

MILFORD CITY COUNCIL
MINUTES OF MEETING
May 10, 2010

On Monday, May 10, 2010, a Public Comment Session was scheduled in the Joseph Ronnie Rogers Council Chambers of Milford City Hall at 201 South Walnut Street, Milford, Delaware, prior to the commencement of the official City of Milford Council Meeting. The purpose of the informal session is to allow the public to speak about issues of interest that impact the City of Milford.

PRESIDING: Mayor Joseph Ronnie Rogers

IN ATTENDANCE: Councilpersons Steve Johnson, Garrett Grier III, S. Allen Pikus, Jason Adkins, Owen Brooks, Jr., Douglas Morrow and James Starling, Sr.

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

COUNSEL: City Solicitor Timothy Willard

With no one signed up to speak, no Comment Session was held.

Respectfully submitted,

A handwritten signature in black ink that reads "Terri K. Hudson". The signature is written in a cursive style with a long horizontal flourish at the end.

Terri K. Hudson, CMC
City Clerk

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The Regular 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 10, 2010.

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IN ATTENDANCE: Councilpersons Steve Johnson, Garrett Grier III, S. Allen Pikus, Jason Adkins, Owen Brooks, Jr., Douglas Morrow and James Starling, Sr.

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COUNSEL: City Solicitor Timothy Willard

CALL TO ORDER

Mayor Rogers called the Monthly Meeting to order at 7:30 p.m.

INVOCATION AND PLEDGE

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

APPROVAL OF PREVIOUS MINUTES

Motion made by Mr. Adkins, seconded by Mr. Morrow to approve the minutes of the April 12, 2010 and April 26, 2010 council meetings as presented. Motion carried.

RECOGNITION

Mayor Rogers presented Chief Hudson with the following two proclamations:

Proclamation 2010-1/Police Officer Memorial Week

WHEREAS, the Congress and President of the United States have designated May 14, 2010 as Peace Officers' Memorial Day and the week in which it falls as National Police week; and

WHEREAS, the members of the law enforcement agency of Milford, Delaware play an essential role in safeguarding the rights and freedoms of Milford, Delaware; and

WHEREAS, it is important that all citizens know and understand the duties, responsibilities, hazards, and sacrifices of their law enforcement agency, and that members of our law enforcement agency recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and

WHEREAS, the men and women of the Milford Police Department unceasingly provide a vital public service.

NOW, THEREFORE, I, Joseph Ronnie Rogers, by virtue of the authority vested in me as Mayor of the City of Milford, Delaware, call upon all citizens of Milford, Delaware, and upon all patriotic, civic and educational organizations to observe the week beginning May 9, 2010 as Police Week during which time all of our people may join in commemorating law enforcement officers, past and present, who, by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their communities and, in so doing, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens in the City of Milford.

I further call upon all citizens of Milford, Delaware, to observe May 14, 2010 as Peace Officers' Memorial Day in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty, and let us recognize and pay respect to the survivors of our fallen heroes.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Milford to be affixed this Tenth day of May in the Year of our Lord Two Thousand and Ten.

Mayor Joseph Ronnie Rogers

Proclamation 2010-2/National Missing Children's Day

WHEREAS, May 25th has been declared National Missing Children's Day; and

WHEREAS, the Missing Children Act of 1982 was the first federal law to address this issue, and in 1983, President Ronald Reagan proclaimed the first Missing Children's Day; and

WHEREAS, Families and friends of missing children join together to plan events in communities across America to raise public awareness about the issue of missing children; and

WHEREAS, Children are our most valuable asset, our link to the future and their protection and safety deserve our utmost attention and priority; and

WHEREAS, according to the United State Department of Justice, an average of 2,185 children are reported missing to law enforcement daily and locating and returning these children to their homes is a statewide, national and international objective; and

WHEREAS, in addition to the already existing crimes against children, we now have a serious additional threat due to the expansion of Internet technology; and

WHEREAS, In connection with Missing Children's Day, the National Center for Missing and Exploited Children has created a program, "Take 25," to heighten awareness of children's safety issues; and

WHEREAS, The Take 25 campaign encourages law enforcement, parents, and educators to take 25 minutes to talk to children about ways to be safer, and encourages an ongoing dialogue with children about safety.

WHEREAS, The City of Milford shows its commitment to the improved safety and recovery of missing children by our participation in the Interstate Advisory Council for Missing and Exploited Children.

