. That is proof that DMI is looking for other avenues of financial support. In his opinion, the city reaps the benefits from it.

Mr. Ambrose concluded by pointing out the city budget is just shy of $40 million. The $40,000 request of a $40 million budget is just one tenth of one percent.

Mr. Grier noted that the city is not really working with a $40 million budget. Mr. Pikus pointed out that our purchase power costs are included in that bottom number which is not really part of the budget.

Mr. Grier reported that Mr. Ambrose met with him last week and discussed this at length. He agrees that DMI is doing a great job and he is very supportive of their activities.

He appreciates a copy of the budget and being able to actually see their income and expenses. However, his concern is that their budget basically broke even last year and asked where did all the available cash come from.

Mr. Grier referenced Mr. Ambrose' comment that DMI needs the city support to be successful. It appears that not getting the $42,000 from the city last year would have left a big hole.

He did note that it will not cost anything extra in terms of the budget to continue providing the $40,000 in future years ahead because we will not be adding it. After reviewing this, he will continue supporting the $40,000 to DMI.

Mr. Pikus explained the final decision will come from city council during the budget hearings. For the record, he stated he is a downtown merchant and knows exactly what DMI does. Though he and DMI have different opinions in many cases, he said they always walk away with a good conclusion. The city is supportive of DMI. As a merchant for 66 years, his business has seen the peaks and valleys. They climb like in Any town USA. Without a good team, you go back to the valley. With a strong team, you go to the peak. Right now, he feels the downtown is aiming toward the peak with very few empty buildings downtown which he feels will be filled up shortly.

He then recognized Vice President Sarah Kate Hammer who chose not to comment.

Mr. Pikus feels we can work toward a positive goal but believes it should be done during budget time. He said Mr. Morrow mentioned several things that council needs to concentrate on and in particular, the new police department, infrastructure, etc. We are going to the bond market in a couple of weeks and still have a number of projects on the table. There were seventeen projects a little more than a year ago though five or six have been completed. The goal is to complete another five or six next year.

He will echo the support of his fellow finance committee members. He emphasized that we need to keep Downtown Milford alive. However, he reiterated that he does have a conflict because he is a downtown merchant.

He informed Mr. Ambrose that the finance committee will review the figures and information provided during the budget hearings. No answer can be given today and after a recommendation from the finance committee at that time, the entire council will vote on the matter.

DMI (Downtown Milford Incorporated) Request to Use 207 S. Walnut Street Property

Mr. Pikus reported that DMI is currently working out a temporary location. Mr. Ambrose has discussed another potential location at the end of March. He announced that President Irv Ambrose and Executive Director Lee Nelson have requested the use of the building the city recently purchased next door.

Mr. Pikus recalled the home was purchased for $240,000 and is in dire need of repair. While the purchase was being considered by council, the intent was to buy the property, demolish the building and use the land.

He advised those present that Mr. Ambrose met with a contractor to obtain some proposals. Mr. Pikus stated that in order for the home to be used, funding will be needed for the repairs.

Mr. Ambrose then stated that there are certain things he cannot say because he would be betraying a confidence. He did say that he, along with the city manager, took a contractor through. The final figure for the needed renovations is between $6,000 and $7,000. He explained that in addition to the windows not having storm windows, they will not close.

He further described the porches, and in particular, the back porch/back deck and the front porch that have areas of rot. He said that regardless of what is done with the building, that will have to be repaired. He pointed out there are areas of the roof over the bump outs that are rotting and causing moisture to leak inside.

Mr. Ambrose said there are certain things that need to be done to the building to accommodate their office and the other use he is unable to discuss. He had the contractor break out the bills and DMI's portion would be $2,500 which he is willing to present to his board for their approval.

Mr. Carmean reviewed Mr. Ambrose' request stating that he is asking for possession of the entire facility. Mr. Grier confirmed it will cost $7,000 to fix the home up and there would be no additional costs; Mr. Ambrose stated yes.

Mr. Brooks asked how long DMI plans to use the building; Mr. Ambrose said as long as there is Downtown Milford, Incorporated. Mr. Brooks reiterated that the city plans were to demolish the building which will happen when the land

is needed which could be a year from now. Mr. Pikus agreed that when council agreed to purchase the home, the city wanted the land and because of the condition of the home, the intent was to demolish it.

Mr. Grier recalled the discussion that it was a rare opportunity for a property to become available next to the city's main campus. Thereby, it was agreed to buy it so it can be used by the city because city hall is currently landlocked. The city may not need to demolish the home immediately, but he does not feel we cannot afford to give that option away.

Mr. Ambrose said that obviously it is a city building and the city can do what they want. But as long as it is a building, it would suit Downtown Milford's needs. If he gets the go-ahead from this body, he would be willing to go back to his board and ask permission to shift some items in their budget to cover the $2,500 renovations they would need to get in and be able to use the building.

Mr. Johnson said if the city loans them the building, city council would need to know what it is being used for. If there are other plans for the building besides DMI, it is important that information be provided. In addition, he would expect DMI to take care of any insurance that is needed on the building. The city should not have to pay insurance on the building when another entity is using it. He also was under the impression it was the city's intent to buy the building and tear it down in the near future. However, if DMI is willing to spend the money to have it repaired, the city may be willing to allow DMI to use it for a specified period of time.

Mr. Carmean said he is aware of the other use and feels city council will approve.

Mr. Brooks asked how much additional parking will be needed for DMI; Mr. Ambrose said DMI will use none. Mr. Carmean added that the other use will not require any additional parking either.

Mr. Ambrose reiterated there would be no parking needed at all.

Mr. Grier asked if Mr. Ambrose was requesting to use the building and not for the additional money. Mr. Ambrose said that council would have to approve the total costs to repair the home. He said there is no sense in doing the inside repairs, which DMI could pay for, if the outside repairs were not taken care of.

Mr. Carmean referenced the two bids presented by Mr. Ambrose. One covers the cost of the outside repairs and the other is for interior repairs.

Mr. Grier asked Mr. Ambrose if he wants the city to pay for the outside repairs; Mr. Ambrose said yes. Mr. Carmean then reviewed the proposals noting the outside repairs are $3,850 and the inside repair estimate is $2,410.

Mr. Pikus asked if that would bring the home back to code and make it a livable building. Mr. Gleysteen said for their purposes it would. Mr. Carmean said it would suffice considering what it would be used for.

Mr. Brooks asked for verification that all Mr. Ambrose is asking for $3,810 and the building would be ready to move in; Mr. Ambrose said yes.

Mr. Grier asked if DMI is willing to pay the complete costs of the renovations in order to use the building. He noted there is $106,700 in their account. Mr. Ambrose said they do not have that money. Mr. Grier says the document says cash available.

Mr. Ambrose said all that money is earmarked though they have some wiggle room.

It was asked if the building would only be used for offices; Mr. Ambrose did not respond. Mr. Pikus stated it would be used for dual purposes. He stressed the city is not willing to put any additional money in the building because it will eventually be demolished. However, if DMI wants to use the building, they would be responsible for any repairs. In addition, DMI would pay all the utilities, water, sewer, insurance until such time the city finds it necessary to tear it down.

While DMI is using the property, the city may proceed with removing the rear fence and taking over the use of the land behind it. Because $240,000 has already been invested by the taxpayers, he asked if DMI is willing to accept those terms. Mr. Ambrose said he will need to check with his board first.

Mr. Grier asked if their lease expires at their current location, would they no longer be able to lease the property. Mr. Ambrose said they could probably continue leasing their current building, but this is a much better location. The place they are currently in is very small.

Mr. Grier feels what the finance committee is offering is fair considering the free rent.

Mr. Ambrose confirmed that council is offering the building and any renovations would be at DMI's cost. Mr. Grier added that he feels the city would have to give at least a year's time frame. He pointed out we are most likely committing $40,000 for the next five years though that will be decided by the full council. As a result, $6,500 would have to be spent to have a semi-permanent location. Mr. Ambrose said he is willing to present that to the board as well.

Mr. Ambrose asked if their lease could be guaranteed at least for one year; Mr. Pikus said he has no problem with that. Mr. Ambrose confirmed that DMI would be responsible for all utilities, all insurance and nothing else. Mr. Pikus asked what else could there be; Mr. Gleysteen stated maintenance and upkeep. Mr. Pikus added that DMI leasing the building rent free will not be a problem but they would need to take care of any and all maintenance.

Mr. Grier confirmed that DMI is paying $390 a month rent at their current location.

Mr. Pikus said that part of the agreement would be for the city to use the rear property because eventually the entire property will be torn down.

Mr. Brooks said he has no problem with allowing DMI to rent the building as long as any costs are paid by DMI which includes any renovations. However, he does not want them to come back six months later with another wish list for that property. Mr. Pikus said part of the agreement would be that the city puts absolutely no money into the building.

Mr. Morrow has no problem with this, but considering the city has invested $240,000, we need the option to do what is needed for the city. Once we decide we need the property, ample notice will be given. Otherwise, the home is sitting empty.

The overall consensus was that initially, a year's lease would be appropriate.

Mr. Carmean said it will be a savings to the city not to pay insurance because insuring a vacant home is expensive. He agrees the city would not tear the home down until the property was needed. However, he does not see an immediate need. Council emphasized that when the time comes it was needed, DMI would be given the appropriate notice.

Mr. Pikus said this is only the opinion of the finance committee who will make a recommendation to city council who will have the final decision.

Mr. Grier moved that the finance committee recommend to city council that DMI have the use of the entire building with a year's lease, to be used as they wish, DMI would be responsible for all expenses, including utilities, insurance and any other repairs would be at DMI's expense. At such time the city deems the building needs to be demolished, a notice of at least a year will be given to vacate the building. Motion seconded by Mr. Morrow. Motion carried.

Mr. Pikus advised the matter will be on the January 28th city council agenda.

Mr. Grier moved to adjourn the meeting, seconded by Mr. Morrow. Motion carried.

The Finance Committee Meeting adjourned at 6:48 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

MILFORD CITY COUNCIL
MINUTES OF MEETING
January 24, 2013

A Meeting of the Police Committee of Milford City Council was held in the Joseph Ronnie Rogers Council Chambers of Milford City Hall, 201 South Walnut Street, Milford, Delaware on Thursday, January 24, 2013.

PRESIDING: Chairman Douglas Morrow, Sr.

IN ATTENDANCE: Police Committee Member S. Allen Pikus and Finance Committee Member Garrett Grier III

City Manager Richard Carmean, Police Chief Keith Hudson and City Clerk/Recorder Terri Hudson

ALSO: Milford School Superintendent Dr. Phyllis Kohel, School Board President Patrick Emory and Milford Police/School Resource Officer Joseph Melvin

Chairman Morrow called the Police Committee Meeting to order at 6:02 p.m. He noted that Finance Committee Chairman Garrett Grier was also asked to attend.

He announced the purpose of the meeting is to discuss Milford School District's request for additional school resource officers. Mr. Morrow reported that the city manager, police chief and he met with Dr. Kohel and Mr. Emory at which time it was decided to bring the issue before the police committee.

Dr. Kohel thanked the committee for taking the time to listen to their proposal. She emphasized they are not asking the city to put additional resource officers in their schools at the city's expense. She said they really appreciate everything the city has done for the school district over many, many years and long before many of those present today were on city council. She feels the partnership between the city, police department and the school district has always been a very positive partnership. They have always worked together to resolve any issues, which she feels have always had phenomenal results, especially when compared to other communities that do not have that type relationship.

The superintendent explained the opportunity to have a school resource officer (SRO) has been available to the school for a number of years. Mr. Carmean and Dr. Kohel talked about it though they could not determine when it started.

The superintendent stressed that they are not here begging for more money or expecting the city to fund four more resource officers. However, they do want to talk about their needs to have a resource officer in each of their schools and they are willing to pay for the new officers that will need to be hired.

She said they are willing to fight tooth and nail to keep SRO Melvin in place because he does so much more than be a presence in the school. He teaches classes and makes contacts with students who are very comfortable talking to him. Thus these students have become comfortable being able to go to a police officer to resolve or discuss their problems. They also give tips about what is going on in the school as well as the community.

Dr. Kohel said he has been so proactive for the school that the thought of not having him in their school is very scary especially nowadays. To have this type person in each of these schools would not only meet the schools' needs, but would also help quell the fears and frustrations this community is currently facing because of the school incidents that have most recently occurred across this nation.

School Board President Emory then stated that he also echoes what the superintendent stated and thanked the city for providing a school resource officer over the years.

He referenced the incidences that have occurred around the country recently with the most recent a couple of days ago in Houston, Texas. Mr. Emory said that since the Connecticut incident, there have been continuous shootings. Over the last few years, Mr. Emory has been approached several times about the need for more of an enforcement presence or a resource officer presence in the school district. He recalled discussing the matter with former Superintendents Bob Smith and

Sharon Kanter and suggested another officer be considered. Unfortunately, it was one of the matters that was always put on the back burner. However, they now feel this should be a front burner issue.

Mr. Emory has been contacted by many people in the Milford community in addition to fellow board members. He began to think about it and was hatching out some ideas. He talked to Dr. Kohel about how they could maximize the coverage with a minimum amount of officers. They came to the conclusion that the best layout was to have four officers which would include Officer Melvin. They would then place one at the Morris School in Lincoln, one at the Mispillion Lulu Ross Complex, one at Benjamin Banneker and keep Officer Melvin at the High School/Academy complex.

Mr. Emory reported that the middle school will be closing as a result of the state informing the district they will no longer share the expenses of maintaining and repairing it. He said Milford Middle currently houses sixth and seventh grades, the Central Academy eighth and ninth grades and the high school tenth through twelfth grades. Beginning next year the sixth, seventh and eighth-grade students will attend classes at Central Academy and grades nine through twelve will attend Milford High School.

A committee of Milford residents, business leaders and school employees considered options for the middle school building but concluded the costs of renovation for even one more year was simply too high to justify.

Mr. Emory stated they are trying to figure out how to get the coverage and initially thought it may work with two or three officers. However, the reality is if one school is not covered and the other schools are covered, parents would ask why their child is different than the children at a school that had a SRO.

As a result, they believe coverage is needed across the board. They are not asking the city to provide the officers free; instead, the school is willing to pay for the new SRO's. They will need to determine the price and find out if this is workable for the city. That is the reason they previously met with Chief Hudson, Councilman Morrow and City Manager Carmean.

He said that some people recommended hiring a private security group. Mr. Pat said he has an enforcement background himself and personally feels that type security would be inadequate. He prefers people who are COPT (Delaware Council on Police Training) certified. That provides the training and know how to handle situations. If a private security firm is hired, the school shoulders the associated liability and the responsibility of ensuring the certifications are done properly.

Mr. Emory said the school has had a great relationship with the city in the past and he appreciates it. In this manner, the school will simply write the check and the city will take care of the other end.

He said the other positive for the city is the school will only need these officers nine months of the year. He has not talked about paying twelve months of the year but in this case, the police department could use them in whatever manner they feel is appropriate. He feels that perhaps they can work out something on that end. A contract between the school and the city would be developed.

Mr. Emory noted they have not yet discussed this with the school board. However, he is adamant the time has come that these officers are needed. He does not believe it can be avoided any longer.

He said the only concern in this plan is the Morris School in Lincoln. Though the school is outside city limits, he knows that if something happened, Milford Police would respond along with other police agencies. However, there is a longer time frame associated with response to that school. In addition to that concern, some upgrades are needed to its entryway. Considering the personnel and the young age of the students at that school, Mr. Emory feels it is paramount that a Milford officer be placed there.

Mr. Emory said there were also questions about whether Milford Police would have the jurisdictional authority at this school. He discussed this with Representative Kenton who informed Mr. Emory that if this cannot be worked out, he is willing, along with his colleagues to put together some kind of legislation to address the jurisdictional problem. In the meantime, Officer Melvin has talked to the Attorney General Biden's office who indicated there would not be a problem with it.

He further stated that another issue he has with private security is that any time they encountered a problem, they would be calling Milford Police to respond. To him, it makes better sense to have certified officers in the schools because they could handle things more accurately and simply do a better overall job for the school district.

Mr. Pikus asked if Officer Melvin is able to respond to Morris Elementary School right now if there is a problem; Officer Melvin said he goes down there now in the capacity that Morris is in the Milford School District. However, if any actual enforcement or arrest is needed, he contacts the state police. After speaking with the attorney general's office, they are willing to allow Milford SRO's be sworn in and granted jurisdiction over that property. Therefore, it would no longer be an issue.

Mr. Pikus said this is a positive thing adding he wants the officers protected too.

It was noted that an officer can be sworn in by the attorney general to be granted arrest powers outside of their normal jurisdictions. For example, Milford's undercover drug officer is sworn in, as well as officers working statewide DUI patrol which allows them to cross jurisdictional boundaries to operate checkpoints. Officer Melvin added it is not an uncommon practice and only takes a few minutes.

Mr. Emory said there were some concerns and some people suggested only using Milford's officers for schools within the city limits and hiring a state trooper for Morris School. To him, that is mixing apples and oranges. He agrees they have a good rapport with the state police, but have a better rapport with Milford. He is confident that Chief Hudson will handle any situation where an officer would call out and another officer was needed to fill in.

He said the other factor is they do not have to be at those assigned schools every day. If Officer Melvin is overseeing this program and determines another officer is needed at another location, that could be done at his discretion.

Mr. Emory has also been asked if the school can afford this; his answer is they cannot afford to ignore this. They have adequate funding which they feel will take care of this. Mr. Emory sees no higher priority than the protection of our children.

Chairman Morrow feels that if the city is not challenged financially, they would only have to work out the logistics in relation to the complement of officers, their current station, which officers would be selected and the hiring process.

Chief Hudson added that this will also need to be approved by full council.

Mr. Morrow said that if the school agrees to pay for these officers, he does not see it as a financial challenge though it will be a logistical challenge initially. He is confident city council will be committed to making this work.

Mr. Pikus asked about the longevity and whether the school will want someone in perpetuity. Mr. Emory said they will have to work this out in the contract. Realistically, if the school needs three additional officers, Milford will need to hire three to replace them. They do not want to put Milford Police in a situation where the school says they will do this and then backout a year from now. If that was the case, the three officers being added would then have to be let go. Therefore, a contract will need to be in place to cover the next four to five years and go from there.

Mr. Emory does not believe things will get better and sees a need for the SRO officers from here out. He wants Milford to get ahead of the curb.

It was confirmed there is no contract with the school now because the city is paying for that officer. Mr. Emory added there is only a verbal agreement that has been ongoing for years.

Mr. Morrow pointed out there are a number of positives. Besides the extra presence in the schools, the department would have an increased number of officers which could be used during the summer to meet any needs we may have.

Mr. Carmean said he spoke with Chief Hudson about this and was asked to sit in on the meeting last week with the chief, Officer Melvin, Dr. Kohel and Mr. Emory.

Mr. Carmean said he never thought about the benefit of these students providing information to the officer about issues in the community. Especially, the fact the information they are getting is not confined to those occurring at school. These officers are privy to information that is happening all over our community which is a big benefit to the department. Once the students begin to trust the officers, it can make a huge impact especially if they get information that someone is bringing a gun to school.

Chief Hudson said Officer Melvin said that has already occurred; Dr. Kohel agreed.

Chief Hudson pointed out that in addition to what he does in school, Officer Melvin participates in other activities. He coaches baseball, was involved in little league and teaches hunter education. He said these are all ways he is able to interact with students, students that have graduated and other members of the community.

Officer Melvin said that one of the first things he learned in training was to be prepared for everyone to know him. He said that he is unable to step out the door and regardless of if he is in uniform or not, people come up to him to talk. This includes students, parents and teachers. To bring three more police officers into an environment where people are comfortable approaching these officers will be a huge benefit to the department.

He said it is unfortunate they cannot gather statistics on crimes they prevent.

Mr. Emory advised the next step is to this before the school board on January 28th. They requested the meeting tonight to determine if the city was in favor of moving forward with the plan.

Mr. Pikus stated that as was previously discussed, there would be a contract in place that would address the funding, number of years, etc. At the end of that period of time, through retirement and attrition, the school resource officers could then be worked back into the department. Therefore, it could be very positive for the city.

Mr. Morrow said that realistically, once the program is started it is highly unlikely to end. Mr. Emory agreed emphasizing he does not see an end in sight; Superintendent Kohel agreed. Mr. Emory feels that once this is established, the school community would demand it.

Dr. Kohel said their hope was that the state would consider picking up the costs of at least one SRO for each school district. That was the focus of a conversation they had as a group of superintendents with the Secretary of Education who was supposed to take that message to the governor prior to his State of State Address.

She had a meeting in the governor's office about security and the hope was that he would announce his thoughts about what the state was going to do to address securities in the schools. Instead they discussed with Homeland Security the Statewide Crisis Plan that Officer Melvin was instrumental in putting together. It was again asked if there was any consideration about Delaware possibly receiving federal funding for security or would they be allowed to have some input about their plans for individual districts but there was no solid answer.

Therefore, there is little hope that the state will fund one of these positions.

Mr. Pikus asked if the district would have funded the other two if that occurred; Dr. Kohel stated yes. She explained that with the closing of the middle school, there will be approximately $400,000 saved. The plan is to use that money to fund the school resource officers.

Mr. Pikus explained that even though this is a police committee meeting, the finance committee is also represented with Finance Committee Member Grier in attendance. He said that though Police Committee Member Katrina Wilson is absent, he is very confident she will favor the plan.

Mr. Morrow said that Chief Hudson has provided the school with some preliminary figures of what it would cost per officer. He has since obtained some more concrete numbers.

Dr. Kohel agreed and stated that if they were unable to finance four officers, Officer Melvin suggested that three be hired and one that could float between Ross, Mispillion and Banneker. One would be assigned to Morris and the second assigned to the high school campus which will house sixth through twelfth grades and more than 2,000 students.

Mr. Morrow said from the comments, the police committee favors the plan noting there will be future meetings with the school, Chief Hudson and City Manager Carmean. In the meantime, Chief Hudson will provide his figures to Dr. Kohel which will be presented to the school board. The city will then await the school board's decision.

Mr. Emory said that they had hoped this would be in place by the start of the next school year.

Chief Hudson advised the hiring process takes two to three months. He would love to be able to hire certified officers, but that is unlikely. As a result, the person will be sent to the police academy which is twenty-six weeks long. After graduation, they are required to enter Milford's Field Training Program which is an additional twelve to fourteen weeks.

