

MILFORD CITY COUNCIL
MINUTES OF MEETING
September 26, 2011

A Meeting of Milford City Council was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall on Monday, September 26, 2011.

PRESIDING: Honorable Mayor Joseph Ronnie Rogers

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

City Manager David Baird, Police Chief Keith Hudson and City Clerk/Recorder Terri Hudson

City Solicitor David Rutt

CALL TO ORDER

Mayor Rogers called the City Council Meeting to order at 7:33 p.m.

INVOCATION AND PLEDGE

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

RECOGNITION

No special guests in attendance.

COMMUNICATIONS

All items included in packet.

UNFINISHED BUSINESS

Adoption of Ordinance 2011-22/Building Construction/Chapter 88

AN ORDINANCE TO AMEND the Code of the City of Milford by amending Chapter 88, thereof, Building Construction, for the purpose of amending the appeal process associated with the actions of the Building and/or Code Officials relative to the Board of Appeals and the Composition of its Members.

The City of Milford hereby ordains:

Chapter 88, Article I-International Residential Code, Section 2-Additions, insertions and changes.

Section 1. Amend §88-2 A (4) by inserting the following:

§88-2 A (4) Section R112, Board of Appeals.

Appeals of orders, decisions, or determination made by the Building and/or Code Official relative to the application and interpretation of this code, shall proceed as described in Article III of this Chapter.

Section 2. Amend §88-2 A (4) by repealing Sections R112.1, R112.2, R112.2.1, R112.2.2, R112.3, R112.4, R112.5, R112.6, R112.7, R112.8, R112.9, R112.10, R112.11, R112.12, R112.13, R112.14, R112.15, R112.16, R112.17.

Section 3. Amend §88-4 A (5) by inserting the following:

§88-4 A (5) Section 112, Board of Appeals.

Appeals of orders, decisions, or determination made by the Building and/or Code Official relative to the application and interpretation of this code, shall proceed as described in Article III of this Chapter.

Section 4. Amend §88-4 A (5) by repealing Sections R112.1, R112.2, R112.3, R112.4, R112.5, R112.6, R112.7, R112.8, R112.9, R112.10, R112.11, R112.12, R112.13, R112.14, R112.15, R112.16.

Section 5. Chapter 88 is hereby amended by adding a new Article III, Board of Appeals, to read as follows:

ARTICLE III-Board of Appeals

§88-6 General.

In order to hear and decide appeals of orders, decisions, or determinations made by the building or code official relative to the application and interpretation of the code, there shall be and is hereby created a board of appeals.

§88-7 Limitations on Authority.

An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.

§88-8 Membership of the Board.

The Board of Appeals shall consist of three members: the City Manager or his designate, a design professional (architect or engineer), and a representative of the contracting industry. The City Manager or his designate will be a standing member of the Board of Appeals. City Council shall appoint the design professional and the representative from the contracting industry. The initial term of the design professional shall be two years and the initial term of the representative of the contracting industry shall be for one year. The term of all subsequent appointments shall be two years.

§88-8.1 Alternate Members.

City Council shall appoint an individual of its choice to be an alternate during those times where one of the permanent members is unable to attend an appeals hearing or in cases where a conflict of interest may exist. Said appointment shall be made for a two-year term.

§88-8.2 Chairman.

The Board shall annually select one of its members to serve as chairman.

§88-8.3 Disqualification of member.

A member shall not hear an appeal in which that member has a personal, professional or financial interest.

§88-8.4 Secretary.

The City Manager shall designate a qualified clerk or staff as Secretary to the Board. The Secretary shall file a detailed record of all proceedings with the office of the City Clerk. Secretary shall have no right to vote on matters coming before the board.

§88-8.5 Compensation of members.

Compensation of members shall be determined by ordinance of City Council.

§88-9 Application for appeal.

Any person directly affected by a decision of the Code Official or an notice or order issued under this code shall have the right to appeal a decision of the Code Enforcement and/or Building Official to the Board of Appeals provided the application is filed within twenty (20) days of the day the decision, notice, or order was served. An application for appeal shall be based on a claim that the true intent of the code or the rules legally adopted thereunder have been incorrectly interpreted, that the provisions of this code do not apply or that an equivalent form of construction is to be used.