NOW, THEREFORE, I, Mayor Joseph Ronnie Rogers, on behalf of Milford City Council, do hereby proclaim May 25, 2010 as MISSING CHILDREN'S DAY in the City of Milford.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Milford to be affixed this 10th day of May in the Year of our Lord Two Thousand and Ten.

Mayor Joseph Ronnie Rogers

Proclamation 2010-6/Elks Youth Month

In attendance to accept the following proclamation were Exalted Ruler Gary L. Thompson, Youth Committee Chairman Bob Glasco and Co-Chair David McGowan of the Milford Elks Lodge:

WHEREAS, the Benevolent and Protective Order of Elks has designated the month of May as Youth Month to honor America's Junior citizens for their accomplishments and to give fitting recognition of their services to

Community, State and Nation; and

WHEREAS, Milford Lodge #2401 will sponsor an observance during the month in tribute to the Junior Citizens of this community; and

WHEREAS, no event could be more deserving of our support and participation than one dedicated to these Young People who represent the Nation's greatest resource, and who in the years ahead will assume the responsibility for the advancement of our free society; and

WHEREAS, our Youth need the guidance, inspiration and encouragement which we alone can give in order to develop those qualities of character essential for future leadership, and go forth to serve America; and

WHEREAS, to achieve this worthy objective, we should demonstrate our partnership with Youth, our understanding of their hopes and aspirations and a sincere willingness to help prepare them in every way for the responsibilities and opportunities of citizenship.

NOW, THEREFORE, I, Joseph Ronnie Rogers, by virtue of the authority vested in me as Mayor of the City of Milford, Delaware, do hereby proclaim the month of May 2010 as YOUTH MONTH in the City of Milford and urge all Departments of Government, Civic, Fraternal and Patriotic Groups, and our Citizens generally, to participate wholeheartedly in its observance.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Milford to be affixed this 10th Day of May in the Year of our Lord Two Thousand and Ten

Mayor Joseph Ronnie Rogers

Mayor Rogers acknowledged the community services performed by the Elks throughout the year and most notably their support of the youth in Milford which includes four scout groups.

Later in the evening, on behalf of Milford Elks, Exalted Ruler Thompson thanked Mayor Rogers for the proclamation and continued assistance and excused themselves so they could attend another meeting.

MONTHLY POLICE REPORT

Mr. Morrow moved to accept the monthly report submitted by Chief Hudson, seconded by Mr. Pikus. Motion carried.

Mr. Pikus noted that the report shows a reduction in accidents as well as a number of other areas in comparison to last year. He said that is a sign our police chief and the police department are doing their job.

CITY MANAGER REPORT

City Manager Baird then read the following report into record:

Personal Announcement

Mr. Doug Burns began employment with the City as a Code Enforcement Officer on May 3, 2010. Mr. Burns brings experience in the building and property maintenance fields and has previous experience as a code official with the Kent County Levy Court. This position has been vacant and the new rental fee enacted last year was to pay for the additional code official.

Spring Clean-Up Week

Spring Clean-Up will be the Week of May 10-14. In the event of inclement weather, it will be extended through the following week and conclude on May 21. Residents may place bulky items at their point of collection by 7:00 a.m. each morning. During this week no bulk scheduling is necessary. City Crews will collect furniture, appliances, large items, tires, excessive trash, yard waste, bagged leaves, and bundled limbs at no extra charge during this week. Additional

information is available on the City's website at www.cityofmilford.com

2009-10 Budget (Finance Goal)

Budget preparations for the upcoming Fiscal Year are underway and each of you has been sent a copy of the proposed capital budget for next year and the ensuing five years. Preliminary meetings with each of the department meetings have been held and a review of their initial budget requests is underway. City Council Budget Meetings are tentatively scheduled for the evenings of June 1 and June 3 beginning at 5:00 p.m.

SCAT Meeting

Scat will be meeting in Milford on Wednesday, June 2nd at Abbots Grill which is the reason the budget hearing was moved to June 3rd.

Stormwater Projects (Streets Goal)

Christiana Excavating has completed the stormwater repairs on Marshall Street that were approved by City Council at your April 12, 2010 meeting. Additionally, City crews completed repairs to the stormwater pipe on NW Front Street that were a result of damage from approximately 15 years ago during the Streetscaping project when the pipe was unknowingly damaged during the installation of electric and cable lines. While making the stormdrain repairs, City personnel were able to relocate the electric and cable lines and make repairs to abandoned old water service lines that were leaking underground. Completing the work in-house saved the City between \$50,000 and \$60,000.