It would be his recommendation to put seasoned officers into these positions. The new officers would replace the new SRO's in the patrol division.

Chief Hudson explained that unfortunately, he would not be able to put the three officers into the school until the new officers are released from training which typically takes up to a year. Mr. Emory agreed noting the problem is the lack of academy sessions. In some cases, they only have one academy a year.

Mr. Morrow advised that council will need a definite answer from the school board as soon as possible. In the meantime, the superintendent and Mr. Emory can work with Chief Hudson and Officer Melvin on a more concrete plan. Dr. Kohel said she is available to meet with Chief Hudson and Officer Melvin anytime during the week. However, she and Mr. Emory will discuss this with the school board Monday night.

Mr. Carmean said he has some problems with providing the school these numbers. He said if three new officers are hired, they would start at the same pay scale and benefits. There will also be a fluctuating number with the city's 457 match. Also, one officer may have the family health plan and another may have the single plan. Chief Hudson will need that information before exact numbers can be provided. He said that each employee costs the city a different amount when it comes to benefits.

Mr. Emory and Dr. Kohel said they both understand that. Dr. Kohel said they are willing to rate these officers at the highest level which would cover any of these costs. Mr. Emory projected it would cost approximately $100,000 per year. Chief Hudson agreed that is very close.

Mr. Morrow said that Chief Hudson can work out the logistics with the school such as vehicle costs. Mr. Emory said he was unsure how that would work but hoped that would be included in the $100,000 a year.

Mr. Morrow recommended that Dr. Kohel, Mr. Emory meet with Chief Hudson to consider a more concrete plan including the numbers they can present to the school board.

Mr. Grier feels this is a great opportunity for both parties. Mr. Morrow agreed adding that we need to act on this as quickly as possible.

Officer Melvin said that the school wants three officers though right way that will be difficult. If we can add one and possibly phase the others in that could work.

Mr. Pikus asked that a meeting be set up right away noting time is of the essence. He said he is definitely in favor of this and pointed out that they are also on the finance committee and agree we need to get this in place.

It was agreed that the initial plan should be no longer than five years due to an increase in costs over the year.

Dr. Kohel will discuss this further after the school board meeting on Monday night. City Manager Carmen recommends providing the board with a $300,000 cost per year. He said that with Chief Hudson knowing he has three additional officers in the summer, the city can afford to add a few dollars into this plan.

Mr. Emory said that though this appears this will work well, when they present this to the school board, he is certain someone will have some concerns. Mr. Carmean emphasized it will not be a problem with city council. Mr. Pikus said he is confident it will receive at least five votes noting there are three council members present this evening.

Mr. Grier said this will receive unanimous support from city council noting the importance of keeping our schools safe.

With no further business, Mr. Grier moved to adjourn, seconded by Mr. Pikus. Meeting adjourned at 6:44 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

MILFORD CITY COUNCIL
MINUTES OF MEETING
January 28, 2013

Milford City Council held a Public Hearing on Monday, January 28, 2013 in the Joseph Ronnie Rogers Council Chambers at Milford City Hall, 201 South Walnut Street, Milford, Delaware on the following matters:

The City of Milford, Delaware, in cooperation with the Sussex County Council, the Levy Court of Kent County, Delaware, and the Delaware State Housing Authority (DSHA), will hold a public hearing for the purpose of providing any interested citizens the opportunity to comment on the municipality's application for funds under the Delaware Community Development Block Grant (CDBG) Program. In accordance with the Section 106 Review Process established by the National Historic Preservation Act of 1966, as amended, comments are especially encouraged from interested agencies and individuals with respect to undertakings that may affect historic properties of significance to such agencies and individuals.

This Federally funded program will provide grants amounting to $2,000,000. (funding level subject to change), to support Community Development Activities in eligible local governments in Kent and Sussex Counties.

PRESIDING: Vice Mayor Douglas Morrow, Sr.

IN ATTENDANCE: Councilpersons Steve Johnson, Garrett Grier III, S. Allen Pikus, Dirk Gleysteen, Owen Brooks, Jr., James Starling, Sr. and Katrina Wilson

ALSO: City Manager Richard Carmean, Police Chief Keith Hudson and City Clerk/Recorder Terri Hudson

COUNSEL: City Solicitor David Rutt

Vice Mayor Morrow called the Public Hearing to order at 7:01 p.m. He then invited Mike Jones, Project Manager of Sussex County Community Development and Housing Office and Albert Biddle, Housing and Community Development Coordinator of Kent County Levy Court to discuss the program.

Mr. Biddle began by explaining this is the annual and duly announced joint public hearing for the Community Development Block Grants funding application cycle administered through Kent and Sussex Counties. The purpose is to solicit and obtain citizen input on the federally-funded program and the ability for Kent and Sussex Counties to apply for funding through the Delaware State Housing Authority on behalf of the City of Milford.

Mr. Biddle reported that almost $2 million has been allocated for Sussex and Kent Counties, with the exception of the City of Dover. He stated that because there is less than $2 million and 44 municipalities and two county governments vying for the funding, it is very competitive. However, Milford has been fairly successful over the long haul with funding.

He explained that Delaware State Housing Authority has set priorities for funding projects with their number one priority being housing. Under that category, the primary goal is housing rehabilitation of owner-occupied houses for low to moderate income persons. They come in and make eligible repairs to get the house up to standard at no cost to the owner.

Other eligible projects include the demolition of vacant and condemned single family structures and small infrastructure projects such as sidewalks, drainage, sewer and water improvements. However, such projects are further down the list and not priority items.

Councilwoman Wilson arrived at this time.

Mr. Biddle noted that in years past, Milford has done some small infrastructure and demolition projects and most recently, some shelter related projects.

Mr. Biddle commented that Milford is unique because they are able to draw from different counties. He emphasized the CDBG program is for low and moderate income persons and referenced the following income guidelines for FY13 (July 1, 2013):

	Kent County			Sussex County		
	30% OF MEDIAN	LOW	MODERATE	30% OF MEDIAN	LOW	MODERATE
1 Person	13,300	22,150	35,400	13,200	21,950	35,100
2 Person	15,200	25,300	40,450	15,050	25,050	40,100
3 Person	17,100	28,450	44,500	16,950	28,200	45,100
4 Person	18,950	31,600	50,550	18,800	31,300	50,100
5 Person	20,500	34,150	54,600	20,350	33,850	54,150
6 Person	22,000	36,700	58,650	21,850	36,350	58,150
7 Person	23,500	39,200	62,700	23,350	38,850	62,150
8 Person	25,050	41,740	66,750	24,850	41,350	66,150

Mr. Biddle also reported that during the current fiscal year, Kent County has $68,000 to rehabilitate four homes. One is under contract and the others in the application and scope of work phases.

He emphasized that typically, there is a waiting list in both counties. The housing authority judges the applications based on the number of people on the waiting list. The more homes on the waiting list indicates there is a greater need.

Residents can call at anytime to be placed on the waiting list which helps with future planning. Contact numbers were then provided as follows:

Kent County at 744-2480
Sussex County at 855-7777

In addition, any person interested can contact city hall for information.

Mr. Jones then introduced himself noting he is generally the representative in Milford writing jobs in order to get the work done on the Sussex side. He reported that over the last nineteen years, Sussex County Housing has spent over $680,000 on the south side of Milford on a total of 48 rehabs.

He reiterated they work from a waiting list and the higher the number on the waiting list is a benefit and a factor in deciding if funding is made available to Milford.

He left the city clerk with a list of the residents on their current waiting list and a copy of the application.

Mr. Jones also reviewed the income guidelines for Sussex County.

Mr. Pikus asked if there is a limit on how much is spent per house; Mr. Jones said that as Mr. Biddle reported, there is $68,000 available for the four rehabs currently planned. In that case, each home is appropriated approximately $15,000. Each house is reviewed individually and if there is a greater need with one home versus another, that is also considered. He emphasized the program is not to remodel the home and instead, there must be a need for the repair.

Vice Mayor Morrow asked for comments. No one responded.

Mr. Grier then moved for adoption of the Resolution 2013-2, seconded by Mr. Pikus:

Resolution 2013-2
Sussex County

ENDORSING PROJECT TO BE SUBMITTED TO THE DELAWARE STATE HOUSING AUTHORITY FOR FUNDING FROM THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AUTHORIZING DAVID B. BAKER, SUSSEX COUNTY ADMINISTRATOR TO SUBMIT APPLICATION.

WHEREAS, the City of Milford resolves to apply for Community Development funds from the Delaware State Housing Authority in accordance with appropriate regulations governing Community Development Block Grants State of Delaware Program for Block Grants as contained in Sections 570.488-499 24 CFR U.S. Department of Housing and Urban Development; and

WHEREAS, the City of Milford has met the application requirements of (Attachment E Delaware Community Block Grant Program Policies and Procedures) Citizen Participation requirements; and

WHEREAS, Sussex County plans on accomplishing the requested projects with CDBG funds; and

WHEREAS, the City of Milford hereby agrees to allow Sussex County to accomplish the projects in the targeted areas of Milford; and

WHEREAS, the City of Milford and Sussex County are in agreement with this activity.

NOW, THEREFORE, BE IT RESOLVED by the City of Milford and Sussex County that they endorse and grant permission for the following activity:

APPLICATION: Rehabilitation/Infrastructure/Demolition

Total Infrastructure project cost is $_____ , total CDBG grant request is $_____. Matching funds in the amount of $_____ will be provided by the City of Milford general funds. NOTE: To be used for Infrastructure projects only.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF A RESOLUTION PASSED BY THE CITY OF MILFORD, SUSSEX COUNTY, ON THE 28th DAY OF JANUARY 2013.

Motion carried.

Mr. Brooks moved for adoption of the Resolution 2013-3, seconded by Mr. Grier:

Resolution 2013-3
Requirement for Fair Housing
Sussex County

WHEREAS, the City of Milford recognizes the importance of fair housing for the citizens of Milford; and

WHEREAS, the City of Milford supports the goals of the Federal Fair Housing Law.

NOW, THEREFORE, BE IT RESOLVED, that the City of Milford heartily encourages all parties involved in the renting, selling or financing of housing in the City of Milford to insure that no person shall, on the grounds of race, color, national origin or sex, be discriminated against or denied a fair and equal opportunity for housing; and

BE IT FURTHER RESOLVED, that the City of Milford, when acting as administrator of a Community Block Grant, is hereby authorized to take such actions as deemed necessary to affirmatively further fair housing in connection with the said Community Development Block Grant.

This RESOLUTION was passed by a majority of the Council of the City of Milford on January 28, 2013.

Motion carried.

Mr. Pikus moved for adoption of the Resolution 2013-4, seconded by Mr. Johnson:

Resolution 2013-4
Authorizes Levy Court of Kent County to Submit Application

The City Council of Milford, Delaware, hereby authorizes its Mayor Joseph R. Rogers, to submit the Fiscal Year 2013 Community Development Block Grant (CDBG) application and all understandings and assurances therein contained, and furthermore authorizes the Levy Court of Kent County to Act as the official representative of the City of Milford in connection with the submission of the Fiscal Year 2013 CDBG applicant and to provide such additional information as may be required. In the event the City of Milford's application is funded, the Levy Court of Kent County is hereby authorized to administer the funded application on behalf of the City of Milford.

This resolution was passed by a majority of the Council of the City of Milford on January 28, 2013.

Motion carried.

Mr. Pikus moved for adoption of the Resolution 2013-5, seconded by Mr. Starling:

Resolution 2013-5
Requirement for Fair Housing
Kent County

WHEREAS, the City of Milford recognizes the importance of fair housing for the citizens of Milford; and

WHEREAS, the City of Milford supports the goals of the Federal Fair Housing Law.

NOW, THEREFORE, BE IT RESOLVED, that the City of Milford heartily encourages all parties involved in the renting, selling or financing of housing in the City of Milford to insure that no person shall, on the grounds of race, color, national origin or sex be discriminated against or denied a fair and equal opportunity for housing; and

BE IT FURTHER RESOLVED, that the Kent County Levy Court, when acting as administrators of a Community Block Grant for the City of Milford, is hereby authorized to take such actions as deemed necessary to affirmatively further fair housing in connection with the said Community Development Block Grant.

This RESOLUTION was passed by a majority of the Council of the City of Milford on January 28, 2013.

Motion carried.

Mr. Pikus moved for adoption of the Resolution 2013-6, seconded by Mr. Brooks:

Resolution 2013-6
CITIZEN PARTICIPATION
CERTIFICATE OF ASSURANCE
Sussex County

It is hereby assured and certified to the Delaware State Housing Authority that Sussex County, Delaware, has met

application requirements of (Attachment E Delaware Community Development Block Grant Program Policies and procedures) citizen participation requirements, and that Sussex County has:

1) made available information concerning the amount of funds that may be applied for;
2) made known the range of activities that may be undertaken with these funds;
3) made known the fact that more applications will be submitted to the State of Delaware than can be funded;
4) outlined the processes to be followed in soliciting and responding to the views and proposals of citizens, communities, nonprofit agencies and others in a timely manner; and
5) provided a summary of other important program requirements.

The City of Milford has held a Public Hearing on January 29, 2013 with required notice for all citizens, including low and moderate income persons, to have an opportunity to present their views and proposals.

The City of Milford has by resolution and after one Public Hearing, endorsed this application.

Motion carried.

With no further business, the Public Hearing was adjourned by Vice Mayor Morrow at 7:14 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

MILFORD CITY COUNCIL
MINUTES OF MEETING
January 28, 2013

The City Council of the City of Milford met in Workshop Session on Monday, January 28, 2013 in the Joseph Ronnie Rogers Council Chambers of Milford City Hall, 201 South Walnut Street, Milford, Delaware.

PRESIDING: Vice Mayor Douglas Morrow, Sr.

IN ATTENDANCE: Councilpersons Steve Johnson, Garrett Grier III, S. Allen Pikus, Dirk Gleysteen, Owen Brooks, Jr., James Starling, Sr. and Katrina Wilson

ALSO: City Manager Richard Carmean, Police Chief Keith Hudson and City Clerk/Recorder Terri Hudson

COUNSEL: City Solicitor David Rutt

The Workshop Session convened at 7:14 p.m.

Circle of Light, Incorporated/Task Force for Homelessness for Milford/Reverend Deacon Dorothy Vuono

Reverend Deacon Dorothy Vuono introduced herself noting she is the Program Coordinator for the Circle of Light, Incorporated which is the resource center for homeless women and children in the Milford area.

She recalled a few years ago, their group spoke to city council on the homeless situation occurring in Milford. They are now asking for collaboration between the council and the Circle of Light to form a task force to delve further into the problem existing in Milford.

Reverend Deacon Vuono reported that in 2007, the Circle of Light started to do some research. At that time the group consisted of a group of local citizens who were willing to look at the problem existing for women and children that were homeless in this city. In December 2009, they had their first client; in 2010, they had 31 clients. Circle of Light is primarily supplying and helping the women who are homeless and their children with birth certificates, social security cards and state identification cards. Without any of those, they are unable to get public assistance and housing.

They have since moved into helping with application fees for apartments for these women who are coming out of transition safe programs through People's Place. They are also working on the Teen Girl Foster Care Program with People's Place and helping in ways the state is unable to. They are providing essential items such as mattresses for those moving out of the safe program into transition housing. She noted that many are unable to be funded with state or federal monies.

In 2011, their number of clients increased from 31 to 54. In 2012, they have helped 111 people. Reverend Deacon Vuono emphasized the numbers are growing and it is becoming an extreme area of concern for the organization who hope that by the end of the presentation, council will agree there is a need for a task force.

Reverend Deacon Vuono then introduced Craig Warrington who is the homeless liaison for Milford School District.

Mr. Warrington advised that a lot of times, people do not see these homeless families on the street and many people wonder if there is a homeless problem and if so, where they are. He explained that these children are in a 'different' residence; for example, someone in foster care falls in this category. There is a group home in town that is used. A lot of the children are in shelters. Milford has two domestic violence shelters.

He said there are also several families that are in shelters in Dover, Georgetown and other local areas because Milford has no homeless shelter. In addition, a lot of families and children are in motels with Travelers and Super 8 the predominant motels in Milford.

Due to problems with the Travelers Inn over the past year, a number of the families are living in motels in Dover and Georgetown and other surrounding towns.

Mr. Warrington noted that a lot of their homeless students are 'doubled up'. Doubled up means the family can no longer afford their lease or rent or live on their own. They are then forced to move in with someone else which may be a family or a friend. Those students also fall under the homeless category.

He clarified that homeless means lack of an adequate, consistent place to live. Basically, the person is a transient.

In his role at Milford School District, they support these students as much as they can. Supplies including hygiene items, blankets, sleeping bags, clothing and uniforms are provided. These supplies, in addition to money for field trips, are mainly provided by local groups, organizations, churches and businesses.

The school also receives a small grant from the state, which is funded through the federal government, allows them to assist these people.

Mr. Warrington advised the biggest thing they do is ensure they have an adequate education. The homeless act, instituted in 2002, addresses homeless families that move from shelter to home to other sites. Moving from Milford to Lake Forest to Cape would be very difficult for a child to maintain any kind of consistent education. This allows the student to stay in one district. As they identify the students who fall in this category, they provide them with transportation to and from the school.

He explained that when a family loses their home in Milford and moves to a home in Harrington, Milford School District will keep that student in their district and provide a van to and from the school. There are numerous students that fall under this category and a great deal of transportation going around Milford and surrounding areas. He said they have gone as far as Laurel and Smyrna. He said they have accommodated those students even though that is pushing it because they do not want those students on the bus all day. However, keeping that student in one school district is vital to their education. He reported that realistically, this is the only consistent thing in their lives and where they get clothing, food, education and attention. Outside of that, there is not a lot going on for some of these students.

As of today, Mr. Warrington added another student to Milford's list. Currently, there are 141 students in the school district that are in the homeless category. He said that number rises every year and will increase as the school year progresses.

He said it is a problem and one a lot of people do not see. He works with these people every day and finds they are very humbled and very appreciative.

Mr. Warrington said this community is fantastic. They have had a huge outpouring from not only Milford, but surrounding areas where businesses, organizations and ministry groups have made huge donations to try and help these folks even more. He has addressed civic and church groups and as the problem is identified and the word spreads, people are stepping forward to help them out.

He does not feel the number will go down and from his experience, it will continue to increase unless the economy does something miraculous over the next couple of year.

Mr. Warrington said that homeless shelters used to fill up only during the winter. Currently, they are full all the time because of the economy. As a result, it is almost next to impossible to get into a shelter. If a person or family is lucky enough to get in, they are not permitted to stay very long.

He said there are some people living on the street and in the woods.

Mr. Warrington left council with the thought that the picture of a homeless person is not always accurate. He has worked with people that live a normal life for many years and then suddenly, everything falls apart and they lose their job, lose their house and suddenly have nothing. He said it can happen to anyone at anytime and has seen it happen first hand.

Mr. Pikus said that he has heard there are families with young children living in tents in this area; Mr. Warrington said he is unaware of students living in tents. There are people living in tents in the wooded area on the other side of Stevenson Home. But he is unaware of any students in that situation. He has had some families with children come to him who are

living on the street and arrangements have been made for them. Legally, an adult can live in a tent or live outside, but legally a child under the age of eighteen cannot. If he is made aware of that, he is required to call Division of Family Services to report it. He added that those families will not come to him because they fear losing their children.

Mr. Pikus said he must presume these are adults in that situation. If they are living on private property, that is illegal too; Mr. Warrington agreed. He reiterated that if he is informed that children are living on the streets or in tents, he would report that to the state.

Mr. Brooks asked Mr. Warrington to clarify the statement he made about these families who find a home do not live there long; Mr. Warrington explained that these folks are struggling so much they may end up in a shelter but for a limited time. They are then required to move out. They may receive assistance from the state and that is when they may be sent to a motel. If they qualify, they can receive funding for about a month; then they must move on. They might find a friend or a relative to move in with but that is also typically temporary.

He explained that these families are simply unable to find a consistent place to stay because of the lack of funding or resources.

Mr. Warrington said that some folks do not want to be identified as homeless which can makes their situation difficult. As a good example, he has a grandmother that has five children and grandchildren living with her in an apartment. He was made aware of it and when he contacted her, she did not want Mr. Warrington's help because she was unable to have buses coming to the apartment because they would draw attention. In her case, if the apartment manager found out, she would be evicted because there were too many people living there. As a result, he will not get involved in such legal issues though he offers the assistance.

Vice Mayor Morrow noted that Councilwoman Wilson is a member of the Circle of Light Board and asked if she wished to comment.

Ms. Wilson said she is very proud to be a part of a positive, active board of which everyone is one accord and trying to do what is best for these students. She sees a lot of people coming into her place of business that are sleeping in cars. She knows that some are parents with children. She agrees the right thing is to turn them into DSF. But she feels that when families are trying to stick together, they try everything possible to keep their families together. In these cases, the children would most likely be placed in foster homes.

She wants the city to appoint someone else to this board besides herself. She would like a partner or as many partners as are willing to help this program develop. She wants Milford to be one of those towns in Delaware that is helping their homeless residents. Milford is one of the largest towns in the Delaware but she feels we are behind the eight ball. She prays this is the beginning of an open conversation and hopes Circle of Light can get as much help as possible from the city as well as other entities and businesses. She hopes Milford will step forward to do everything possible to help our citizens and our children and protect our children's future.

Mr. Pikus asked if they find many of the homeless are new people moving here or if they have lived here for sometime. Mr. Warrington said it is mainly people who already live here.

Mr. Warrington reiterated that transportation is available to the students to get them to the appropriate district. Funding is through the federal government though the district pays 10%.

Mr. Brooks recalled a couple of years ago when some church members came before council to discuss a cold weather shelter at the Church of the Nazarene.

Pastor Kevin Bowers of the First Presbyterian Church then recognized the board members of the Circle of Life.

Pastor Bowers then reported there are approximately three different homeless populations tonight in Milford—the students in the school district, women in safe transitional housing and those at the teen foster home. He said that every community has the same problems as Milford. Every community has the challenge of looking at its indigenous populations, why they

are where they are and any needs.

He said homelessness is a multi-layered issue and there is no simple answer how to help them and how to be able to meet them with the services they require. That is one of the reasons they are seeking a partnership with the council which will provide a broader community-based and involved task force.

Pastor Bowers is aware that no one has enough resources to do what needs to be done. They will work with the city to do as best as they can for those in need.

