

City of Milford



AGENDA

Monthly Council Meeting

June 10, 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 R. Rogers

Invocation

Pledge of Allegiance

Approval of Previous Minutes

Recognition

Monthly Police Report

City Manager Report
Southeast Water Tank Design*

Committee & Ward Reports

Communications & Correspondence

Unfinished Business
Pastor Royce Andrus/Carpenter Pit Road/Bridge Realignment
Introduction/Ordinance 2013-05/Chapter 69/Workforce Development Commission/Reduction in Number of Commissioners

New Business
Award of Bid/ACSR Dove Wire/Electric Department
Introduction/Ordinance 2013-04/Shore Speed LLC on behalf of Legal Owner Milford Associates for a Conditional Use
Economic Development Utility Extension Package/Properties East of Route 1

Monthly Finance Report

EXECUTIVE SESSION - Land Acquisition - Pursuant to 29 Del. C. §10004(b)(2) Preliminary Discussions on Site
Acquisitions for Any Publicly Funded Capital Improvements

Executive Session Matter

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.**

Milford Police Department



E. Keith Hudson
Chief of Police



400 N.E. Front Street
Milford, Delaware 19963

TO: Mayor and Members of City Council

FROM: E. Keith Hudson, Chief of Police

DATE: June 10, 2013

RE: Activity Report/May 2013

Monthly Stats:

A total of 413 arrests were made by the Milford Police Department during May 2013. Of these arrests, 119 were for criminal offenses and 294 for traffic violations. Criminal offenses consisted of 23 felonies and 96 misdemeanors. Traffic violations consisted of 95 Special Duty Radar, 0 Drunk-Driving charges, and 199 other.

Police officers investigated 58 accidents during the month (2 personal injury, and 56 property damage) and issued 97 written reprimands. In addition, they responded to 1102 various complaints including city requests and other agency assistance.

Monthly Activities:

All police officers have completed the mandatory firearms re-certification. The Council on Police Training require three certifications per year--two daytime and one nighttime. However, we combine one daytime and the nighttime in the fall to reduce the overall costs.

Our School Resource Officer participated in the Mispillion Elementary School's Safety Day with demonstrations by our Police K-9 Team.

The School Resource Office also created a seat belt demonstration in coordination with the Delaware Office of Highway Safety for Milford High School students.

The LESO (Law Enforcement Support Office Program) audit, conducted by the DEMA State Coordinator and the federal government, was completed with 100% accuracy.

The NCIC audit was also recently completed. Although we have not yet received our score, we anticipate 100% accuracy.

Two staff members attended a training seminar at New Castle County Police Department regarding “Use of Force for Supervisors”.

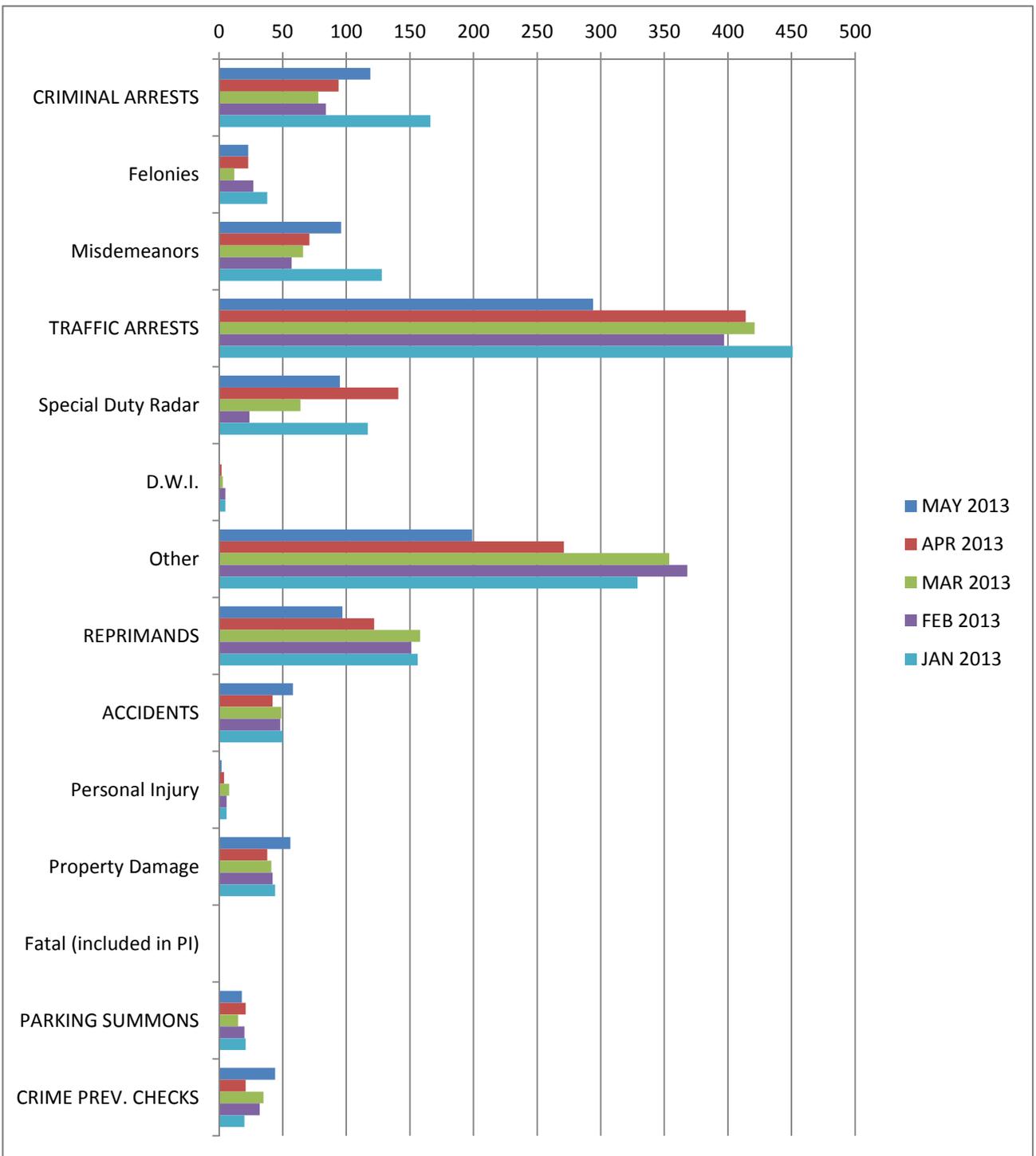
A joint narcotics investigation with Smyrna, Delaware State Police and DEA undercover agents resulted in the seizure of more than 1,100 bags of heroin that was being distributed in these areas and the Milford community.

The School Resource Officer, with the help of graduating seniors, painted the “Buckle Up” stencil at exits around the high school and academy parking lots.

A kickoff meeting for Safe Routes to Schools was held to discuss the initial stages of road improvements around Banneker Elementary School and the high school/academy campus. A grant of \$125,000 was awarded for the projects.

MAY 2013 ACTIVITY REPORT

	MAY 2013	TOTAL 2013	MAY 2012	TOTAL 2012
COMPLAINTS	1102	5335	1536	6209
CRIMINAL ARRESTS	119	541	206	983
Felonies	23	123	61	268
Misdemeanors	96	418	145	715
TRAFFIC ARRESTS	294	1977	797	2548
Special Duty Radar	95	441	425	1093
D.W.I.	0	15	6	30
Other	199	1521	366	1425
REPRIMANDS	97	684	164	693
ACCIDENTS	58	247	56	211
Personal Injury	2	26	7	22
Property Damage	56	221	49	189
Fatal (included in PI)	0	0	0	0
PARKING SUMMONS	18	95	20	67
CRIME PREV. CHECKS	44	152	91	245
FINES RECEIVED	\$ 10,157.12	\$ 53,895.48	\$ 13,297.03	\$ 56,594.79





OFFICE OF THE CITY MANAGER
RICHARD D. CARMEAN
TELEPHONE 302-424-3712, FAX 302-424-3558

201 SOUTH WALNUT STREET
MILFORD, DE 19963
www.cityofmilford.com

CITY MANAGER REPORT

ADMISTRATION

I will be attending the American Public Power Association National Conference in Nashville during the week of June 16th to June 20th. My expenses will be paid by DEMEC and believe the topics presented will benefit me in my service to the DEMEC Board and my management of our own electric operations. Listed is a few of the seminars available:

- Pole Attachment Issues
- Preparing Your Utility for Upcoming Storms
- 10 Things That Keep Managers of Smaller Utilities Up at Night
- What's Ahead for the American Economy
- Renewing Public Power's Strengths
- Managing Public Power Workforce
- 10 Ideas for Great Customer Service

I want to assure Mayor and Council I will take a few hours to enjoy myself.

The purchase of the PNC property is progressing at a very acceptable pace. I have ordered inspections and tests that will determine structural integrity of the building and environmental inspections of the lands. Mr. Rutt is conducting the title and deed search as is required. It is my hope we will go to final settlement in late July. Our solicitor has kept things moving while making sure the city is protected in our investment.

During the past month I have spent many hours with Finance Director Jeff Portmann and department heads on preparing the FY 2013-2014 Budget. I will be presenting this budget to the Finance Committee on June 10th, June 11th and possibly June 12th. The meetings will start at 5:30 p.m. and all City Council members are invited. While it is my responsibility to present a balanced budget to Mayor and Council, the members have the opportunity to change or recommend changes in all budget areas. This budget being presented is a balanced budget with no tax increase.

Refreshments will be served.

SEWER AND WATER

We are moving forward with the plans for the construction of our proposed elevated storage tank in the southeast area. I need Mayor and Council to decide on the type of tank we will place there, which means the shape, color and logo we want on it. This will be on the agenda for discussion. The final work on the Wilkins Road water main should be completed by this meeting. The contractor is having the road resurfaced the week of June 3rd to June 7th.

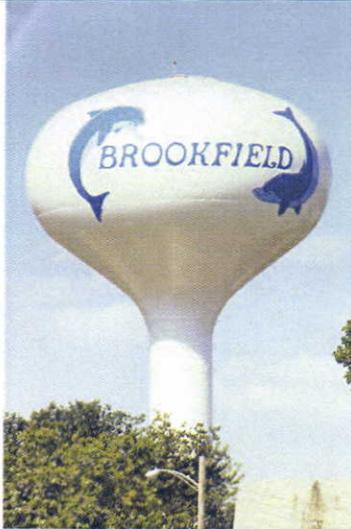
The Washington Street sewer pump station is scheduled for rebuilding beginning in late June or early July. The bypass pump has been delivered and the new grinder will be installed before we start construction. I am more comfortable with having the bypass capabilities because it gives us the ability to operate during a complete pump failure.

STREETS AND SOLID WASTE

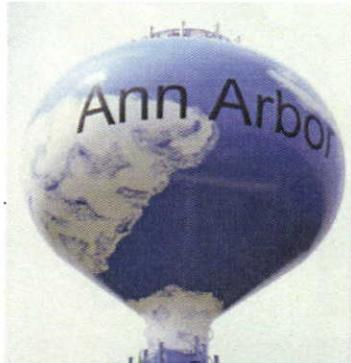
We are presently doing repairs to an entrance into Wright's Auto Supply on the Milford-Harrington Highway. Funds were granted to the city by Representative Jack Peterman for this project as well as an entrance repair project at Wall's Service Station on Northeast Front Street. Some additional funds were also provided by Representative Harvey Kenton for the Wall's job.

The final paving work was completed on South Walnut St. from Southeast Front Street to the bridge. This was the last step in the sewer and storm water work in that area. I was extremely happy with the quality of the work and the final appearance of the street.

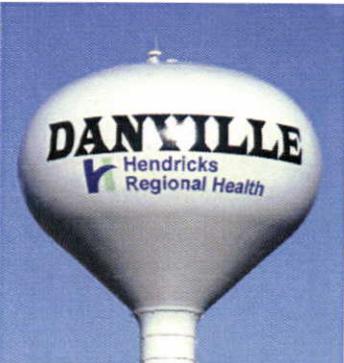
Why a CB&I Waterspheroid® Elevated Tank?



Modern sleek design



Visually pleasing contours blend well with surroundings



Attractive graphics enhance community identity



Custom paint options

Proven to be the most popular of all single pedestal elevated water storage tank styles, the Waterspheroid elevated tank is available in capacities from 150,000 to 2,000,000 gallons. It offers low capital and maintenance costs, enhanced safety/security, convenient storage, and a small footprint that minimizes land requirements.

With its sleek design and pleasing contours the Waterspheroid tank is well suited for high visibility locations such as school grounds, commercial developments, residential neighborhoods, parks and other prominent locations.

CB&I invented the Waterspheroid tank design, and we have built more single pedestal steel spheroidal elevated tanks than any other company, including the tallest and largest capacity tanks in service. CB&I has the most experience in the industry in the art of forming the ball, and we use larger steel plates than our competitors. This leads to a smoother ball shape with fewer weld seams, minimizing potential areas of paint failure and reducing long-term paint maintenance of the tank.