§88-9.1 Hearing fee.

The following fee schedule shall apply for hearings of the Board of Appeals:

<i>International Residential Code:</i>	<i>§ 300.00</i>
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International Building Code: \$1,000.00
International Property Maintenance Code: \$ 300.00

§88-10 Notice of meeting.

The Board shall meet upon notice from the Chairman. The meeting date and time shall be scheduled in accordance with the state guidelines for public hearings. Surrounding property owners within 200 feet of the property or building in question shall be notified by mail.

§88-11 Open hearing.

All hearings before the Board shall be open to the public. The appellant's representative, the Code Official and any other person or persons that may be deemed necessary as witnesses and all other persons whose interests are affected shall be given an opportunity to be heard.

§88-11.1 Procedure.

The hearing shall address only those issues or items that may be deemed relevant to the case being heard. The Board shall adopt and publish, for public information, the procedures under which the hearing will be conducted.

§88-12 Postponed hearing.

When there are fewer than two members of the Board available and the authorized or appointed alternate is unavailable, notification shall be given to the interested parties.

§88-13 Board decision.

The Board shall affirm, modify or reverse the decision of the Code Official by means of a simple majority.

§88-13.1 Records and copies.

The decision of the board shall be recorded. Copies shall be furnished to the appellant and to the appropriate Building or Code Official.

§88-13.2 Administration.

The appropriate Building or Code Official shall take immediate action in accordance with the decision of the Board.

§88-14 Court review.

Any person, whether or not a previous party of the appeal, shall have the right to apply to the Superior Court of the State of Delaware in the applicable county for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law, following the filing of the Board's decision in the Office of the City Clerk.

§88-15 Stays of enforcement. Appeals of notices and orders (other than Imminent Danger Notices) shall stay the enforcement of the notice and order until the appeal is complete or the stay is lifted by the Superior Court.

Section 6. Dates

Adoption Date: September 26, 2011

Effective Date: October 7, 2011

Mr. Baird recalled the discussion when Ordinances 2011-22 and 2011-23 were introduced and reminded council that these ordinances amend the Board of Appeals process. This was the result of the recent Superior Court ruling in relation to the Northwest Front Street properties.

Chapter 88 contains two subsections entitled the International Residential Code and International Building Code; the International Property Maintenance Code is outlined in Chapter 174. The Board of Appeals has jurisdiction over both codes.

Mr. Pikus confirmed this will correct the conflicts in the current ordinance relating to board members. Mr. Baird stated it does by removing the first appeal hearing that went before the city manager.

Mr. Pikus moved for adoption of Ordinance 2011-22 as presented, seconded by Mr. Brooks. Motion carried by unanimous roll call vote.

Adoption of Ordinance 2011-23/Property Maintenance/Chapter 174

AN ORDINANCE TO AMEND the Code of the City of Milford by amending Chapter 174, Property Maintenance, for the purpose of amending the appeal process associated with the actions of the Building and/or Code Officials relative to the Board of Appeals and the Composition of its Members.

The City of Milford hereby ordains:

Section 1. Amend Chapter 174-2 F by repealing Section PM 111.1.

Section 2. Amend Chapter 174-2 F by adding a new Section PM 111.1 to read as follows:

F. Section PM 111.1 Application for Appeal. Appeals of orders, decisions, or determination made by the Building and/or Code Official relative to the application and interpretation of this code, shall proceed as described in Chapter 88, Article III of the Code of the City of Milford.

Section 3. Amend Chapter 174-2 F by repealing Sections PM 111.2, PM 111.2.1, PM 11.2.2, PM 111.2.3, PM 111.2.4, PM 111.2.5, PM 111.3, PM 111.4, PM 111.4.1, PM 111.5, PM 111.6, PM 111.6.1, PM 111.6.2, PM 111.7, PM 111.8.

Section 4. Dates

Introduction Date: September 12, 2011

Projected Adoption Date: September 26, 2011

Projected Effective Date: October 7, 2011

Mr. Baird explained this ordinance modifies the property maintenance code and refers any appeals directly to the Board of Appeals as with the building code.