Vice Mayor Morrow thanked the Circle of Light members for the information noting this is a topic that needs to be addressed. He asked council to consider their concerns adding that it will be put on councils' agenda for later action. He agrees it is not a situation that will disappear especially during these times.

Mr. Starling asked if something can be done right away. He expressed his concern that often a topic is postponed and action is not taken for several meetings. He is very concerned that winter is here and February is expected to be very cold. He encouraged the city administration to begin working on this immediately.

Linda Boone, Chair of the Home of the Brave Board of Directors, then addressed council. She explained Home of the Brave is a homeless veteran facility with a Milford address. They have been in business for twenty-one years and she has been involved with the homeless veterans issue since 1990. Currently, they house 15 homeless veterans at their farm home on Sharps Road. Last year, they served 39 veterans. They can stay up to two years but typically stay between six and nine months.

In November, Home of the Brave bought an additional home in Milford that will serve homeless women veterans and their children.

She said they seem to be ignored because they are outside city limits. She offered her support, along with Board of Chair Vice President Dave Markowitz and a number of active community members, who want to make sure Milford does face and find some solutions to the homeless issue.

Vice Mayor Morrow directed the city manager to contact the Circle of Light's Program Director tomorrow and start this path toward a partnership. There were no objections of city council.

Mr. Gleysteen then asked if there is a general structure of who will be recommended to be involved from the city.

Reverend Deacon Vuono said they tried to do some research about other cities but were unable to find any information on a city as small as Milford. Something similar was started twelve years ago in Laurel (Hope House). She said the Town of Laurel raised money to help build the Hope House. The idea of the task force is to start zeroing in on some of those issues in addition to transportation because they have no way for people to get to work as they only have one bus.

She announced that Dan Bond, Beth Parker and Suzanne Moore (absent) will represent the Circle of Light on the task force. They are asking city council to have three people or less who would begin to meet and bring back information to city council on their progress in finding ways to solve these problems.

She welcomed the Home of the Brave to participate as well as any other members of the community who wish to step forward.

Reverend Deacon Vuono emphasized that Circle of Light is one of the first agencies to bring this matter to the attention of a town. Over the course of time, the Circle of Light has gotten pictures in the newspaper by doing different things such as the sleeping bag project. As a result, they received help from a Red Hat Group. She feels the public is genuinely interested in helping but needs someone to start telling them how they can help which is what the task force will do.

Mr. Brooks asked how the Town of Laurel raised funds; Reverend Deacon Vuono said they had a capital campaign and raised over $30,000 to help build the Hope House. However, she only has the information that was provided in a

conversation with Laurel Mayor John Shwed. She plans to attend one of their board meetings to obtain additional information. The home has four units which can be used by the homeless for either 30, 60 or 90 days.

Mr. Pikus asked who managed the units; Reverend Deacon Vuono said Hope House though she knows the town gives them a reduced rate on taxes and does not charge for electric and water.

She said that right now, it is important to get this message out to people.

Ms. Wilson said she is familiar with Whatcoat Shelter in Dover which was a collaboration of city council and which John Pitts was instrumental in forming. A number of their churches worked together to establish the program which has served hundreds of people noting that a number of people from Milford are sent there. She agrees the problem with shelters is the limited amount of time that can be spent there. In some cases, it only averages fifteen to thirty days. At the end of that period, these families must collect their items and move on. Unfortunately, staying at one shelter does not allow enough time for a person to get their feet on the ground. Even if they have a job, there is a later problem when they are released because not only do they lose their homes, but they often lose transportation as well.

She said Milford is blessed because there is now some affordable housing in Milford that can be offered.

Ms. Wilson said this is not the first time this has been presented to the city. In the past, there was not a strong organization behind it. She said approximately ten years ago, council was made of the homeless situation in Milford though it was not as bad as it is now. Right now it is very difficult and reiterated there are a number of people today sleeping in their vehicles that often eat a cold can of soup for dinner.

She agrees that something needs to be done and hopes that it starts today.

City Solicitor David Rutt then asked what they envision the structure should be for the task force. He said it was mentioned there would be three people from the Circle of Light and possibly three people from the city in addition to community members. He needs to know the structure and whose guidance this would fall under. In addition, if there will be any funding requested. He explained that information is needed to determine whether the task force would be an official arm or commission of the city which has some legal ramifications.

Pastor Bowers agreed those are good questions though he is unsure they have the answers. They have done some thinking and referenced the documents in the council packet. They noted some issues and areas the task force may want to get into. They hoped that would lead to a developing structure though it has not been thought out to that depth.

According to the pastor, their hope was to get it started and let council have a role which would be significant when developing a community strategy to deal with the various issues of local homelessness.

He said there has always been an idea that we might get into some problematic areas which council would need to understand is their role. However, he feels that is down the road.

They did not come tonight with a preset strategy and a formal structure. They have tried to do some research though it is difficult to find what similar communities are doing for homelessness.

Vice Mayor Morrow said this can start a dialogue to work toward some common goals and suggested the city manager work on that.

Pastor Bowers referenced a recently published 2011 Comparison of 25 Cities in the United States by the National Conference of Mayors addressing hunger and homelessness programs. Unfortunately, the document addresses larger cities and not smaller towns. He emphasized they do not want to reinvent the wheel and believe there are lots of places someone can find information on what communities are doing to address homelessness concerns.

PowerPoint/Economic Development Presentation/Economic Development Director Steve Masten

Mr. Masten introduced himself as being with the Economic Development Office in the city. He presented the attached PowerPoint.

He then gave the following report:

Slide 1. Economic Development Strategy

I would begin my presentation with the Economic Development Strategy, authored by John M. Rhodes, December 2010. This company is a nationally recognized economic development and site selection consultant. This economic development strategy projects to the year 2025.

Slide 2. Action Plan

These six areas are the core areas of economic development. In this presentation I am going to discuss and bring you up on the current demographic status and a few facts.

Slide 3. Comprehensive Plan Neighborhoods

A document that is updated on a regular basis is the town's comprehensive plan. Milford has four neighborhood and each is a little different. Milford has a defined town center with many historical buildings and homes. Contrasted by the north neighborhood having a high density of commercial and light industrial activity.

Slide 4. Downtown Milford Incorporated Event Promotion

Downtown Milford Incorporated is a special organization that directs its attention on promoting business and business activities in the central part of the city. The focus is a four-point approach--

Design, taking advantage of visual opportunities, landscaping, store fronts, signs, etc.

Promotion takes many forms, but the aim is to create a positive image of the downtown in order to rekindle community pride in the commercial area.

Economic restructuring is accomplished by retaining and expanding existing businesses to provide a balanced mix of commercial entities by converting underutilized or unused space into productive property.

Organization establishes consensus by building partnerships with stakeholders who are private and public.

Slide 5. Business Development

Promoting new businesses is a must for new business start ups. Ribbon cuttings are necessary to inform the public that Milford is open for business.

Slide 6. DMI Achievements

DMI is a vital organization that promotes and organizes volunteers and provides knowledge-based incentives to businesses. DMI is an administrative arm for economic development and the City of Milford whose efforts are infused into the downtown area of Milford.

Another organization that promotes Milford at large is the Chamber of Commerce for Greater Milford.

Slide 7. Chamber of Commerce for Greater Milford

Milford is divided between Kent and Sussex Counties. The Chamber of Commerce works hand in hand with the businesses by providing resources and promotional events. The chamber supports a balanced economic development of Milford by promoting civic, industrial, commercial, educational, agri business, social and quality of life interests.

Slide 8. Chamber of Commerce Provides

Organizing activities such as these require dedicated leader and support staff. Milford Chamber accomplishes these tasks along with many other areas of support. Milford is very fortunate to have a chamber that supports its businesses in the Milford area. Recently, I was speaking to the Town Manager of Smyrna who informed me that Smyrna did not have a Chamber to promote businesses activity and growth. This responsibility was largely performed by town officials as time allowed.

Slide 9. Collaborative Partners

Its worth mentioning that both Downtown Milford, Inc. and the Chamber of Commerce for Greater Milford are working for the good of Milford. Milford officials are on their boards and on many committees of the city such as the Economic Development Advisory Committee.

Slide 10. Consumer Sector

Our area regarding employment and unemployment. These figures are updated on a regular basis. August numbers reflect the unemployment rate went from 6.8% to 6.9%. September unemployment rate dropped to 6.8%. This figures are for the State of Delaware and not just Milford. The next slide will give you a better perspective of how we compare to other states.

Slide 11. Regional Unemployment

September 2012 unemployment rate maintained at 6.8% with the US unemployment rate being 7.8%. The State of New Jersey continues in the month of September 2012 to experience a 9.8% unemployment rate. The source for this information comes from the Delaware Department of Labor and the respective department of labors for each state.

New Growth for Milford

Slide 12. Milford Growth

Growth has begun in the southwest neighborhood with Redners. Additionally, about ten pad sites are being constructed with interest from many applicants wishing to open up new businesses at this development. I have made about half dozen referrals to the leasing company for prices and availability of pad sites.

Slide 13. Redners Pads

Six pad sites that are under construction. Four additional pad sites are being built and are separate structures, but adjacent to these pads. Year 2014 is going to hold big plans for the next major employer in Milford as well as the city.

Slide 14. Milford Memorial Hospital Bayhealth Expansion

Bay Health will be building a brand new hospital. Capital investments will bring in over $200 million. The hospital administrator, Mr. Ashton, noted the real challenge is to keep hospital services running while the old part is replaced with a new facility. Plans are to keep the hospital open during all parts of the construction process. The city has met with the hospital administrator to extend our services during the construction process. All services that Milford provides will be affected by the new construction; coordination of services will be part of this major project.

Slide 15. Independence Commons

Medical, a new business has broken ground; Dr. Bunting will be building a dental facility to house three dentists and a support staff that will grow to over twenty employees. The location of this project is in Independence Commons next to Response Computer. As a foot note, another medical office is in the works and an approximate 8,000 to 10,000 square foot facility is being considered.

Slide 16. Milford Business Park

I have been working with a client who is looking to start a new business. An assessment of available real estate and buildings in Milford has been performed. The building on this slide is currently in operation, but the owner is looking to downsize his operation, making this facility available. I have identified square footage that range from 15 cents a square foot to 15 dollars a square foot. There is a need for quality buildings at affordable rates for new start up and existing businesses.

Something new for Milford!

Slide 17. Solar Farm

On or about December 25, 2012, the Milford Solar Farm was energized and began feeding electric into Milford's new substation. I would like to point out that the solar farm is not owned by the City, but the electric "15 megawatt" generated there feeds directly into the electric grid of Milford. The $50 million project is owned by Public Service Enterprise Group who also owns solar farms in Arizona, Ohio, Florida and New Jersey.

Another big project getting the necessary approvals is

Slide 18. Perdue Expansion

Perdue will be expanding their Milford plant to process organic poultry. Perdue has hired about sixty new employees and is scheduled to add at least another one hundred to its employment base. This project is on a fast track to be completed by August 2013. A new and emerging market for this area is the production, processing and farming that is organic in nature. By producing organics, a higher quality product will be sold as the demand increases.

Promotion--in September the bikers are coming to Milford.

Slide 19. BMX National Event

BMX will be holding the First State BMX National Series Event and attracting bikers three years of age and up with the average age of twelve to fourteen. Coordination of services has begun promoting this event. Families from all over the United States will be visiting Milford. This event is scheduled to attract over 600 bikers and their families. This event will occur on Friday, September 13th thru Sunday, September 15, 2013. This is one of 32 events held annually. Milford BMX is hoping that this becomes an annual event that brings in lodging, retail, and restaurant dollars to this community.

Slide 20. Business Retention

In an effort to support the business community, the City Economic Development, along with the City Manager, are working on barriers to this business' entrance and exit problems, In short, the north end of Carpenter Pit Road is a one-way bridge that prevents visitors from exiting to the north. Instead, they must exit at the Grotto Pizza intersection. We have met with the state and are trying to assist with better signage and road improvements.

Here is a look at the bridge that is a one way bridge.

Slide 21. Hampton Inn/Bridge

Because of safety standards, DELDOT has determined that this road is safe only if used in one direction. Solutions are costly.

Slide 22. Warehouse

Dogfish Head has arrived in Milford storing their pre-processing materials on McColley Street. During the expansion of the Milton facility, storage of bottles, wrappers, cardboard and all the items used to market the beverage will be stored at this warehouse and delivered as needed to the Milton Location. When the expansion is complete, they will consolidate this activity in Milton.

Slide 23. Route 1 & Wilkins Road

In December 2012, DelDOT began the grade separation of Route 1and Wilkins Road. They awarded the project to George & Lynch. It is expected to be completed in 12 to 16 months. Existing services have been put under ground to allow for the construction to begin. City water will be installed for the first time east of Route 1. The overpass will allow residents and businesses to access east and west areas without entering Route 1.

Slide 24. Kent County Regional Sports Complex

Location of this new sports complex is north of Milford and across from Meding Seafood. Restaurants, lodging, and area attractions will feel the boost that this major complex will add to the economy. Most of the funds have been raised with a construction start to occur late in 2013 or 2014. This complex will host an indoor component with activities year round. This complex will become a regional complex that will draw sportsmen from many areas outside of Delmarva.

Slide 25. Business Retention Baltimore Air Coil

Business Retention: We have an existing business that employs over 400 employees that needs city water. In Economic Development, it is easier to keep the businesses you have, then to try and attract new business.

Jobs

Slide 26. Benefits to Economic Development.

This business currently employees 408 full-time direct manufacturing jobs.

They support 150 plus indirect jobs throughout the state.

Jobs that are induced from Baltimore Air Coil are all over Sussex, Kent, and New Castle Counties based on purchasing patterns of this business.

Metal is bought from up north. Stainless steel rivets, machinery and equipment is purchased from all over the state.

Baltimore Aircoil Company is an economic engine for the Milford area.

Slide 27. Benefits to Economic Development

Strengthens retention and expansion efforts.
Completes required utility services to sustain this and future business.
Provides clean potable drinking water.
Enhances fire protection capability.
Promotes future Economic Development in the western Kent County area of Milford.

Economic Development Threat.

We have identified Milford as River Town, Art Town, Home Town.

Slide 28. Challenges

The Mispillion River is in need of some serious attention. This picture is taken at the Mispillion Marina located at Route 1 and Route 36. The marina is no longer usable and the Mispillion River is silting more and more each year. Boat traffic will and has almost come to a halt. In speaking with Richard Carmean, he mentioned that the Mispillion River used to be known for the large mouth bass that were caught by anglers.

The river needs to be dredged and the vitality of the river needs restoring. The Army Corp of Engineers used to provide funding; now they will only dredge if you are shipping cargo and meet a very high tonnage requirement. It has been

estimated that the cost will be around $10 million.

Next, Economic Gardening

Slide 29. Economic Gardening

It's a strategy that is simple, but many economic development professionals are using this term as it applies to growing your communities businesses. They are simple, but essential, in keeping businesses in our city.

Slide 30. Strategy Process

The Strategy Process that was outlined in the Economic Development Study identifies--

Level 1-Primary Industries: state/federal government, agriculture, manufacturing, college/universities, headquarters and back offices, regional healthcare, retail distribution and tourism related business

Level 2- Business Support Services: commercial construction, commercial banking and insurance, business hospitality, business transportation and printing/copying/mail services

Level 3-Consumer Services: retail, healthcare, education, banking, and residential construction

Keeping our eye on the primary levels that support the economy is essential. Resources such as real estate, labor, education, transportation and utilities is the fuel that an economic engine runs on

Slide 31. Thank You

Ms. Wilson left at this time.

Mr. Gleysteen recalled that DMI President Irv Ambrose gave a presentation of their activities over the past year. He stated that DMI made it clear they are very independent of the city's economic development services. They focus their efforts only on downtown. The chamber is somewhat different.

A question was raised if there is an opportunity for Mr. Masten to network with these other groups or if it is better if everyone does their own thing.

Mr. Masten said that they each sit on the other boards. In Mr. Masten's case, he makes referrals and vice versa both with DMI and the chamber. He said that DMI focuses only on a particular area of the city which is an advantage to the businesses downtown.

Mr. Masten said that DMI has many volunteers. Their volunteer hours total more than 7,000 hours. He does not have that amount of manpower in his office.

Mr. Masten asked if DMI is needed then stated that in his opinion, they are like an administrative arm of the city.

Mr. Gleysteen said a lot of these projects have been in the pipeline for sometime. He was wondering what methods he plans to attract more businesses to Milford. He asked if any of the projects mentioned are Mr. Masten's babies. Mr. Masten said he is currently working on one now and council will hear more about it in the coming months. He explained that one thing he has identified is the importance of working with existing businesses and finding out who they use and where they get their materials and products. He then tries to attract the related business to Milford. That is something that Sussex County has been successful at. He can then apply that to the city level in terms of trying to get those businesses to Milford so they can serve the people here who are doing the manufacturing.

Mr. Pikus asked if we have been successful in that; Mr. Masten said he has reached out and has not yet brought anyone in but that is part of the economic gardening.

City Manager Carmean said that many council members may remember the meetings with Baltimore Air Coil six to seven years ago in relation to their utility problems. They approached the city after their septic failed. If DNREC would allow them to put in another field, which was up in the air at the time, that would have left them with no room for expansion. The city manager then approached Maurice Blessing to allow the city to build sewer line across his farm. That was the shortest distance to get to Baltimore Air Coil. Kent County also joined in to help reduce the costs to the city.

The city manager reported that since that time, Baltimore Air Coil has closed down several facilities and chose to grow in Milford. There were 135 jobs when the utilities began to fall. Currently, there are 408 jobs that we would have lost had the city not partnered with Kent County and the State of Delaware.

He pointed out that though they are not in city limits, they have a direct impact on our city and our residents economically.

Mr. Carmean advised he is currently working with Perdue on an incentive program. There is a possibility that with their expansion, jobs could increase by one hundred positions.

He said all of the services the city provides influence these businesses. That includes our infrastructure and our police force. He emphasized that every business also wants to discuss electric.

He recalled when Seawatch came to him when they wanted to expand. They were then provided some incentives on new loads for sewer, water and electric because they were bringing an addition 120 jobs. They receive a very small rebate on electric though they are sewer and water dependent.

The city manager feels we need to work on electric rates for commercial and industrial customers. Residentially, we are number four out of eleven.

He agrees it is important to keep working on that and working together with Kent County Economic Office, Sussex County Economic Office, Milford Chamber of Commerce and Downtown Milford. He wants to keep them going in the same direction and does not want them at odds with each other.

He agrees the Mispillion River has a problem. The way it is filling in is dangerous to our downtown area. During a nor-eastern, as the silk fills in and the water is pushed over the areas into the basin, someone may not be able to get back out. It is important that is addressed.

Mr. Carmean said the Army Corp of Engineers used to do some dredging every ten years or so. They no longer provide that service. He will contact the State of Delaware (DNREC) to see what can be done.

Mr. Masten said that right now the most important issue he is working on is retention and making sure Milford does not lose anyone. He was talking with one business who said they almost closed last year. He just found out about it noting that is what they don't want to happen. His goal is that everything we have we keep and begin to add new businesses.

Mr. Pikus asked that Mr. Masten keep council up to date as to new businesses, what is being considered and what is happening in Milford. Often, council has no knowledge of what is coming.

Mr. Masten added that there are a lot of rumors circulating about a number of restaurants; Mr. Pikus prefers that we stick to the facts.

Mr. Masten said that until we receive a site plan or something formal, he does not know if they are coming.

Mr. Carmean then commented on the new solar farm out on Route 14. He emphasized it is not owned by the city and cost the developers was almost $60 million.

The city manager explained the solar farm originally came here because the land was available and a new substation was being built. This allows them to put the power through the city's system and onto the grid. The project had a timeline for completion of December 31, 2012. Had they not completed it, they would have lost a tremendous amount of tax incentives.

On a good day, the solar farm produces anywhere from 13 to 15 megawatts; on a hot summer day it produces 43 to 44 megawatts. DEMEC is buying all the power for the next twenty years. Mr. Carmean said this fulfills the green energy requirements of power providers mandated by the government for Milford and a lot of the other DEMEC customers for many years to come.

Even though it is not a large part of the city's energy, it will cut down on demand, transmission and capacity costs.

He hopes to see some reductions in electric costs in the next couple years. He noted the rate reductions over the past couple years and for commercial and industrial customers, 14 to 17%. Of all our customers, the largest reductions were given to industry and commercial customers. He felt our residential rates were competitive considering Milford is fourth from the lowest rates.

He anticipates better rates in the future once we get the energy on line. When that occurs, the reduction will need to be balanced between businesses and residential customers.

He remembered when Milford had the highest residential rate in the state adding it is difficult to shed that reputation.