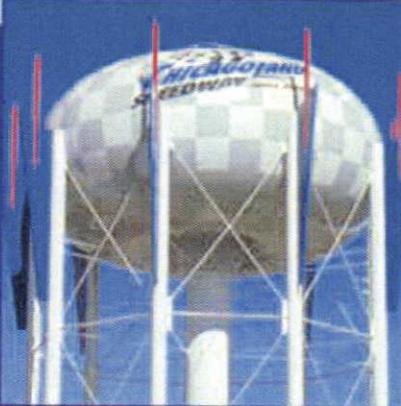
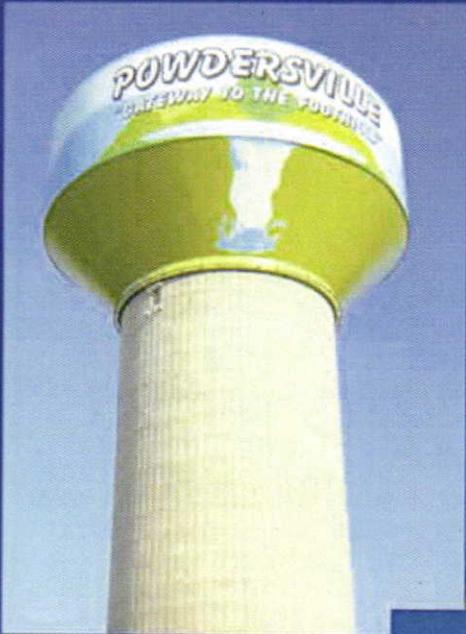
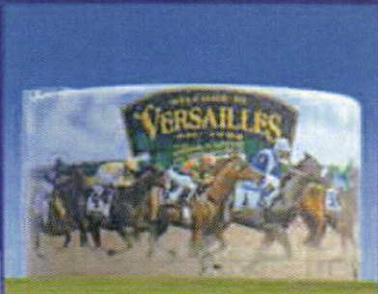
In addition, CB&I uses double-curved, hot pressed knuckles between the bell and the shaft and between the shaft and the ball. Not only does this add to the smooth line aesthetics of the tank, it eliminates the potential lamellar tearing that could occur on tanks using dollar plates and coned sections in these areas.

Waterspheroid tanks are all-steel, all-welded structures that have proven reliability, serving thousands of municipalities and industries for decades. Properly maintained and operated, steel tanks offer an extremely long life, with some structures exceeding 100 years of service.

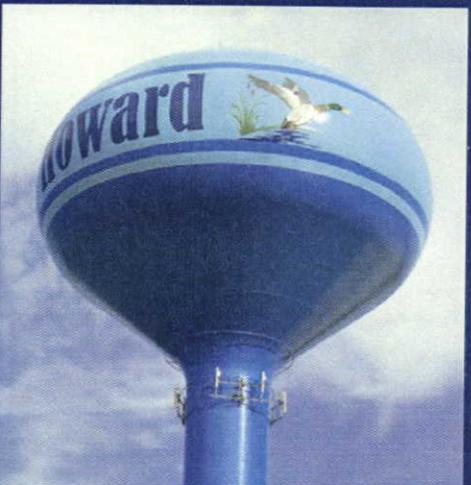
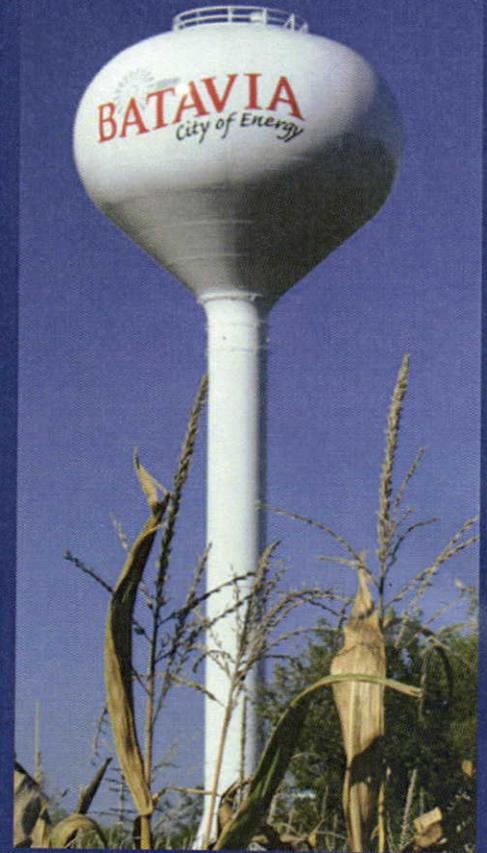
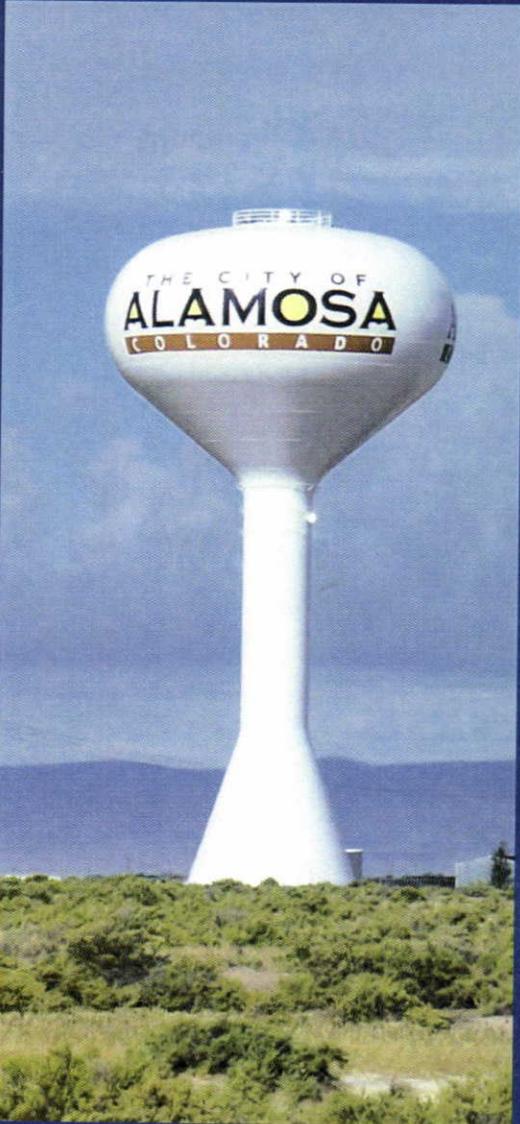
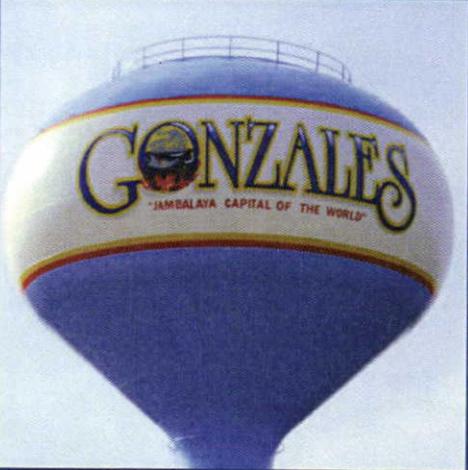
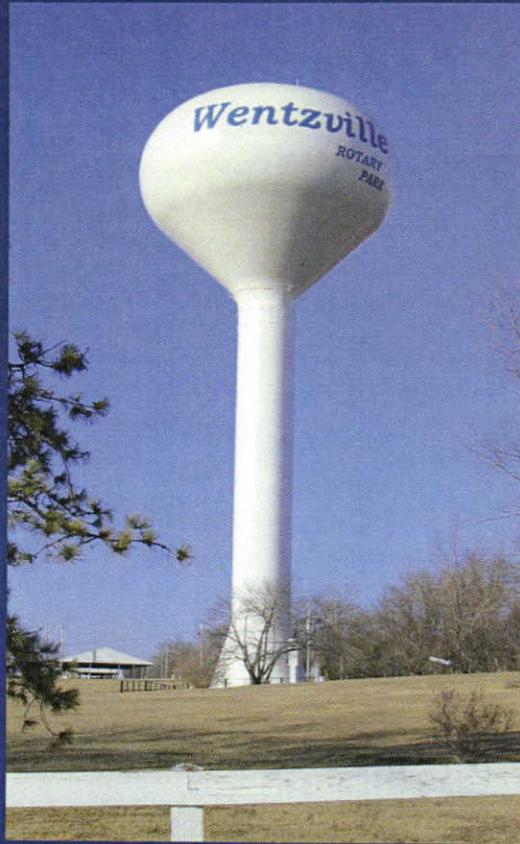
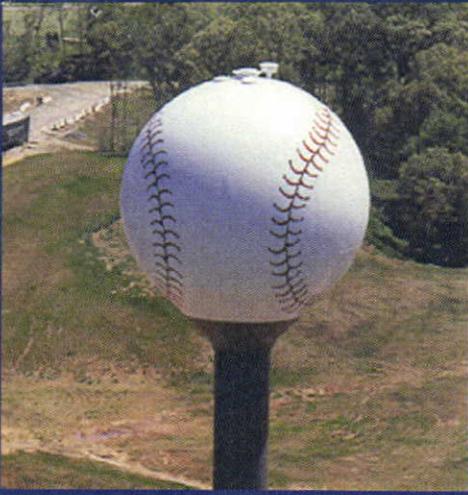
On the cover: 1,000,000 gallon tank, Northville, MI; STI/SPFA Tank of the Year Award

Since the construction of our first elevated tank in 1894, CB&I has become a global leader in the design and construction of elevated water storage tanks. We pioneered the transition to welded steel tanks in the 1930s, invented the original Watersphere® tank in 1939, the larger Waterspheroid® tank in 1954, and have been improving the concept ever since. We also have been instrumental in the development of the AWWA standards, beginning with the first D100 Standard in 1941, continuing today through active organization and committee participation.

DESIGNING, CONSTRUCTING & MAINTAINING TANKS FOR OVER 120 YEARS.



CALDWELL
Since 1887
Water - Energy - Industrial



Above: Batavia, IL – 750,000 gallons

Top left: Fort Mill, SC – 250,000 gallons

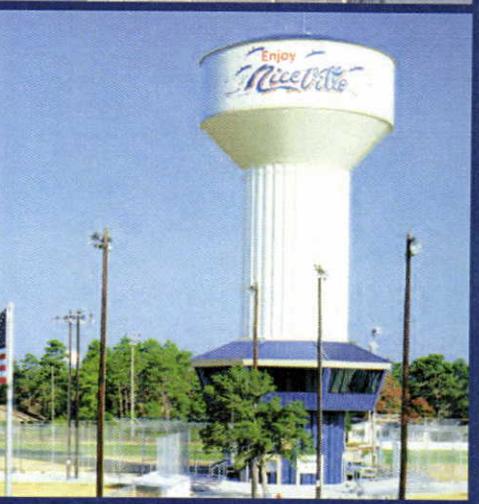
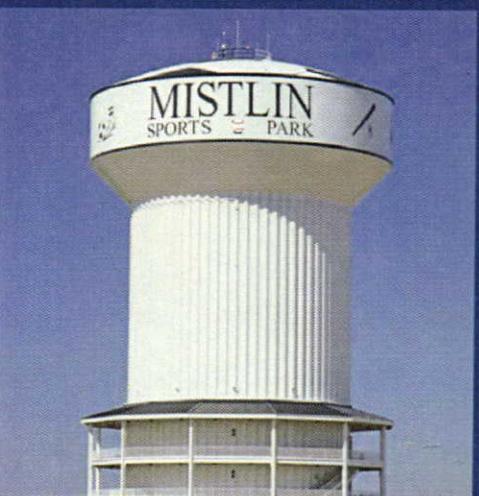
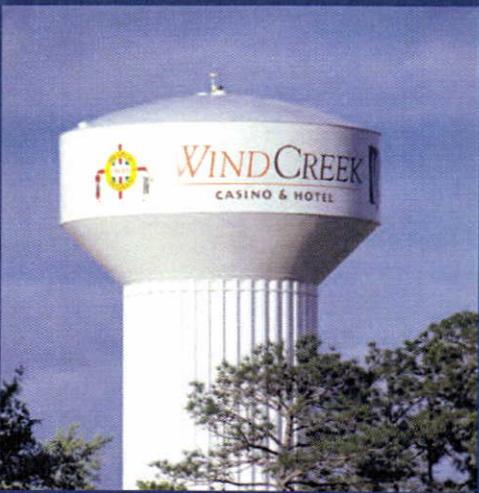
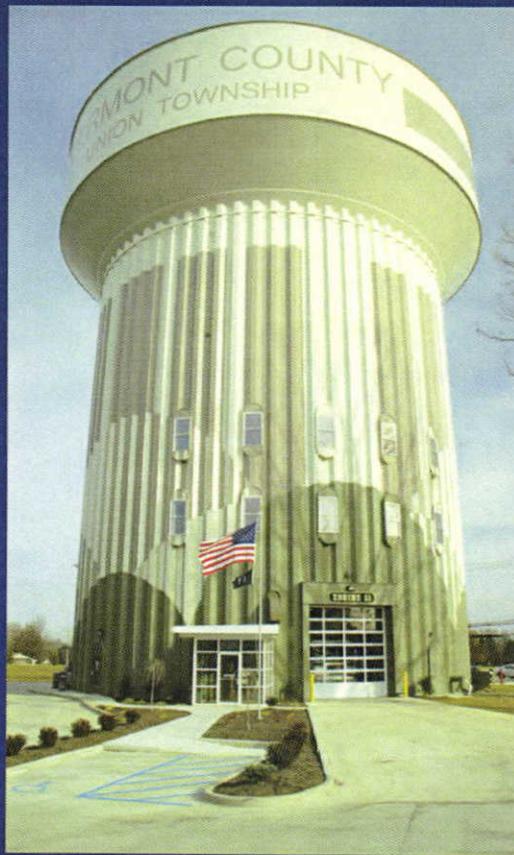
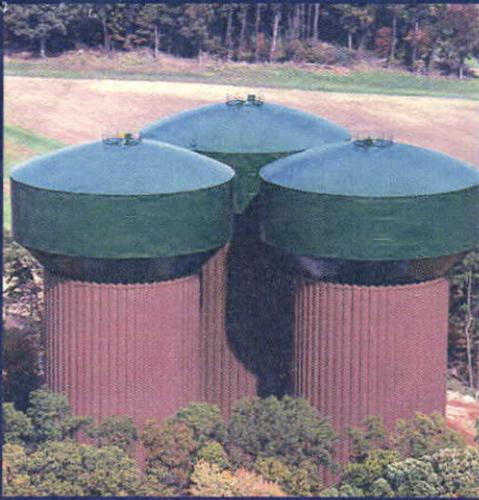
Top middle: Wentzville, MO – 2,000,000 gallons