High School Tennis Courts (Parks & Recreation Goal)

I am in conversation with the Milford School District regarding the development of an agreement that will cover community use of the tennis courts in the evening hours and the operation of the lights during these times. The agreement will be presented for council approval at a near future meeting. During the construction at the High School Campus, the District installed six new tennis courts and a new lighting system.

Washington Street Bridge (Engineering Goal)

DelDOT has informed the City that it has moved up the priority list enough to qualify for Federal Grants at an 80% Federal 20% Local allocation. The City's portion of the funding has been included in the Proposed Capital Budget for FY10-11. DelDOT is scheduled to conduct another inspection on May 7, 2010. Staff will continue to work with DelDOT and the State Historic Preservation Office on this project and a more detailed presentation will be made to City Council as further information becomes available

Mr. Pikus moved to accept the city manager report, seconded by Mr. Adkins. Motion carried.

COMMITTEE REPORTS

Committee Assignments

Mayor Rogers distributed copies of the 2010 Committees assignments as follows:

<p>Annexation Committee Katrina Wilson* Doug Morrow Skip Pikus PC Chair Chuck Rini</p> <p>Community Affairs Committee Steve Johnson* James Starling Jason Adkins</p>	<p>Economic Development Committee Garrett Grier* Doug Morrow James Starling</p> <p>Finance Committee Skip Pikus* Doug Morrow Garrett Grier</p> <p>Parks & Recreation Committee Jason Adkins* Steve Johnson Owen Brooks</p>	<p>Police Committee Doug Morrow* Katrina Wilson Skip Pikus</p> <p>Public Works Committee Owen Brooks* Katrina Wilson Jason Adkins</p> <p>*Chairperson</p>
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The mayor encouraged all council members to attend any committee meeting regardless of if they are a member or not.

Mr. Pikus moved to confirm the mayor's committee assignments as presented, seconded by Mr. Morrow. Motion carried.

COMMUNICATIONS

None.

UNFINISHED BUSINESS

Adoption of Resolution/Adopting City of Milford Charter Amendments

Mr. Pikus recommended deferring action on the amended charter until the next council meeting and asked for a briefing of the changes. Mayor Rogers agreed more time was needed to review the changes.

Mr. Willard explained a synopsis at the end of a bill summarizes the changes and a bill of this side should include a detailed summarization. He has a draft of about eight bullets and the city clerk has added to that list.

He said the bill should be provided to the general assembly as quickly as possible so it can be approved this session which ends June 30th. Mr. Baird confirmed the plan is to have Senator Gary Simpson and Representatives George Carey and Bob Walls sponsor the bill.

Mr. Adkins asked the purpose of postponing action and suggested discussing it now so a final draft could be approved at the next meeting. Mr. Pikus explained that he only received this on Thursday and needs some additional review time.

The city solicitor stated that he is a senate attorney and recommends it be presented as soon as possible. Though they typically review and approve them quickly, the legislators are in session this week, off for two and then back for four weeks. Mr. Willard also encouraged the new members to call or e-mail him with any questions.

Mayor Rogers added he is willing to call a special meeting to adopt the amendments, if needed.

Mr. Pikus moved to defer action until the May 24, 2010 meeting, seconded by Mr. Morrow. Motion carried.

NEW BUSINESS

Century Engineering Agreement/Carpenter Pit Road Bridge Extension

Mr. Baird provided some brief background on the project. He stated that back in October of 2008, City Council entered into three agreements in relation to the Carpenter Pit Road Bridge Extension. The first was with the Department of Transportation for a Community Transportation Fund grant in the amount of \$120,000; the second agreement was with Lighthouse Christian Center which permitted the city to serve as the pass-thru on the project up to \$120,000. Anything above that would become the responsibility of Lighthouse Christian Center. The third item was an agreement with Century Engineering to do the engineering and permitting work to widen the bridge. Construction was not included.

The city manager said to date, \$55,481.50 was spent which leaves a balance of \$64,518.85. The work on the initial proposal has been completed and came in under the engineer's estimate. Based on where the project stands at this point, there is no need to proceed with the additional \$22,000 on the first contract.