With no further business, the Workshop Session concluded at 8:18 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

Attachment: Economic Development Director Steve Masten PowerPoint

ECONOMIC DEVELOPMENT STRATEGY

CITY OF MILFORD, DE

DECEMBER 2010



MS&B
Moran, Stahl & Boyer
Site Selection and Economic Development Consultants

Action Plan

- Real Estate (Land & Buildings)
- Workforce Development
- Infrastructure (Utilities and Roads)
- Organizational Support for Economic Dev.
- Support New Business Start-Ups & the Expansion of Existing Business
- Marketing Promotion

Comprehensive Plan Neighborhoods

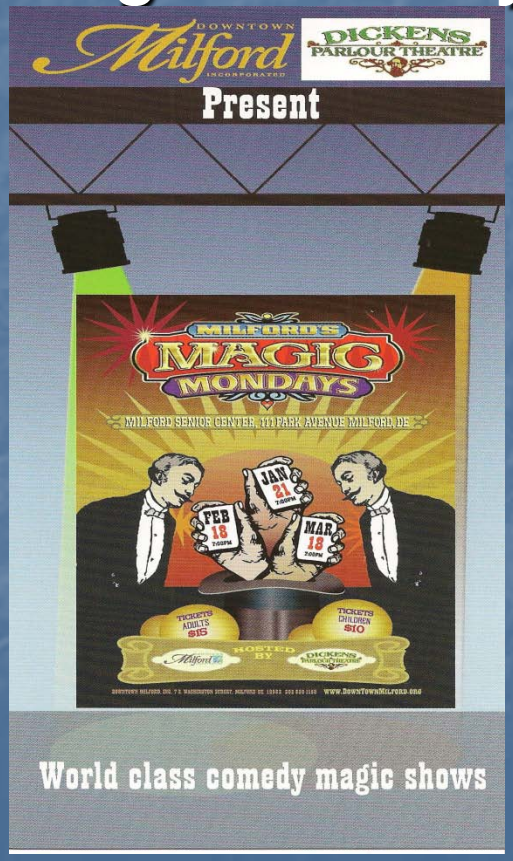
- Town Center
- Southwest Neighborhood
- North Neighborhood
- Southeast Neighborhood

Downtown Milford Incorporated Event Promotion

- Bug & Bud Festival



Magic Mondays



Business Development

- Milford Gifts



Hidden Gem



DMI Achievements

- 10 New Businesses
- 2 Successful Businesses Expanded
- Project Pop-Up yeilded New Business
- Popular Farmers Market
- 9 Promotional Events
- 7,265 Volunteer Hours
- Improved Downtown Appearance

Chamber of Commerce for Greater Milford



Chamber of Commerce Provides

- Networking Opportunities
- Chamber Events
- Advertising Opportunities
- Business Listing
- Promotes Economic Development
- Business to Business Promotion

Collaborative Partners

Downtown Milford, Inc.

and

Chamber of Commerce for Greater Milford

are working partners

for

Milford Economic Development

Consumer Sector

Employment

Delaware (July 2012)	Delaware (June 2012)
Labor force 439,745	Labor force 440,984
Employment 409,749	Employment 411,469
Unemployed 29,996	Unemployed 29,515
Unemployment rate 6.8%	Unemployment rate 6.7%

Regional Unemployment

	June 2012	July 2012
Pennsylvania	7.6%	7.9%
New Jersey	9.6%	9.8%
Maryland	6.9%	7.0%
Delaware	**6.7%**	**6.8%**
U.S.	8.2%	8.3%

Milford Growth




CASE
CASE

Milford Memorial Hospital Bayhealth Expansion



Independence Commons



Milford Business Park



Solar Farm



Perdue Expansion





BMX National Event



Business Retention





Warehouse



Rt. 1 & Wilkins Road



Kent County Regional Sports Complex

- Estimated Cost
- $6.0 Million for Indoor Facility
- $3.61 Million for Infrastructure Cost
- $7.19 Million for Fields & Appurtenances
- 16,800,000 Total Cost

- $18,000,000.00 Yearly Impact
- Jobs: 302 jobs (construction & staff)

Business Retention
Baltimore Air Coil

- Strengthens retention and expansion efforts
- Completes required utility services to sustain this & future business
- Provides clean potable drinking water
- Enhances fire protection capability
- Promotes future Economic Development in westerly Kent County area of Milford

- Supports **408+** “direct” manufacturing jobs
- Supports **150+** “in-direct” jobs through- out the State
- Supports jobs that are “induced” in New Castle, Kent, & Sussex Counties base on purchasing patterns of the business

Challenges

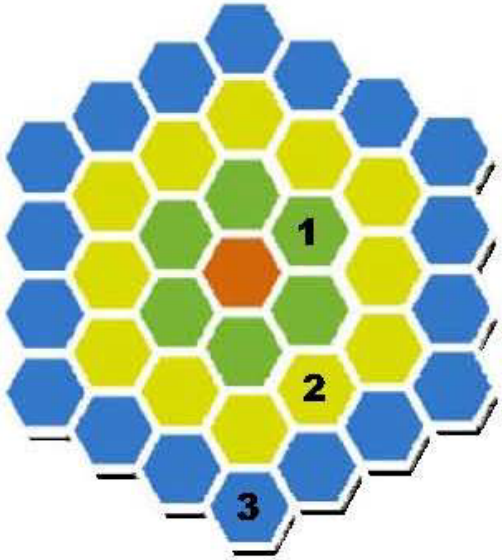


Economic Gardening

- Grow the local economy from within
- Strategies to help businesses to reach outside markets
- Identify your community's assets
- Determine target audience for services
- Develop a collaborative effort among partners
- Gain community support and buy-in
- Economic Development friendly City

Strategy Process

COMPOSITION OF A LOCAL ECONOMY: THE "ECONOMIC PORTFOLIO"



Resources to Support the Economy
(Real estate, labor, education, transportation, utilities, finances, etc.)

Level 1 - Primary Industries

Employers that infuse money into the region from outside sources, such as:

- State/Federal Government
- Agriculture
- Manufacturing
- Colleges/Universities
- Headquarters/Back Offices
- Business Services (with clients outside the area)
- Regional Healthcare, Retail and Distribution
- Tourism-Related Businesses

Level 2 - Business Support Services

- Business services (local clients)
- Commercial construction
- Commercial banking and insurance
- Business-focused hospitality
- Business-focused transportation
- Printing/coping/mailing services

Level 3 - Consumer Services

- Local retail
- Local healthcare
- Local education
- Personal services
- Local retail banking/insurance
- Residential construction



MILFORD CITY COUNCIL
MINUTES OF MEETING
January 28, 2013

A Meeting of Milford City Council was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall on Monday, January 28, 2013.

PRESIDING: Vice Mayor Douglas Morrow, Sr.

IN ATTENDANCE: Councilpersons Steve Johnson, Garrett Grier III, S. Allen Pikus, Dirk Gleysteen, Owen Brooks, Jr., and James Starling, Sr.

ALSO: City Manager Richard Carmean, Police Chief Keith Hudson and City Clerk/Recorder Terri Hudson

COUNSEL: City Solicitor David Rutt

CALL TO ORDER

Vice Mayor Morrow called the Council Meeting to order at 8:18 p.m.

INVOCATION AND PLEDGE

The Pledge of Allegiance followed the invocation given by Councilman Starling.

RECOGNITION

No special guests in attendance.

COMMUNICATIONS & CORRESPONDENCE

City Manager Carmean reported that Receptionist Carlene Wilson was in an accident this evening. She was not seriously injured though her vehicle is most likely totaled.

Vice Mayor Morrow announced that Former City Planning Commissioner and Board of Adjustment Member Sam Johnson passed away this past Saturday. Services will be held Saturday at the Calvary United Methodist Church with the viewing from noon to 2:00 p.m. with the funeral to follow.

UNFINISHED BUSINESS

Trash Container Pickup/Delivery Fee

Mr. Carmean reported that some council members have received calls from customers who say they are in Florida for three months and complain they are still paying a trash fee. He recalled when his wife opened a daycare several years and parents would complain when they did not bring their children or took them out for a few days but still had to pay the fee. Mrs. Carmean pointed out that they still have to provide the availability of the slot. She further explained that when two or three children are taken out for two weeks (for example), the daycare owner is still required to pay for the caregivers regardless of how many children are there. In addition, she still had overhead bills that had to be paid. As a result, the parents had to understand they were required to pay their bill whether or not the children were there.

He has looked at the trash fees in the same manner because they are part of our budget revenues.

The city manager also stated that he has received calls from landlords who may have no one in their rental properties for a certain amount of time and ask that the trash fee be waived.

The city manager emphasized that our trash business is based on the number of customers we had the prior year. That number is divided into the overall cost of the service which includes employee and equipment costs.

Mr. Carmean has since agreed to consider an amendment to our solid waste ordinance which would require a resident requesting this waiver to turn in their trash container. He feels that if the container is left at an alleged vacant residence, the resident will return and start rolling it without the city realizing they are not paying a trash fee. He also believes that some citizens may claim they will not be at the home and continue to use the service free of cost.

Mr. Carmean, therefore, feels this is a dangerous situation which could lead to abuse.

In an effort to accommodate these requests, he is recommending the container be picked up. The trash crews will then be notified they are unable to pick up any items from these residences until such time the resident requests the container be returned and is back on the curb.

Mr. Brooks explained it is not unusual for someone dedicated to recycling to sit out a lone bag of trash. He personally, does that on a regular occasion because the majority of his waste is recycled.

The city manager said he has not worked out the logistics yet and wanted some feedback from council. He feels that can be handled by the truck drivers who when that occurs, can contact public works to confirm the address is not on the list of residences that trash cannot be picked up. Mr. Brooks emphasized there are a number of elderly citizens living by themselves who do not need to roll out their containers every week and instead place a small bag on the curb to be picked up. Mr. Carmean agreed adding that our employees are familiar with those residents though they will need to watch these residences more carefully if council agrees to allow these temporary waivers.

Mr. Carmean then explained that if we decide to pick the containers up, it will involve an employee, a pickup truck, the container being picked up and brought back to the yard where it will have to be stored. After the resident returns to their home, another employee is needed to pick the container up from public works, then take it back to the residence. The employee's time and gasoline costs should also be considered. A plan of action will also need to be put in place to ensure the containers are properly stored and easily retrieved at the yard. As a result of the additional work involved, he feels a fee should be accessed for the service.

He reiterated the various concerns associated with leaving the trash container at the home in these situations.

Vice Mayor Morrow asked approximately how many residents are requesting this waiver; Mr. Grier said he received three or four calls in November and December. In those cases, the city picked up their cans though none were charged a fee.

Mr. Grier explained that when they asked if the trash fee could be waived, he informed them their cans would be picked up and possibly a $35 fee accessed to get the can back. He felt that was a fair rate considering we charge $23.50 a month and it should be more than one but less than two months.

Mr. Pikus asked if there will be a minimum time limit. He feels that it would not be worth someone leaving for a month to ask for the waiver. He asked if a two or three-month minimum would be required. He recommends some policy be established that addresses the time the residence will be vacant.

Mr. Carmean said if they are only gone a month, it will still cost them $35 for the city to pick up their can and return it after they come back home.

Mr. Grier said all the residents he spoke to were in favor of the concept.

Vice Mayor Morrow agrees it is doable though he feels that public works should determine the amount to ensure it covers the associated work of picking up, storing and delivering the containers. Mr. Grier said a list should also be compiled with the addresses of those residences where trash is unable to be picked up. That would be available to the trash crews who would then keep an eye on them.
Mr. Carmean stressed that in the future, he hopes this does not hurt the trash business.

Vice Mayor Morrow asked Mr. Carmean to follow up with a solid fee that would cover the costs of the service.

Mr. Carmean said that our city solicitor will confirm that we have every right to tell customers this is a service the city provides and a fee they must pay. As a result, the city does not have to do this. However, he has no problem with it as long as our trash crews keep an eye on it and there are no problems.

He emphasized that $23.50 is a very reasonable price for yard waste, recycling and trash services, especially compared to fees being charged by other trash companies.

When asked if this would apply to landlords and empty rental units, Mr. Carmean said a landlord called him today to inform him he has no one renting right now. As a result, he dispatched a trash crew to pick the can up. In those cases, a week later the rental unit could be rented and the city asked to bring the can back. In his opinion, residents need to carefully consider whether it is worth the money to have the container picked up.

Mr. Gleysteen feels that rental properties should be treated in a different manner. In Harrington, a building must be vacant for three months to have the water turned off. A $20 disconnect fee is charged in addition to a $70 administrative fee. After that, the city only cuts the bill in half. It is only in the owner's best interest if the building will be vacant for a long period of time.

It bothers the city manager that someone renting is required to pay a $35 connect fee for electric. In the case of rentals, the tenant comes in and disconnects the service. Someone is then sent to turn it off. The next day the landlord calls and informs the city some work is needed so the electric needs to be turned on. That is being done currently at no cost even though there is a cost to the city. Two days later, the landlord calls back and requests it be turned off again.

Mr. Carmean feels the electric should be left on in rental units. Once the customer takes it out of their name, it would then be automatically billed in the landlords' name.

Mr. Carmean said another problem is the tenant comes in and has the power turned off in the middle of the winter. Then the landlord claims that because the power was turned off, the pipes are now frozen. In the summer, food may be left in the refrigerator and they claim the refrigerator is now ruined. If the electric was left on, this would not occur. The majority of landlords agree with him versus the option of requiring them to pay $35 each time there is a request to have the electric turned off/on.

Mr. Pikus said that in the future, he hopes council will consider going to smart metering which will prevent all of these problems. Mr. Brooks noted there was an article in the News Journal that said smart metering cuts the work force by 31%. Mr. Pikus agreed noting it is initially very expensive but pays for itself in a few years. He noted that the City of Newark is going to smart metering.

Mr. Carmean said he will come back with an official number and a better idea of how this will be handled though $35 seems to be an appropriate fee.

Joe Palermo of 5 Misty Vale Court, Meadows at Shawnee, asked when the yard waste containers will be delivered; Mr. Carmean said that residents can call now and the trash department will deliver them. Mr. Palermo said he already ordered one but has not yet received it.

Mr. Carmean explained that they are able to be delivered because we received the shipment. He said that every resident who has requested one must have it delivered by April 1st which is the beginning of our yard waste season.

He then assured Mr. Palermo he will have the container by April 1st.

Downtown Milford, Incorporated/Lease of 207 South Walnut Street

Vice Mayor Morrow referenced the Finance Committee minutes related to the initial request by DMI included in the council packet.

Finance Committee Chairman Pikus advised that a Finance Committee meeting was held last week with several members of council were present. He recalled that when the city purchased 207 South Walnut Street, the intent was to demolish the building. However, DMI has since asked that they be permitted to use the building for their office. The finance committee is recommending that DMI have the use of the entire building with a year's lease, to be used as they wish and that DMI be responsible for all expenses, including utilities and insurance. Any other repairs would also be at DMI's expense. At such time the city deems the building needs to be demolished, a notice of at least one year will be given to vacate the building. In addition, only on-street parking would be permitted with no use of the parking lot (as was stated by DMI President Irv Ambrose).

Mr. Grier moved for approval of the above recommendation of the finance committee, seconded by Mr. Gleysteen.

Mr. Rutt clarified that when the city decides to tear down the building, the city would give them a year's notice to vacate the premises.

Mr. Pikus explained that essentially, this involves a two-year lease; Mr. Gleysteen disagreed noting we could be six months into the lease and give them a year's notice. They could either continue their lease for eighteen months or vacate.

Mr. Rutt explained the lease is for one year. At the end of the year, with no notice given, council can decide whether to extend it for an additional year. On the other hand, should the city decide six months into the lease to tear down the building, DMI would have an additional six-month lease. It will still satisfy the one year notice requirement.

Mr. Carmean said that Mr. Ambrose stated that DMI is willing to fix up the building and take care of the necessary repairs to do business there. However, he did question who would be responsible for a major mechanical failure, roof failure or structure failure. Mr. Pikus reiterated that DMI would be responsible for all expenses.

Mr. Morrow then referenced the landlord/lease typical arrangement. He thought under that code should the roof cave in would the city be responsible as the landlord. Mr. Gleysteen pointed out this is not a typical lease because the city is not being compensated or paid rent.

Mr. Rutt then explained that this is a commercial lease which means it is not subject to the landlord/tenant code. Therefore, it would follow the agreement between the two parties. In this case, it would be between two business entities which is the city and DMI. That precludes it from being subject to all the notice requirements that apply to a residential lease.

The city manager said if something major were to happen, such as the boiler going up, DMI would not be required to fix it but instead could choose to move out. Mr. Pikus said it would be up to council but as was discussed previously, the intent is to demolish the building. Mr. Grier added there was never any intent to put money back into the house.

It was agreed that if the roof caved in, the building would be demolished. Mr. Morrow then pointed out that in that case, we are still required to give DMI a year's notice. Council said it would be condemned and demolished at that point.

DMI President Irv Ambrose then addressed council. He stated that he is speaking for himself and has a board meeting on February 7th. He will present this but will not recommend leasing the building under those conditions. He said they committed to putting $6,000 into the building to make it usable. If three weeks after they take occupancy and the boiler blows up at a cost of $20,000, he would not commit DMI to those costs.

He emphasized that if DMI walked away, they would leave $6,000 which could be used at a different place. If council agrees to lease it, he will take it to the board though he will not recommend leasing it with the conditions.

Mr. Grier said that with no rent being paid, the $6,000 could be made up over the year. Mr. Ambrose said that depends

on whether something major occurs within a couple of months. Mr. Pikus emphasized that if there is a major expense, the city will not repair it. Mr. Ambrose said regardless, at that point, DMI would have lost $6,000.

Mr. Pikus asked the city manager if the boiler is in good shape; Mr. Carmean said the heat is currently on and noted that it is radiator heat. He could have drained the entire system but because of the plaster walls, he felt it should be kept on to prevent any damage. He advised that the city's building inspector checks on the house on a regular basis.

At Vice Mayor Morrow's request, Mr. Pikus again read the recommendation of the finance committee that DMI has the use of the entire building with a year's lease, to be used as they wish, DMI would be responsible for all expenses, including utilities and insurance. Any other repairs would also be at DMI's expense. At such time the city deems the building needs to be demolished, a notice of at least a year will be given to vacate the building. He said the motion was made by Mr. Grier, seconded by Mr. Morrow and carried.

Mr. Johnson asked if Mr. Ambrose wished to take the request off the table. Mr. Ambrose said no and plans to take it to his board but first needed a commitment from council.

Motion then carried by a unanimous 7-0 roll call vote.

Vice Mayor Morrow asked Mr. Ambrose to take the decision of city council to his board and then report back to the city.

NEW BUSINESS

FY2012-2013 Budget Adjustment/Kent County Bypass Project-Loan Interest/Sewer Reserves

City Manager Carmean advised the following bill was received from Kent County:

DEBT SERVICE FOR SOUTHERN BYPASS PROJECT COST

11/10/11	*Interest Only Payment*	*$16,848.59*
11/13/12	*Interest Only Payment*	*$29,203.41*
TOTAL INTEREST DUE		*$46,052.00*
02/10/13	*1st Payment*	*$12,735.21*
TOTAL DUE		*$58,787.21*

Please remit payment to:
Kent County Levy Court
Department of Finance

Mr. Carmean was unfamiliar with this project and had the city clerk pull some related minutes. He recalled when the force main out on Route 1 going from Station 7 (next to police department) to Frederica. It ruptured causing a lot of the sewage to spill into the Mispillion River.

He noted that our collection system also runs beneath the river and if we need to shut that down, there is no way to get the sewage out of town.

According to the minutes, Kent County Public Works Director Hans Medlarz discussed with city council a joint operation where a bypass would be built. At that time, he offered for Kent County to borrow the money through the USDA of on behalf of the county and the city. The city agreed to pay their portion of 60.5%.

According to Mr. Carmean, it took a long time to complete the project and Kent County was unable to provide the exact

figures until now. He explained the interest is lower the first year because it covered a partial year; there was a full year of interest assessed for 2012. The total loan was for $2,146,894.65 and of that, $12,735.21 (152 payments) would be paid by the City of Milford quarterly or $50,940.84 annually over the remaining 38-year time frame.

The city manager reported the total balance of the loan is $1,298,871.26.

He emphasized that when council voted to accept the loan, there was an estimated seven-cent increase in sewer rates per 1,000 gallons.

Mr. Carmean has confirmed the increase will be 2.75% though it is actually 2.5%. Mr. Carmean applied to his bill which monthly is around 6,000 gallons or an additional 42 cents per month. He said the increase is needed to pay back the loan.

The sewer ordinance will need to be amended to reflect the increase.

The request before council this evening is to transfer money from sewer reserves to pay for a partial and full year of interest on the loan. It will also pay the first quarterly bill which is required because the city does not have the extra funds because the rates have not been increased.

Mr. Brooks asked how much money is in the sewer reserve account; Mr. Pikus said enough to pay this bill. Mr. Carmean assured council that each of the utility reserve accounts contains approximately one million dollars.

Mr. Pikus said he reluctantly moves to pay $58,787.21 to cover the interest payments from 2011 ($16,848.59) and 2012 ($29,203.41), and the first installment which is due February 10, 2013 ($12,735.21), seconded by Mr. Gleysteen.

Mr. Grier asked if the city was aware this was coming; Mr. Carmean said he was unaware of the bill. He was familiar with the new bypass but was unaware of the details until he researched the minutes.

Motion carried by unanimous roll call vote.

Mr. Grier votes yes though he is unhappy about the situation.

Mr. Pikus votes yes stating he would rather not have to do this. The city inherited the problem and as a result believes we have no choice but to vote yes.

Mr. Gleysteen votes yes, echoes Mr. Grier and Mr. Pikus' comments and is not happy about it. He does not understand why someone did not know this was coming. Unfortunately, the city is obligated to pay according to the city manager.

Mr. Morrow votes yes and recalled the situation noting that a few of those present were on council at the time this happened. There was a decaying Kent County line that the city has responsibility for in the area of Route 113 near IG Burtons.

According to the city manager, the city is only paying for the amount of bypass work that was done within the corporate limits. The county is paying for any extension beyond city limits and up to their facility.

Mr. Brooks recalled it was a major problem at the time and there were concerns about what could occur in the future which is the reason council agreed with Mr. Medlarz that the bypass was needed.

Mr. Carmean said he is unsure what else council could have done other than roll the dice and hope it worked for awhile. In his opinion, the cost is what it is and there are no irregularities. He added that if he had been city manager, he would recommend council agree to the proposal as well.

Mr. Pikus recalled that the line was patched initially and to prevent any further problems, the bypass was installed.

Mr. Carmean reiterated that the bill was received now because the project was just completed; Mr. Gleysteen asked if the project was just completed, why is the city being billed for two years back. Mr. Carmean said the money was obligated and spent at the time the work was done. According to Finance Director Jeff Portmann, the initial interest was not as much because there was not as much money spent at that time. When the final bill was received, they were able to provide the final numbers.

Mr. Gleysteen said if Kent County provided the service to the city and the service did not become available until recently, it does not seem right that the city is charged the interest on the work.

Mr. Carmean emphasized that if this was Kent County's complete project, he would agree. However, in this case, this was a joint project between the City of Milford and Kent County.

He said it is similar to the city's water main project currently underway on Wilkins Road. The contractors take draws at which time, the city starts to pay interest on that amount.

Erik Retzlaff of Davis, Bowen and Friedel explained this is interim interest noting the money was expended and amortized. The forty-year clock does not begin until the project is completed. During construction, it is considered a construction type loan.

Mr. Gleysteen said his understanding is the quarterly payment is $12,735.21 and we were only billed half of the annual rate for 2011 and 2012; Mr. Carmean stated yes.

Mutual Aid Agreement/DE Water/Wastewater Agency Response Network

The city manager compared this mutual aid agreement to Milford Police Department's mutual aid agreement whereby Chief Hudson's officer are permitted to assist other departments and vice versa. Instead, this is for the water department. Mr. Carmean confirmed that our other utility departments also have mutual aid agreements in place with other municipalities.