2nd left: Gonzales, LA – 1,000,000 gallons

3rd Left: Muskegon, MI – 500,000 gallons

Bottom left: Howard, WI – 500,000 gallons

Bottom middle: Alamosa, CO – 1,250,000 gallons



- Above: Lexington, SC – 1,000,000 gallons
- Top left: Bowie, MD – (3) 1,500,000 gallons each
- Top middle: Clermont Co., OH – 2,000,000 gallons
- 2nd left: Atmore, AL – 1,000,000 gallons
- 3rd left: Ripon, CA – 2,500,000 gallons*
- Bottom left: Niceville, FL – 500,000 gallons
- Bottom middle: Shenandoah, TX – 750,000 gallons

* STI/SPFA Tank of the Year Award

Styles for Every Customer and Community

Multi-Column

2,000,000 Gallon Torus Bottom
Montgomery County, Ohio
Steel Tank Institute/Steel Plate Fabricators Association

1,000,000 Gallon Torus Bottom
2005-2006
Steel Tank of the Year 2007 - Steel Plate Fabricators Association

500,000 Gallon Torus Bottom
Caldwell, North Carolina

800,000 Gallon
Taylorville, Kentucky

Pedosphere

200,000 Gallon
Runko, Wisconsin
Steel Tank of the Year 1999 - Steel Plate Fabricators Association

150,000 Gallon
Reno/Carson, North Carolina
Steel Tank of the Year 2004 - Steel Tank Institute/Steel Plate Fabricators Association

750,000 Gallon
Georgetown, Kentucky

200,000 Gallon
Del Norte, North Carolina

Fluted

1,000,000 Gallon
McConnell AFB Wichita, Kansas

3,000,000 Gallon
O'Fallon, Missouri
Steel Tank of the Year 2002 - Steel Tank Institute/Steel Plate Fabricators Association

2,000,000 00 Gallon
Clemson Co. County, Ohio
Steel Tank of the Year 2009 - Steel Tank Institute/Steel Plate Fabricators Association

500,000 Gallon
Lake Mary, Florida
Steel Tank of the Year 2002 - Steel Plate Fabricators Association

Composite Elevated

1,000,000 Gallon
Farmville, North Carolina

2,000,000 Gallon
Galveston, Texas

1,200,000 Gallon
San Antonio, Texas

1,500,000 Gallon
Dothan, Alabama

Ground

2,000,000 Gallon
Lexington, Kentucky

2,000,000 Gallon
Versailles, Kentucky

23 Field-Erected Tanks
Columbus, North Dakota
19 Sections Steel
3 Carbon Steel

(2) 2,200,000 Gallon Ice Tanks
Burlington, Kentucky
Steel Tank of the Year 2007 - Steel Plate Fabricators Association

Specialty

1,500,000 Gallon Antebellum
Remerton, Georgia
Steel Tank of the Year 1998 - Steel Plate Fabricators Association

100,000 Gallon Duckies Edgewater
Lake Buena Vista, Florida
Steel Tank of the Year 1987 - Steel Plate Fabricators Association

World's Largest Baseball Bat
Lexington, Kentucky

World's Largest Catsup Bottle
Caldwell, North Carolina

CALDWELL
Since 1887
Water - Energy - Industrial



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.

May 8, 2013

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

Dear Richard:

Enclosed please find the City of Milford's numbers for the month of April 2013.

**April 2013
Weight in Pounds**

MARSHALL STREET

SINGLE-STREAM TOTAL	OIL GALLONS
19,910	540

MILFORD MIDDLE SCHOOL

5,169	
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MILFORD COMMONS

13,784	
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Sincerely,

Rich Von Stetten
Sr. Manager of Statewide Recycling

C:\RVSI\RD correspondence\cityofmilford.doc
Christie Murphy
Attachments: City of Milford Curbside Totals

1128 S. Bradford Street, P.O. Box 455, Dover, Delaware 19903-0455
Phone: (302) 739-5361 Fax: (302) 739-4287

CITIZENS' RESPONSE LINE: 1-800-404-7080 www.dswa.com

**CITY OF MILFORD CURBSIDE RECYCLING
APRIL 2013**

Date Out	Trans Num	MT Label	DT Label	Bill Acct Name	Net TN
4/4/2013	729302	7100-RC Single Strea	7000-Recommunity	City of Milford	3.95
4/5/2013	729367	7100-RC Single Strea	7000-Recommunity	City of Milford	1.08
4/11/2013	730213	7100-RC Single Strea	7000-Recommunity	City of Milford	4.27
4/11/2013	730266	7100-RC Single Strea	7000-Recommunity	City of Milford	5.47
4/12/2013	730275	7100-RC Single Strea	7000-Recommunity	City of Milford	5.23
4/12/2013	730277	7100-RC Single Strea	7000-Recommunity	City of Milford	2.09
4/18/2013	731026	7100-RC Single Strea	7000-Recommunity	City of Milford	4.11
4/19/2013	731080	7100-RC Single Strea	7000-Recommunity	City of Milford	3.34
4/19/2013	731081	7100-RC Single Strea	7000-Recommunity	City of Milford	1.1
4/25/2013	731815	7100-RC Single Strea	7000-Recommunity	City of Milford	4.5
4/26/2013	731882	7100-RC Single Strea	7000-Recommunity	City of Milford	6.91
4/26/2013	731883	7100-RC Single Strea	7000-Recommunity	City of Milford	3.39
				TOTAL	45.44

Council Committees

May 2013-2014

Annexation Committee

Katrina Wilson*
Doug Morrow
Skip Pikus
PC Chair James Burk

Community Affairs Committee

Bryan Shupe*
James Starling
Dirk Gleysteen

Economic Development Committee

Garrett Grier*
James Starling
Bryan Shupe

Finance Committee

Skip Pikus*
Doug Morrow
Garrett Grier

Parks & Recreation Committee

Dirk Gleysteen*
Owen Brooks
Katrina Wilson

Police Committee

Doug Morrow*
Katrina Wilson
Skip Pikus

Public Works Committee

Owen Brooks*
Dirk Gleysteen
Bryan Shupe

Chairperson *

Dear Mayor Rogers, City Manager Richard Carmean, Steve Masten, and members of the City Council:

This letter comes as a request from Lighthouse Christian Center, Hampton Inn, and Lighthouse Estates.

We are requesting that the City of Milford consider adopting Carpenter Pit Road and Calvary Road which extends north of the bridge across Swan Creek to New Wharf Road.

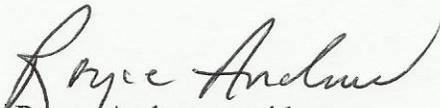
Calvary Road and the bridge are presently a one way-configuration under DelDot guidelines. If adopted by the city, it has been determined that both the bridge and Calvary Road can be configured, signed, and signaled for a two- way usage under city guidelines and an interim design. Local legislators have proposed to fund the interim design. After several meetings with DelDot officials and City of Milford officials, DelDot has agreed to cooperate with the transition if the City of Milford agrees.

There are several benefits that would result. They are as follows:

- It would provide a north exit to Route 1. This would benefit Lighthouse Estates, Hampton Inn, Woodshaven residents, all future businesses, and Lighthouse.
- It would create a more safe condition. There are many cars that disregard the one-way sign and drive towards New Wharf road creating a safety hazard.
- More jobs and development would result. It has been determined by our realtors (Emory Hill) that the main hindrance to our property sales is the one-way north entrance. With a two-way entrance, there will be more jobs and development, creating a greater tax base for the city.

Considering the aforementioned benefits of this proposal, the 600 constituents of Lighthouse Christian Center, the Hampton Inn, and the residents of Lighthouse Estates thank you for your thoughtful consideration and highly recommend you to move in favor of this proposal.

Best regards,


Royce Andrus, president
Lighthouse Complex

Milford, Delaware, Code of Ordinances >> PART I - ADMINISTRATIVE LEGISLATION >> **Chapter 69 - WORKFORCE DEVELOPMENT COMMISSION >>**

Chapter 69 - WORKFORCE DEVELOPMENT COMMISSION [14]

§ 69-1. - Establishment.

§ 69-2. - Membership; appointment; terms of office.

§ 69-3. - Removal.

§ 69-4. - Chairman; officers; vacancies.

§ 69-5. - Meetings and records.

§ 69-6. - Sub and adhoc committees; members.

§ 69-7. - Rules of procedure.

§ 69-8. - Powers and duties.

§ 69-9. - Consultation with outside sources.

§ 69-10. - Recommendations and reports.

§ 69-11. - Contracts.

§ 69-12. - Functions limited.

§ 69-1. - 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."

[Ord. No. 2012-02, § 1, 2-27-2012]

§ 69-2. - Membership; appointment; terms of office.

The Commission shall be comprised of 11 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.

[Ord. No. 2012-02, § 1, 2-27-2012]

§ 69-3. - 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.

[Ord. No. 2012-02, § 1, 2-27-2012]

§ 69-4. - 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.

[Ord. No. 2012-02, § 1, 2-27-2012]

§ 69-5. - 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.

[Ord. No. 2012-02, § 1, 2-27-2012]

§ 69-6. - 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 [§ 69-2](#). Said groups are subject to the procedural requirements of FOIA.

[Ord. No. 2012-02, § 1, 2-27-2012]

§ 69-7. - Rules of procedure.

Roberts Rules of Order shall apply to the conduct of the Commission meetings.

[Ord. No. 2012-02, § 1, 2-27-2012]

§ 69-8. - 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.

[Ord. No. 2012-02, § 1, 2-27-2012]

§ 69-9. - 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.

[Ord. No. 2012-02, § 1, 2-27-2012]

§ 69-10. - 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.

[Ord. No. 2012-02, § 1, 2-27-2012]

§ 69-11. - 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.

[Ord. No. 2012-02, § 1, 2-27-2012]

§ 69-12. - Functions limited.

The Commission shall not involve itself in activities or functions already assigned by law or decree to other governmental bodies.

[Ord. No. 2012-02, § 1, 2-27-2012]

FOOTNOTE(S):

⁽¹⁴⁾ *Editor's note*—Ord. No. 2012-02, § 1, adopted Feb. 27, 2012, enacted provisions which did not specify manner of inclusion. Hence, with the approval of the city, said provisions have been codified herein as §§ 69-1—69-12.

[\(Back\)](#)

PUBLIC NOTICE
Notice of City of Milford Ordinance Review

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

ORDINANCE 2013-5

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

Section 1. Part 1, Administrative Legislation, Chapter 69 of the Code of the City of Milford, entitled Workforce Development Commission shall be amended by reducing the number of commissioners from eleven to five.

The City of Milford hereby ordains:

Section 2. §69-2, Membership, Appointment, Terms of Office, is hereby amended by removing the number "11" and inserting "5" as indicated below:

§69-2. - Membership; appointment; terms of office.

The commission shall be comprised of ~~11~~ **5** 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.

Section 3. Dates

Introduction: June 10, 2013

Adoption (Projected): June 24, 2013

Effective (Projected): July 4, 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



ELECTRIC DEPARTMENT
(302) 422-1110 FAX (302) 422-1117

180 VICKERS DRIVE
MILFORD, DE 19963

www.cityofmilford.com

INVITATION TO BID

Sealed bids for 59,460 feet of 556.5 ACSR Dove Wire will be received by the City of Milford at City Hall, 201 S. Walnut St., Milford, Delaware until 2:00 p.m., local time, on Thursday, May 30, 2013, and then at said office publicly opened and read aloud.

Specifications are available at the City of Milford Public Works Facilities, 180 Vickers Drive, Milford, Delaware, (302) 422-6616 x 135.

Bid Submittal Mailing Address: City of Milford
Attn: City Clerk
201 S. Walnut St.
Milford, DE 19963

Bids must be clearly marked "Sealed Bid –556.5 ACSR Dove Wire." Award of the bid will be made at the next regularly scheduled City Council meeting.

The City of Milford reserves the right to reject ANY AND ALL BIDS and to waive any informality within the bids.

INFORMATION FOR BIDDERS

Bids for **59,460 Feet 556.5 ACSR DOVE Wire** will be received by the City of Milford at City Hall, 201 S. Walnut Street, Milford, Delaware until 2:00 p.m., day, May 30, 2013, and then at said office publicly open and read aloud.

Each Bid must be submitted in a sealed envelope addressed to City Clerk. Each sealed envelope containing a bid must be plainly marked on the outside as Bid for **556.5 ACSR DOVE Wire**, and the envelope should bear on the outside the name of the Bidder and his address. If forwarded by mail, the sealed envelope containing the Bid must be enclosed in another envelope addressed to the City of Milford at 201 S. Walnut Street, Milford, DE 19963.