Ms. Wilson moved to adopt Ordinance 2011-23 as presented, seconded by Mr. Starling. Motion carried by unanimous roll call vote.

Adoption of Ordinance 2011-24/Outdoor Burning Code/Chapter 92

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF MILFORD, BY REPEALING CHAPTER 96, ENTITLED BURNING, OUTDOORS, IN ITS ENTIRETY, AND REPLACING IT WITH A NEW CHAPTER 96 ENTITLED OUTDOOR BURNING TO PROVIDE FOR UPDATED OUTDOOR BURNING REGULATIONS

WHEREAS, the City of Milford has determined it necessary to update and clarify its regulations regarding outdoor burning.

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

Section 1. The Code of the City of Milford is hereby amended by repealing Chapter 96, Burning, Outdoor.

Section 2. The Code of the City of Milford is hereby amended by adding thereto a new Chapter 96 to be titled Outdoor Burning, to read as follows:

§96-1 Purpose and Intent

It is recognized and found that smoke from leaves, grass clippings, stumps, unsplit logs, garbage, trash, waste lumber and other combustible materials is hazardous to an individual's health and may affect the health of the general public when they are involuntarily exposed to the presence of such smoke.

*§96-2 Prohibition of Outdoor Burning**It shall be unlawful for any person to engage in any of the following activities:*

- (a) The burning of materials wherein products of the combustion are emitted directly into the open air, including burning in burn barrels.*
- (b) The burning of waste or garbage.*
- (c) The burning of leaves or grass clippings.*
- (d) The burning of land clearing debris.*
- (e) The burning of waste lumber, unsplit logs or stumps.*
- (f) The burning of any combustible material in outdoor wood burning boilers or furnaces, or any other equipment or apparatus or any part thereof, whether open or enclosed, that is designed, intended or used for the purpose of providing a component of a heating system or providing heated water to another structure even if attached to such structure.*
- (g) The burning of plastics, rubber, fiberglass, insulation, or other materials that may contain carcinogenic compounds.*

*§96-3 Exceptions**The following outdoor burning activities shall be exceptions to the outdoor burning prohibitions of this Chapter.*

- (a) Barbeque grills, gas or charcoal, used for cooking food.*
- (b) Campfires or fire rings less than twenty-four (24) inches in diameter.*
- (c) Patio fire pits or chimenea, provided such fire pits or chimenea are not operated continually for more than six (6) hours.*
- (d) Outdoor fireplaces provided such outdoor fireplaces are not operated continually for more than six (6) hours.*
- (e) Indoor fireplaces where the smoke is discharged through a chimney or other means in accordance with the Code of the City of Milford, Chapter 88, Building Construction.*

*§96-4 Bonfires**Ceremonial bonfires conducted by established groups or organizations such as schools, service clubs or churches, will be permitted provided:*

- (a) Notification is provided to City Hall at least three (3) days in advance.*
- (b) Advance notification is made to the Fire Board in the county the bonfire is to occur.*
- (c) Such bonfires are not burning continually for more than six (6) hours.*

*§96-5 Burning By Fire Department Or With Permission of State Fire Marshall**Nothing in this Chapter shall prohibit controlled burning of grass or brush on any lot or of any structure by the Carlisle Volunteer Fire Department or by any other fire department authorized to conduct such burns by the Delaware State Fire Marshall.**§96-6 Ban on Open Burning**Any burning ban issued by the State Fire Marshal shall supersede applicable provisions of this ordinance.**§96-7 Penalties for Violation:*

- (a) Failure to comply with any of the provisions of this Chapter shall be a violation and, upon conviction thereof, shall be punishable by a fine of not more than \$500 for the first offense.*
- (b) Any subsequent offense shall be punishable by a fine of not more than \$1,000.*
- (c) Each day that a violation occurs shall constitute a separate offense. The owners of premises upon which prohibited acts occur shall be jointly and severally liable for violations of this Chapter.*
- (d) Any fine imposed hereunder shall constitute a lien upon the real property where the violation occurred.*

*Section 3. Dates**Introduction Date: September 12, 2011**Projected Adoption Date: September 26, 2011**Projected Effective Date: October 7, 2011*

Mr. Baird advised that this issue is addressed in both the zoning code and Chapter 92. City Solicitor Rutt stated there were two issues that came from the outdoor furnace issue. One concern was the related smoke. There were also smoke concerns about other devices as was explained in the information submitted. As a result, he reviewed DNREC regulations which have been incorporated into the new ordinance.