The proposal this evening is for future road widening associated with the approaches to the bridge. Their proposal comes to a total of \$64,241.95. With this proposal and the initial proposal, the funds remaining of the \$120,000 are \$276.90.

Mr. Baird recalled that the bridge was installed at the wrong angle. It was originally designed to be a two-lane bridge but could only be utilized with one-lane. Completing the work associated with the road widening will allow the Army Corp of Engineers and DelDOT permitting to be done. As a result, any future development will move ahead at a much faster pace.

The city manager was unable to get a final confirmation from Pastor Andrus that Lighthouse Christian would be responsible should the proposal exceed the engineer's estimate. Therefore, he suggests a contingency be added that Lighthouse Christian Center is able to move forward but must fund any additional costs as was initially agreed.

He recommends we proceed with the proposal from Century Engineering as presented, contingent upon the agreement with Lighthouse Christian Center.

Mr. Brooks confirmed the north end of Carpenter Pit Road will be utilized for two-way traffic as was originally planned; Mr. Baird stated yes. Mr. Pikus then asked for verification that the north end involves wetlands which would require DNREC involvement; the city manager explained it would involve the Army Corp of Engineers. Mr. Pikus also asked for confirmation that any construction of those roads are the responsibility of Lighthouse Christian; Mr. Baird answered either Lighthouse Christian or the developer of that property. His impression is Lighthouse Christian plans to sell one or two commercial pad sites that are still available.

Mr. Pikus asked who will maintain the bridge and road upon completion. Mr. Baird stated it will be a state-owned bridge with the state maintaining the roadway from New Wharf Road on the north end heading south to the entrance of Lighthouse Estates (residential development) which is the split between state and city responsibilities. Mr. Pikus also confirmed the remainder of Carpenter Pit Road leading to Tenth Street is the city responsibility. Mr. Baird added the agreements state it would be transferred to the city from DelDOT for improvements to that section of Carpenter Pit Road based upon the development.

When asked where the city boundary line is, Chief Hudson advised the north side of the Webb farm on Route 113.

Mr. Morrow moved to approve the agreement contingent upon the Lighthouse Church acknowledgment that anything over \$120,000 is their responsibility as was originally agreed, seconded by Mr. Starling. Motion carried by unanimous roll call vote.

Mr. Pikus votes yes based on the contingency.

Mr. Brooks stated he is pleased the road and bridge are being widened to allow for two-way traffic.

Introduction of Ordinance 2010-7/Taxation/Chapter 204/Exemption

Introduction of Ordinance 2010-8/Sewer/Chapter 185/Impact Fee Exemption

Introduction of Ordinance 2010-9/Water/Chapter 222/Impact Fee Exemption

Introduction of Ordinance 2010-10/Electrical Standards/Chapter 192/Impact Fee Exemption

Mr. Adkins advised he has been working with the city manager on this issue since last fall. He said based on our current economic climate, what can be done as a city to let interested persons know we are open to business. He said they understand a lot of businesses are in trouble and are putting things off until the economy turns around. That is why he discussed how to facilitate future growth in Milford and referenced the quote 'if you don't grow, you die'. They also got together with Downtown Milford to discuss the matter.

Mr. Adkins said they are presenting different ways to incentivize businesses and individuals to make an investment in Milford.

Mr. Adkins feels that with this new council, it is a great time to say that Milford is open for business again by offering these incentives to help. He explained the ordinance is a one time tax abatement on any expansion of a current business. He feels it will not cost the city money and will only delay additional income the city would not receive without this. He then asked Mr. Baird to detail the proposals.

Mr. Baird explained that Ordinance 2010-7 provides a tax exemption for new improvement to residential and commercial properties that result in an increase to their tax assessment. It would be a one time exemption offered the first year after the certificate of occupancy is granted and would only apply to the assessed value of a new improvement.

The city manager explained there are limits of \$1,000 on residential properties and up to \$5,000 on commercial

properties. He emphasized the exemption is only for the first year; the city would receive the full tax revenue beginning in year two.

Mr. Baird referenced his memo explaining Ordinance 2010-8, 9 and 10 waive sewer, water and electric impact fees from the effective date of the ordinance through December 31, 2010. The sewer and water impact fees are proposed to be capped at 5 EDU's. There is no cap placed on the electric impact fee.