When asked if other towns have approved the agreement, it was noted Milford is the last town to have the agreement reviewed and approved by legal counsel.

Mr. Pikus moved to approve Milford's participation in the Delaware Mutual Aid and Assistance Agreement for Intrastate Water/Wastewater Agency Response Network, seconded by Mr. Morrow. Motion carried.

DNREC/Mosquito Control Spray Policy

Mr. Grier moved for approval of the DNREC Mosquito Control Spray Policy Agreement, seconded by Mr. Pikus. Motion carried.

Joe Palermo of 5 Misty Vale Court reported he is on the Meadows of Shawnee HOA Board. He advised the spray contains chemicals that create side effects for the elderly and very young children. His board decided to contact the city manager who agreed to report any spraying to their development beforehand.

Mr. Palermo noted their stormwater ponds were inspected by DNREC and spraying was only permitted if mosquito larva was present. They were also only permitted to spray the ponds and not the streets.

EXECUTIVE SESSION

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

Mr. Pikus moved to go into Executive Session reference a personnel and potential litigation matter, seconded by Mr. Grier. Motion carried.

Vice Mayor Morrow recessed the Council Meeting at 9:04 p.m. for the purpose of an Executive Session as is permitted by Delaware's Freedom of Information Act.

Return to Open Session

City Council returned to Open Session at 9:30 p.m.

Executive Session Matter -Easement Agreement

Mr. Pikus moved to authorize the city to enter into an agreement with a software consultant, seconded by Mr. Grier. Motion carried with no one opposed.

Mr. Grier moved for approval of the easement agreement prepared by Solicitor David Rutt, seconded by Mr. Johnson. Motion carried with no one opposed.

ADJOURN

With no further business, Mr. Pikus moved to adjourn the Council Meeting, seconded by Mr. Johnson. Motion carried.

The Council Meeting adjourned at 9:31p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk

CITY OF MILFORD
PLANNING COMMISSION
Minutes of Meeting
July 17, 2012

The regular monthly meeting of the Milford Planning Commission was held in the Joseph Ronnie Rogers Council Chambers, 201 South Walnut Street, Milford, DE 19963 on Tuesday evening, July 17, 2012.

PRESIDING:	Chairman Charles Rini
IN ATTENDANCE:	Ed Hollaway, George Pilla, Marvin Sharp, Archie Campbell, Jamie Burk, Kerri Fry, Jason James
ALSO:	City Planner Gary Norris and Department Administrative Assistant Christine Crouch

Chairman Rini called the meeting to order at 7:02 pm noting the absence of Mr. Lane.

APPROVAL OF MINUTES
The minutes for the June 2012 regular monthly planning commission meeting were approved as submitted with a motion by Mr. Sharp and seconded by Mr. Campbell.

CHAIRMAN MONTHLY REPORT
Mr. Rini reported he has not forgotten about the presentation regarding Airport Road improvements. He spoke with the City Manager and was informed the Director of Public Works, Brad Dennehy, will be assuming the majority of the former City Engineer's responsibilities and will be overseeing the portion of a bypass lane to the Cascades project and probably look at the condition of Airport Road in general. Mr. Rini proposed Mr. Dennehy make a presentation to the Planning Commission in the fall about what he thinks about Airport Road, with the business park and industrial park off it.

UNNFINISHED BUSINESS

NEW BUSINESS
JEM X, LLC on behalf of Harry H. Mulholland, Trustee to James P. Hammond III;
Project No 12-187
Preliminary Site Plan – CVS Pharmacy
601 N DuPont Blvd
Tax Map MD-16-183.09-01-01.00; -02.00; -03.00
2.69+/- Acres; C3 Zoning
Adoption of Resolution PC12-017

Mr. Zach Crouch of Davis, Bowen and Friedel was present on behalf of Mr. Mulholland and Mr. Hammond, accompanied by a representative of JEM X, which is the developer of the site.

Mr. Crouch explained before the commission is a packet for a preliminary site plan for CVS Pharmacy. The commission previously saw a proposed site plan for Royal Farms at this location, however they have pulled out of that contract and now CVS is proposing a building there.

Essentially none of DelDOT's improvements have changed, but minor details are being worked through presently. A Traffic Impact Study (TIS) has been completed and Mr. Crouch anticipates construction documents to be submitted later this week.

The project currently consists of three parcels in which all three are zoned C3 and will be combined into one parcel during this process.

At the DAC meeting for this project there were a few minor comments which will be dealt with during final site plan approval. There were two suggestions that came out of the DAC meeting however that Mr. Crouch wished to bring to the Planning Commission this evening.

The first being a suggestion from the City Planner that the parking be reduced by 20%. Currently the plan proposes 71 spaces and the developer feels the site will need all 71 spaces and does not wish to reduce the parking.

The second suggestion from the DAC meeting deals with the interconnectivity between this site and the property to the north and west of it which is where the Milford Square shopping center is located. When the site was originally proposed for a Royal Farms, Mr. Crouch noted there were several attempts made to speak with the owner of the property regarding possible interconnectivity. The owner of the neighboring site was non-responsive. A great deal of correspondence was sent and DelDOT has copies of that as part of the TIS. At this time, due to the neighboring property owner's unwillingness to discuss the interconnectivity, it is not being proposed with this site plan. There are two access points being proposed, one on Rt 113 and one on Rt 14, which will be constructed to DelDOT standards.

There is a 15' utility easement provided around the property per the electric department and for future access as well.

Mr. Rini referred to the parking and reiterated what was discussed at the DAC regarding reducing the parking by 20%. When asked by Mr. Rini if all the parking will be needed, Mr. Crouch again confirmed CVS feels all of the proposed parking will be needed.

Mr. Norris confirmed a line on the plans delineating parcel "A" will be removed so there is no confusion about the three parcels being combined into one.

Mr. Norris also explained all signs must be 10' off the public right of way. Mr. Crouch confirmed all signage will meet with the city codes. There was a suggestion that the signage be a monument sign instead of a pylon sign, however CVS will be installing a pylon sign, which is permitted by code.

When asked to explain the ingress and egress, Mr. Crouch stated the site has approval for full access along Rt 14; however DelDOT has required the developer to bond a "Plan B" for 2-5 years. During that time period, which has yet to be finalized, if there are excessive accidents due to the Rt 14 access, DelDOT will require the developer, at their expense, to reconstruct the Rt 14 access per "Plan B". The access shown on the plans before the commission are of "Plan A"; however as part of the final site plan approval process "Plan B" will also be submitted for the

city files, should the access need to be reconstructed, per DelDOT. Again, this access is per DelDOT standards and requirements.

Along Rt 113 there is a rights in and rights out that will allow traffic to head south on Rt 113 and will prevent traffic from crossing over the two lanes on Rt 113 into the turn lane heading east on Rt 14. There are no changes to this access from when Royal Farms was seeking city approval.

Mr. Norris, addressing Mr. Cory Martin of JEM X, asked if it is necessary to provide all 71 parking spaces. Mr. Martin explained he feels it is necessary based on his knowledge of this store type and size.

In response to Mr. Rini asking how many and what types of jobs CVS will bring to Milford, Mr. Martin stated typically there will be 20-25 jobs, maybe 30. They will be mostly part time employees but also full time employees such as the manager, assistant manager and pharmacists.

When asked if the commissioners had any questions, Mr. Holloway stated he has concerns with the Rt 14 access and would prefer the access location be located further west. There will be a good deal of traffic going to the site and the access point is very near the intersection.

Mr. Rini asked to reply to Mr. Holloway's comments, as he was not here when Royal Farms came through before. He stated the entrance that is on the neighboring property is not owned or controlled by Mr. Hammond. DelDOT has repeatedly asked them to make that a wide entranceway that would give access to both properties; however it is the owner of the adjacent property that is fighting it by refusing to respond to the correspondence. To Mr. Rini it makes total business sense to want cross traffic between the two properties, but that is a property owner we have no control over on this matter. It wasn't for the lack of trying and have been down that road on this and it is in the hands of someone who has no control of this specific problem. There were several people that wanted this property and that issue came up all the time. Again, what is on the plans is DelDOT approved.

Mr. Crouch explained the improvements proposed to the entrance are going to be a tremendous improvement. It will provide for a safer access from the property, which is not currently there. All of DelDOT's requirements are being met and there is a mechanism so that if something does happen, it can be adjusted.

Mr. Sharp also noted it looks as though this layout is very similar to the Walgreen's across the intersection and there have been no problems there. Mr. Rini stated he had additional concerns with Walgreens because on Rt 113, near their entrance/exit, the railroad tracks are so close by. It was also noted that there are no safety measures on Rt 113 northbound to prevent traffic from crossing both lanes to get into the turn lane to head west on Rt 14.

Mr. Campbell confirmed the cement divider on southbound Rt 113 will be constructed.

Mr. James felt this design is better than what Walgreens has because there is a greater distance between the intersection and the CVS entrance. As the chairman has pointed out, the commission cannot do much more because DelDOT has given its approval.

A motion by Mr. Pilla was seconded by Mr. Campbell to approve resolution PC12-017. Motion carried unanimously following a poll of the commission.

City Planner Monthly Report

Mr. Norris referred to a comment made at a prior council meeting where council felt there were approximately 6,000 units in the pipeline. In other words the city has approved 6,000 units of new construction. After further research, Mr. Norris feels 800 would be a more accurate number due to many developments that have been recorded simply not moving, such as Homestead, Milford Ponds, Simpson Crossing, etc. Mr. Norris will be reporting this number to council in the future.

Mr. Rini stated that number came out of a city council meeting that he attended where he believes it was about the Hickory Glen development that the commission approved but they (council) approved it with specification changes and it kept coming up about why the city needs more development here when there are over 6,000 units that have not been developed. What Mr. Norris did when he traced the paperwork down, that 6,000 is really maxed out at about 800, which is about 1/10 of what people perceive is out there. Again, he believes in the fact nine or ten developments might have to be approved to get one on the drawing board. If Milford wants to grow and develop, that type of game needs to be played. Most of them fall by the wayside and are not eligible to start digging. The only one digging right now is Cascades on Airport Road.

Mr. James questioned how far back in time is being looked at when coming up with these numbers. Mr. Norris stated about six years. Mr. Rini stated whatever's passed and just put it in the column and the developments could go into bankruptcy or foreclosure and some have missed their deadlines for extensions but in some minds, that number is out there and it's a big difference – 6,000 compared to 800. And of that 800 there's no action on most of it anyway, so in reality is probably the same. There's also minor things for example where he lives, in Knott's Landing, the city has it down for 128 or 129 units when actually there are 126 because three units went to a mail center and a pump station. The numbers just aren't as big as anything.

With no further business, a motion to adjourn by Mr. Pilla was seconded by Mr. Campbell. The meeting adjourned at 7:30 pm.

Respectfully submitted,

Christine Crouch

Christine R. Crouch
Department Administrative Assistant/Recording Secretary

CITY OF MILFORD
PLANNING COMMISSION
Minutes of Meeting
August 21, 2012

The regular monthly meeting of the Milford Planning Commission was held in the Joseph Ronnie Rogers Council Chambers, 201 South Walnut Street, Milford, DE 19963 on Tuesday evening, August 21, 2012.

PRESIDING:	Chairman Charles Rini
IN ATTENDANCE:	Ed Hollaway, George Pilla, Marvin Sharp, Archie Campbell, Kerri Fry, William Lane
ALSO:	City Planner Gary Norris and Department Administrative Assistant Christine Crouch

Chairman Rini called the meeting to order at 7:01 pm noting the absence of Mr. Burk and Mr. James.

APPROVAL OF MINUTES
The minutes for the July 2012 regular monthly planning commission meeting were approved as submitted with a motion by Mr. Pilla and seconded by Mr. Lane.

CHAIRMAN MONTHLY REPORT
Mr. Rini reminded the commission of meeting on Thursday evening regarding an annexation. Yesterday he attended the annexation committee meeting for said property and believes Thursday's meeting will be short.

As a reminder, August is when commission terms expire and this year Mr. Sharp, Mr. Lane and Mr. Burk expire. This item is scheduled to be discussed at the August 27, 2012 council meeting.

Mr. Dennehy, the City's Public Works Director, may be at the October planning commission meeting to discuss the improvements needed on Airport Road.

UNNFINISHED BUSINESS

NEW BUSINESS
Davis, Bowen & Friedel on behalf of Milford School District; Project No 12-188
Final Site Plan – Milford High School Ag Building
1019 N Walnut Street
Tax Map MD-16-174.14-01-29.00
46.4+/- Acres; R2 Zoning
Adoption of Resolution PC12-018

Mr. Carlton Savage with Davis, Bowen & Friedel was present on behalf of the school district. He explained this application is for a final site plan for an agricultural facility at the High School. It includes a stone access drive, parking, and the utilities are shown on the plans. All required approvals are included in the packet.

Mr. Norris had no comments.

When asked the status of the construction, Mr. Savage stated the project is currently out to bid. It was confirmed the construction will be taking place during the school year.

A motion by Mr. Holloway, seconded by Mr. Pilla, to adopt resolution PC12-018 carried unanimously following a poll of the commission.

Davis, Bowen & Friedel on behalf of 4 Blaine LLC; Project No 10-146
Preliminary Site Plan-Second Extension-Dr. Bunting
215 West Liberty Way
Tax Map MD-16-173.00-01-02.18
1.42+/- Acres; OC1 Zoning
Adoption of Resolution PC12-019

Mr. Ring Lardner of Davis Bowen & Friedel was present on behalf of Dr. Bunting. Dr. Bunting sends her apologies for not being here tonight but this is her late night for patients.

Dr. Bunting had originally planned to be building now, however the contractor she chose went bankrupt and she is seeking a new one now and has been sent out to bid. On July 20th the final submissions to the outside agencies were made. This extension request is a formality to ensure the preliminary site plan does not expire. The lease of her current space expires in July 2013, so it is important the project start soon.

Mr. Rini questioned when the construction could start. Mr. Lardner replied he anticipates October or November.

The City Planner had no comments.

A motion by Mr. Fry, seconded by Mr. Pilla, to adopt resolution PC12-019 carried unanimously following a poll of the commission.

City Planner Monthly Report
Mr. Norris reported he is starting the amendment to the comp plan, so it will be the 2013 plan. He met with the Office of State Planning and does not need to do a full blown plan. He plans to send out draft pages of proposed plan, holding a public hearing in October or November of the draft. There shouldn't be many changes, just to the statistics such as population, economy, employers, etc. He has asked the water and wastewater for their revisions as well.

Mr. Rini stated the State requires revisions to the plan every five years. Mr. Norris explained the process begins with the City Planner making revisions, planning commission for a public hearing and making a recommendation to city council, city council for a public hearing and adopting and finally the state certifying.

With no further business, a motion to adjourn by Mr. Campbell was seconded by Mr. Lane. The meeting adjourned at 7:13 pm

Respectfully submitted,

Christine Crouch

Christine R. Crouch
Department Administrative Assistant/Recording Secretary

CITY OF MILFORD
PLANNING COMMISSION
Minutes of Meeting
August 23, 2012

A special meeting of the Milford Planning Commission was held in the Joseph Ronnie Rogers Council Chambers, 201 South Walnut Street, Milford, DE 19963 on Thursday evening, August 23, 2012.

PRESIDING:	Chairman Charles Rini
IN ATTENDANCE:	Ed Holloway, George Pilla, Marvin Sharp, Archie Campbell, Jamie Burk, William Lane
ALSO:	City Solicitor David Rutt, City Planner Gary Norris and Department Administrative Assistant Christine Crouch

Chairman Rini called the meeting to order at 7:00 pm noting the absence of Mr. Fry and Mr. James.

NEW BUSINESS
Annexation of land of City of Milford; Project No 12-189
Review and Recommendation of Zoning for Annexation
3.23 +/- Acres situated west of US Route 113, south of the Delaware Solid Waste Authority Transfer Station, approximately 1.38 miles south of the Cypress Hall entrance
Tax Map 1-30-6.00-094.00 (P/O); Currently AR District, Proposed C-3 District
Adoption of Resolution PC12-020; Adoption of Ordinance 2012-15

Mr. Norris explained the Commission is reviewing this annexation application for the purpose of recommending a zoning on the parcel. This piece of property is located just south of the DSWA Transfer Station on southbound Rt 113. It was originally part of a larger parcel owned by the Calhoun's and was subdivided while within the county. The intent has been to combine this parcel with the one to the east of it, the parcel formerly owned by Geyer, which the City now owns. The City is currently in the process of building an electric substation on the parcel.

The annexation committee met on August 20, 2012 to review the property and the commission has their report. Mr. Norris, nor the annexation committee, can foresee any disadvantages to annexing the property. The proposed zoning is C3, which is consistent with the Comprehensive Plan. Currently it is zoned AR1.

Mr. Rini called for public comments and hearing none closed the public comment session.

A motion by Mr. Sharp to adopt resolution PC12-020 with a zoning of C3 was second by Mr. Campbell. Motion carried unanimously following a poll of the commission.

With no further business, the meeting adjourned at 7:03 pm.

Respectfully submitted,

Christine Crouch

Christine R. Crouch
Department Administrative Assistant/Recording Secretary

CITY OF MILFORD
PLANNING COMMISSION
Minutes of Meeting
October 24, 2012

The regular monthly meeting of the Milford Planning Commission was held in the Joseph Ronnie Rogers Council Chambers, 201 South Walnut Street, Milford, DE 19963 on Wednesday evening, October 24, 2012.

PRESIDING:	Chairman James Burk
IN ATTENDANCE:	Marvin Sharp, Jason James, William Lane, Deborah O'Neill, Archie Campbell, Kerri Fry
ALSO:	City Planner Gary Norris and Department Administrative Assistant Christine Crouch

Chairman Burk called the meeting to order at 7:00 pm noting the absence of Mr. Holloway.

APPROVAL OF MINUTES
The minutes for the September 2012 regular monthly Planning Commission meeting were approved as submitted with a motion by Mr. Sharp and seconded by Mr. Campbell.

CHAIRMAN MONTHLY REPORT
Chairman Burk welcomed the Commission's newest member, Mrs. Deborah O'Neill. There is still one vacant position and if any commissioner's know of someone interested, please let him know.

NEW BUSINESS
Davis, Bowen & Friedel on behalf of 4 Blaine LLC; Project No 10-146
Final Site Plan – Diamond State Dentistry/Dr. Bunting
215 W Liberty Way
Tax Map MD-16-173.00-01-02.18
1.42+/- Acres; OC-1 Zoning
Adoption of Resolution PC12-024

Mr. Ring Lardner of Davis, Bowen & Friedel thanked the commission for accommodating the special meeting date. He explained this project is at Independence Commons and received preliminary site plan approval and an extension.

There are three changes to what was approved at preliminary, which include a larger building, the parking that was half reserved for later use is now fully reserved for later use, and the landscaping has been reduced. All of the aforementioned changes were approved by the City Planner, Mr. Gary Norris. Mr. Lardner feels what is being proposed is more in line with what Nephrology Associates and Response Computer Group currently have. The reason for the change in landscaping was to change out some types of plantings used and change the location of some others. Because Dr. Bunting has hours until 7:30 pm or 8:00 pm, it is important to have good visibility when exiting the business when it's dark.

Mr. Norris asked if the renderings provided are accurate. Mr. Lardner explained the colors may be slightly off, but other than that they should be accurate. The contractor has also been selected.

Mr. Campbell questioned the reason for reserving all of the parking in the one area, instead of only half of it, as was previously approved. Mr. Lardner explained there are only two dentists in the building to start, so not all of the parking will be needed. If and when additional dentists are added, the additional parking will be needed and can be paved at that time. According to the code, 20% of the required parking may be reserved and they are still within that figure.

With no further questions from the Commission, a motion by Mr. Campbell to adopt resolution PC12-024 was second by Mr. Sharp. Motion carried following a poll of the commission. Mrs. O'Neill abstained from voting citing lack of information on this application due to this being her first meeting.

CITY PLANNER MONTHLY REPORT

Mr. Norris explained the 2013 Comprehensive Plan is being working on and there will be changes from the 2008 plan. A draft will be included in next month's meeting for review.

With no further business, the meeting adjourned at 7:08 pm.

Respectfully submitted,

Christine Crouch

Christine R. Crouch
Department Administrative Assistant/Recording Secretary

CITY OF MILFORD
PLANNING COMMISSION
Minutes of Meeting
November 20, 2012

The regular monthly meeting of the Milford Planning Commission was held in the Joseph Ronnie Rogers Council Chambers, 201 South Walnut Street, Milford, DE 19963 on Tuesday evening, November 20, 2012.

PRESIDING:	Chairman James Burk
IN ATTENDANCE:	Marvin Sharp, Jason James, William Lane, Deborah O'Neill, Archie Campbell
ALSO:	City Planner Gary Norris and Department Administrative Assistant Christine Crouch

Chairman Burk called the meeting to order at 7:00 pm noting the absence of Mr. Fry and Mr. Holloway.

ELECTION OF OFFICERS
A motion by Mr. Sharp, seconded by Mr. Lane, to appoint Mr. Campbell as Vice Chair carried unanimously following a poll of the commission.

A motion my Mr. Sharp, seconded by Chairman Burk, to appoint Mr. Lane as secretary carried unanimously following a poll of the commission.

APPROVAL OF MINUTES
The minutes for the October 2012 regular monthly Planning Commission meeting were approved as submitted with a motion by Mr. Lane and seconded by Mr. Sharp.

CHAIRMAN MONTHLY REPORT
Chairman Burk reported one vacancy exists on the commission.

NEW BUSINESS
Eric Dunn of Dunn Development on behalf of Walter N. Thomas, II
Preliminary Site Plan, Preliminary Major Subdivision, Conditional Use for a PURD - Hickory Glen
1335 Milford-Harrington Highway
Tax Map MD-16-173.00-01-21.00; -22.00
71.92+/- Acres; R8 Zoning
Adoption of Resolution PC12-021, PC12-022, PC12-023

Mr. Phil Tolliver with Morris, Ritchie Associates was representing the owner, Mr. TJ Thomas, and the applicant/developer, Mr. Eric Dunn; both of which were present at the meeting as well.

Since there are new members on the commission since the last time Hickory Glen was discussed, Mr. Tolliver provided the project's history including annexation with an R8 zoning, a preliminary site plan approval, a preliminary major subdivision approval and a conditional use approval.