All Bids must be made on the required Bid form. All blank spaces for Bid prices must be filled in, in ink or typewritten, and the Bid form must be fully completed and executed when submitted. Only one copy of the Bid form is required.

The City of Milford may waive any informalities or minor defects or reject any and all Bids. Any Bid may be withdrawn prior to the above scheduled time for the opening of the Bids or authorized postponement thereof. Any Bid received after the time and date specified shall not be considered. No Bidder may withdraw a Bid within 60 days after the actual date of the opening thereof. Should there be reasons why the contract cannot be awarded within the specified time period, time may be extended by mutual agreement between the City of Milford and the Bidder.

Information obtained from an officer, agent, or employee of the City of Milford or any other person shall not affect the risks of obligations assumed by the Bidder or relieve him from fulfilling any of the conditions of the Bid Document.

Each Bidder is responsible for reading and being thoroughly familiar with the Bidding Documents. The failure or omission of any Bidder to do any of the foregoing shall in no way relieve the Bidder from any obligation in respect to his Bid.

PROPOSAL OF:

59,460 FEET OF 556.5 ACSR DOVE WIRE

- **6 Reels at 9,910 feet each (NO EXCEPTIONS)**
- **556.5 KCMIL ACSR 26/7 STRAND, DOVE 0.927 IN. O.D. Weight: 0.765 lbs/ft**

To the City of Milford,

In compliance with the Invitation to Bid, Bidder hereby proposed to furnish **59,460 Feet of 556.5 ACSR DOVE Wire** in strict accordance with the specifications at the price stated below.

By Submission of this Bid, each Bidder certifies, and in the case of a joint Bid, each party thereto certifies as to his own organization, 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 other competitor.

-
- **The City of Milford requires two (2) copies of bid package to be submitted by bidder**
 - **Manufacturer Specification Sheet(s) MUST be included in bid package.**
 - **Wire MUST be distributed in the following manner: 6 Reels at 9,910' each (NO EXCEPTIONS)**
 - **556.5 KCMIL ACSR 26/7 strand, DOVE 0.927 in. O.D. Weight: 0.765 lbs/ft**

59,460 Feet 556.5 ACSR DOVE Wire	\$ _____ . _____
Freight Cost	\$ _____ . _____
Total Net Bid Price	\$ _____ . _____

Delivery Date: _____

Net Terms: _____

Manufacturer: _____

Bidder Information:

Company Name: _____

Address: _____

Contact Name: _____

Contact Phone Number: _____



PUBLIC NOTICE

Notice is hereby given the following ordinance is under review by the Milford Planning Commission and Milford City Council and Public Hearings have been scheduled as indicated.

Ordinance 2013-04

Shore Speed LLC on behalf of Legal Owner Milford Associates for a Conditional Use

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILFORD, DELAWARE APPROVING A CONDITIONAL USE TO ALLOW AN INDOOR RECREATIONAL FACILITY (VIDEO GAMES, ROCK CLIMBING WALL AND INDOOR ELECTRIC GO KART TRACK) IN AN I-1 DISTRICT AT 971 EAST MASTEN CIRCLE, MILFORD, DELAWARE. TAX PARCEL MD-16-183.00-01-04.00

Whereas, the City of Milford Planning Commission reviewed the application at a Public Hearing on June 18, 2013 and has presented item to be considered by the City Council; and

Whereas, Milford City Council held an advertised Public Hearing on July 22, 2013 to allow for public comment and review of the application; and

Whereas, it is deemed in the best interest of the City of Milford to allow a Conditional Use for an Indoor Recreational Facility as herein described.

Now, Therefore, the City of Milford hereby ordains as follows:

Section 1. Upon the adoption of this ordinance, Shore Speed LLC on behalf of Legal Owner Milford Associates is hereby granted a Conditional Use Permit in accordance with the application, approved plans and any conditions set forth.

Section 2. Construction or operation shall be commenced within one year of the date of issuance or the conditional use permit becomes void.

Section 3. Dates.

Introduction to City Council: 06-10-13

Planning Commission Review & Public Hearing: 06-18-13

City Council Review & Public Hearing 07-22-13

This ordinance shall take effect and be in force ten days after its adoption.

Ordinance 2013-04 is scheduled for adoption, with or without amendments, at the scheduled City Council Meeting on Monday, July 22, 2013. Should you have questions, please contact the City of Milford Planning Department at 302-424-3712 Extension 308.

**CITY OF MILFORD
FUND BALANCES REPORT**

Date: APRIL 2013

Cash Balance - General Fund Bank Balance	\$2,204,416
Cash Balance - Electric Fund Bank Balance	\$4,072,451
Cash Balance - Water Fund Bank Balance	\$1,606,274
Cash Balance - Sewer Fund Bank Balance	\$475,265
Cash Balance - Trash Fund Bank Balance	\$440,657

	General <u>Improvement</u>	Municipal <u>Street Aid</u>	Real Estate <u>Transfer Tax</u>	Solid Waste <u>Reserves</u>
Beginning Cash Balance	315,095	978,615	1,826,167	0
Deposits	166,793		19,059	
Interest Earned this Month	51	107	206	
Disbursements this Month	(10,821)		(41,667)	
Investments				250,000
Ending Cash Balance	\$471,118	\$978,722	\$1,803,765	\$250,000

	GF Capital <u>Reserves</u>	Water Capital <u>Reserves</u>	Sewer Capital <u>Reserves</u>	Electric <u>Reserves</u>
Beginning Cash Balance	2,440,470	4,423,872	3,543,068	11,072,262
Deposits				
Interest Earned this Month	287	511	409	1,267
Disbursements this Month				
Investments	250,000			
Ending Cash Balance	\$2,690,757	\$4,424,383	\$3,543,477	\$11,073,529

	Water <u>Impact Fee</u>	Sewer <u>Impact Fee</u>	Electric <u>Impact Fee</u>
Beginning Cash Balance	1,047,130	\$732,778	\$278,328
Deposits			\$4,200
Interest Earned this Month	107	\$77	\$30
Disbursements this Month			
Investments			
Ending Cash Balance	\$1,047,237	\$732,855	\$282,558

INTEREST THROUGH THE TENTH MONTH OF THE FISCAL YEAR:

General Fund	8,861	Water Fund	2,579
GF Capital Reserves	8,415	Water Capital Reserves	13,594
General Improvement Fund	429	Water Impact Fees	857
Municipal Street Aid	1,207	Sewer Fund	684
Real Estate Transfer Tax	4,232	Sewer Capital Reserves	13,727
Electric Fund	5,588	Sewer Impact Fees	621
Electric Reserves	55,080	Trash Fund	5,366
Electric Impact Fees	241		

TOTAL INTEREST EARNED TO DATE \$121,481

REVENUE REPORT

Page Two

83% of Year Expended

Date: April 2013	AMOUNT BUDGETED	MTD	YTD	YTD%
ACCOUNT				
Budgeted Fund Balance	163,735	0	163,733	100.00%
General Fund Capital Reserves	413,506	6,534	156,530	37.85%
Property Transfer Tax-Police	500,000	41,667	416,667	83.33%
Real Estate Tax	3,508,380	4,260	3,587,193	102.25%
Business License	35,000	2,010	33,735	96.39%
Rental License	85,000	850	89,650	105.47%
Building Permits	60,000	6,735	97,859	163.10%
Planning & Zoning	25,000	6,380	14,080	56.32%
Grasscutting Revenue	5,000	415	4,160	83.20%
Police Revenues	431,454	(33,247)	243,180	56.36%
Misc. Revenues	262,810	9,452	155,929	59.33%
Transfers From	3,215,480	267,956	2,679,566	83.33%
Total General Fund Revenues	\$8,705,365	\$313,012	\$7,642,282	87.79%
Water Revenues	2,330,000	189,640	2,045,361	87.78%
Sewer Revenues	2,042,443	167,629	1,719,002	84.16%
Kent County Sewer	1,500,000	114,360	1,205,888	80.39%
Solid Waste Revenues	1,118,252	93,514	924,346	82.66%
Electric Revenues	23,686,500	2,213,301	20,809,899	87.86%
TOTAL REVENUES	\$39,382,560	\$3,091,456	\$34,346,778	87.21%
YTD Enterprise Expense		72,405		
YTD Enterprise Revenue		59,747		
LTD Carlisle Fire Company Building Permit Fund		85,362		

EXPENDITURE REPORT

Page Three

Date: April 2013

83% of Year Expended

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	YTD%	UNEXPENDED BALANCE
City Manager					
Personnel	477,650	\$23,852	387,183	81.06%	90,467
O&M	156,505	\$8,819	91,087	58.20%	65,418
Capital	0	\$0	0		0
Total City Manager	\$634,155	\$32,671	\$478,270	75.42%	155,885
Planning & Zoning					
Personnel	127,535	\$9,113	96,180	75.41%	31,355
O&M	35,550	\$1,733	21,885	61.56%	13,665
Capital	0	\$0	0		0
Total P, C & I	\$163,085	\$10,846	\$118,065	72.39%	45,020
Code Enforcement & Inspections					
Personnel	141,890	\$10,861	113,309	79.86%	28,581
O&M	55,200	\$5,557	31,957	57.89%	23,243
Capital	0	\$0	0		0
Total P, C & I	\$197,090	\$16,418	\$145,266	73.71%	51,824
Council					
Personnel	31,225	\$1,934	20,780	66.55%	10,445
O&M	39,650	\$1,137	24,615	62.08%	15,035
Council Expense	17,000	\$2,377	15,648	92.05%	1,352
Contributions	369,735	\$0	369,733	100.00%	2
Codification	3,000	\$0	2,642	88.07%	358
Employee Recognition	9,000	\$0	8,885	98.72%	115
Insurance	17,000	\$0	17,881	105.18%	(881)
Capital	18,275	\$0	18,338	100.34%	(63)
Total Council	\$504,885	\$5,448	\$478,522	94.78%	26,363
Finance					
Personnel	330,625	\$25,095	265,667	80.35%	64,958
O&M	51,325	\$3,080	31,950	62.25%	19,375
Capital	16,000	\$0	0	0.00%	16,000
Total Finance	\$397,950	\$28,175	\$297,617	74.79%	100,333
Information Technology					
Personnel	170,165	\$13,787	138,939	81.65%	31,226
O&M	169,550	\$83,841	152,596	90.00%	16,954
Capital	86,376	\$0	70,986	82.18%	15,390
Total Information Technology	\$426,091	\$97,628	\$362,521	85.08%	63,570

EXPENDITURE REPORT

Page Four

Date: April 2013

83% of Year Expended

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	YTD%	UNEXPENDED BALANCE
Police Department					
Personnel	3,585,375	\$261,195	2,870,084	80.05%	715,291
O&M	504,260	\$34,157	429,016	85.08%	75,244
Capital	266,954	\$0	225,839	84.80%	41,115
Total Police	\$4,356,589	\$295,352	\$3,524,939	80.91%	831,650
Streets & Grounds Division					
Personnel	422,865	\$22,628	289,413	68.44%	133,452
O&M	407,265	\$23,176	272,588	66.93%	134,677
Capital	75,000	\$0	0	0.00%	75,000
Debt Service	46,095	\$0	44,182	95.85%	1,913
Total Streets & Grounds	\$951,225	\$45,804	\$606,183	63.73%	345,042
Parks & Recreation					
Personnel	480,345	\$42,605	385,429	80.24%	94,916
O&M	232,940	\$9,539	190,883	81.95%	42,057
Capital	361,010	\$757	176,885	49.00%	184,125
Total Parks & Recreation	\$1,074,295	\$52,901	\$753,197	70.11%	321,098
Total General Fund					
Operating Budget	\$8,705,365	\$585,243	\$6,764,580	77.71%	1,940,785

EXPENDITURE REPORT

Page Five

Date: April 2013

83 % of Year Expended

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	YTD%	UNEXPENDED BALANCE
Water Division					
Personnel	219,350	\$16,827	178,362	81.31%	40,988
O&M	1,185,150	\$65,220	897,000	75.69%	288,150
Capital	80,000	\$0	31,377	39.22%	48,623
Debt Service	845,500	\$0	475,060	56.19%	370,440
Total Water	\$2,330,000	\$82,047	\$1,581,799	67.89%	748,201
Sewer Division					
Personnel	219,350	\$16,826	178,351	81.31%	40,999
O&M	1,092,885	\$123,821	936,460	85.69%	156,425
Capital	35,000	\$0	33,905	0.00%	1,095
Debt Service	705,208	\$12,736	554,292	78.60%	150,916
Sewer Sub Total	\$2,052,443	\$153,383	\$1,703,008	82.97%	349,435
Kent County Sewer	1,500,000	\$114,360	1,205,889	80.39%	294,111
Total Sewer	\$3,552,443	\$267,743	\$2,908,897	81.88%	643,546
Solid Waste Division					
Personnel	338,610	\$26,657	278,271	82.18%	60,339
O&M	779,642	\$57,045	616,275	79.05%	163,367
Capital	0	\$0	0		0
Total Solid Waste	\$1,118,252	\$83,702	\$894,546	80.00%	223,706
Total Water, Sewer Solid Waste					
	\$7,000,695	\$433,492	\$5,385,242	76.92%	1,615,453
Electric Division					
Personnel	972,700	\$73,143	780,369	80.23%	192,331
O&M	1,801,635	\$90,491	1,248,688	69.31%	552,947
Transfer to General Fund	2,500,000	\$208,333	2,083,333	83.33%	416,667
Capital	266,725	\$0	7,940	2.98%	258,785
Debt Service	645,440	\$0	546,816	84.72%	98,624
Electric Sub Total	\$6,186,500	\$371,967	\$4,667,146	75.44%	1,519,354
Power Purchased	17,500,000	\$1,259,446	15,519,273	88.68%	1,980,727
Total Electric	\$23,686,500	\$1,631,413	\$20,186,419	85.22%	3,500,081
TOTAL OPERATING BUDGET					
	\$39,392,560	\$2,650,148	\$32,336,241	82.09%	7,056,319