He said the intent of the issue with the outdoor furnaces related to land use and not to public health and safety as this ordinance does. The penalty is a fine of up to \$1,000 per day should they violate the health and safety codes.

Mr. Pikus asked how this will affect pre-existing conditions; Mr. Rutt stated it has nothing to do with pre-existing conditions. He said any health and safety violations do not fall within the zoning code thus do not have associated pre-existing conditions.

Mr. Rutt then clarified that any zoning matters go before the Board of Adjustment; appeals from that board go to Superior Court. The Board of Appeals have jurisdiction over any construction, building and property issues. Any case involving a violation of the Outdoor Burning Ordinance goes to the Justice of the Peace Court. Those appeals will be submitted to the Court of Common Pleas. With this ordinance, there is no appeal process in the city.

Mr. Johnson moved for adoption of 2011-24, seconded by Mr. Grier. Motion carried by unanimous roll call vote.

Mr. Gleysteen votes yes for the public health and safety aspects of this ordinance.

Mr. Brooks and Mr. Morrow both vote yes for the same reasons as stated by Mr. Gleysteen.

NEW BUSINESS

Introduction of Ordinance 2011-25/Bob Nash/Bob Nash Associates on behalf of Patricia Arost/Change of Zone

The following ordinance was introduced to city council; a public hearing is scheduled before the Planning Commission on October 18, 2011 and City Council on November 28, 2011:

Ordinance 2011-25

Bob Nash of Bob Nash Associates, Incorporated on behalf of Patricia Arost for a Change of Zone

AN ORDINANCE OF THE CITY OF MILFORD, DELAWARE to amend the zoning map of the City of Milford by rezoning 1.76 +/- acres of real property from C-1 (Community/Neighborhood Commercial) to C-3 (Highway Commercial). Property is identified as Tax Parcel 1-30-3.15-11.00 and is located at 837 S. DuPont Boulevard, Milford, Delaware. Present Use and Proposed Use: Music Center.

Whereas, the City of Milford Planning Commission reviewed the application at a Public Hearing on October 18, 2011 and has presented item for consideration by City Council; and

Whereas, Milford City Council held an advertised Public Hearing on November 28, 2011 to allow for public comment on the application; and

Whereas, it is deemed in the best interest of the City of Milford to allow the change of zone as described herein.

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

Section 1. Upon the adoption of this ordinance, Tax Parcel 1-30-3.15-11.00, located at 837 S. DuPont Boulevard and owned by Patricia Arost, is hereby zoned C-3.

Section 2. Dates.

Introduction to City Council: 09-26-11

Planning Commission Review & Public Hearing: 10-18-11

City Council Review & Public Hearing 11-28-11

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

FY2011-2012 Budget/Wawa Sale Expenses/Account Payment

Mr. Baird explained that up to \$15,000 from General Fund Reserve Account 101-1110-413-95-10 is needed to cover settlement and engineering costs associated with the Wawa land sale. The expenses currently have no designated account and will be paid from this account upon council approval. At the time of settlement, the proceeds from the sale will be deposited into this account.

Mr. Pikus moved for approval of up to \$15,000 from General Fund Reserve Account 101-1110-413-95-10 Motion seconded by Ms. Wilson. Motion carried by unanimous roll call vote.

Mr. Johnson confirmed that the proceeds can only be used for economic development purposes. Mr. Baird agreed noting that any funds used from this account require the approval of city council.

Bid Award/Streetscape Project/Tree and Grate Project

One sealed bid was received, publicly opened and read on September 19, 2011 for the Tree and Grate Replacement on North Walnut and North Front Street. Five potential bidders attended the pre-bid meeting; however, only one bid was received. Clean Cut Interlocking Pavers submitted a base bid of \$144,468 and a total of \$177,505 with the addition of the five alternates. The project budget is \$175,000 (\$125,000 + \$50,000) which Mr. Baird said was previously approved in transfers by city council.