The current and proposed impact fees charged by the city are as follows:

Water: \$1,996 until June 30, 2010 \$2,075 effective July 1, 2010
Sewer: \$1,055 until June 30, 2010 \$1,097 effective July 1, 2010
Electric: Single phase 200 amp service--\$600; 400 amp service--\$1,200

The adoption of these ordinances will create a significant opportunity for individuals and businesses to make an investment in Milford.

Examples of Potential Savings:

A single family home constructed in the city after July 1, 2010 with an assessed value of 200,000 will save \$4,692 in fees and first year taxes.

A 4,000 square foot multi-use office building constructed in the city after July 1, 2010 with improvements assessed at \$334,900, a 3.2 EDU allocation and a 400-amp electric service will save \$12,503 in fees and the first year taxes.

Mr. Baird added that he and Mr. Adkins are trying to create an environment where people want to make an investment in Milford. Making that investment will put people to work not only during the initial construction phase, but also in permanent jobs when those businesses open up. It will also encourage people to live in the community and buy homes which will be added to the tax rolls and increase our utility revenues.

He further explained that though these may appear as large numbers, it is a small price to pay for the long term returns that will come should people take advantage of this opportunity.

Mr. Morrow asked how this is being communicated in addition to our website, local newspapers, Downtown Milford and Chamber of Commerce. Mr. Baird is planning television news stories to promote these incentives. He also referenced the Delaware Economic Development Officer (DEDO) which is one of the biggest sales groups in the state. Currently, he is meeting with them every three to four weeks to discuss these opportunities.

Mr. Adkins added that as far as the impact fee waiver, the initial period is only through December 31, 2010. At that point, it will be judged and could be extended. He also noted there will be a time limit on new construction to prevent putting up a couple blocks of foundation, getting the waiver, and then waiting another five years to complete the project.

He added that the city manager has worked very hard developing these ordinances. They spent a great deal of time talking to various businesses.

Mr. Baird said this also has the ability to piggyback other possible incentives. Mr. Adkins explained there is a DEDO web program that helps lending for small businesses. They had discussed setting up a point of contact in the city and anyone interested in investing in Milford would be provided this person's name whose duty would be to direct them to the web program or Milford's incentive package.

Mr. Pikus asked if a press release has been prepared. Mr. Baird said that was his plan depending on council action.

When asked about projects already in the pipeline, Mr. Baird explained the impact fees and tax exemption are based on the date they apply for a building permit. If they are in the planning stages, they are still eligible. Those who have already applied for a permit are not eligible.

The impact fee deadline is December 31st; the tax exemption will be in place until June 30, 2011. The city manager explained that knowing the impact fee was the larger value is the reason for the six-month period. At that time, council would then evaluate its success.

Mayor Rogers agrees this is a great incentive noting the Economic Development Committee he added this year. He has several ideas he hopes to work on with the committee with the intent to bring back to council. Those ideas will fall in line with this concept.

The city manager then referenced an amendment he is recommending noting to prevent someone from pulling permits and not beginning construction. In that case, they would have received the benefit of the incentive though it would defeat the purpose of the ordinance.

Therefore, the following amendment is recommended:

To qualify for the impact fee waiver, construction must be completed and a certificate of occupancy received in accordance with the following schedule:

<i>Single Family Residential</i>	<i>6 Months</i>
<i>Multi Family Residential</i>	<i>12 Months</i>
<i>Commercial</i>	<i>12 Months</i>

Any structure that does not receive a certificate of occupancy in accordance with this schedule shall be ineligible for the impact fee waiver and shall pay the required impact fee in full prior to the issuance of a certificate of occupancy.

Mr. Adkins said he and Mr. Baird were discussing the six-month requirement for single family residential though he feels some lead way may be needed. He suggests it be left to the city manager's discretion to ensure it is an ongoing project.

Mr. Baird asked if council wishes to add the amendment to the ordinance.

Mr. Grier agrees there are several factors that could impact a project. If the six months comes and goes, depending on weather and other permits, some discretion may be needed for an additional month or two. Mr. Baird offered to address that as part of the amendment.

It was confirmed that impact fees are collected at the time the building permit is issued. Mr. Willard is unsure if the city manager's discretion is a good idea specifically when dealing with taxes and recommends an actual time be specified. If nothing else, it could be made a longer period. He explained that all persons must be treated equally when taxes are involved. A bright line must be established and this should not be made discretionary to prevent any arguments that people are being treated differently.

Mr. Baird said he and Mr. Willard will work to come up with the appropriate language before the ordinance is adopted in two weeks.