INTERSERVICE DEPARTMENTS REPORT

Page Six

Date: April 2013

ACCOUNT	AMOUNT BUDGETED	MTD	83% of Year Expended		UNEXPENDED BALANCE
			YTD	YTD%	
Garage					
Personnel	91,800	5,782	61,750	67.27%	30,050
O&M	65,655	1,853	45,961	70.00%	19,694
Capital	0	0	0		0
Total Garage Expense	\$157,455	7,635	\$107,711	68.41%	49,744
Public Works					
Personnel	275,070	19,203	185,303	67.37%	89,767
O&M	240,550	24,159	174,175	72.41%	66,375
Capital	21,300	0	20,880	98.03%	420
Total Public Works Expense	\$536,920	43,362	\$380,358	70.84%	156,562
Meter Department-Water					
Personnel	123,030	10,108	101,750	82.70%	21,280
O&M	100,145	5,364	56,170	56.09%	43,975
Capital	0	0	0		0
Total Water Meter Expense	\$223,175	15,472	\$157,920	70.76%	65,255
Meter Department-Electric					
Personnel	174,500	12,788	142,472	81.65%	32,028
O&M	97,560	6,949	50,662	51.93%	46,898
Capital	0	0	0		0
Total Electric Meter Expense	\$272,060	19,737	\$193,134	70.99%	78,926
Billing & Collections					
Personnel	445,725	27,207	378,991	85.03%	66,734
O&M	283,830	8,706	212,889	75.01%	70,941
Capital	0	0	0		0
Total Billing & Collections	\$729,555	35,913	\$591,880	81.13%	137,675
City Hall Cost Allocation					
Personnel	0	0	0		0
O&M	54,600	5,997	44,119	80.80%	10,481
Capital	0	0	0		0
Total City Hall Cost Allocation	\$54,600	5,997	\$44,119	80.80%	10,481

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.

TASK FORCE ON HOMELESSNESS IN MILFORD, DELAWARE

WORKING GROUP MEETING MINUTES OF APRIL 30, 2013

Meeting held at the State Service Center Annex, Milford

Call to order by chair, Dan Bond at 7:05 pm

Present:

Dan Bond (Circle of Light Board) , Suzanne Moore (DE State Services), Kevin Bowers (Circle of Light Board) , Russell Huxtable (Milford Housing) , Roger Wood (Gods Way) , Dwayne Powell (Milford resident) , Mike Carlisle (Milford's Monday Night Soup Kitchen) , Nicole (Milford's Monday Night Soup Kitchen), Beth Parker (Circle of Light Board).

Minutes from the last meeting, April 16th had been e-mailed to members. It was moved that minutes be accepted. The motion was seconded and approved. Beth Parker agreed to take minutes for this meeting since Linda Boone has moved to Florida.

Milford City Council asked that Task Force on homelessness be formed. The Task Force includes City Council members and representatives from Milford organizations and the community. Dan would like the Working Group of the Task Force to move forward in providing concrete recommendations to Milford City Council by June, 2013. We want to address how best the community and city can work together on this issue. In general there has been great interest and participation from the Milford community. Dan summarized some history reminding us that in Milford there are quite a few organizations serving homeless with a variety of services. From Task Force efforts, a draft document has been put together listing "Resources for Homeless Assistance in Milford Area". Providing some form of transitional, temporary or permanent shelter is a common issue due to no actual shelter being located in Milford.

Dan suggested a question to be discussed at this meeting and one for our following meeting.

1. How do we propose that all the groups, who offer homeless services, come together and coordinate efforts?
2. How can the city and community work together to address the issue of homelessness. What is available to City of Milford specifically when it comes to topic of funding? How can we get homelessness to be part of the comprehensive "City Plan"?

Discussion ensued concerning shortage of housing and related costs to city of Milford and/or organizations. Thoughts were that there needs to be a concrete effort between city and organizations. If city and community work together then some funding might be available. In whatever we choose to do, there is much leg work to be done. Available grants were discussed.

It is felt that landlords need to be included in our conversations. Keeping good tenants who run into financial difficulties with potential for homelessness is a concern. Suggestions concerning tenant issues included: getting on the list for Section 8 housing and other forms of rental

**WORKING GROUP MEETING
MINUTES OF APRIL 30, 2013
Page 2**

assistance that might be provided to keep people from becoming homeless. Working on affordable housing for many continues to be a central theme.

In response to question 1 – how do we coordinate efforts – some suggestions were made.

- Coordinate efforts that all churches provide.
- Initiate a program such as Pittsburgh Program or Friendship House program where everyone would come together in providing shelter, clothing, job help (with a work requirement) and other services.
- Coalition of services – retain a group such as the Task Force representing many different organizations. One group with many subgroups working on the individual areas such as food, job training, etc.
- Be aware of the present policies and services that the State Service Center provides and use it as clearinghouse.
- One big shelter/central facility - all services provided and resources coordinated.

Mike Carlisle informed attendees of new service being offered in Milford – the Milford Monday Night Soup Kitchen, being held at First Presbyterian Church form 7:00-8:00 every week. Donations are gratefully being accepted.

At the next meeting on May 14, 2013, we will continue the discussion on how to coordinate all groups. How consolidation or coordination might look, how it might be achieved and potential structure. There is a need to look at overlaps of present organizations or the potential of merging into one organization. Funding continues to be a high priority topic and the ongoing emphasis on recommendations to City Council.

Submitted by,



Beth A. Parker
Recorder

TASK FORCE ON HOMELESSNESS IN MILFORD, DELAWARE

WORKING GROUP MEETING MINUTES OF MAY 14, 2013

Meeting held at the State Service Center Annex, Milford.

Called to order by Dan Bond at 7:07 pm.

Present: Dan Bond (Circle of Light Board) , Suzanne Moore (DE State Services) , Russell Huxtable (Milford Housing) , Beth McGinn (American Legion Auxiliary), Dwayne Powell (Milford resident) , Mike Carlisle (Milford's Monday Night Soup Kitchen), Beth Parker (Circle of Light Board), Katrina Wilson (Circle of Light Board), Wanda Carlisle (Church of the Nazarene).

The minutes from the April 30 meeting approved by Suzanne Moore, seconded by Russell Huxtable. Katrina Wilson moved that they be accepted.

Dan Bond presented the topic question for discussion at the meeting and also to consider for homework. How can we get all groups to continue to work together and what will it look like? There is a need for some type of an organization to coordinate and continue to work together and address the needs of the homeless in greater Milford area. This organization could be a coalition or it could be one group which would function as an umbrella group under which all other groups would fall.

What might the city realistically be prepared to do to work with the homeless? Most likely there would be a willingness to help, willingness to provide resources but some concerns about major funding. The best option to get support from the city is to have a community organization that the city could work with to procure funding and other needs.

Dan asked each attendee for suggestions of how to coordinate efforts and asked each person if the organization they represented could consider being umbrella organization. All felt that because their group was specialized - such as housing or Veterans - that an entity such as Circle of Light, Inc. might be the best match. The State Service Center is also a centralized entity that presently works with the homeless and meets weekly with them. They provide resource options for homeless but are under the state of Delaware regulations.

Changes to Circle of Light, Inc (COL) might include:

- An enhanced mission statement that would include all homeless.
- All Task Force members or someone from their organization would be part of the Circle of Light, Inc. Board. Each would be a partner.
- To be inclusive to all community members and all organizations, COL would not function with any specific religious affiliation.
- Encourage other organizations to be part of COL such as People's Place, etc.
- Have monthly meetings (presently doing that)
- Be recognized by city of Milford and be part of the City plan.
- Work on grants with the city
- Have forum to communicate what is happening

WORKING GROUP MEETING
MINUTES OF MAY 14, 2013
Page 2

There was discussion on whether a "new" Circle of Light would just be responsible for services or more. How would we handle churches or others continuing to work with homeless on their own?

Funding and present opportunities were discussed: to get HUD funding, etc. the city would have to have a plan that includes the homeless. There are permanent and temporary housing opportunities available now and they could be looked into now and with a new inclusive group. Available public housing was discussed.

Concerns and suggestions:

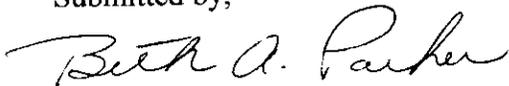
- Evaluate present services and needs.
- Get to next level with City Council to have them recognize the homeless issue. Encourage City Council to write, adopt and approve, as part of the City Plan, the issue of homelessness.
- Include both Kent and Sussex counties (greater Milford area).
- Present statistics and all who are represented on committee to City.

COL thought all churches would pitch in and support this issue with time and funds but just a few did.

Dan Bond will ask Dottie Vuono, chairperson of COL for her thoughts on COL being umbrella organization.

Next meeting, Tuesday, May 28, 2013.

Submitted by,



Beth A. Parker
Recorder

MILFORD CITY COUNCIL
MINUTES OF MEETING
May 13, 2013

SPECIAL SITE REVIEW VISIT
PNC Bank
119 South Walnut Street
Milford, Delaware

Mayor Joseph Ronnie Rogers, Councilpersons Bryan Shupe, Garrett Grier III, Dirk Gleysteen, Owen Brooks, Jr., Douglas Morrow, Sr., James Starling, Sr. & Katrina Wilson arrived at 6:00 p.m. or shortly thereafter. Councilman Pikus was absent.

Mayor Rogers and members of City Council conducted a site visit to provide later recommendations for the possible purchase of the property and relocation of the customer service staff within the city. Such discussion will occur in Executive Session later this evening during which time council will determine the sale and any conditions of the sale.

The site visit concluded at 6:35 p.m.

MONTHLY COUNCIL MEETING

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, May 13, 2013.

PRESIDING: Mayor Joseph Ronnie Rogers

IN ATTENDANCE: Councilpersons Bryan Shupe, Garrett Grier III, S. Allen Pikus, Dirk Gleysteen, Owen Brooks, Jr., Douglas Morrow, Sr., James Starling, Sr. & Katrina Wilson

City Manager Richard Carmean, Police Chief Keith Hudson and City Clerk/
Recorder Terri Hudson

COUNSEL: City Solicitor David Rutt, 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. Morrow to approve the minutes of the April 8, 9 and 22, 2013 council and committee meetings and the May 6, 2013 organization meeting. Motion carried.

RECOGNITION

No special guests were in attendance.

MONTHLY POLICE REPORT

After Police Committee Chairman Morrow presented the monthly police report on behalf of Chief Hudson, Mr. Pikus moved to accept the report as submitted, seconded by Mr. Grier. Motion carried.

CITY MANAGER REPORT

Mr. Carmean presented the following report:

ADMINISTRATION

The Finance Director and I have been meeting with department heads regarding their budgets for fiscal year 2013-2014. We are determined to present mayor and council with a balanced budget that requires no tax increase. Certain requests will most likely have to be denied, or prioritized over another budget item in order to avoid any increase.

Delaware Municipal Electric Corporation has requested I attend the America Public Power Association National Convention. DEMEC will be paying my expenses for the registration costs and other travel related items. There are several lectures and seminars that could be very informational and helpful in the operation of our electric business. I would be out of the office June 17-21.

WATER AND SEWER

The archaeological study for the continuing extension of the S.E. Water Main Extension Phase 2 has been completed. There were no findings that would hinder our construction plans on extending the water main to the location of the proposed water tower. This report was put with the environmental analysis and sent to USDA for approval.

The construction on the South Washington Street Sewer Pump Station will start in the near future. We had the bypass pump delivered recently. All we need to begin is a component for the vault so that we can begin.

STREETS AND SOLID WASTE

The Spring Clean-Up went well, and I would think many of our customers received an increased service that did not cost them additional money. It also improved the appearance of numerous yards and properties, thus giving our community a little more pleasant look. Our crews have had a little more time to get into the yard debris pick-up rhythm. As important is the fact that our customers are learning how to deal with our new rules on yard debris. I also want to thank State Representative Harvey Kenton for giving the city a \$1,000 grant that could be used toward the tipping fees.

We now have the final engineering on Southeast Front Street. This includes pavement overlay, curb replacement, infrastructure improvement and handicap assessable ramps. We will be installing new sidewalks in areas where we caused damage while doing the curb work.

We had a \$200,000 shortfall so we will need to remove some items that were planned. However, if council agrees to fund the project from our reserve account, the majority of the sidewalks could be completed. That would set a precedence that when we pave a sidewalk, the city would be responsible for the sidewalks. Our ordinance states the responsibilities are that of the property owner.

In the case of sidewalk damage caused by old curbing that is removed or raised, the city will cover those repair costs.

Mr. Carmean reported that some of the bond funds that were earmarked for the Washington Street Treatment Facility Plant project will be used for the valve program that is needed citywide. In addition, those monies can also be used for the SCADA system.