The plan before the commission tonight is different from the first in that it removes some units from the overall density, removes the assisted care facility, adds a parcel to be created for "future use" which will be required to have separate land use applications applied for when the use is determined.

The development has frontage on Holly Hill Rd and Rt 14, which are connected via an internal road. The apartments are in one section of the development and the townhomes another. The total number of units is 392 which are 264 apartments and 128 townhomes. Mr. Tolliver explained although City Council did not approve of the 24 units per building during the first approval process, the plan does show 24 units per building again. He feels it does not make sense to require 12 units per building and the Planning Commission had no issue with that during the first approval process.

He explained if the development must have 12 units per building, that will double the number of units, which will increase the cost to build and that cost will be passed on to the renter. Doing that would result in higher rental rates, which this area cannot support.

Mr. Rutt confirmed with Mr. Tolliver the plan for approval now is showing 24 units per building even though City Council has already stated 12 units per building is required. Essentially what Mr. Tolliver is asking is for this body to override what City Council has already weighed in on. Mr. Tolliver felt this is the process one has to go through. This is the same plan as before, but with a couple of changes.

Mr. Rutt replied the applicant has applied for a Conditional Use, a Preliminary Site Plan and a Preliminary Major Subdivision which starts the whole process over in terms of approvals. The planning commission will make a recommendation to city council and Council will make the final decision. Mr. Tolliver agreed that he understood.

When asked by Mr. Burk if Mr. Tolliver understands the same thing could happen this time as last, in that Council does not approve 24 units per building, Mr. Tolliver stated he understood and added the project will be dead and he will seek de-annexation.

Mr. Tolliver explained that in the R3 code, it states no more than 12 units per building, but it does not say that anywhere in the R8 code, therefore it 24 units should be allowed.

Mr. Burk referred to the definitions section of the zoning code where it provides a definition of an apartment, where it states there that there are to be no more than 12 units per building.

Mr. Tolliver felt that was mistakenly not removed from the definition when the R8 code was adopted.

In addition, Mr. Tolliver stated at the Council meeting where the first approvals were given there was not a full quorum. Had there been, he feels the 24 unit buildings would have been approved.

Mr. Norris asked if Mr. Tolliver was familiar with the review memo dated 10/03/12 from the City. Mr. Tolliver is familiar with it. Mr. Norris asked how many acres of open space is proposed to which Mr. Tolliver replied there are 23 acres of open space. In addition, he and Mr.

Norris met separately regarding this issue and Mr. Norris had stated then the open space was fine. There is even open space in the parking aisles.

Regarding the alleys, Mr. Norris asked if Mr. Tolliver is aware a waiver of the requirement of alleys is necessary. Mr. Tolliver explained he disagrees a waiver is required because the code states alleys can be waived if the City Engineer allows them to be waived. Mr. Burk explained we no longer have a city engineer. Mr. Tolliver added providing alleys costs more money to construct which will again increase rent prices. It simply makes no sense to raise the costs and have alleys that no one wants.

Mr. Norris asked if the landscaping requirements be met. They will absolutely be met per Mr. Tolliver. He anticipates berms similar to the Rookery on Rt 1.

Mr. Norris recalled a statement regarding BAC being required to be added to deeds for a different nearby development and asked if Mr. Tolliver would be agreeable to a statement being added to Hickory Glen deeds explaining BAC is a 24/7 operation and to expect noise. Mr. Tolliver was agreeable.

When asked by Mr. Norris if market research has been done to determine rent for townhomes in this area, Mr. Tolliver replied yes. He was involved in a project in Georgetown where apartments were being built. He noticed then about 40% of the tenants were coming from Milford. He added other research was done as well. He felt these units would rent for about $800 per month. There will be two HOA's – one for the apartments and another for townhomes.

Mr. Burk inquired if the plan presented tonight include the stormwater ponds as part of the open space, as the former plans did. Mr. Tolliver replied no and he would like to have the ponds stocked with fish. There are two large ponds at the entrance off Holly Hill Road. One must drive over a bridge with the large ponds on either side and fountains in them. It will be a very nice entrance and a great focal point. This however is not the main entrance. The main entrance off Rt 14 will have a clubhouse near the front of the development, which will be the focal point.

Mr. Campbell asked if there were still breezeways proposed to which Mr. Tolliver explained those are eliminated based on having 24 units per building.

Mr. Burk summarized the waivers needed include the number of units per building allowing 24 per building, landscaping and alleys. Mr. Tolliver replied he disputes the review memo provided him from the City and stated no waivers are needed. He assured Mr. Burk the landscaping will meet code, although it is not included on the current plans and the alleys were waived per the City Engineer on the first approval plan. Mr. Burk again reminded Mr. Tolliver this is a new plan and any approvals or waivers from before are not valid for this plan. Mr. Norris respectfully disagreed because the former city engineer's approval was given approximately six months ago when he was still employed by the city.

When asked by Mr. Sharp if there are any improvements proposed on Holly Hill Road, because these plans do not show any, Mr. Tolliver stated there are extensive improvements required per DelDOT.

Mr. James asked how the alley waiver would be approved since the City does not have an engineer. Mr. Burk felt that would need to come from the Director of Public Works.

Mr. Sharp asked where the contractors to build this development would be coming from. Mr. Tolliver replied about a 20 mile radius from Milford, but there will be many contractors involved, which will increase economic development in the City. Mr. Sharp asked if the contractors would be from Milford. While they will not be directly from Milford, they will be from the surrounding area of Milford. Mr. Lane was not pleased with Mr. Tolliver stating this would add to the economic development of Milford, since there is no guarantee the contractors are being hired from the local pool of Milford contractors.

Mr. Campbell confirmed this is not low income housing. Mr. Tolliver stated it is definitely not section 8 or low income, but he is not ruling our elderly apartments.

When Mr. Burk called for public comments, Mr. Noel Primos of 144 Churchill Road explained since the beginning of the annexation process the neighbors have explained this is a widely rural area. Apartments and townhomes do not maintain the character of the neighborhood. When the property was annexed, they requested an R3 zoning, but ultimately an R8 was given because the intent is for the density to be half as dense as the R3. He is opposed to the 24 units buildings and agrees with councils decision the first time to not allow them in this area. Essentially the applicant is asking this body to go against council's approval. He urged the commission to follow council's directive of 12 units per building.

Mr. Norris asked if Mr. Primos is familiar with Homestead, which is across the street from this development. Mr. Primos is familiar with it, however it remains vacant land, has not been developed and may come back with revised plans.

Mrs. Jeanette Southard of 1539 Milford Harrington Hwy explained the traffic in this area has increased dramatically in the last five years and this will only create more traffic. She would like to see the character of the neighborhood maintained, as it is a farming, rural area. She hopes this plan will be turned down for this area. There are other areas in Milford where this would fit in fine and not affect the feel of the neighborhood, but this isn't the right location for what they want to do.

Mr. Dan Thorton of 17774 S Yellow Dr was representing his mother, who is in the audience, Mrs. Howard Morton, and lives at 1473 Milford Harrington Hwy. He agrees with Mrs. Southard and the others who have spoken. He doesn't see how any units have been decreased, as Mr. Tolliver had earlier stated, because the former approval was for 12 units per building. Mr. Tolliver is basing the reduction of units on keeping 24 units per building. They are blowing a bunch of smoke and are not being direct and specific on a lot of issues. In addition, the cost of construction is being exaggerated because a 24 unit building has bigger walls than a 12 unit building, so it's still going to cost a lot to build. He sees where there have been things said that aren't true or clear, which leads to skepticism as to what they say and what they are really going to do. In addition, his mother is not happy with the berm idea because it will create a sight impairment when getting out of her driveway.

With no further public comments, the public comment session was closed.

Mr. Campbell asked if any stipulations would be added to the resolutions. Mr. Rutt explained there are three separate resolutions that must go in the order they are numbered and must be voted on separately. He then explained resolution PC12-021 is for the preliminary subdivision, PC12-022 is for the preliminary site plan which is where the 24 unit buildings would be addressed as well as alleys, and finally PC12-023 is for the conditional use which can reiterate the issues from resolution PC12-022.

Mr. Sharp commented he really likes the plan and thinks it's a good one; however when thinking about BAC having almost 500 jobs versus roughly 150 three to four year jobs plus maintenance and landscapers for summertime jobs, we have a job as the planning commissioners. Planning means looking out for the future. There are always municipalities looking for jobs to come into their community and there's nothing saying another area wouldn't come after BAC to come to their community including all but giving them the building. He would hate to think we would lose 500 jobs for 150 temporary jobs. He feels the planning commission needs to look out along a longer perspective.

Also, regarding the building costs increasing due to the number of units per building be reduced, a wood construction wall is much cheaper than a masonry fire wall. Saying that the reduction in units per building to 12 would blow the project out of the water, planning commission's bosses have said 12 units per building and Mr. Sharp feels the commission needs to live by that.

Mr. James added that when the comp plan is done and annexation follows, it gives an indication of what the commission expects to follow next. He would hope and he believes it is communicated to the land owner and developer. In his role as a commissioner, he keeps those things in mind when voting. He cannot wipe away the comp plan and the reason for annexation.

A motion by Mr. Lane to adopt resolution PC12-021 was seconded by Mr. Campbell. Motion failed following with the following votes:
Mr. Sharp-No because, as he said previously, the excuse of the cost of construction being too high. He does not believe it will be more expensive. He is concerned about losing BAC's 500 jobs as well.
Mr. Lane-No because council has given direction already on the number of units per building.
Mrs. O'Neill-No because of the number of units council has already determined.
Mr. James-No because he agrees with his colleagues and for this area the 12 units per building would be better.
Mr. Campbell-No because of the number of units per building.
Chairman Burk-No because of reasons previously stated.

Mr. Rutt explained what the commission has just done has not agreed to the subdivision of land. The other two resolutions must still be voted on. The recording secretary questioned Mr. Rutt to determine if a motion is necessary to deny the subdivision or if the motion failing was essentially the same. He stated it is the same.

A motion by Mr. Campbell to adopt resolution PC12-022 was seconded by Mr. Lane. Motion failed with the following votes:
Mr. Sharp-No for reasons stated.
Mr. Lane- No for reasons stated.
Mrs. O'Neill-No for reasons stated.

Mr. James- No for reasons stated.
Mr. Campbell- No for reasons stated.
Chairman Burk-No because of reasons previously stated.

A motion by Mr. Lane to adopt resolution PC12-023 was seconded by Mr. Lane. Motion failed following with the following votes:
Mr. Sharp- No for reasons stated.
Mr. Lane- No for reasons stated.
Mrs. O'Neill- No for reasons stated.
Mr. James- No for reasons stated.
Mr. Campbell- No for reasons stated.
Chairman Burk-No because of reasons previously stated.

Mr. Burk recessed the commission at 8:40 pm. The commission returned to session at 8:44 pm with a quorum.

CITY PLANNER MONTHLY REPORT
2013 Comprehensive Plan Update – Draft

What is before commission is a very rough draft of the 2013 comp plan and he asked that they review it at their leisure. He provided a power point presentation which will be included in the minutes.

He anticipates sending out a more complete draft in January and having it reviewing by Council in February.

With no further business, the meeting adjourned at 9:03 pm.

Respectfully submitted,

Christine Crouch

Christine R. Crouch
Department Administrative Assistant/Recording Secretary

CITY OF MILFORD
PLANNING COMMISSION
Minutes of Meeting
December 18, 2012

The regular monthly meeting of the Milford Planning Commission was held in the Joseph Ronnie Rogers Council Chambers, 201 South Walnut Street, Milford, DE 19963 on Tuesday evening, December 18, 2012.

PRESIDING:	Chairman James Burk
IN ATTENDANCE:	Marvin Sharp, Jason James, Deborah O'Neill, Archie Campbell, Rae Mims
ALSO:	Department Administrative Assistant Christine Crouch

Chairman Burk called the meeting to order at 7:06 pm noting the absence of Mr. Fry, Mr. Holloway and Mr. Lane.

APPROVAL OF MINUTES
The minutes for the November 2012 regular monthly Planning Commission meeting were approved as submitted with a motion by Mr. Sharp and seconded by Mrs. O'Neill.

CHAIRMAN MONTHLY REPORT
Chairman Burk welcomed Ms. Rae Mims to the Commission. We now have a full commission.

NEW BUSINESS
Axiom Engineering LLC on behalf of Halpern Family Partnership One LP; Project No 12-191
Preliminary Site Plan – Halpern Eye Center
1197 Airport Road
Tax Map MD-16-174.00-01-09.00
1.14 +/- Acres; C3 Zoning
Adoption of Resolution PC12-025

Mr. Ken Christenbury with Axiom Engineering was present on behalf of the applicant. He explained in 2007 a site plan was approved for a bank at this site and one of the concerns at that time included an entrance from the site onto Airport Road. This site plan, for Halpern, will not have an entrance onto Airport Road and instead utilize the access road to Wal-Mart.

During the DAC review, there were concerns with parking at this site. Mr. Christenbury has submitted a great deal of information on the parking at other Halpern sites and how it has worked well for them. That information is included in the commissioner's packets. Also submitted is a landscaping plan.

Mr. James asked if there are any tenants planned at this time. Mr. Ryan Halpren, owner, stated not at this time, but once final site plan approval is obtained it will be determined.

Mr. Campbell noted this plan provides 150 parking spaces in total and questioned why that is less than the bank that was originally approved. Mr. Christenbury explained parking is based on

the use of the building. A bank requires a certain number, but per the Code, this use as a medical facility requires 150 parking spaces. The Dover Halpern office had problems with their parking and therefore increased their parking availability to rectify the situation. Milford's Code requires approximately 40% more parking than at other Halpern facilities where there are no parking issues.

Mr. Campell was concerned with what types of uses would be in the upper level which will be leased space. Mr. Halpren explained at their other offices with leasable space, medical offices are in the upper level, Dover has administrative offices and Middletown has attorney's offices. None of which have parking issues.

Ms. Mims asked if Halpern has a Milford office now and if they own that property. Mr. Halpern replied they do have a current Milford location which is well off the beaten path and very dated. They are the only tenant left in the building. His father is 1/3 owner of the property.

When asked what type of privacy fence will be erected, Mr. Halpren felt that was better left to the design professionals, but felt it may be vinyl.

Ms. Mims asked if there is a conflict of interest if any of the commissioners are customers of Halpern. It was felt that is not a conflict.

A motion by Mr. Campbell to adopt resolution PC12-025 was seconded by Ms. Mims. Motion carried following with the following votes:
Mr. Sharp-yes, he does not feel the parking will be a problem and if it is, the reserved green space parking can be paved.

Mr. Campbell-yes for the same reasons.
Mrs. O'Neill-yes, and she agrees with Mr. Sharp.
Mr. James-yes, this plan does not deviate much from the bank site plan and he feels leaving 20% of the parking in green space reserve is a very good idea.
Ms. Mims-yes, agrees with everyone's comments.
Chairman Burk-yes, for reasons previously stated and the questions Mr. Norris had at DAC have been addressed.

CITY PLANNER MONTHLY REPORT
No report.

With no further business, the meeting adjourned at 7:22 pm.

Respectfully submitted,

Christine Crouch

Christine R. Crouch
Department Administrative Assistant/Recording Secretary

MILFORD CITY COUNCIL
MINUTES OF MEETING
September 19, 2012

A meeting of the Economic Development Advisory Panel was held in the Joseph Ronnie Rogers Council Chambers of Milford City Hall, 201 South Walnut Street, Milford, Delaware on Wednesday, September 19, 2012.

PRESIDING: Sher Valenzuela
IN ATTENDANCE: David Hitchens, Bob Connelly, Brian Warnock, Irv Ambrose, Michael Ashton, Bryan Shupe, David Markowitz, Phyllis Kohel, Jo Schmeiser, Phillip Ruiz
ALSO: Councilmember Garrett Grier, City Manager Richard D. Carmean, Economic Development Director Stephen Masten and Recording Secretary Christine Crouch

Call to Order
Chair Valenzuela called the meeting to order at 5:32pm followed by the pledge of allegiance.

Approval of Previous Minutes
A motion to approve the previous minutes with a change to one word on Page 2 by Mr. Connelly was seconded by Mr. Markowitz. Motion carried unanimously.

Unfinished Business
Welcome New Members
Each panel member introduced themselves and provided a brief professional history on themselves.

Economic Development Director Introduction
Mr. Stephen Masten provided a handout to the panel to supplement the update report included in the packet.

Guest Speaker – Mr. Bill Strickland – Kent County Sports Complex
Due to a scheduling conflict, Mr. Strickland was unable to attend tonight's meeting. He will be presenting to the panel at the October meeting. Mr. Hitchens asked that everyone retain their copy of the power point so it does not have to be included in the packet next month due to its size.

Guest Speaker – Mr. DJ Hill – Hampton Inn Hotel
Mr. DJ Hill of Hampton Inn spoke to the panel about concerns the hotel is attempting to resolve regarding public safety issues as they relate to the hotel. In the panel's packet, Mr. Hill explained the four issues the Hotel is facing that he hopes the panel or city may be able to assist with. His hope is that by bringing the issues to the panel, they can make recommendations to council for resolution or assistance. Specifically relating to moving or adding Trailblazing Signs, Chair Valenzuela asked Mr. Masten how long he anticipates DelDOT will take to accommodate. Mr. Masten felt at least several months if not a year. Chair Valenzuela is concerned that there are several economic development issues that it appears DelDOT is holding up and asked the City Manager his feelings.

Mr. Carmean explained the relationship between the city and DelDOT is a good one, for example when the city realized the Washington Street Bridge construction was to take place during the Riverwalk Festival, the city asked DelDOT to delay it by a month. Although it took a great deal of effort on DelDOT's part to reschedule contractors, etc, they did. Naturally there are times when the city has issues just like any citizen when dealing with DelDOT, as the city is not treated any differently. All in all, it is a good relationship though.

Chair Valenzuela asked Mr. Hill to provide her with data on the impact a hotel of his size in a town the size of Milford has on the local economy. Mr. Hill will get that information to her.

Reorganization of Panel Members on Action Teams
Mr. Hitchens read aloud the different action items, which translate to action teams on the panel. When he asked for volunteers for the first action team, Mr. Ambrose felt it may be appropriate to allow the new members time to review the Strategic Plan and table this item until next month. Mr. Connelly agreed and added now would also be a good time to provide an updated status on the action items to the panel. Mr. Hitchens, Mr. Ambrose and Mr. Connelly will compile that information and provide it to the panel at the October meeting.

New Business
Community Forum
Mr. Connelly explained currently the project is on hold in an effort to get Mr. Masten up to speed so that he may take the lead and become the face of the event, which will be in coordination with the Chamber of Commerce. It was determined it is important to hold the event soon so that the information provided is still relevant. With that said, Mr. Masten felt comfortable with an early November date and will meet with Mrs. Schmeiser to arrange the details. The City Manager reminded him to include the elected officials in that event as well.

Action Team Reports:

Real Estate (1): No report.

Workforce Development (2): Mr. Markowitz reported the Jobs for Juniors program is going great. Three students were placed for the summer, one has since resigned, and it appears six positions will soon be opening.

Infrastructure (3): Mr. Hitchens will elaborate more during the October meeting when Mr. Crouch is in attendance.

Organizational Support (4): No report.

New Business Start Ups/Expansion (5): Report included in packet.

Marketing & Promotion (6): Report included in packet. In addition, Mr. Ambrose announced DMI is working with DEDO to offer one business a vacant building for the business to set up shop, rent free, for three months. The business will only pay the utilities. Milford is one of only four communities in the State in this program and DMI has four applications currently.

Adjourn
With no further business the meeting adjourned at 7:01 pm.

Respectfully submitted,

Christine Crouch

Christine R. Crouch
Recording Secretary

MILFORD CITY COUNCIL
MINUTES OF MEETING
October 24, 2012

A meeting of the Economic Development Advisory Panel was held in the Joseph Ronnie Rogers Council Chambers of Milford City Hall, 201 South Walnut Street, Milford, Delaware on Wednesday, October 24, 2012.

PRESIDING: David Hitchens
IN ATTENDANCE: Craig Crouch, Bob Connelly, Bryan Shupe, Irv Ambrose, Jo Schmeiser, Michael Ashton, Nolan Williams, Phillip Ruiz, Phyllis Kohel
ALSO: Economic Development Director Stephen Masten and Recording Secretary Christine Crouch

Call to Order
Mr. Hitchens called the meeting to order at 5:33 pm followed by the pledge of allegiance.

Approval of Previous Minutes
A motion to approve the previous minutes by Mr. Connolly was seconded by Mr. Ashton. Motion carried unanimously.

Unfinished Business
Reorganization of Panel Members on Action Teams
Mr. Hitchens stated Mr. Masten has the listing, and will email the panel members, which action teams they have been assigned. He read the assignments into the record as follows:

Action Team 1 – Real Estate
Brian Warnock, Dave Hitchens, Irv Ambrose

Action Team 2 – Workforce Development
Dave Markowitz, Jo Schmeiser, Pastor Ruiz, Phyllis Kohel

Action Team 3 – Infrastructure
Craig Crouch, Brian Warnock, Bryan Shupe, Dave Hitchens, Michael Ashton

Action Team 4 – Organizational Support
Steve Masten

Action Team 5 – New Business Start Ups / Expansion
Craig Crouch, Bob Connolly, Irv Ambrose, Jo Schmeiser, Michael Ashton, Pastor Ruiz

Action Team 6 – Marketing & Promotion
Bryan Shupe, Bob Connelly, Irv Ambrose, Jo Schmieser, Nolan Williams

Mr. Hitchens asked that the members absent this evening be contacted and make certain they are willing to serve on the committees mentioned. At that time Mr. Hitchens will notify everyone the committees are whole. A motion by Mr. Ashton to approve the committee assignments pending absent members consent was seconded by Mr. Williams. Motion carried unanimously.

Community Forum Date and Details
Mr. Masten stated what was decided was to look at the one the Chamber and any others that have come about to be reviewed by one of the subcommittees and it will be one of the agenda items that will be

discussed. No date has been set. Mr. Hitchens stated that will fall under the perview of the Marking and Promotion Action Team. Mr. Crouch asked if the Complete Communities study will be included in what is discussed at the Community Forum. Mr. Masten replied it can be. Mr. Crouch explained November 14th UofD will be presenting their findings in Dover.

Mr. Hitchens requested the action team meet between now and the next meeting and come up with the agenda items for the Community Forum. Mr. Masten stated he would facilitate that action team meeting to get it moving forward.