The city manager reported that Alternate 5 (\$14,000) was removed because it is the city's responsibility and covers the cost of additional pavers.

Alternate 1 (removal and replacement of Parking Authority trees) was also removed due to the overall paving work needed in the area.

As a result, Mr. Baird said the project has been brought into budget. He said that the Downtown Milford, Incorporated officials have given their approval.

The entire project being \$189,000, Mr. Baird recommends awarding the bid to Clean Cut Interlocking Pavers in the amount of \$162,850 and asked council to authorize \$14,000 in Municipal Street Aid to pay for sidewalk improvements.

Mr. Pikus verified this will address all thirty-five areas noted in the bid and asked if the existing bricks will be reused; Mr. Baird stated yes and confirmed the bricks will be reused throughout the project. Because of the high number, Mr. Brooks asked why this wasn't handled as routine maintenance because it must have occurred over a period of time; Mr. Baird said routine work has been done and it was only added as an alternate bid. He explained that if we received a good price, we would go ahead and do the work all at one time.

Mr. Baird verified the work will be started and completed by the end of November.

Mr. Pikus moved to award the bid to Clean Cut Interlocking Pavers in the amount of \$162,850 and authorize the additional \$14,000 to be paid from Municipal Street Aid, seconded by Mr. Gleysteen. Motion carried by unanimous roll call vote.

Reversal/Open Range Cell Tower Agreement

The city manager recalled council approving a lease agreement with Open Range Wireless Communication for space on the city water towers. The contact was never ratified by Open Range Wireless; they recently informed us they would not proceed.

Mr. Baird asked that council reverse the approval to ensure our records would be correct. Mr. Brooks confirmed this will not impact the revenues in this year's budget; Mr. Baird stated that is correct.

Mr. Pikus moved to reverse the approval of the Open Range Cell Tower lease agreement, seconded by Mr. Morrow. Motion carried.

Executive Session

Mr. Grier moved to go into Executive Session, pursuant to 29 Del. C. §10004(b)(9) personnel matters in which the names, competency and abilities of individual employees or students are discussed, seconded by Mr. Morrow. Motion carried.

Mayor Rogers recessed the regular Council Meeting at 8:05 p.m. to go into a closed session.

Return to Open Session

Council returned to open session at 8:32 p.m. No action needed as a result of the Executive Session.

ADJOURN

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

Meeting adjourned at 8:32 p.m.

Respectfully submitted,



Terri K. Hudson, CMC
City Clerk/Recorder

MILFORD CITY COUNCIL
MINUTES OF MEETING
September 26, 2011

The City Council of the City of Milford met in Workshop Session on Monday, September 26, 2011 in the Joseph Ronnie Rogers Council Chambers of Milford City Hall, 201 South Walnut Street, Milford, Delaware.

PRESIDING: Honorable Mayor Joseph Ronnie Rogers

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

 City Manager David Baird, Police Chief Keith Hudson and City Clerk/Recorder
 Terri Hudson

 City Solicitor David Rutt

The Workshop Session of Milford City Council convened at 7:03 p.m.

R. Thomas Worley/Comcast Senior Director Government Affairs

Mr. Pikus recalled that Mr. Worley addressed council last year in regard to several cable problems being experienced by Milford customers which continue to occur. Complaints include picture freezing and loss of sound.

Mr. Worley asked if the people with those problems have contacted Comcast to arrange a service call; Mr. Pikus stated the cable rep checked his connections at his home and found no issues.

Mr. Worley then introduced Jamie Lawrence, the field technician in charge of the Milford system.

Mr. Worley stated that after the last meeting, he went to the engineering and technical groups of Comcast to inquire about these problems. He then explained that their plant divides Milford into neighborhoods or nodes of approximately 200 homes each. Each node is monitored electronically to ensure the signal quality is adequate. The engineers reported no problems with the Milford nodes. He then followed up with the technician who actually works in the homes. They also indicated they were unaware of similar problems.

He reported that if the plant in general is working well, then individual situations must be considered. He said there could be a flaw on a particular street, drop or home. He said at the previous meeting, he explained the conversion to digital from analog which occurred this past spring. He stated the digital signal is much less tolerant of a weakness in the plant when compared to the analog signal. Normally, problems such as picture freezing or pictualization or audio drop-out are the result of a loose connection in the home or where wiring needs to be upgraded.

Mr. Worley stressed that anyone who continues to experience this problem should call Comcast to have a technician recheck their home because more than likely the problem is within the house. He added there is a possibility it could be on the street or in the drop coming into the home. He has seen a few situations where it has taken additional time to determine the weak point. However, there is no evidence of that in the electronic monitoring of the Milford system where everything meets the standards.

He pointed out that sometimes a picture is being sent from another place, for example from a ballpark, which may cause some configuration issues. However, if that continues to occur on a regular basis, he feels it is most likely a weak point inside the home.

Mr. Worley said they always watch for two things. One is ingress which is noise or electronic signals that get into the plant and can cause problems. They also have signals from a weak point that can go out and actually interfere with the electronics of an airplane. They do an aerial flyover twice a year to monitor any egress of all their plants to ensure they are within the limits of the FCC requirements. However, there is also a reverse wave that can come into the plant. He said

that all their technician trucks have devices that listen for that when they are driving down the streets. If they find a home that is putting out a lot of noise into the plant, they flag the home and investigate to determine the weak point.

Mr. Worley emphasized their efforts of constantly monitoring to ensure proper service.

Mr. Brooks advised that he received a phone call from Joe Palermo who stated the Comcast technicians worked at his house for two hours. Everything worked for a couple of days but he has since experienced the same problems with channel 6 and 31. He will provide Mr. Worley with Mr. Palermo's information.

Mr. Worley asked that anyone with a problem should contact the city manager who can e-mail Mr. Worley the information. They will then investigate each problem individually.

Ms. Wilson then noted that there is a neighborhood where everyone is experiencing the same problem. She believes it is beyond a connection within the house. They are also experiencing the picture freezing and pictualization. Mr. Worley asked that Ms. Wilson provide him with the street names.

Chuck Rini of 119 Ginger Lane, Knotts Landing, then discussed several issues. He noted that Comcast now has a digital to analog converter which took care of some channels that were missing in the past.

He then suggested that because Milford is in both Sussex and Kent County and considering the 40% increase in population over the past ten years, Comcast should consider a local store in Milford which could be used by customers in both counties. He then pointed out that his channels go from 100 to 103 and skip 101. He advised channel 101 is a digital radar of the local weather map and asked that channel 101 be added. He also said the old cable guide allowed you to back search channels for the previous two or three hours. The new cable guide does not allow that which is particularly frustrating to sports fans whose games have run over their anticipated time. He suggests that Comcast notify their customers of the channel search guide because many people are unaware of that service. He discussed the (real) baseball starting times (7:05, 7:15) noting those channels are unable to be accessed until that exact minute even though the program starts at the top of the hour or the half hour.

He mentioned one baseball game which was unable to be found on the guide. The only way he found it was by going channel to channel thru the guide until he found a sports channel. He said it was also to be on the MLB package though it was blacked out because it was being broadcast locally.

Mr. Rini reiterated the problems associated with audio and picture freezing and pictualization problems.

He also complained that Comcast no longer provides local phone numbers or addresses on the monthly bills. There is an 800 number which when connected, you are speaking with a representative who does not understand that Milford is in two counties. He asked that local information again be provided to customers.

He asked that Comcast consider adding the SNY, WPIX and NASA Select channels noting that NASA TV is free of charge because it is a government service.

Mr. Rini said that today he received a phone call from a Comcast representative offering a special package for \$18. Mr. Rini determined he was already receiving those services at a lesser price. He feels Comcast should be aware of the programming their clients have when making such calls.

Ms. Wilson then requested that the Knotts Landing community be included in Comcast's follow-up.

Dave Markowitz of East Thrush Drive, Meadows at Shawnee, then pointed out the city is divided into four wards. He said there are problems in Ward 1, Ward 2 and Ward 4. He suggested they start at the source and not at the end because the problem is citywide which should be taken into consideration.