Mr. Gleysteen asked if any money has been set aside to check fire hydrants; Mr. Carmean stated yes, that is included in the valve program. Unfortunately, he anticipates we could run into a problem with some of the old valves in the street that not been turned in years though the fire hydrants will be done as well. He advised there are about 200 valves that need to be turned.

Mr. Brooks asked for confirmation that once this is done, it will be done through routine maintenance. The city manager said that in addition to the need for a valve exercising program on no less than an annual basis, the fire hydrants will also be addressed.

Mr. Gleysteen said there is a need to identify who will handle this and whether it will be the fire department as was previously discussed or the public works employees. Mr. Carmean said the fire department cannot be used because should one of the valves break during this process, that would create a big problem that would need to be addressed by our crews immediately. Because it has been years since this was done, there is going to be substantial cost and it is unknown how many will be a problem.

Mr. Gleysteen noted that he thought the only reason it had not been done is because we are understaffed. Mr. Carmean said he does not know about that argument because he had a flushing program in place where the hydrants were flushed on a regular basis. However, that has not been done for years. The city even has an exercise machine which turns the valves so it does not have to be done manually. He found that in a building seized up because it has not been utilized. Unfortunately, this maintenance was set aside.

Mr. Carmean said the hydrants are actually more important than the valves in the street. There is the possibility of a main break when this work is done where an entire section of town could end up with no water.

Mr. Pikus emphasized that is the problem and is something needed to prevent a major water main break.

Mr. Pikus moved to accept the city manager report. Motion seconded by Mr. Gleysteen and carried.

COMMITTEE & WARD REPORTS

Economic Development Committee

Chairman Grier announced that EDAP will meet on Wednesday, May 15th at 5:30 p.m.

Public Works Committee

Chairman Brooks reported the Public Works Committee is going to become very busy in the near future.

He also reported he has received several complaints about the traffic light at the intersection of Front Street and Washington which appears to be malfunctioning. It takes a great deal of time to change to green particularly for traffic traveling south.

The city manager said the city has reported it to DeIDOT on several occasions and believes that one of their technicians worked on it because it is changing faster than it was in the past.

Task Force on Homelessness

Councilwoman Wilson announced the next meeting of the Task Force Working Group is on Tuesday, May 14th at 7:00 p.m. at the Milford Annex (Social Service Facility) on Southwest Front Street.

COMMUNICATIONS & CORRESPONDENCE

Mayor Rogers reported that Councilman Starling, Councilwoman Wilson and he attended the retirement celebration for Gwen Fountain from the Milford School District this past Saturday.

The mayor also reminded members that the next council meeting will be Tuesday, May 28th due to Memorial Day falling on the regular council meeting date.

Workforce Development Commission (item not on agenda)

William Pilecki informed council he has resigned from the Workforce Development Commission due to some medical issues. He emphasized that a lot of people have put a great deal of work into it and he recommends the commission continue. They had seven students in the program over the last year and there is funding available to hire additional students next year.

Mr. Pilecki mentioned the lack of a quorum at recent meetings. Mr. Grier agreed noting that Vice Chair Dave Hitchens was considering reducing the number of members which is currently at eleven; Mr. Pilecki agreed and suggests reducing that number to seven or nine.

Milford Aquarium (item not on agenda)

Mr. Pilecki advised the aquarium organization has incorporated. Most recently they filed with the IRS for nonprofit status.

There have had fund raisers over the past year which has added to their assets. A membership drive was started and they currently have 75 members.

Mr. Pilecki said he became a professional associate with the Association of Zoos and Aquariums, a national organization.

The next step is to hire a consultant to prepare a business plan. From that point, they will move forward with a design concept for the aquarium.

He said he would appreciate city council considering financially supporting the organization.

UNFINISHED BUSINESS

Gateway Entrance Signs/Approval of Funding/Economic Development

Scott Angelucci addressed council informing them he is representing the downtown merchants this evening. He reminded council this had been presented to council previously and involves the signage request at the gateways on Route 1. Because it was presented at a workshop, the matter was never voted on though he has discussed this further with council and in particular, met with the city manager and Councilman Pikus.

Mr. Angelucci stated that he is looking for approval of the funding for the project. The concept is to develop economic vitality for Downtown Milford and the entire city. It relates to the branding adopted by the city several years ago and will allow people to recognize the fact that Milford is becoming a destination.

With the developing arts, he said there are more retail businesses and restaurants in the downtown area. The only way these businesses will thrive is to bring people into the downtown area who will visit the sites and shop. He believes this will eventually impact economic development throughout the entire city.

He approached two Milford businesses to submit proposals for the project. Art Wear and Graphics submitted an estimate of \$27,090 for two signs (letters and installation). He noted the discount if the signs are made at the same time.

William Steele Welding and Fabrication submitted the second proposal in the amount of \$5,382.90.

He explained to council that because the estimate is below \$30,000, it will not have to be publicly bid. Mr. Angelucci said it is councils' decision whether they consider this one project or two projects because it involves two different locations.

Mr. Angelucci noted that the letters are being produced by another company that Art Wear and Graphics provided. The letters are high-impact plastic injected molded letters guaranteed for life against fading and cracking.

The frame work is being created by William Steele and will be made from tubular steel with a mesh material.

Mr. Angelucci concluded by requesting this project move forward adding this must definitely be considered economic development for the entire community but especially the downtown area.

When asked for an exact location of the northern sign, Mr. Angelucci said he plans to place the sign where they will be working on the new overpass. He believes the location will provide enough time for anyone traveling north to exit into Milford.

Mr. Gleysteen said he is unaware of any plastic that provides a lifetime warranty on fading. Typically he has seen advertisements of UV packages of two, three, five or ten years. He asked if they will be replaced if they fade; Mr. Angelucci said the warranty guarantees against fading and cracking for life so he they would be replaced. He agreed to obtain some additional information from the company.

Mr. Gleysteen confirmed that when you see the sign, only the letters will be seen and the metal framework hidden. Mr. Angelucci said minimally, that is the concept. The idea is to look as though the letters are suspended. The framework is designed to disappear though you may see it close up.

Mr. Grier asked if this price includes electric and lighting; Mr. Angelucci said the price does not include lighting though during the many discussions it was agreed that lighting was appropriate.

The city manager advised that our electric department would handle the electrical work.

Mr. Carmean explained the letters will be placed on the steel screening which will make them look like as though they are suspended.

Mr. Pikus confirmed the entire sign is 35 feet wide by 17 feet tall.

Mr. Angelucci said the scale was taken from standards provided by the National Highway Department based on visibility, distance and speed.

Mr. Pikus asked if this falls under the guidelines of highway signs; Mr. Angelucci stated yes noting it requires breakaway posts which were included in the price. Mr. Pikus asked if that is the same boards used for all highway signs; Mr. Angelucci stated yes.

Mr. Gleysteen recalled that council recently denied a billboard application on Route 1. Mr. Angelucci pointed out this is not a billboard; Mr. Gleysteen said it can be construed as one and believes this will set a precedent and places council in an awkward position in the future. Mr. Angelucci explained this will not look like a billboard noting that is a solid structure with an advertisement. In his opinion, this only promotes the city. Mr. Gleysteen said a building could use the same structure and idea as is being presented in this case. Mr. Angelucci advised that would be for a commercial use. Mr. Gleysteen commented that a billboard is perceived as an eyesore. This is being presented 'for the good of the city' instead of commercial purposes and feels we are splitting hairs. He feels this is also a commercial purpose because it is promoting the downtown businesses. Mr. Angelucci stated for all businesses in the entire community. He said that is a battle council will need to take on when it occurs. He told Mr. Gleysteen he cannot stop progress for the fear that someone might come back and say it is not fair. This is for economic development and for keeping the community growing. If someone challenges it, Mr. Angelucci recommends council make the case it was designed to help all businesses in the area. He reiterated that battle will have to be fought when it occurs.

Mr. Grier said he is in favor of the signs and believes they will make a statement to travelers on Route 1. Mr. Shupe agrees and feels it is under the city's economic development arm and is not something that should be solely placed on Downtown Milford, Incorporated.

Mr. Pikus pointed out that even though this may not be classified as an official billboard, it is the size of a billboard structure. He recalled the matter discussed last year which was a very controversial and heated argument. There were several people on council who denied the application. He hopes they will not oppose it this time. However, if another person applies to install a similar structure to be used for advertising, in his opinion council would have a difficult time denying the application.

Mr. Angelucci suggests council look at the issues individually. He said there are people who will argue the city should not have put up a solar field but you still have to do what is right for the city.

Mr. Carmean said he spoke with Parks and Recreation Director Gary Emory today who agreed to take on the responsibility of the landscaping. He reported that some of the mowing and weed services have been transferred to the street crews so either department can handle that. However, the bottom line is this will need to be kept landscaped and the grass cut.

Mr. Pikus pointed out the total of what is being asked is \$32,000 and confirmed that price is with the discount; Mr. Angelucci stated yes.

Mr. Pikus explained that the city charter requires public bidding for anything over \$30,000 and he believes this can be questioned. He asked if Mr. Angelucci could possibly get the \$32,000 reduced. Mr. Angelucci said that is the price he was given and did not attempt to negotiate it down. He said it may be possible to break it up into two projects because of the different locations though council would need to make that determination.

He feels that if the work was done in the community, there would be more support. What is being asked are political questions according to Mr. Angelucci.

Chuck Stanko of Dolce Bakery was present to represent the six downtown businesses. He said those businesses support the sign but find the subhead as limiting and bias toward one industry. Rather than 'our town, river town, home town', he feels that "Milford" would be a better way to go.

Mr. Angelucci responded by emphasizing this is the branding adopted by the city. He hopes that the art word does not become a dirty word because it is a promotional tool. Last year, the governor had a study done by Americans for the Arts that showed in Delaware, the arts brought in \$142 million in revenue which made it the tenth largest employer in the state.

He further explained that the arts involves both profit and nonprofit arts. The Mispillion Art League has created vitality in the downtown and brought education to the youth by offering classes. He said he does not believe the city would want the arts in Milford to get a bad name.

Mr. Angelucci reiterated this branding was paid for by DEDO three years ago and adopted by the city. He stated that the arts are not trying to take over downtown, but the arts will make people travel and eventually cause Milford to become a destination. People who travel for the arts are upscale buyers and more a sophisticated clientele who will frequent other shops, bed and breakfasts and restaurants. He said if you knock that off, it eliminates half the branding.

Mr. Brooks referenced the \$30,000 requirement in the charter and Mr. Angelucci suggested splitting it out into two projects. He asked if the discount would be lost if it became two projects. Mr. Angelucci said there is a 10% discount for ordering the letters at the same time.

City Solicitor Rutt referenced Section 3.01(b) of the charter that states a contract less than \$30,000 but such contract shall not be for a portion or proposal that would otherwise require bidding. The aggregate amount shall not exceed \$30,000. Therefore, the project cannot be divided and must be presented as one.

Mr. Angelucci said he is willing to go back and asking for a \$2,000 discount to ensure both businesses get the job. He did not consider negotiating the price at the time they presented their estimate.

Mr. Shupe reiterated this is an excellent opportunity for the city and feels it falls under economic development. He suggests the city get some additional bids and continue to move forward with the project.

Mr. Pikus asked if the budget included a figure for the signs. Mr. Carmean said no, he was under the impression that it would come out of the Wawa money which has about \$1.1 million left.

Mr. Angelucci reminded council this falls under economic development.

Mr. Wilson questioned if the city should oversee the bid process especially after Mr. Angelucci has already handled it. Mr. Grier feels that because the project is over \$30,000, there are no other options but to obtain additional bids. Mr. Pikus agreed adding that unless they can get the price reduced to or below \$30,000.

Mr. Pikus referenced Mr. Stanko's comment denoting the businesses and asked if that can be incorporated because downtown is a business town as well. Mr. Angelucci commented there have been a number of efforts made to create other signage to support those businesses. Mr. Pikus feels it is imperative we incorporate it all together.

Mr. Angelucci recommended council make a motion, as he is willing to contact the two bidders and ask they reduce the price by \$2,000. If not, he would agree to proceeding with a bid situation.

Ms. Wilson asked Mr. Angelucci who he is representing in this matter and whether it is Downtown Milford, Mispillion Art League or another entity. Mr. Angelucci said this is his own personal concept on what the downtown businesses need. This is not DMI's suggestion and something he individually developed and spoke to the other businesses about. It was discussed at a DMI meeting though it did not intend become a DMI project. The purpose was to get support because DMI was the main sponsor for the branding.

Ms. Wilson asked if they endorsed the project; Mr. Angelucci said he believes DMI feels it is a good idea.

Ms. Wilson asked if both the Merchant's Association and DMI fall under the city's economic umbrella. Mr. Carmean stated yes, the city works with both entities. Mr. Angelucci explained the merchant's group is not part of DMI though they sometimes partner with them.

Mr. Pikus responded to Mr. Angelucci's comment and stated that he hopes that being a downtown Milford merchant, they would be part of DMI. Mr. Angelucci pointed out that DMI has done a lot of restorative work in the downtown area and received top level training through DEDO and the National Trust.

Solicitor Rutt then explained that Section 230-24(a) of the zoning code states that signs permitted without limitation in all zoning districts shall be (section 7) duly authorized governmental signs, public notices and signs posted or maintained by governmental order, rule or regulation. He said that the motion can include 'a duly authorized governmental sign' which means it is authorized in any zoning district.

Mr. Angelucci also pointed out there is a distinct difference between promotion and advertising. He explained that advertising is something that is paid for and promotion is something that is done without pay. In this case, this is a promotional idea.