New Business

Lighthouse Christian Project Update

Mr. Hitchens explained Rev. Andrus was unable to attend the meeting this evening but thought Mr. Masten had met with him. Mr. Masten reported he met with the Rev this week and things that are being looked at in order to help him include striping Carpenter Pit Road and estimates are being obtained for street lighting. An environmental type light that has a little windmill and solar panels at the top is being looked into to be placed at the intersection by the Hampton Inn. With those things being looked at, Rev Andrus was happy.

Mr. Hitchens asked about the progress of the development as a whole. Mr. Masten replied no, although he did say the real estate people he's working with, the impediment to that property is the North entrance, specifically the one way bridge. Mr. Masten stated somehow that bridge needs to be turned into a two way bridge in order to be better for his guests to get in and out of the hotel. That is being looked into. Mr. Crouch asked if it is big enough to be two way, to which Mr. Masten replied he thinks so. What he has recommended is the bridge have a stop sign on either end of it so traffic has to stop and proceed with caution, similar to what is at Abbott's Mill. Right now it falls within DelDOT's purview. Mr. Williams asked how much property does the Lighthouse Christian Center take up out there; in other words is there room for more businesses to locate there. Mr. Masten stated there are pad sites available and they had at one time wanted a Cracker Barrel to take one.

Economic Development Director Update

Mr. Masten reported aside from his written report, he is working with Hampton Inn regarding all of their issues; the Mispillion River Initiative which is a project to dredge the river. Money needs to be secured which he will be seeking to find. Regarding the Milford Plaza addition, Advanced Auto is complete and Olympia Sports and Great Cuts hair salon is coming in soon. There are some speculations about what other businesses are coming into the center as well.

Mr. Connelly asked what is being dug out in the parking lot. Mr. Masten thought they may be for the landscaping. Mr. Ambrose asked if it was WSFS, which was rumored to be getting a stand alone building. Mr. Masten was unsure what it is.

Mr. Masten continued by stating he is working on a new website design for economic development. He anticipates the subcommittees playing a large role in that design and would like their input.

The solar farm on Rt14 is in construction phase and panels will be going in next week.

The other thing he has spent a lot of his time on, stated Mr. Masten, is the SE area of Milford. He brought illustrations of things that are being worked on and its all based around infrastructure. That's been the issue and continues to be the issue. Milford is about ready to get a new water tower on Rt 1, just North of Johnson Road which will service that entire area and provide some additional capacity for the SE section of Milford and for all of Milford really.

Mr. Masten referred to one of the maps he brought with him tonight and explained where the bypass will be going and the water tower site. He explained the water line will be stubbed to the east side of Route 1 so that the area east of Rt 1 can be developed. Mr. Masten referred to a shopping center and some other facilities going in in this area east of Rt 1.

He explained with him tonight is Ms. Gigi Windley with Key Properties and he asked if she would like to discuss what is going on east of Rt 1.

Ms. Windley stood before the panel and stated Key Properties is actively working with prospects who are interested in developing health care facilities east of Rt 1. These prospects are important and it's going to be important for Key Properties to be able to work with Economic Development Office when they go out in the community to make presentations to those prospects. It's really important that Mr. Masten is here and able to do that. People like the Chamber will play a role as well.

Ms. Windley continued by explaining what the prospects are going to be looking at is a variety of things, certainly the infrastructure is critically important, but they also look at electric rates. Most of the panel knows exactly what they are looking at and Key Properties wants to position Milford as favorable.

One of the things that Key Properties did was look at Milford from the global perspective and positioned Milford for somebody who was coming from way outside the area and what they would think about Milford. Milford is perfectly positioned both demographically and geographically to accommodate a lot of quick growth.

One of the most favorable things Milford has going for it, according to Ms. Windley, is the fact that it is very close to major airports. The demographics also look very good for what Key Properties is doing. (Inaudible section)

She stated Key Properties is looking to fill gaps in the existing healthcare facilities. Key Properties is not looking to duplicate what is already being done. As most people are aware there are lots of outflows going, in healthcare, going outside of Delaware, as most the panel may have that experience with perhaps their own families where someone is in rehabilitation and they have to go to Philadelphia or Baltimore and they have to be there for an extended period of time. (Inaudible section)

Mr. Masten explained some of the things he and Key Properties are working on include working with DelDOT.

Mr. Hitchens explained the construction on the bypass is targeted to start 11/14 (November 14, 2012), which is the firm date from DelDOT which he secured a couple of weeks ago when he met with them. It's a $14M investment using state and federal money. The project started back in the mid-2000's as a safety issue resolution and then adding the economic growth that Milford is targeted for, it came to fruition. In 2008 the money was pretty much put in the bank at the state controller's office. It's been a while in the making, but its coming and it will be, in Mr. Hitchen's opinion, a catalyst of growth throughout the city. Anytime you have that type of investment for infrastructure it is great timing to make a lot of good things happen for our fine community.

Mr. Crouch asked what the timing for completion is and Mr. Hitchens replied spring 2014, so about 16 to 18 months.

Mr. Hitchens introduced his partner again, Ms. Gigi Windley, who was brought on at Key Properties as the VP of Marketing and her focus is the market the properties and she will play a big role in making this happen.

The medical community, as she mentioned, that Key Properties is developing; the partnerships, they've talked to Terry (Murphy, of Bayhealth Medical) a couple of times; this is not a competitive environment rather an augmentation to what exists and expanding and as Terry said a few months ago – there are opportunities for Bayhealth to participate in this as well. This is a community effort, not just a singular event and Key Properties is pleased to be part of it.

Mr. Williams asked if the medical development east of Rt 1 or the shopping center on the west side of Rt 1 be affected by the bypass completion to which Mr. Hitchens explained one of the initiatives he is working on right now is "the mall". Key Properties has just submitted the mall entrance plan. He then went to the maps that Mr. Masten was using earlier and pointed out where the mall entrances will be. Unlike Innovation Park, which is driven by need, the mall is driven by the economy. Some folks have been engaged and Key Properties believes as the economy grows, so will the mall. He anticipates Innovation Park first because of need and the mall coming along as the economy grows.

Mr. Connelly asked if he understood correctly that the solar farm firm is looking for places to put additional panels, outside of the farm. Mr. Masten replied there may be some panels made available to the City for use on municipal buildings. Mr. Connelly suggested placing them on schools since they are closed in the summer and would not be using as much of the energy created. Mrs. Kohel explained the Mispillion Elementary and Central Academy buildings have panels. Mr. Masten will bring the suggestion to Mr. Carmean.

Mr. Crouch asked what the water tower completion date is to which Mr. Masten replied within six months. Mr. Crouch asked if the City has been running close on water in the past. Mr. Masten was unsure, but was told today the tower is a large one.

Mr. Ambrose asked Mr. Masten to expand upon, from his written report included in the packet, his meeting with 109 N Walnut Street. Mr. Masten replied it was a massage business that wanted to locate to the building next to the parking lot on the corner, but he doesn't think it's going to make it.

Mr. Williams commented how the demolition of the Hammond Cadillac site is taking such a long time and asked what has held that up, as it looks a mess. Mr. Masten agreed that it is taking a long time and replied he hopes it will be complete soon.

Mr. Hitchens questioned is there a process or methodology by which Mr. Masten's progress and contacts are being reported to City Council. He asked if Mr. Masten presents to City Council what is going on, the heart beat of economic development. Mr. Masten replied he has not done that yet. It's really been a working relationship with Mr. Carmean and this body. Mr. Hitchens felt since there is a monthly police report that is presented to council, as well as other reports from Council member on initiatives they are working on, and it would seem to him it would really be important for City Council to hear from Mr. Masten as to what he is doing specifically and some recommendations that EDAP is going to be addressing. How can EDAP affect that, if it's agreed upon by this panel?

Mr. Masten replied that is a good point and asked Mrs. Crouch if his report is turned in to Council. Mrs. Crouch asked if Mr. Masten is currently providing his reports to the City Clerk to which he replied no. When asked by Mrs. Crouch if Councilman Grier is reporting, Mr. Masten replied he may be, but he has not seen him report to Council on Mr. Masten's progress.

Mr. Hitchens called for a motion to accept Mr. Masten's report. Mr. Crouch made a motion to accept Mr. Masten's report and Mrs. Kohel seconded. Motion carried unanimously.

Mr. Hitchens called for a motion to advise City Council on the initiatives of the Economic Development Director to be presented to City Council at their bi-monthly meeting. Mr. Connelly stated this panel advises to the Economic Development Committee, not Council. He then made the motion to advise to the EDC Mr. Masten's initiatives be presented to Council, seconded by Mr. Williams. Motion carried unanimously.

Mr. Williams noted as he was going through the minutes on the city website there were several committees whose minutes were not published and asked Mrs. Crouch if she knew why. Mrs. Crouch explained not all committee's are required to meet on a regularly scheduled date, i.e. this panel meets monthly, and most of the committee's of council meet on an as needed basis.

Gateway Signage
Mr. Hitchens asked if Mr. Connelly would be discussing this. Mr. Connelly thought this was a Scott Angelucci presentation, from the last meeting's discussion. Mr. Ambrose felt Mr. Angelucci's work is done and he believes the cost of the signs has been approved. Essentially there is no action needed from this group on this matter. Mr. Masten stated he will follow up on this subject and report back next month.

Gateways to Milford Presentation
Mr. Connelly presented a powerpoiont he and his wife had put together in early 2012 depicting several gateway areas into Milford that are in need of simply being cleaned up or in severe cases where citations may need to be issued. Upon conclusion of the presentation, Mr. Hitchens thanked Mr. Connelly and his wife for the powerpoint and asked that he please amend it to include the stone wall around the Community Cemetery.

He noted two years ago, Key Properties offered to sponsor a fundraiser to replace the fence, to pay respect to those who have gone before us, and it went nowhere. It was very frustrating that no one took interest and here's a corporation saying they will sponsor the event and let's bring the community in and raise a few thousand dollars.

Mr. Williams reported the signs in town are getting out of control, as are yard sales. He would like to see the City address these issues, not that he promotes more regulations, but it's getting worse.

Mr. Connelly suggested a friendly competition between businesses to see who can have the most attractively landscaped yard. Mr. Hitchens felt this is an important issue and suggested it become an action item for the Marketing and Promotion Action Team. Mr. Masten stated he was taking notes on the issue.

Mr. Shupe explained a lot of businesses he deals with sell business to business and they like to do their marketing with community outreach, and they may be able to donate trees or landscaping. Hitchen's Tire or other large companies are not necessarily selling to people, but to other businesses, and they like to do a lot of community outreach and do marketing in that way. So that may be a way to get some of these projects done, is get them together as a big marketing platform on their part.

Mrs. Connelly suggested the City develop an overall city landscape plan so that it feels cohesive and is city-wide. Mr. Hitchens stated Mr. Masten winked at him and so he believes that will be addressed.

Mr. Crouch explained businesses he is aware of do not want to present poorly and if they are made aware of the issue, he believes they will do the right thing and do something to improve it. Sometimes they just don't know. It's been there so long, you just don't see it. He feels just speaking to the businesses would

positively affect 50% of the problem. A motion by Mr. Crouch to accept Mr. Connelly's presentation was seconded by Mr. Williams. Motion carried unanimously.

Strategic Plan Status Update
Mr. Masten reviewed the Strategic Plan update which was included in the packet.

Elaborating on the Real Estate section, he feels there is minimal square footage for lease in Milford. Of the space available, they are not A/B class and may be a C class. That is something that needs to be worked on so businesses can move right in. He would like to see larger facilities in a dedicated area for this purpose be secured.

Regarding Workforce Development, Mr. Masten explained he and Ms. Windley used to work together on workforce development and it's really identifying your workforce and making sure it's meeting the needs of the employers. It's important the opportunity is not missed for jobs that are going to be coming to Milford through the efforts of Innovation Park, the business park and medical needs of the area.

Mr. Masten stated Infrastructure is a "biggie" in economic development. Milford has some infrastructure problems and one of those he sees is the Mispillion River. The River needs to be dredged and that is going to be funding issue as the Army Corps no longer funds dredging projects unless you are bringing in 400,000 pounds per month of cargo. That is something that needs to be put on the horizon because if we are going to promote ourselves as Art Town, Home Town, River Town, we gotta have a river. Right now the river is not looking good. Mr. Masten referred to a packet and said there is a picture in there of the marina where at low tide half of it is filled in. He stated Mr. Carmean told him he didn't even know this. He didn't think it was in the City's purview.

Mr. Connelly asked if there has been any interest in making the downtown area Wi-Fi ready. Mr. Masten replied there has not. Mr. Connelly feels as though in this day and age, it's almost essential. He has spoken to others about how it's done and there are a myriad of ways to do it, but he believes it should be looked into. Mr. Crouch asked if this is something that could be incorporated into the franchise agreement between the City and Comcast. Mr. Masten thought it may be and he will look into it and report back.

Regarding Organizational Support for Economic Development, Mr. Masten stated that has pretty much happened once he was brought on and that action item no longer needs to be addressed. Mr. Connelly asked if Mr. Masten has a budget, to which he replied yes for advertising and promotions, etc.

For Support New Business Start-Ups and the Expansion of Existing Businesses, Mr. Masten reported Junior Achievement is what is currently being looked at and Mr. Hitchens is also involved in this. The Business Accelerator, which is very new, takes a business that is struggling and helps get them to the next level utilizing plans that have worked previously with other companies.

He anticipates the Riverwalk be become a draw to people, but the river first needs to become healthy. He recalls growing up here and it was great for fishing, but now he wouldn't eat anything out of it.

The City is assisting with DMI wherever possible and should continue.

Mr. Masten asked if Mr. Hitchens was aware of anything else that may have happened that would be in addition to what he has reported. Mr. Hitchens commented there was a Business Incentive Plan City Council passed when Mr. Carmean was the Economic Development Director, which pretty much stated a business like Sea Watch that added a second shift, there were incentives provided such as lower electric rates for a short period of time, he isn't certain how that worked. David Baird, then City Manager, kicked that off, but it's been at least a year ago. He asked Mr. Masten to look at that to see what the City's position

is in reference to a new business coming in, how they were treated, i.e. permits waived, impact fees waived. No one has really heard about that since and the reason he knows that is because the president of First State Manufacturing, Sher Valenzuela, wrote the City a letter last May stating they had increased their force by 40% added 17 employees second shift, do they fall under the Business Incentive Plan, and he's not certain any correspondence was back. It may be something that was active and went inactive by default.

Mr. Masten asked Mrs. Crouch what she knew of and she referred to at least three ordinances that were recently passed waiving water, electric and sewer impact fees for businesses that expand and hire new employees. It also was tied to employment longevity of those employees and provided tax abatement for those businesses. Mr. Masten stated he is aware of those ordinances and he needs to make sure that is part of the economic development webpage so it can be right up front. He thought there may be something else though.

Mr. Ruiz asked how we can get information out to businesses to let them know there are incentives available to them. Mr. Masten replied the electric bill and website. Mr. Hitchens thanked Mr. Ruiz for the question because it kinda answers the question what black hole the letter from Mrs. Valenzuela went to. Mr. Masten explained not everyone reads the inserts in the bills though. As a matter of fact there was a lady the other day who had been advised of her property assessment by paper through the use of the billing, to get her assessment request in for review before a certain cut off. Yet she said she was never told. Probably not, but she did get the electric bill and this is a lady that gets more than one electric bill.

Mr. Williams asked if there are any vacant parcels for people to build spec buildings on to be fit out later. Mr. Masten replied while there is some vacant land, it is limited.

A motion to accept the Strategic Plan update by Mr. Connelly was seconded by Mr. Williams. Motion carried unanimously.

Action Team Reports
None reported however Mr. Hitchens understands Mr. Masten has some action items he would like to assign to the action teams to be addressed between now and the next meeting.

Mr. Masten directed the following action teams to investigate the following subjects:
Infrastructure:
DelDOT overpass
Water service being provided east of Rt 1
Water tower start date, completion date and cost
Sewer service being provided east of Rt 1
Another Solar Farm that may be coop or a spin off
Police Station cost
Bridge by Hampton Inn improvement
The permit process needs to be identified and streamlined so that a business that comes to town can get a one stop process. That's the reason why Amazon went to Middletown; because they were able to get their permits down to under 64 days.
Signs that are on Rt 1; getting businesses to utilize them
Webpage development input and lots of links
Business Incentive Plan needs to be addressed
The Gateway photos and the cemetery wall
Wi-Fi downtown

These are things that Mr. Masten has identified that the subcommittees can be working on. Mr. Hitchens felt these things could fit in a variety of committees and asked Mr. Masten to email the committee members

their assignments and set up meetings with each action team to go over the items and get the process moving forward. Mr. Masten stated that is a good idea.

Mr. Hitchens asked for a motion to that affect, which Mr. Ashton gave, seconded by Mr. Connelly. Motion carried unanimously.

Mr. Hitchens announced the next meeting will be November 14, 2012 at 5:30 pm.

Adjourn
With no further business the meeting adjourned at 6:51 pm.

Respectfully submitted,

Christine Crouch

Christine R. Crouch
Recording Secretary

MILFORD CITY COUNCIL
MINUTES OF MEETING
November 14, 2012

A meeting of the Economic Development Advisory Panel was held in the Joseph Ronnie Rogers Council Chambers of Milford City Hall, 201 South Walnut Street, Milford, Delaware on Wednesday, November 14, 2012.

PRESIDING: Sher Valenzuela
IN ATTENDANCE: Craig Crouch, Bob Connelly, Bryan Shupe, Irv Ambrose, Jo Schmeiser, Michael Ashton, Nolan Williams, Phillip Ruiz, Phyllis Kohel, Dave Hitchens, Brian Warnock
ALSO: Councilmember Garrett Grier, Economic Development Director Stephen Masten and Recording Secretary Christine Crouch

Call to Order
Sher Valenzuela called the meeting to order at 5:30 pm followed by the pledge of allegiance.

Approval of Previous Minutes
A motion to approve the previous minutes by Mr. Crouch was seconded by Mr. Hitchens. Motion carried unanimously.

Unfinished Business
Guest Speaker-Mr. Bill Strickland-Kent County Sports Complex:
Mr. Hitchens reported Mr. Strickland was unable to attend this evening but will make a presentation at the December meeting.

New Business
Economic Development Director's Update:
Mr. Masten reported since the last EDAP meeting in October, a new bakery has opened at 114 Park Ave; a staffing agency has opened in the former Domino's building; and a photo studio downtown as part of the Pop Up Business program. Olympia Sports in the Plaza will be opening soon and rumor has it Chick-Fil-A may be coming to the Plaza; a kettle corn business is looking into a location across from the Dairy Queen. Unfortunately Sonic closed as did Fashion Bug.

In other matters, the underground utilities are being run for the overpass on Rt 1; a water test was done for the water tower; the solar farm is coming along well with an online date of the end of the year; and the BMX track is planning a large event in September 2013.

Action Team Reports:
Mr. Hitchens provided a copy of the panel subcommittee members which were established at the last meeting. He asked those subcommittee members, or action team members, to refer to last month's minutes included in the packet for tonight, find the list of issues as presented by Mr. Masten and determine what items can be addressed by which action team. He then went down the list of action teams and the panel collectively came up with the following items to be addressed by each action team.

Real Estate:
Create and maintain an inventory of vacant retail space available to include address, square footage and zoning.
Bring more industrial business to Milford.
Brownfields

Workforce Development:

Identify the needs of businesses and find the resources, i.e. money, employee training, better practices.
Find money for workforce training for employers.
Match employees to industrial jobs.

Infrastructure:
Review the City's electric rates.
Explore franchise agreement benefits.
Create a Plan of Services for expanding businesses.
Determine a logical and beneficial location for the Police Department.

Organizational Support: n/a

New Business/Expansion:
Revitalize vacant retail space by targeting specific types of business to open there.
Determine what existing businesses need in order to expand.
Build and grow relationships with legislators.
Determine how to communicate with existing businesses any expansion incentives available.
Create a "handbook" for new businesses.
Succession of businesses.

Marketing/Promotion:
Determine means for cleaning up the gateways into Milford.
Establish a Welcome Wagon.
Create and maintain the Economic Development website.
Host the Community Forum and concentrate on citizen input.

Adjourn

Mr. Crouch explained he personally has a very busy calendar next month and will not be able to attend the December meeting. He didn't know if it would be possible to have the panel meet next in January. Several other panel members also stated they have busy schedules in December as well and were in favor of meeting next in January. It was determined the next meeting will be held January 16th at 5:30 pm. With no further business the meeting adjourned at

Respectfully submitted,

Christine Crouch

Christine R. Crouch
Recording Secretary

CITY OF MILFORD
WORKFORCE DEVELOPMENT COMMISSION
Minutes of Meeting
March 27, 2012

The regular meeting of the Milford Workforce Development Commission was held in the Joseph Ronnie Rogers Council Chambers, 201 South Walnut Street, Milford, DE 19963 on Tuesday evening, March 27, 2012.

PRESIDING:	Mayor Ronnie Rogers
IN ATTENDANCE:	Bill Pilecki, Dottie Vuono, Grant Curtis, Dave Markowitz, Fred Rhom, Michael Ashton, Katrina Wilson, Irv Ambrose
ALSO:	Administrative Assistant/Recording Secretary Christine Crouch

Mayor Rogers called the meeting to order at 7:07 pm followed by the Pledge of Allegiance and Invocation given by Ms. Vuono. Mayor Rogers gave the floor to Mr. Pilecki.

Introduction of Members
Mr. Pilecki introduced the members of the commission as follows:
Joseph Ronnie Rogers, Mayor
Sharon Kanter, Superintendent of Milford School District
Katrina Wilson, Milford City Council
William Pilecki
Dave Markowitz
Fred Rohm, Milford Chamber of Commerce
Irv Ambrose, Downtown Milford Incorporated
Dottie Vuono, Milford Ministerial Associations
Grant Curtis, Milford Lions Club
Michael Ashton, Bayhealth Hospital
Phillip Ruiz, Milford Ministerial Associations

Workforce Development Commission History
Mr. Pilecki provided a history or how the Workforce Development Commission was developed by explaining the idea of the workforce development commission was first presented to the City Council on February 9, 2011. The then City Manager, David Baird, worked with Mr. Pilecki to draft the ordinance to implement the Commission into the City's code. During this time, Ms. Kanter suggested the Commission work with Mr. Hugh Leahy of the Delaware Community Foundation regarding the financial aspects of the program.

On January 9, 2012 a presentation to City Council requesting the creation of the Workforce Development Commission was made. On February 27, 2012 the Commission was created by an affirmative vote of council. Tonight is the first meeting of the Commission to discuss the organizational aspects of the Commission. Following is the Code of the City of Milford, Workforce Development Commission:

-1. Establishment.
There is hereby established a commission to be known as the "City of Milford Commission of Workforce Development," hereinafter referred to as the "Commission."

-2. Membership; Appointment; Terms of Office.
The Commission shall be comprised of eleven members, one of said members to be the Mayor or designee, one of said members to be the Milford School District Superintendent or designee and

nine of said members to be appointed, all to serve without pay. Recommendations will be forwarded to the Mayor for appointments, subject to confirmation by City Council. All members shall be residents of the Milford School District or employed therein. Following the time of their initial appointment, Commissioners shall be appointed or reappointed at the next Annual Organizational Meeting. Thereafter, terms will be for one year beginning on the date of each subsequent Organization Meeting.

-3. Removal.
Members of the Commission may be removed by the majority vote of City Council for substantial neglect of duty, misconduct or a violation of the Code of the City of Milford.

-4. Chairman; Officers; Vacancies.
The Commission shall elect a Chairman, Vice-Chairman or any other officers deemed necessary. Any vacancy which may occur on the Commission shall not affect its powers or functions but shall be filled in the same manner in which the original appointment was made.

-5. Meetings and Records.
The Commission shall hold meetings at a fixed and regular time in the Council Chambers at Milford City Hall. Meeting shall be open to the public per 29 Del. Code, Chapter 100 (Freedom of Information Act "FOIA") and 29 Del. Code, Chapter 5 (State Archives). Proper notification must be given and minutes generated. All records of the Commission shall be kept at City Hall in accordance with state law.

-6. Sub and Adhoc Committees; Members.
Creation and establishment of any advisory group, board or panel must be approved by City Council. Non-Commission members will be appointed as required in __-2. Said groups are subject to the procedural requirements of FOIA.

-7. Rules of Procedure.
Roberts Rules of Order shall apply to the conduct of the Commission meetings.

-8. Powers and Duties.
It shall be the duty of the Commission to:

- *A. Create an environment that would give the student an opportunity to develop marketable job skills and a work history to successfully compete in the job market upon graduation from Milford High School.*
- *B. Participate in the growth of an educational fund to be made available to the student upon graduation.*
- *C. Help the student learn what is expected of an employee in a business environment.*
- *D. Give the student an opportunity to acquire a sense of pride in earning an income.*
- *E. Collaborate with the school district to monitor and evaluate the effectiveness of the program.*
- *F. Monitor the financial aspects of the program, including but not limited to, donations and disbursements.*
- *G. Partner with local business and industry to develop a viable network of employment opportunities for the student participants.*

-9. Consultation with Outside Sources.
In carrying out its duties, the Commission shall collaborate with various groups interested in the problem of concern to the Commission, including but not limited to federal, state and county governments, public and private organizations and civic groups working in the field of workforce development and jobs programs.

-10. Recommendations and Reports.
The Commission shall present its recommendations to the City Council as deemed necessary. At the first official meeting following the annual organizational meeting of the Council, the Commission shall present a detailed report of its work from the preceding year.

-11. Contracts.
The Commission is not authorized to enter into any contract or agreement with any public or private organization but shall recommend such course of action to the Mayor and City Council in order to carry out its assigned tasks.

-12. Functions Limited. The Commission shall not involve itself in activities or functions already assigned by law or decree to other governmental bodies.

Mr. Pilecki explained as part of the duties of the Commission, per the Code of the City of Milford, a program with the School District has been developed. The program is called the Work Scholarship Program. The Program will identify students of the MSD that will have the opportunity to work from age sixteen until graduation. During their work time, the student will contribute $1.00/ hour for each hour the student works. The employer will contribute the same amount. Donations from community donors will donate $1.00/hour for each hour the student works as well. It is anticipated that a student could accumulate as much as $4,800 for their future education and earn approximately $13,000 while working in the program.

Currently the MSD is developing the criteria for the student selection process. MSD personnel will discuss the program with the selected student and their parents or guardian(s) and receive written approval to allow the student to participate. If the student has the appropriate amount of credits towards graduation, they may have a reduced class schedule to work in the afternoon. The selected students will be interviewed by the Student Selection Subcommittee and potential employers. In some cases transportation may be a problem, however several solutions are being explored.

Upon completion of the program an exit interview will be performed with the student, employer and the Student/Employer Support Subcommittee to determine how effective the program has been. This will include the possible offer of a permanent job to the student. The student and parent will be provided an explanation of how to access the scholarship funds the student has accumulated.

Students will be added to the program only when the accumulated donations are greater than 55% of the estimated obligations of all the students & employers in the program. This policy will guarantee that money will be available to meet all of the funds commitments. Students will be added to the program as funds become available and the list of participating businesses continues to grow. We currently have over a dozen businesses that are willing to participate.

Proposed Mission Statement
Mr. Pilecki has drafted a proposed mission statement of the Commission as follows:
It is the mission of the Workforce Development Commission to create a positive working relationship with the business community and all levels of education. The goal of this relationship is to identify the needs of business and assist individuals in developing their knowledge and skills to meet these needs.

Ms. Vuono questioned why students are no where mentioned in the mission statement. Her understanding is that the Commission works with the School District's students to assist them. Mr. Pilecki felt there may be potential for the Commission to reach beyond students. In addition, City Council will review this mission statement and may have changes.

City of Milford and Delaware Community Foundation Agreement/Hugh Leahy

Mr. Hugh Leahy of the Delaware Community Foundation explained the DCF is a non profit organization that manages long term funds and makes grants from those funds. Essentially DCF will be the keepers of the money donated by businesses and will issue the grants to the students upon completion of the program. DCF will also track the donations and grants. Mr. Leahy has provided a draft agreement to Mr. Pilecki, which will need to be reviewed by the Commission and a recommendation of acceptance forwarded to City Council to enter into the agreement. A copy of the draft agreement will be provided via the minutes of this meeting and a subsequent meeting of the Commission will provide the recommendation to Council.

Milford Workforce Development Commission Scholarship Fund
Organization Advised Designated Fund Agreement

We, the City of Milford, desire to establish the Milford Workforce Development Commission Scholarship Fund (hereinafter called the "Fund"), at the Delaware Community Foundation (hereinafter called the "DCF").

To launch the fund we transfer, convey and pay over to the DCF the assets described below:

_____.

We desire that the income and principal from the Fund be available for disbursement to the City of Milford in accordance with the charitable purposes set forth in the Bylaws of the DCF. Disbursements shall be made by designated officers of the Board of Directors of the DCF after receiving the advice in writing from a designated individual (or the City Manager or the Finance Director) of the City of Milford, who has been authorized to provide instructions to the DCF. Recommendations for grants, expenses and other distributions shall be made in writing by letter delivered to DCF stating how the funds are recommended to be used. Should the designated individual(s) be unable or unwilling to perform its duties, we wish that the DCF form an Advisory Committee to recommend grants which are consistent with the purposes as stated above. DCF agrees to provide written notice to the City of Milford at least 60 days before forming an Advisory Committee.

The DCF is authorized to accept additional contributions to the Fund in terms substantially similar to those set forth herein. All earnings on contributions to the fund, if any, shall be deemed additions to the fund. The DCF will provide gift acknowledgement letters to donors if it has been provided with the correct names and address, the gift amounts and what portion is tax deductible. The DCF, if requested, will provide a periodic list of individual donor names and the total fund balance to the individual(s) authorized to provide instructions to the DCF. The amounts of individual donor contributions are confidential and will not be disclosed.

We request that DCF create a system to track and report gifts received from students, employers and the public. We further understand that DCF, upon request as outlined above, will make distributions to the City of Milford, or other such eligible recipients, who will determine grantees and amounts based on the parameters of the Scholarship Program, as we may determine from time to time.

Investment of Assets: We understand that the assets of the fund will be invested in the DCF Money Market Fund.

Administrative Fees: Administrative Fees for this special purpose fund are based on projected administrative requirements. For this Fund, the administrative fee shall be: 5% percent of disbursement(s), charged to the Fund at the time of disbursement(s). Fees are subject to a mutually agreed upon adjustment if there are material changes in the level of activity or services rendered.

Draft 3/13/12

Milford Workforce Development Commission Scholarship Fund
Page 2

The DCF is a tax-exempt public charity as defined by Sections 501(c) (3) and 509(a) (1) of the Internal Revenue Code. Nothing contained in this Agreement shall be construed in such a way as to jeopardize the DCF's tax-exempt status. The Fund shall be subject to the DCF's Articles of Incorporation and Bylaws, each as amended and restated from time to time, consistent with Delaware Law regarding fiduciary responsibilities and with the preservation of the DCF's status as an organization described in sections 509(a)(1) and 170(b)(1)(A)(iv) of the Internal Revenue Code of 1986.

We are familiar with and accept the terms of the Procedures for Establishment and Operations of Funds and Article VIII of the Bylaws of the DCF. We also understand that the DCF, through its duly authorized officers of the Board of Directors, reserves the right to make the final decision regarding distributions from the Fund. If the Organization specified above or their legal successors cease to exist or are unable to perform its charitable purposes, the Fund shall benefit similar organizations with comparable missions.

The DCF shall appropriately memorialize the Fund for as long as the Fund remains in existence. All distributions shall be identified as provided through the Milford Workforce Development Commission Scholarship Fund.

Signed this _____ day of _____, 2012

CITY OF MILFORD, DELAWARE

By:_____ By:_____

Accepted this _____ day of _____, 2012

DELAWARE COMMUNITY FOUNDATION - TIN: 22-2804785

By: _____
Fred C. Sears, II
President and CEO
Delaware Community Foundation
PO Box 1636
100 W. 10th Street, Suite 115
Wilmington, DE 19899

Fund # _____

Subcommittee Responsibilities

Mr. Pilecki explained there will be three subcommittees of the Commission and each will have a specific responsibility. He explained the subcommittees as follows:

Student Selection

The Student Selection Subcommittee will work in tandem with the MSD to finalize the selection criteria. This subcommittee will screen student applications to determine if they meet the criteria required for participating in the Program. The student's career goals will be matched with the

available work positions. This subcommittee will recommend students to the Commission for final approval into the Program.

Student/Employer Support

The Student/Employer Support Subcommittee will solicit local businesses to partner in the program as employers to the students who will contribute $1.00/hour for each hour the student works. This subcommittee will be responsible for the creation of a database of employers and available jobs and will assist students in the interview process. Members of this subcommittee will be available to discuss with the student and employer any issues that may arise during the student's term of employment.

Community Financial Support

The Community Financial Support Subcommittee will be responsible for acquiring financial support from local businesses, service organizations and the general public. These funds are the donated funds of the Program. The subcommittee will be responsible for not only soliciting funds, but also collecting the funds from the employers and students in the Program and forwarding them to the DCF. Periodic reports to the Commission will be required in order to determine the number of students that can be approved for employment.

Subcommittee Assignments

Mr. Pilecki asked everyone to take a minute to review the subcommittee assignments and then select the subcommittees that most interest them. He will collect those selections and determine who will be assigned to each subcommittee, which will be announced at the next Commission meeting.

Subcommittee Tasks and Time Frames

Mr. Pilecki directed the subcommittees the following tasks with the associated time frames:

Student Selection

A list of employers, job descriptions, number of jobs available, start dates and the number of positions to be filled will be made available as soon as possible but not later than by May 1, 2012. The Student Selection Subcommittee will schedule the selection process based on the school calendar, the availability of the Commission to vote on the recommendations of the subcommittee and the submission to the City Council.

Student/Employer Support

Businesses with available jobs need to be verified on or before April 23, 2012. Information for these positions will be made available to the Student Selection Subcommittee as soon as possible but no later than April 30, 2012.

Community Financial Support

New donations need to be received by April 30, 2012. These new donations will be used for employing students during the summer hiring cycle. Donations received after this date will be used for our fall hiring cycle. Based on total donations, the number of positions to be filled will be determined.

Interim Subcommittee Chairpersons

Mr. Pilecki recommended the following persons as Subcommittee Chairs:

Student Selection – Sharon Kanter
Student/Employer Support – Dave Markowitz
Community Financial Support – Fred Rhom

Ms. Kanter was not in attendance at tonight's meeting, therefore Mr. Pilecki will contact her to determine her interest.

Chairperson and Vice Chairperson Selection
Mr. Markowitz nominated Mr. Pilecki as the Commission Chair, seconded by Ms. Vuono. All approved. Mr. Rhom nominated Mr. Markowitz as the Commission Vice Chair, seconded by Mr. Ambrose. All approved.

Next Meeting Date
The next meeting date will be determined and members will be contacted. A contact list for the members will also be emailed.

Adjourn
With no further business the meeting adjourned at 7:47 pm.

Respectfully submitted,

Christine Crouch

Christine R. Crouch
Recording Secretary

CITY OF MILFORD
WORKFORCE DEVELOPMENT COMMISSION
Minutes of Meeting
April 18, 2012

The regular meeting of the Milford Workforce Development Commission was held in the Joseph Ronnie Rogers Council Chambers, 201 South Walnut Street, Milford, DE 19963 on Wednesday evening, April 18, 2012.

PRESIDING:	Mayor Ronnie Rogers
IN ATTENDANCE:	Bill Pilecki, Dave Markowitz, Irv Ambrose, Grant Curtis, Michael Ashton
ALSO:	Administrative Assistant/Recording Secretary Christine Crouch

Mayor Rogers called the meeting to order at 7:32 pm followed by the Pledge of Allegiance and Invocation given by Mr. Curtis. Mayor Rogers gave the floor to Mr. Pilecki.

City of Milford and Delaware Community Foundation Agreement Recommendation
Mr. Pilecki confirmed everyone had the chance to review the draft agreement between the City and the Delaware Community Foundation. He then asked if there were any changes that needed to be made. Mr. Curtis moved to recommend to City Council the agreement be signed, seconded by Mr. Markowitz. Motion carried unanimously.

Commission Membership Terms
The Commission was reminded of the terms of appointment which are as follows:
Following the time of their initial appointment, Commissioners shall be appointed or reappointed at the next Annual Organizational Meeting. Thereafter, terms will be for one year beginning on the date of each subsequent Organization Meeting.

Subcommittee Members
The packet included the subcommittee members. It appears the Student Selection subcommittee is heavy and the Student/Employer Support subcommittee could stand to have an extra member or two. Mr. Pilecki asked if anyone was willing to switch subcommittees. Hearing no volunteers, the subcommittees stand.

Subcommittee Tasks and Procedures
Also in the packet were tasks and procedures outlined for the subcommittees. Please let Mr. Pilecki know if there are any questions.

Future Meeting Dates
Possible future meeting dates include the first Tuesday of the month, the first Wednesday and the second Wednesday of the month. It was determined the first Wednesday would not suit and the most suitable would be the second Wednesday of the month at 5:30 pm. A May meeting is not necessary, therefore the next meeting will be held June 13, 2012.

Adjourn
With no further business the meeting adjourned at 7:47 pm.

Respectfully submitted,

Christine Crouch

Christine R. Crouch
Recording Secretary

CITY OF MILFORD
WORKFORCE DEVELOPMENT COMMISSION
Minutes of Meeting
June 13, 2012

The regular meeting of the Milford Workforce Development Commission was held in the Joseph Ronnie Rogers Council Chambers, 201 South Walnut Street, Milford, DE 19963 on Wednesday evening, June 13, 2012.

PRESIDING:	William Pilecki
IN ATTENDANCE:	Council member Katrina Wilson, Dave Markowitz, Fred Rhom, Sylvia Henderson, Irv Ambrose, Grant Curtis, Michael Ashton, Dottie Vuono
ALSO:	City Clerk Terri Hudson

Mr. Pilecki called the meeting to order at 7:32 pm followed by the Pledge of Allegiance and Invocation given by Mr. Curtis.

Old Business

New Business
Subcommittee Reports
*Student Selection
Ms. Henderson reported in October meeting with Milford High School, administration and guidance counselors took place. In addition a meeting between Mr. Rhom, Ms. Henderson and Mr. Fred Hetrich to build a partnership took place in April/May. Advertising the Jobs for Juniors was done where students could come to the guidance counselors to obtain more information. The end of May another meeting took place with counselors and administration to set up times for teachers to work with students and to review their applications. At a June 4th meeting he interview questions were established. Several students showed interest, but only 15 completed an application and attended a June 6th meeting. Also at that meeting, students signed up for interviews. 8 students were interviewed on June 11th.

In moving forward, there are recommendations that are to be brought forth tonight. Mr. Pilecki asked if there is a rating system in choosing the students for the four positions available. Ms. Henderson replied there are six candidates, of which two would suit the medical position and the remaining four qualify for the other positions available. It is the subcommittee's opinion the employer should interview the students and choose.

Mr. Pilecki felt the Commission should be receiving the student's information from the subcommittee and the Commission would approve which students would move forward. Ms. Henderson expressed concern regarding disclosure issues.

Mr. Markowitz explained that speaking in general terms, not naming any students, all of the students have at least 3.0 GPA with no attendance issues and no discipline referrals. Two of the students are looking specifically for an automotive career with the remaining interested in clerical positions in a medical field.

Mr. Ambrose reported there is another doctor office that has contacted him expressing an interest in being an employer. He apologized for the late notice.

Mr. Rhom asked if any of the students would be interested in retail. Mr. Markowitz explained all of the students want to work and if they cannot work in their first preference, they are still willing to work elsewhere in another career field.

Mr. Pilecki recapped that we now have five positions available and eight students eligible. Mr. Markowitz stressed one of the now five however has not returned phone calls confirming the available position. Mr. Pilecki will look into that issue. Mr. Rhom confirmed there are funds available for five positions as well.

Mr. Pilecki continued by stating not all students may be able to "make it" or did not come in under the program this year and if that is the case, he would support the Commission assisting the students with finding a summer job. But if the student is as good as the subcommittee feels they are, the Commission may be able to get them a job.

Mrs. Wilson reminded the Commission that at the meeting with the students, it was explained that this is a program that will continue to grow and as it grows there will be more opportunities to come, so this is the first group of students to work in the program.

The reason Mr. Pilecki referred to the summer job is that the Commission will meet again to go over the fall selection. The remaining students from this season may be on that list for the fall season, but between now and then if a job would help the student, we can probably get him in the position.

Ms. Henderson stated when she and Mr. Rhom met with Mr. Hertrich, he indicated he has his own type of scholarship program where a student interns there and Hertrich pays for their education. Mr. Hertrich is very interested in receiving students that are hand-picked by this subcommittee that will do well, because he does not have the screening process perfected.

Mr. Ambrose asked how many rotations are expected to be going on at one time. Mr. Pilecki anticipates a summer group of rising juniors and a new group again in the fall of juniors. The age requirement is 16.

The initial concept was for the student to have two years in the program-junior and senior year. Ms. Henderson felt a sophomore into junior year student would be less mature and it would create a much different group of students to select from. Mr. Pilecki reminded the commission the reason for the student remaining in the program for two years is to ensure they accumulate enough money by the time they graduate.

Mr. Ambrose asked what age student in the fall the subcommittee will be looking at. Mr. Pilecki felt comfortable leaving that up to the subcommittee. The intent was to hire at least a 16 year old, in their junior year, so they would have two years in the program to accumulate enough money.

Mrs. Wilson commented in her thinking, the subcommittee makes a recommendation to the Commission and within that recommendation it should include the individual's names, which should also be part of the subcommittee's files.

Ms. Henderson would need to get clarification and cannot make things public without a release from the parents. Mr. Pilecki stated at some point the commission would have to know the names anyway because the program sets up the financial accounts. He asked Ms. Henderson to pursue the release of information approvals.

Mr. Markowitz stated there is a difference between record keeping and public discussion including the students names.

Mr. Curtis felt the commission does not need the names. A resume would be appropriate, maybe redacted to remove the name. He has questions regarding the students that were selected by the subcommittee. As the program was explained to the Lion's Club, which is where Mr. Curtis first heard of the program, the primary goal was to get kids jobs. The next thing he heard was that the program offered money for college after graduation, which is totally different. If kids need money for college, there are all kinds of scholarships available.

Mr. Pilecki explained the reason for the City's involvement and the Delaware Community Foundation involvement is so that accounts for each student in the program could be established and the goal from the beginning was to provide students with money for future education after graduation.

Mrs. Wilson excused herself at 8:06 pm.

Mr. Ambrose felt permission to use the students name should be inherent in the application process however personal information is not necessary. Mr. Pilecki agreed. Ms. Henderson felt the Participation Agreement could be revised to include a release from the parent.

Mr. Curtis asked if the Commission has any liability if a student is injured while traveling to or from the job or while on the job. Mr. Rhom felt that was the City's liability; however Mr. Pilecki explained that is between the student and the employer. He will verify with the City Solicitor.

Mr. Markowitz made a motion that the following students be approved by the Commission to be selected as applicants for the jobs identified, seconded by Mr. Curtis.
Brie Wilkins
Nia Becton
Vivian Elverado
Shawn Demultry
Harrison Dalmercamp
Doug Bito

All in favor, motion carried.

*Student/Employer Support
In seeking employers to match students to, Mr. Pilecki asked that the subcommittee look into Redner's when it opens and IG Burton's. It is important to note in order to work at a bank, the student must be 18 years old, so it is unlikely a position can be filled there. Bayhealth is also researching whether a student must be 18 years old as well.

*Community Financial Support
Mr. Rhom and Mr. Curtis have been seeking financial support from the community and have found many companies are still looking into what they may do to assist. Wilmington Trust, Burris Foods, LD Caulk, Perdue, Seawatch, McDonald's, Grotto's, Ace Hardware, DelONE, Dover Federal Credit Union, and Hertrich.

Mr. Pilecki felt the subcommittee would be looking for seven to eight students in the fall so would need enough money to support those positions.

A list of student candidates for the fall session and a list of employers/positions will be available at the next Workforce Development Commission meeting, which will be September 26, 2012 at 5:30 pm

Adjourn
With no further business, a motion to adjourn by Mr. Rhom was seconded by Mr. Curtis. The meeting adjourned at 8:37 pm.

Respectfully submitted,

Christine Crouch

Christine R. Crouch
Recording Secretary