Scott Angelucci, President of Downtown Milford, Incorporation commends council for looking at this package stating they have been working on this for sometime and are pleased it is finally coming into fruition. This is part of what Main Street is about and is a way to encourage businesses to develop and move into the downtown area.

Public Comment Session

Mr. Brooks said he is recommending council return to the old way of doing business by allowing people in the audience to comment on a matter when it is being discussed and eliminate the public comment session. He did an inventory and during the past five months, there have been eleven people that spoke. Of those, six spoke about what was on the agenda that night. He thinks those comments should be heard during the council discussion. The other five spoke about Comcast, ward problems, Shawnee flooding and speeding. He feels that residents should be able to speak about any topic on the agenda. He is confident that Mayor Rogers can properly run the meetings while handling and controlling anyone

who wishes to speak. He does suggest a speaker should be restricted to a certain time and recommends nothing over three minutes. He recalled Delaware League Executive Director George Wright always advocating a time limit of three minutes and anything longer is a sign the presiding officer has lost control of the meeting.

Mr. Morrow agrees with Councilman Brooks. He feels it will add more meaning to what the public has to comment on. He feels there is a breakdown in communication when the public comments on something and council is unable to respond. He is also confident that Mayor Rogers will be able to handle the speakers in this situation.

Mr. Adkins asked how someone would be able to speak about something that is not on the agenda; Mr. Morrow said that is against state law and FOIA only allows discussion on items on the agenda. However, he recommends they contact their councilperson or city manager to have that item addressed or added to an upcoming agenda.

Mayor Rogers said he wants the public to be able to comment about items on the agenda. If it is not on the agenda, they can ask that it be addressed at an upcoming workshop through the city manager, mayor or their council representative. He does not want the public to think council is taking something away from them because the intent is to open the line of communication between council and the public. He agrees that FOIA only allows those items on the agenda to be discussed. However, this will allow the public to become more involved in council meetings. He emphasized that it will need to be handled in a professional manner and agrees that a time restriction should be added to prevent the meeting from getting out of hand.

Mr. Starling agrees that during the public comment session, council took some unnecessary shots. He recalled that formal presentations were also given which he felt was inappropriate. He agrees that should be eliminated and is comfortable with the mayor having the discretion to allow the public to comment as needed during the meeting.

Mayor Rogers also added that he will not allow a person from making accusations against council or an employee which could result in legal action being taken. In such a case, that person should be allowed to defend themselves though it should not become an argument.

Mr. Pikus pointed out that often many questions or concerns expressed during the comment session were answered during the meeting. He agrees it is the public's right to ask a question.

The city solicitor cautioned council that certain items, by law or code, require a public hearing for public comment. He said it is important that public comment period begin and end during a specific time and any comments are on record. Any additional discussion could impact councils' decision and taint the record. Those instances are properly noticed and those in favor or opposition are heard. If it later appears as unfinished business, public comment cannot be taken again regardless of a policy that permits a person to speak anytime during a meeting.

Mr. Brooks moved to remove the public comment session and instead allow those in attendance speak on items on the agenda, when Mayor Rogers permits and no longer than three minutes, with the exception of those that require a public hearing. Mr. Morrow seconded the motion.

Robert Connelly of 107 Barksdale Court, Hearthstone Manor, said he objects to councils' position. He feels it takes away the public's right to speak at a council meeting.

Mr. Brooks explained he is trying to help the citizens and is opening up the communications.

Mr. Connelly said he trying to figure out what the city loses by inviting the public to speak at one time and talk with only individual council members. He says council is asking him to become a lobbyist.

Mr. Pikus disagreed with Mr. Connelly stating they are trying to open the meeting to the public and not close it. If there is an issue on the floor concerning an ordinance and involves some kind of presentation, the way it is now, the public can only speak for fifteen minutes before the meeting, What Mr. Brooks and Mr. Morrow are trying to do is to allow public input during a discussion about a specific problem. After the presentation is completed, the mayor has the ability to recognize someone who wishes to speak. In his opinion, this gives the public a voice.

Mr. Connelly argued that will only apply to agenda items. He asked why council would not want to hear from the public once or twice a month about an item they are concerned about that is not on the agenda. In his opinion, it is contrary to what the whole country was founded on. He said he grew up in an area that had town hall meetings where anyone could speak about anything. He said that while some got raucous, no one was hurt or sued. They had more community activity than he has seen in his three and a half years in Milford. He does not understand why this is being done.