Mr. Shupe made a motion to move forward with the project asking Scott Angelucci to approach the bidders that have submitted estimates to ask that they lower the proposals (under \$30,000) and if not, the city would obtain their own bids, that this sign be duly authorized governmental sign for economic development purposes for the entire city' and that the total not to exceed \$35,000 (as amended) with the funding from economic development, seconded by Mr. Grier.

Mr. Morrow asked if Mr. Angelucci has received any comments from DelDOT because it will be placed on state land. Mr. Carmean agreed that is a concern because it will actually be placed in the state right-of-way. Mr. Morrow asked that be coordinated with the state before the signs are ordered to ensure they can be placed at the sites proposed.

Mr. Carmean said that before they are ordered, a definite location will need to be determined and all appropriate permits obtained from the State of Delaware.

Mr. Angelucci confirmed that the \$32,000 price includes all the framework and letters. He will revisit the current proposals and ask for a reduction. The proposal states that if it exceeds that amount, it will need to be bid though the funding would still be coming from EDAP.

Mr. Carmean suggests a maximum of \$35,000; Mr. Pikus emphasized that he will agree the project cannot exceed \$35,000 though it would require competitive bidding if over \$30,000.

Motion carried by unanimous roll call vote.

Bid Award/Washington Street Water Treatment Facility/Demolition Project

Sealed bids were received, publicly opened and read aloud on April 24, 2013 for the Washington Street Water Treatment Facility Demolition Project. The below two bids were received:

Richard E. Pierson Construction	\$177,480
Clark's General Contractors	\$196,550

The following recommendation was received from Erik Retzlaff, P.E. of Davis, Bowen and Friedel who oversaw the bidding process:

We have reviewed the submitted bids and find them to be in order.

Furthermore, our office has forwarded the bids to the Office of Engineering, Department of Public Health for review and compliance with the requirements of the funding agency, the Drinking Water State Revolving Fund (DWSRF) program. Supplemental information was required and has been submitted to demonstrate compliance with the Disadvantaged Business Enterprise (DBE) requirements. Copies of the supplemental information have been included with the attached bids.

After reviewing the submitted bids and supplemental information, our office recommends award of the contract to R.E. Pierson Construction Company, Incorporated of New Jersey in the amount of \$177,480.

Mr. Retzlaff was in attendance and reported on the bidding process noting that the bid was properly advertised.

The city manager asked if Mr. Retzlaff has vetted the New Jersey company in regard to their background; Mr. Retzlaff explained they requested experience on similar projects and there was no evidence of any non-responsible action. Therefore, there was no legal standing to award the bid to the next bidder.

Mr. Gleysteen asked how the proposal relates to the projected cost; Mr. Retzlaff said the cost estimate was \$180,000.

Mr. Pikus stated that he hoped to award the bid to someone local noting there was only one local bidder. He said there is a substantial difference so it is inevitable the low bidder would receive the contract. However, he hopes every effort has been made to ensure R.E. Pierson and Company, who did work on Lakeview Avenue in Milford approximately nineteen to twenty years ago, where some circumstances created problems, and hopes that will not recur again. He added that he knows Mr. Retzlaff has researched it heavily.

Mr. Retzlaff reported that seven bidders were initially interested. He said there was a preference for local labor listed in the invitation to bidders. However, without any documented evidence of failure to complete a project, there is no legal means of going to next lowest bidder without encouraging a law suit for the city which would not be favored by the SRF (State Revolving Fund) program because they really want to get this project moving.

He reiterated this would create an issue if the bid was awarded to the second bidder.

Mr. Pikus said he asked that question because of past experiences. Mr. Retzlaff said there is no evidence that past experiences from sixteen years ago would indicate that their current staff is incapable of handling the project.

Mr. Pikus moved to award the bid to R.E. Pierson Construction Company and asked that Davis, Bowen and Friedel watch R.E. Pierson and Company closely and report back to the city manager any differences or discrepancies that are seen. Motion seconded by Mr. Gleysteen. Motion carried with no one opposed.

FY 2012-2013 Budget Adjustment/Washington Street Pump Station Rehabilitation Project/Public Works

Mr. Carmean recalled the Washington Street and I&I Project were two projects amounting to just over \$3 million. He explained that it was known to council from the beginning the bond issuance we had would not pay for the entire project. The plan has always been that once the final numbers were determined, additional monies would be paid from our reserve accounts. Currently, there is approximately \$600,000 left in the bond fund to pay toward this contract. As a result, funds will need to be transferred to pay the remaining balance.

Mr. Pikus moved to transfer the balance of \$162,400 from sewer reserves in order to cover the cost of the \$762,400 contract with Bearing Construction, seconded by Ms. Wilson. Motion carried by unanimous roll call vote.

Appointment of Replacement EDAP (Economic Development Advisory Panel) Members

Economic Development Committee Chairman Grier reported there are two vacancies on the panel. EDAP members at their last meeting recommended appointing Jennifer Barto from Hampton Inn and Pete Renzi from IG Burton to replace David Markowitz and Nolan Williams.

Mr. Grier moved to appoint Ms. Barto and Mr. Renzi to the Economic Development Advisory Panel, seconded by Mr. Morrow. Motion carried by unanimous roll call vote.

Grant of Permanent Utility Easement/JSI Milford Realty Company

City Manager Carmean advised this was the easement previously discussed that will be turned over to the solar farm. It will allow them to use the driveway back to the city substation. The easement will be rarely used because the project requires minimal maintenance.

Mr. Pikus moved to grant the permanent utility easement as presented, seconded by Mr. Gleysteen. Motion carried by unanimous roll call vote.

MONTHLY FINANCE REPORT

Finance Committee Chairman Pikus reported that through the ninth month of Fiscal Year 2012-2013 with 75% of the fiscal year having passed, 79% of revenues have been received and 75% of the operating budget expended. He noted that building permits have seen a tremendous increase this year.

As of this date, the city has taken in \$3,452,000 in property taxes.

The bulk of our miscellaneous revenues, which is approximately \$100,000, comes from Comcast Cable and is not received until the twelfth month of the fiscal year.

Mr. Gleysteen moved to accept the March Finance Report, seconded by Mr. Starling. Motion carried.

Executive Session

EXECUTIVE SESSION - Land Acquisition - Pursuant to 29 Del. C. §10004(b)(2) Preliminary Discussions on Site Acquisitions for Any Publicly Funded Capital Improvements.

Mr. Pikus moved to go into Executive Session reference a discussion on site acquisitions, seconded by Mr. Grier. Motion carried.

Mayor Rogers recessed the Council Meeting at 7:44 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 8:01 p.m.

Executive Session Matter - Land Acquisition

Mr. Pikus moved that council act as discussed in Executive Session and that the City Manager proceed with the matter, seconded by Mr. Gleysteen. Motion carried by unanimous roll call vote.

ADJOURN

With no further business, Mr. Pikus moved to adjourn the Council Meeting, seconded by Mr. Morrow. Motion carried.

The Council Meeting adjourned at 8:01 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

MILFORD CITY COUNCIL
MINUTES OF MEETING
May 28, 2013

A Meeting of Milford City Council was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall on Tuesday, May 28, 2013.

PRESIDING: Mayor Joseph Ronnie Rogers

IN ATTENDANCE: Councilpersons Bryan Shupe, 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

COUNSEL: City Solicitor David Rutt, Esquire

CALL TO ORDER

Mayor Rogers called the Council Meeting to order at 7:00 p.m.

PUBLIC HEARING

Mayor Rogers reported the Public Hearing for the Hickory Glen Preliminary Major Subdivision was postponed until a later date.

The application was submitted by Eric Dunn of Dunn Development LLC on behalf of Walter N. Thomas II.

INVOCATION AND PLEDGE

The Pledge of Allegiance followed the invocation given by Councilman Starling.

RECOGNITION

Proclamation 2013-9/American Cancer Society 100th Birthday

Mayor Rogers declared May 22nd American Cancer Society Day in the city per the following proclamation:

WHEREAS:

The American Cancer Society (originally named the American Society for the Control of Cancer) was established in 1913 and has 100 years of milestones in the fight against cancer, and

The Women's Field Army started raising money and educating the public about cancer in 1937, and

In 1944, the American Cancer Society prioritized funding cancer research, which to date has funded 46 Nobel Laureates and is the largest non-governmental, not-for-profit funder of cancer research, and

The organization made a connection between lung cancer and smoking in 1950, which has lead to education and laws that have greatly reduced smoking rates, and

The American Cancer Society helped seek passage of the Cancer Act of 1971 which established the National Cancer Institute and now funds billions of dollars annually for research, and

The now largest grassroots fundraising event in the world, Relay For Life, was launched by an American Cancer Society volunteer in 1985 and has raised over \$3 billion to date and \$400 million annually to fund research, education, advocacy and service for cancer patients, and

In 1997 the American Cancer Society opened the doors to the National Cancer Information Center which receives nearly one million calls seeking cancer information in one year, and

In 2003 American Cancer Society researchers linked obesity to most types of cancer and concluded the impact in 14% of cancers in men and 20% of cancers in women, and

For the first time in history, in 2006, the actual number of cancer deaths in the United States declined thanks in large part to the American Cancer Society's groundbreaking work in cancer prevention, early detection and treatment, and

The American Cancer Society and its advocacy affiliate the American Cancer Society Cancer Action Network were successful in gaining support and passage of FDA regulations over tobacco products, and

In 2012 the American Cancer Society reported cancer death rates declined by 20 percent, which is 1.2 million lives saved, and

Wednesday, May 22, 2013 the American Cancer Society, the official sponsor of Birthdays, will celebrate its 100th Birthday,

NOW, THEREFORE, BE IT RESOLVED, THAT, I, Joseph Ronnie Rogers, Mayor of the City of Milford, do hereby proclaim Wednesday, May 22, 2013 as American Cancer Society Day,

And FURTHERMORE, urge all citizens in our state to join together to Finish the Fight against this disease.

COMMUNICATIONS & CORRESPONDENCE

All items included in packet.

UNFINISHED BUSINESS

FY 2012-2013 Budget Amendment/City Hall Boiler Repairs

Building Inspector Don Williams submitted National HVAC Service quote to repair the city hall boiler as described below:

Replace Seals \$6,565

Should any of the following sections be cracked, below costs will cover associated repairs:

Front \$1,153.66

Middle \$772.63

Back \$1,138.37

Mr. Carmean feels it would be best to replace all three sections at the same time because the seals join the sections together as the water circulates. Because there is no money left to pay for these repairs, he will return to council with a budget adjustment to cover these costs.

It was confirmed that Rumpstich Machine Works never provided a quote on the repairs though Mr. Williams did everything possible to obtain one.

NEW BUSINESS

National League of Cities/Membership Renewal

Mr. Grier asked if we take advantage of this membership; Mr. Carmean said that the city clerk works with them on a regular basis.

It was noted the National League of Cities (NLC) is an organization that was created to represent our nation's municipalities. More than 49 state municipal leagues and over 19,000 cities and towns are members and participate in the organization. As a member, our elected officials and staff are able to participate in the NLC's programs, activities and governance.

Our own Delaware League of Local Governments is directly tied in with the organization.

Some of their services include advocating for cities and towns in Washington, D.C. through full-time lobbying and grassroots campaigns. In addition, they provide a networking forum for locally elected officials and leadership training and education programs just to name a few.

Mr. Pikus moved to pay the annual dues of \$1,117 for continued membership of NLC, seconded by Mr. Morrow. Motion carried.

Lease Agreement/Greater Milford Boys and Girls Club/Parks & Recreation

Mr. Carmean advised the Parks and Recreation agreement with Milford Boys and Girls Club to lease their gymnasium for his programs will be expiring soon. The new agreement is the same as the current agreement. The city manager does not recommend council vote on the agreement tonight and asked that City Solicitor Rutt review it first.

Mr. Pikus confirmed we are currently paying a \$25,000 lease a year. This lease begins at \$29,000 and increases to \$30,000.

The city manager said the city has no other sites for programs that require a gymnasium.

Mr. Pikus asked for confirmation this is a pay-as-you-go situation where the money collected for the programs from the participants covers the entire rental costs, thereby resulting in a washout situation.

Mr. Pikus then asked how much money is taken in from the participants when compared to the cost of the lease; Mr. Brooks said at one time there was a line item on the finance report that showed specifically what was received and what was paid out for these programs.

Mr. Pikus advised that is a line item on the finance packet and is titled enterprise account.

Mr. Brooks recalled when the Parks and Recreation Commission met on a regular basis and a report was provided that showed each individual program, the number of participants and all associated costs. Over the past few years, the report only shows a total of how much was received and how much was spent.

Mr. Pikus asked that Mr. Emory again provide these numbers to council.

Mr. Carmean then explained that this is a simple contract that increases from \$29,000 \$30,000 over time. There are also incremental increases over the five-year period.

He asked that Mr. Rutt review the contract before council acts on it.

Adoption of Resolution 2013-12/Endorsement of 2013 Kent County Economic Development Projects

Economic Development Director Steve Masten presented the resolution relating to economic development of specific projects in Kent County. The Greater Kent County Committee adopted the resolution which supports economic growth throughout the county.