The consensus of council was for Comcast to make every attempt to fix these problems.

Mr. Worley emphasized the need to have specific locations to target in addition to determining the channels experiencing the problems.

He encouraged council to ask their constituents to contact Comcast at the 1-800-Comcast number. Mr. Johnson asked why this cannot be taken care of locally. Mr. Worley explained that when the 800 number is called, the work order is printed locally with specific details. He agrees you may get a representative in Dover or another state; however, when the call is made, the 800 number provides the most efficient utilization of the call center staff throughout their network. He said they are all capable of dealing with the customer's concerns.

Steve Beneventano from the Meadows at Shawnee then complained that he left four messages for Jenni Moyer, Corporate Communications Vice President of Programming. He said he had a problem with his high definition channels. He had to search the internet to get her name and phone number. He asked if Mr. Worley would be willing to leave a number for everyone to call him if they have a problem.

He said he had Comcast at his house twice in two weeks because he only had sound on half of the Baseball Major League Channel. They came down and played with the box and only got three channels. However, is also a problem with Comcast in Georgetown because they do not have the MLB package on their computers and they are unable to determine any problems as a result. He feels they should be able to look on the screen to figure out his problem.

Mr. Beneventano said Mr. Rini gets some channels in Kent County that he does not get in Sussex County though they are in the same town.

Mr. Worley said that is the way the system was built years ago. There are certain channels through the FCC that do not show up in different towns.

Mr. Worley then noted there is a more advanced guide that Comcast is considering launching in the next year to eighteen months. He feels that will take care of the guide issues.

He said they will try to determine the problems though it helps to have specific addresses and specific channels. Mr. Pikus recommends that any residents provide their information to the city manager who will forward it to Mr. Worley.

When asked if the technicians can troubleshoot the entire city, Mr. Worley explained they have electronic monitoring systems that monitor signals. All signals indicate there are no problems. The technicians responding to trouble calls are not seeing anything unusual which is why it is puzzling. They prefer to have specific locations.

Mr. Worley then provided his direct phone number of 672-5936.

Mr. Johnson then noted that the majority of complaints are at newer homes so the problem cannot be within the home. Mr. Worley reiterated that their experience has been that a lot of the issues are the result of home wiring though he is not saying that is the case in every situation.

With no other business, the Workshop concluded at 7:33 p.m.

Respectfully submitted,



Terri K. Hudson, CMC
City Clerk/Recorder

MILFORD CITY COUNCIL
MINUTES OF MEETING
September 26, 2011

A Public Hearing was scheduled before Milford City Council on Monday, September 26, 2011 in the Joseph Ronnie Rogers Council Chambers at Milford City Hall, 201 South Walnut Street, Milford, Delaware upon the matter of:

Morris and Ritchie Associates, Incorporated on behalf of Griffin Realty, LLC for a Modification of a Conditional Use to Allow a Planned Unit Development. Property is located east of US Route 113 at the intersection of West Heirloom Way, south of Seabury Avenue, Milford, Delaware, formerly known as Central Parke at Milford/Milford Ponds. Area of Petition is 107.50 +/- Acres; Current Zoning is R-1, R-2 and R-3. Tax Map No(s): 1-30-6.00-108.00, 1-30-3.00-6.00-167.00 thru 1-30-3.00-6.00-550.00; 1-30-3.00-6.00-557.00; 1-30-3.00-6.00-558.00.

PRESIDING: Mayor Joseph Ronnie Rogers

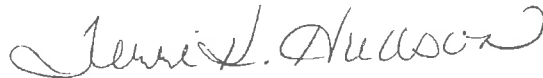
IN ATTENDANCE: Councilpersons Garrett Grier III, S. Allen Pikus, Dirk Gleysteen, Owen Brooks, Jr., Douglas Morrow, Sr. and James Starling, Sr.

City Manager David Baird, Police Chief Keith Hudson and City Clerk/Recorder Terri Hudson

City Solicitor David Rutt, Esquire

Mayor Rogers announced the scheduled public hearing has been postponed until further notice.

Respectfully submitted,



Terri K. Hudson, CMC
City Clerk/Recorder