Mr. Pikus explained that over the twenty plus years that Mayor Rogers, Mr. Brooks and Mr. Morrow have sat on council, there were many opportunities for the citizens to speak. He reminded Mr. Connelly that he has two council members that were elected to represent him who are extremely willing to listen to him.

Mr. Connelly said this will not allow him to bring a solution to a problem that none of the council may have thought about. Mr. Pikus encouraged him to take it to his councilperson just as people do with their state senator and representative. In those instances, people are not permitted to go to the general assembly to individually speak about a problem.

Mr. Connelly believes council is sending a message to the public that council does not really want to hear from its residents and instead leave them along to run the city as they wish.

Mr. Brooks again explained that this will allow the public to speak about different items. Mr. Connelly reiterated the public will only be permitted to speak about what is on the agenda and not what the public wants to talk about.

Mayor Rogers explained that by law, council is only permitted to discuss what is on the agenda. He said an item can be added to the workshop agenda for a more open discussion.

Mr. Connelly said then he would have to come to workshops which he feels the mayor is asking a lot from the citizens.

Mr. Starling recalled that several times during the public comment session, inappropriate comments were made to individuals. He also remembered that many times, derogatory remarks were made about council members. In those instances, council was not permitted to respond which was an unfair process in his mind.

Mr. Connelly feels council is strong enough to take some criticism now and then. He said he has made his point that he disagrees with council.

Motion then carried by the following 5-2 vote:

Yes-Grier, Pikus, Brooks, Morrow, Starling
No-Johnson, Adkins

Mr. Johnson sees both ways and is unsure if there is a common ground where both can be done. In a regular council meeting, there would an opportunity to allow people to speak and at a workshop if necessary, there could be an open forum during the first fifteen minutes. No, he stated he does not want to be like Harrington though there is nothing wrong with Harrington.

Mr. Grier stated he is voting yes with all due respect to Mr. Connelly. Mr. Grier's opinion is that dialogue is good and if council is discussing a matter in which Mr. Connelly he feels strongly for or against, at that time, he can now step up and voice his opinion. He thinks this change will benefit both council and our residents.

Mr. Pikus votes yes emphasizing that council members are accessible as are all representatives of the state from the top level to the bottom level. He feels this will open the meeting to comments when discussing a particular subject. This will encourage people to talk about the subject which he thinks is extremely important. In his opinion, it is the opposite of what Mr. Connelly is stating and council is encouraging the public to speak. He feels Mr. Connelly's comment is an inaccurate statement and takes exception to it.

Mr. Adkins said he has been back and forth on this. He feels there can be an open dialogue during the session while

keeping the public comment session. He agrees that a lot of what we hear is something council is unable to answer to. Some of the things he has heard in that fifteen comment period are things that may not have been brought to a councilperson. He does not know what will happen in the future. For those reasons, he is voting no.

Mr. Brooks votes yes and believes this will give the people more of a chance to speak during the meeting versus the fifteen minute public comment session. Those that are here will have an opportunity to speak when discussing the different topics. The other way, council was not permitted to respond during the fifteen minute session.

Mr. Morrow also votes yes. In his experience, they had more public input the way it used to be versus adding the public comment session over the last two and a half years.

Mr. Starling sees it another way. When a person has something to talk about or has some concerns, he believes most people will call their councilperson. They can bring it back to council for that person or try to take care of it. He sees this as a benefit and votes yes.

MONTHLY FINANCE REPORT

Mr. Morrow reported that through the ninth month of Fiscal Year 2009-2010 with 75% of the fiscal year having passed, 74.72% of revenues have been received and 68.43% of the operating budget expended.

He advised the police revenues are down though that is a grant or timing issue. However, they are controlling costs and are below the 75% mark. Overall, the city is taking in more than they are spending.

Mr. Morrow reiterated the Finance Committee will meet June 1st and June 3rd beginning at 5 p.m. to prepare for next year's budget.

With no further questions or comments, Mr. Morrow moved to accept the March 2010 Finance Report, seconded by Mr. Pikus. Motion carried.

ADJOURN

With no additional business, Mr. Pikus moved to adjourn the Monthly Meeting, seconded by Mr. Starling. Motion carried.

The Monthly Meeting was adjourned by Mayor Rogers at 8:48 p.m.

Respectfully submitted,



Terri K. Hudson, CMC
City Clerk/Recorder