Mr. Grier moved to adopt the following resolution, seconded by Mr. Pikus:

Now, Therefore, Be It Resolved by the Mayor and Council of the City of Milford, in Council met:

WHEREAS, the City of Milford is committed to strengthening the local economy, generating economic growth in the region and improving the quality of life for our residents; and

WHEREAS, the City is also committed to working cooperatively with Kent County and the municipalities within the county to develop and present a coordinated position to the state, the General Assembly, other business groups and private entities; and

WHEREAS, as an active member of the Greater Kent Committee, the city has joined together with the county and other municipalities to create the Kent County Economic Development Roundtable to identify critical projects that will benefit central Delaware's economic health; and

WHEREAS, the Roundtable has prepared a consolidated proposal incorporating five economic development projects for 2013 in Smyrna, Dover, Milford, Harrington and the county; and

WHEREAS, the Roundtable proposal has the endorsement of the Greater Kent Committee, which on behalf of all the participants is seeking funding for these initiatives to pump revenue into communities while improving the infrastructure businesses need to remain profitable and competitive.

NOW, THEREFORE, the City Council of the City of Milford hereby expresses its support of the Greater Kent Committee and the Kent County Economic Development Roundtable and endorses the "Kent County Economic Development Projects, 2013, Projects to Bring Jobs and Growth to Kent County" proposal, and

FURTHERMORE, the Town pledges its support to secure needed funding for such initiatives.

IN WITNESS WHEREOF, I hereunto set my hand and caused the Seal of the City of Milford to be affixed this 28th day of May 2013.

Motion carried.

Downtown Milford, Incorporated Additional Funding/Irv Ambrose

President Irv Ambrose addressed city council on behalf of Board of Directors who were also present. He said the purpose is to reinforce the request he made to the finance committee. He offered a partial list of all the accomplishments of DMI's over a 12-month period. He said that since that time, several other events have occurred and most recently, the Tenth Annual Bug N Bud Festival that over 10,000 people attended.

As a result of their efforts, they raised approximately \$18,000 which will be split with Milford Parks and Recreation. He noted that approximately \$5,000 has been put into the house they are leasing next door to city hall and is anxious for the time he can invite council to see the work after it is done. He advised that the home will also house Executive Director Lee Nelson and his wife. After two years on the job, Mr. Nelson took his first vacation and is away in Maine.

They are at a point where they will be moving the offices into the house though the residence will take a little longer.

They encountered four windows that will not shut as a result of frames that had rotted. Four replacement windows were ordered which will take another three weeks.

Mr. Ambrose reported that at the time he delivered a formal written request to each individual council member, he explained to them DMI was asking for \$40,000 for the next five years. He noted that the initial five-year \$35,000 per year contract just expired. He stated that the city's money will continue to fund Executive Director Nelson's position. Mr. Nelson is DMI's only paid employee.

Mr. Ambrose advised the upcoming sidewalk sale is a partnership with the Downtown Merchants Association.

He also reported that the executive director continues to work diligently on grants, maintaining the office and making sure everything runs smoothly. Coordinating the work of the four standing committees as well as any ad hoc committees, Mr. Nelson attends every committee meeting while offering his expertise and guidance.

Mr. Ambrose pointed out that most of the work that DMI does is the result of a very large group of dedicated volunteers. He emphasized the support of the city is needed and remarked on the miraculous makeover in the downtown over the past ten years.

He said with all due modesty, DMI has to feel comfortable taking credit for most of what occurred there.

He also reported on a number of upcoming changes in the downtown area. The Tabernacle of Faith building will house a retailer shortly and another church, whose building is owned by Sam Passwaters, is being relocated. As a result, that space will be converted into a retail space.

Along with Fur-Baby Boutique, Nancy Chirdon Forster will soon be opening Verde Cooking School in the old Chronicle building. The Warren Building will house two retail shops opening onto Southwest Front Street and another opening onto Walnut Street. The Graves Building will become a very upscale business owned by someone who has been very successful in the Lewes area.

In addition, DMI is working on expanding the business district from the Walnut Street block and a portion of Northeast Front Streets down Southwest Front Street.

He reiterated the importance of continuing their work and its impact on the entire city. To be successful, they will need the financial assistance of the city and asks that council consider DMI's proposal.

Mr. Morrow said he agrees that under Mr. Ambrose's leadership and the increasing number of volunteers, the downtown area has come a long way. He agrees the downtown has tremendous effect on the balance of our city and does entice people to visit Milford.

Mayor Rogers agrees the changes in the downtown have been very positive for our community.

Mr. Morrow said he confirmed with the city manager there is available funding to provide this money and that there is no need for this to be considered a finance committee budget paring item.

Mr. Carmean said he previously explained to Mr. Morrow that he had an idea on how to fund it even though it still requires council approval.

City Solicitor Rutt then asked Mr. Ambrose to provide a copy of the letter to the city clerk that he had distributed to every council member in order for it to be a part of the city records.

The city manager then stated he has discussed this matter with some council members. He understands the importance of presenting a balanced budget and mainly with the city operations which he is responsible for.

Mr. Carmean explained to Mr. Ambrose that he was unable to put this in his balanced budget because it will require council approval. In addition, council will see numerous requests at the time of the budget hearings. He recalled that a year and a half ago council decided to set aside the Wawa money to buy property which could be used for economic

development. He said that quite frankly, the city has hundred and hundred of acres and although they are not all owned by the city, they are developable and properly zoned for almost every type of industry.

The city manager said there is \$1.1 million left and he recommends the city earmark \$200,000 for DMI which leaves \$900,000. Of that, \$35,000 should be set aside for the Milford signs planned for Route 1. He suggests the balance be used to purchase the Growmark property of which \$50,000 would be sent now for the down payment. The remaining funds would be kept in the bank until such time it is needed.

Because Downtown Milford is heavily involved in economic development, Mr. Carmean feels this fits that scenario as Mr. Masten agreed.

He pointed out that in addition, having a vibrant downtown is a big step in promoting economic development throughout our community.

Mr. Carmean explained that by using this money in this manner, no further discussion will be needed on the Wawa land. He said we sold land, would be buying land and council indicated they wanted it for economic development. In essence, it is going toward that purpose.

Mr. Morrow said with that recommendation, he will move to accept the DMI proposal for \$40,000 for five years, seconded by Mr. Starling. Motion carried by unanimous roll call vote.

Mr. Gleysteen stated he is in favor of the proposal because he feels this is exactly what the money is supposed to be used for and believes it will benefit everyone in this town.

Request to Change Site of Solar Panel Placement at Independence Commons

Last month, Mr. Carmean asked for approval to place the solar panels on a site across from the Boys and Girls Club. It was approved by council and then he received a call from a council member the following day who rethought about the location. He was asked to find something more suitable.

As a result, another site was chosen on the north side of the business park. Mr. Carmean feels the panels can be tucked away and not visible from the surrounding properties. He said there is a large berm at the rear of this property which will hide the panels. When asked how many will be there, Mr. Carmean said at the most, two rows.

He commented that the neighbors next to this parcel live outside the city and will not be able to see the panels because they are on the other side of the berm.

The company donating the panels asks that a small sign to be installed stating they were donated.

Mr. Morrow asked how much land is needed for the solar panels; Mr. Carmean said less than a quarter acre.

Mr. Morrow then noted this is the secondary site for the new police facility which was previously reserved by council. He asked if this would impact that facility should the Growmark property not work out. Mr. Carmean said that still leaves plenty of acreage for the new police facility or should the city later sell the parcel to a potential buyer.

Mr. Morrow asked the status of the Growmark land purchase; Mr. Carmean reported that he had contacted Business Manager Norman Hamstead last week who informed him that Vice President Eastern Retail Operations Steve Buckalew was handling the sale and that he would follow up with Mr. Buckalew.

City Solicitor Rutt confirmed he has been in contact with Growmark's Attorney finalizing the details.

Mr. Morrow said as long as the neighbors have no problem with the panels, he has no objections. Mr. Carmean said he

does not see how the neighborhood would object because there are solar panels on houses all over town.

Mr. Grier moved to approve the new site of the solar panels as presented tonight, seconded by Mr. Shupe. Motion carried.

ADJOURN

With no further business, Mr. Pikus moved to adjourn the Council Meeting, seconded by Mr. Grier. Motion carried.

Meeting adjourned at 7:31 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

MILFORD CITY COUNCIL
MINUTES OF MEETING
May 28, 2013

The City Council of the City of Milford met in Workshop Session on Tuesday, May 28, 2013 in the Joseph Ronnie Rogers Council Chambers of Milford City Hall, 201 South Walnut Street, Milford, Delaware.

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

COUNSEL: City Solicitor David Rutt, Esquire

The Workshop Session convened at 7:31 p.m.

*Greater Dover Committee/Executive Director Shelly Cecchett & Secretary J. William Andrew Jr./
Economic Development Projects-Kent County/Baltimore Air Coil Waterline Project*

William Andrew introduced himself as the First Vice President of the Greater Kent Committee which is a committee of the top one hundred business leaders within Kent County. He also introduced Executive Director Shelly Cecchett.

Milford's Economic Development Director Steve Masten was also present.

Mr. Andrew then thanked Mayor and Council for adopting Resolution 2013-12 which supports the projects presented by the Greater Kent Committee.

Mr. Andrew said they are trying to incorporate into a bundle all the economic development engines within Kent County in order to support each and every project together. Included are the Town of Smyrna, City of Milford, City of Dover and City of Harrington whom each has an economic development engine within their own right. They have pulled together a business development roundtable which supports five projects from the four towns. They believe that by having one voice, they are able to better compete with New Castle and Sussex Counties when they take their plan to the State of Delaware.

They have received a lot of support from Milford's Economic Development Director in bringing good projects to the table and are here tonight to sow some of their work.

Mr. Andrew said they plan to continue supporting the projects themselves but seek funding mechanisms for the entire county.

Council then viewed a video entitled "Kent County Economic Development Better Together". The video highlighted Kent County's newly formed business development roundtable and their attention to the five projects. One of the projects includes a Water Line Extension to Baltimore Air Coil which will ensure the four hundred plus employees maintain their jobs and allow for future expansion of the facility.

The video was prepared by Jeremy Tucker, a former WBOC report and current Communications Manager for Delaware Electric Co-Op.

Mr. Andrew said he looks forward to working with Economic Development Director Masten and Milford City Council for the further development of economic opportunities as they arise.

Mr. Pikus asked how many people serve on the Greater Kent Committee; Mr. Andrew said there are currently 80 though there is room for 100 members. Executive Director Cecchett advised that area members include Craig Crouch and IG Burton. She said they had also asked the city manager to join.

Mr. Pikus then asked about the Poor Foundation whose funds originally came from the Potter Family in Milford. Ms. Cecchett advised that is presently called the Potter Charitable Trust which is one of the oldest trusts in the country and was created to benefit the poor in Kent County. The CenDel Foundation recently began managing the Potter Trust grant process and works in conjunction with Delaware Community Foundation in overseeing the distribution of those funds.

She noted that there is more than \$300,000 currently available to nonprofit organizations who are supporting the poor throughout Kent County.

Mr. Pikus said he would love to see some of those funds come back to Milford; Ms. Cecchett said she will send a link to the city manager which he can forward it to any nonprofits as the latest grant just came out last week again.

Mr. Andrew encouraged City Manager Carmean to become part of their organization.

Mr. Grier asked that Mr. Masten speak about the Baltimore Air Coil (BAC) project.

Mr. Masten noted that the video stated that Dover had the largest solar farm and asked that be corrected to reflect Milford now is home to the largest solar farm in Delaware.

Mr. Masten then reported that BAC was selected because the proposal will help retain jobs at the facility. In addition, they have a real need for fire protection and potable water. If the facility is expanded, they will need to have water. He advised that the city is considering targeting that specific area for future growth.

The city manager then advised that Mr. Masten and he reviewed and prioritized several immediate projects. Baltimore Air Coil came out on top.

Mr. Carmean then recalled when several years ago, he agreed to extend sewer services to them when their septic failed. After Kent County and the State of Delaware joined in the city's endeavor, the result was the addition of 135 jobs new jobs at the plant.

Mr. Masten said the Forest Property is also being considered for commercial/industrial development by the city because it is contiguous to BAC. Mr. Carmean agrees the approximate forty acres is ideal for economic development today even though it was approved for residential development years ago.

Mr. Masten said it is ideal considering the property butts up to the railroad and because sewer, gas and water (when extended to BAC) will be ready for a business to locate there.

Mr. Grier asked if the funds Mr. Andrew discussed would be available to a potential developer for that area. Mr. Masten explained there is some money becoming available for the purchase of properties like this. He added that once a client is identified, DEDO (Delaware Economic Development Office) becomes involved.

Mr. Grier said he was curious particularly because the other account is being depleted. Mr. Carmean advised the plan is to have the infrastructure in place and available which will make the land more marketable.

The city manager also noted that the Fry Farm is still available which has a couple hundred acres appropriate for industrial or manufacturing uses. However, the water supply is inefficient and a water tower would be needed.

Mr. Masten said the proposal submitted to Kent County includes a water tower. Running the water line alone would cost around \$.5 million. However, the overall budget is \$5 million with the addition of the water tower.

Reduction of Number of Workforce Development Commission Members

Economic Development Committee Chairman Grier reported the current commission has eleven members; they have discussed reducing it to seven members but have since decided to reduce it to five.

His recommendation is to amend the Chapter 69 of the City of Milford Code by reducing the number of commission members from eleven to five.

Item will be addressed at a future meeting.

Fiscal Year 2013-2014 Budget Hearing Dates

Finance Committee Chairman Pikus announced that Budget Hearings will be held June 11, 2013 and June 12, 2013 starting at 5:30 p.m.

He emphasized we are presenting a balanced budget and encouraged council members to attend.

With no further business, the Workshop Session concluded at 7:50 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder