

MILFORD CITY COUNCIL  
MINUTES OF MEETING  
March 9, 2020

The City Council of the City of Milford met in Workshop Session on Monday, March 9, 2020 in the Joseph Ronnie Rogers Council Chambers at Milford City Hall, 201 South Walnut Street, Milford, Delaware at 6:32 p.m.

PRESIDING: Mayor Archie Campbell

IN ATTENDANCE: Councilpersons Daniel Marabello, Mike Boyle, Lisa Ingram Peel, Todd Culotta, Owen Brooks Jr., Douglas Morrow and Jason James Sr.

STAFF: Interim City Manager Mark Whitfield, Police Chief Kenneth Brown and City Clerk Terri Hudson

COUNSEL: Solicitor David Rutt, Esquire

ABSENT: Councilperson Katrina Wilson

Mayor Campbell turned the meeting over to Nikki Mowbray of Multiplying Good.

Ms. Mowbray shared that Multiplying Good used to be called the Jefferson Awards Foundation, but believe the new name better reflects everything the organization accomplishes, which awards adults and youth, ages 5 to 25, for outstanding community service. Seven Delaware Mayors from Dover, Georgetown, Lewes, Milford, Newark, Seaford and Wilmington, agreed to help recognize young people in their communities for their services.

In Phase One, they were asked to describe their community service projects in 2019, after which each Mayor selects a top project, which will be announced today for Milford and its surrounding area.

Last year's project activated statewide was called Manna Bags that contained food and hygiene items for the homeless. Eighteen different partners stuffed 1,371 Manna Bags at a value of \$13,710. The three top activations in 2019 included Bank of America (staff and their families) who prepared 230 Manna Bags, Delaware 4H 147 bags and Early College High School in Dover packed 103.

To date, Lead360 has seen 1,114 projects and big ideas, over 237,000 individuals have engaged in community services, 1.1 million hours of community service and has generated over \$29 million worth of impact in Delaware. For every community service hour, there is a monetary amount connect which currently is approximately \$25 per hour.

The 278 projects submitted in Delaware last year resulted in an impact to more than 107,000 lives, estimated at \$4.3 million.

In 2019, Milford's 18 projects engaged over 136 volunteers, 928 volunteer hours thus impacting 4,755 lives. The financial value is estimated at more than \$23,000.

Mayor Campbell presented the following recipients with a certificate:

Noah Gardner-Bowler (Mommy and Me Learning Resource Center)

Milford Central Academy Jobs for Delaware Graduates (Nor-Enterprise Turkey Drive)

W.T. Chipman Middle School's Jobs for Delaware Graduates (Morton Meadow Invasive Plant Removal & Cleanup)

Harrington Sunshine 4-H Club (Hospital Care Packets + Additional Projects)

Arlene Cosiglia (Military Children's Christmas Party, Kids in Touch with Kids Sponsorship Program, Operation Military Baby, Delaware Food Bank Backpack Program & ARC Volunteer)

Rachel Taylor (Community Garden Project)

Create 2Learn & 2Lead 4-H Club (Trim-a-Tree, Operation Christmas Child, Holiday Meal Blessing Boxes, Fur-Baby Blessing Boxes, Go Bags - Code Purple Project, Christmas Sacks – Code Purple Shelter, Holiday Cards for Delaware Veterans & Milford Food Pantry Donations)

In addition, Create 2Learn and 2Lead 4-H Club was also chosen as the Mayor's Top Project, and will compete in the Multiplying Good Delaware Salute to Service event in Wilmington on April 28<sup>th</sup> against six other Mayors' Top Projects. One of those projects will be chosen to be replicated for the rest of 2020.

There being no further business, the Council Workshop concluded at 6:42 p.m.

Respectfully submitted,

Terri K. Hudson, MMC  
City Clerk/Recorder

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#### CALL TO ORDER

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

#### INVOCATION AND PLEDGE

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

#### APPROVAL OF PREVIOUS MINUTES

Included in the packet were minutes from the January 27, 2020, February 10 and 24, 2020 Committee and Council Meetings. Councilmember Marabello pointed out an error in the dollar amount of the February 24<sup>th</sup> minutes. With that amendment, motion to approve made by Councilmember Morrow, seconded by Councilmember Brooks. Motion carried.

#### RECOGNITION

No special guests in attendance.

#### PUBLIC HEARING

*Ordinance 2020-12/An Ordinance Amending the Codified Ordinances of The City of Milford, Part II General Legislation, By Adding A New Chapter 177, Entitled Public Works Department Fees*

Public Works Operations Supervisor Rhiannon Slater informed Council the request to consider a recommendation to adopt hourly rates for labor and equipment was presented to the Finance and Public Works Committee last month.

The rates are to be utilized any time City employees and/or equipment is to be used to complete jobs for customers. Some examples include infrastructure installation in developments, service line repairs, and repairs of city owned assets relating to auto accidents. It has been found that in the past, not all work completed by City crews was billed consistently, there has constantly been a question of the addition of 10% to cover administrative and finance staff time. The adoption of one comprehensive labor rate will alleviate questions of what fees or percentages to add to each invoice.

Previous equipment rates were incorrectly computed using FEMA rates for some equipment, but not all necessary equipment, for the Electric Division. These rates were not adopted by the Council. At this time, the Streets and Utilities Division does not have an equipment rate schedule.

The attached proposed equipment rate schedule includes factors for insurance, maintenance and fuel relating to equipment usage. Labor rates were arrived at utilizing the salaries (including benefits) of employees involved in each of these jobs; crew members, supervisors, administration and finance.

Councilmember James confirmed there have been no changes from what was presented to Council.

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

Councilmember Boyle moved to adopt Ordinance 2020-12, amending the codified Ordinance of the City of Milford by adding a new Chapter 177, entitled Public Works Department Fees, seconded by Councilmember Culotta:

ORDINANCE NO. 2020-12

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF MILFORD, PART II GENERAL LEGISLATION, BY ADDING A NEW CHAPTER 177, ENTITLED PUBLIC WORKS DEPARTMENT FEES

WHEREAS, the City Council of the City of Milford has the authority to establish fees for various services; and

WHEREAS, the City finds it necessary to recover the costs of providing certain Public Works' services whereby said fees shall not exceed the reasonable costs of providing such services; and

WHEREAS, charging inconsistent fees increases the risk of an increased burden on current and future taxpayers and utility customers; and

WHEREAS, the adoption of the Public Works Billable Rate Schedule will assist the public, as well as City staff in readily locating fees, while continuing the City's quest for governmental transparency; and

WHEREAS, the Public Works Billable Rate Schedule will be evaluated each year to ensure quality services continue to be provided while practical, but necessary cost recovery fees are measured; and

WHEREAS, the proposed Public Works Billable Rate Schedule shall supersede any previously adopted or established fee for specified City services.

NOW THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

Section 1. The Code of the City of Milford is hereby amended by adding thereto a new Chapter 177, to be titled "PUBLIC WORKS DEPARTMENT FEES".

Section 2. The Code of the City of Milford is further amended by adding the following provisions to the new Chapter 177, to hereby read as follows:

§177-1. Applicability.

City of Milford Citizens, Commercial and Industrial Establishments, and Entities who, by agreement with the City, or who otherwise necessitate the usage of the City's heavy equipment during an emergency situation, upon violation of an existing City ordinance, upon request, or for any other purpose, shall adhere to the Public Works Department Fee Schedule, as adopted by City Council.

§177-2. Authority to impose and collect fees.

The City of Milford, under the authority and supervision of the City Manager, is authorized and directed to determine the necessity of, to administer, implement, and enforce the Public Works Department Fee Schedule and is authorized to collect such fees as any other fine or cost is collected.

§177-3. Repeal of previously adopted fees.

The fees attached and exhibited as Resolution 2020-11, are hereby adopted and any fees or other costs previously adopted or authorized for the exact services are hereby repealed.

§177-4. Amendments.

The Mayor and City Council of Milford shall have the authority to revise this fee schedule by resolution on an annual basis.

Section 3. Dates.

City Council Introduction: February 24, 2020

City Council Public Hearing: March 9, 2020

Effective: March 19, 2020

Motion carried unanimously by roll call vote.

*Resolution 2020-11/Public Works Department Fee Schedule*

There being no comments from the public, Councilmember Boyle moved to approve Resolution 2020-11, establishing Public Works Department Fee Schedule, seconded by Councilmember Peel:

**CITY OF MILFORD  
RESOLUTION 2020-11  
PUBLIC WORKS DEPARTMENT FEE SCHEDULE**

**Now, Therefore, be it Resolved by the City of Milford:**

<b>STREETS AND UTILITY DIVISION FEES</b>	
<i>Description</i>	<i>Fee Per Hour</i>
Labor Rate	\$68.50
Pick-Up Truck	\$20.00
Service Truck	\$25.00
Backhoe	\$30.00
Excavator	\$20.00
Jetter/Vac	\$100.00
Loader	\$45.00
Jetter/Vac Trailer*	\$45.00
Sweeper Truck	\$75.00
Dump Truck	\$55.00
Chipper*	\$35.00

<b>ELECTRIC DIVISION FEES</b>	
<i>Description</i>	<i>Fee Per Hour</i>
Labor Rate	\$75.50
Pick-Up Truck	\$20.00
Service Truck	\$25.00
Bucket Truck	\$55.00
Digger Derrick	\$65.00
Trencher*	\$55.00
Chipper*	\$35.00

<b>ENGINEERING DIVISION FEES</b>	
<i>Description</i>	<i>Fee Per Hour</i>
Engineer	\$68.00
Engineering Tech*	\$61.50

*\*Includes Pick-Up Truck to transport.*

Adopted: March 9, 2020  
Effective: March 19, 2020

Motion carried by unanimous roll call vote.

#### *Monthly Police Report*

Chief Brown stated the police report is submitted in written form and there is nothing unusual to report.

Councilmember Morrow confirmed the second Police Referendum Community meeting is scheduled tomorrow night at 7:00 pm.

Councilmember Morrow moved to accept the monthly Police Report, seconded by Councilmember Marabello. Motion carried.

#### *Monthly City Manager Report*

Interim City Manager Whitfield reported that in addition to what was included in his report, he is pleased to report there was no snow in either January or February, so there is nothing weather-related to report.

He did point out that because of the abnormally warm weather, the City is receiving a lot of calls about brush and yard waste collection. Therefore, that service will resume its regular schedule on March 16th, which is actually two weeks early.

Text messaging was discussed and it was noted that residents may sign up for that option through our website.

When asked how the business license process is proceeding, Economic Development and Planning Director Rob Piece stated they are coming in on a regular basis, though he has not yet evaluated the percentage received because the information is currently being hand entered because it is a new program.

Mr. Whitfield also added that the sidewalk repair program is way behind schedule based on its original completion date of December 2019. However, they have encountered a number of issues with DeIDOT permitting that the City was unaware of and slowed things down. That was in addition to a couple rain-related events that postponed the work though he anticipates it will be completed by the end of next month.

Councilmember Boyle moved to accept the City Manager's report, seconded by Councilmember Marabello. Motion carried.

#### *Monthly City Finance Report*

Finance Chair James reported there was an update to the finance report which he will explain later. This month, there was no change in the fund balance report.

The total fund balance change was \$264,000. A disbursement from the water department occurred involving a \$511,000 loan to the solid waste department as shown by the water reserve decrease and solid waste increase. As a result, there was a net decrease of total reserves of \$416,000.

Sewer impact fees increased by \$71,000, water impact reserves increased by \$41,000 and a \$8,400 increase in electric reserves. The current fund balance is \$47,895 and previously was \$47,631.

With 58% of the fiscal year elapsed, the year to date revenues are at 63% of budget. Excluding the general fund, would be at 60% above budget.

Total expenditures are only 52.7% of budget; excluding the general fund, would be 53.3% above budget, which is a positive variance over expenses of 4.7%, but excluding general fund would be 2.3%.

Using the current trend, excluding general fund, would project out about \$4 million above budget and typical for this time of year is approximately \$3.4 and \$4 million above budget. The majority or \$2+ million would be in the electric fund which is normal on an annual basis, per the audit.

Councilman James noted there was a budget adjustment of \$7,000 related to the expenditure to hire a PR Firm to promote the approval of the upcoming police station referendum as can be seen in the council expense line item/police facility promotion with that amount being transferred from general fund reserves.

That correction was made today.

Councilmember Boyle moved to accept the January 2020 Finance Report, seconded by Councilmember Marabello. Motion carried.

#### *Committee & Ward Reports*

Councilmember Marabello reported his constituents still have concerns about the brown water.

Councilmember Culotta recalled that the Second Ward had the same problem many years ago when he was younger.

Interim City Manager Whitfield said he will ask the City Engineer to provide an update. However, at this point, Public Works staff is somewhat confident the issue is the result of one of the City wells. The sediment often settles and becomes disturbed by flushing program.

City Engineer James Puddicombe explained they are performing a directional flush on the main line that runs along Rehoboth Boulevard which increases the velocity in the line and will rid some of the sediment deposits. In addition, a similar chemical flush of the two wells in question, to remove the iron and manganese. Based on the results, they will proceed accordingly.

Mr. Puddicombe explained the City currently has a regular flushing program, which is not as high of a velocity. Specific valves are closed off so the full force of the water goes into one individual pipe. That results in a more concentrated and has a better impact for removing the deposits. They have narrowed down the area which they believe is where some of the sediment might be and where the iron and manganese is coming out of the well. That line will be flushed first and will proceed based on those results. It will also determine whether to go upstream or downstream and consider some of the offshoots of the main line.

When asked if residents can be informed in advance of the flushing, Mr. Whitfield said that can be done to allow them to prepare.

The Interim City Manager confirmed there is iron and manganese in almost all wells, but the levels are below the state levels in terms of safe drinking water, though he is aware it can result in brown (iron) water but is safe in accordance with state standards.

Mr. Puddicombe added that a test run for closing valves will be done over the next week, to ensure our customers are not impacted unnecessarily. The full direction flush will be performed after that, which requires a little extra effort to ensure the towers are full and to prevent any impact to businesses or industries that need that pressure. That is the reason for the test running this week.

He hopes to report on the project sometime in April.

#### *Communication & Correspondence*

Included in packet.

## UNFINISHED BUSINESS

*Carlisle Fire Company/Annual Allotment/Agreement*

The Interim City Manager referenced the minutes from the April 22, 2019 Council Meeting, included in the packet, at which time, the 2019 annual funding for the Carlisle Fire Company was discussed. On Page 12 of the minutes, it was stated:

“Council agreed that next year, an agreement must be in place, but this year the \$100,000 should be paid.”

Mayor Campbell summarized the conversation, stating that the \$100,000 shall be paid and when the budget is discussed in June, the money will be appropriated, though the expenditure will not be made until the agreement is in place.”

Additionally, the City and Carlisle entered into an agreement for 2019, which expired on December 31, 2019, that states in the last paragraph of the agreement:

“This agreement supersedes all previous agreements, oral or written, between the two parties. This agreement shall be effective for Calendar Year 2019 only and shall be replaced by an agreement being negotiated by the parties.”

Therefore, the intent of Council in 2019 was to authorize the \$140,000 contribution to Carlisle Fire Company for the 2019 calendar year, but the agreement being drafted by Attorneys Rutt and Bruce Rogers be finalized prior to any contribution being made in 2020.

The 2020 Operating Budget does include \$140,000 for the Carlisle Fire Company.

Mr. Whitfield asked that Council authorize one of the following three options:

1. Authorize \$140,000 to Carlisle Fire Company with no agreement;
2. Authorize \$140,000 to Carlisle Fire Company with a one-year agreement, similar to the 2019 agreement;
3. Authorize \$140,000 to Carlisle Fire Company upon execution of the formal agreement being drafted by Attorneys Rutt and Rogers

Solicitor Rutt shared that work began on the agreement in 2019 referencing a number of versions. He had a meeting in August 2019. In September, he forwarded the agreement, based on the August meeting discussion, to Carlisle Fire Company’s attorney though he never responded. Attorney Rogers confirmed that he received the agreement, forwarded to Carlisle and was waiting for their responses.

He spoke to Mr. Rogers today, who had a copy of what Mr. Rutt prepared and dated February 13, 2020, that was returned to him from the fire department and substantially changed the agreement. It contained multiple mark outs and agreements.

Mr. Rogers met with Carlisle representatives last week and agreed the language in the contract significantly changed versus what was agreed to during the joint meeting. As a result, he took the prior versions, in addition to the newest amended version, and has made one document which was sent to Carlisle. He is presently waiting for a response.

Unfortunately, Mr. Rutt has no idea how long this will take, but noted it was five months the last attempt.

Councilmember Culotta asked who has the authority to negotiate with the fire company. Mr. Rutt said in August, the Mayor and City Manager met with Duane Fox from Carlisle Fire Department, along with their attorney Bruce Rogers and Mr. Rutt.

Councilmember Culotta asked where it allows the Mayor to negotiate or is there a committee that handles it; Mr. Rutt explained that in the Charter, the City Manager is responsible for administrative matters. In turn, they bring it back to Council to review and takes the appropriate action.

Interim City Manager Whitfield informed Council that Mayor Campbell and he met with Carlisle President Marvin Sharp, along with Duane Fox, and reviewed the agreements. At that time, the Fire Company representatives stated they would discuss further with their attorney to prepare a final agreement, which would be presented to Mayor Campbell and Mr. Whitfield.

Councilman Brooks said Council made the decision to give them money in the budget. Council makes the decision and it needs to be followed thru.

A discussion ensued over the difference in the two-page agreement that was in place for several years and the new, much more detailed agreement. The way other towns handled their agreements was also reviewed, but Councilman Culotta argued that he does not care about other towns because this is Milford.

Mr. Rutt referenced the language in the original agreement stating that Carlisle Fire Company was the sole bidder for fire services, though that makes no sense because it sounds as though the City had issued an RFP. Other than stating the fire company will provide fire services, the agreement says nothing.

Councilmember Brooks said it's a donation and not pay. Last month, the City gave an organization \$25,000 and the month before, an organization asked for \$30,000. He is unsure why an agreement is needed for the fire company that makes them explained what they will do with the donation makes no sense.

Councilman James pointed out Milford's Charter has language that allows the City to start its own fire company, so he agrees the sole bidder information needs to be removed, and does not fit the relationship. In addition, the money is a donation and not a payment, so the agreement needs to be changed to align with that of the City Charter.

When asked to be informed of the substantive changes added, Councilmember Culotta does not think leaving the negotiating to one person in the City is questionable. He asked why Council is not discussing this. Councilmember Brooks said when you read the Charter, it says City Council runs the City. Councilman Culotta said that is correct. Councilman Brooks said the City Manager and Mayor do things at the direction of the Council. Councilmember Morrow agreed.

Councilmember Peel asked what is in the contract that is causing the holdup and asked for some additional information.

Mr. Rutt then provided an overview of what is included in the agreement:

Identifies the parties, purpose that Carlisle agrees to furnish personnel and equipment at its own risk and expense at all times, attend fires and related emergencies, an annual request for funding is to be submitted no later than the first day of March each year, they will include how the prior years' funds provided by the City were used, how they intend to use the funds for the upcoming year, the best estimate of the total annual budget and what other funding sources they receive money from. For example, they receive money from Kent County, Sussex County, the State of Delaware and any other public grants they receive.

The request is then reviewed by the City Council Committee and then the entire Council, as part of the budgeting process. The City would have discretion to budget an amount to be granted to Carlisle, taking into consideration other budget requirements of the City and other funding sources. The City, through the City Manager, or his/her designee, would then advise Carlisle of the amount granted.

The method of payment would be provided by the 15<sup>th</sup> of January the following year. In addition, the City would agree to assist Carlisle in preparing any grant requests, at no cost, should they request such grants.

The Solicitor then informed Council there is federal money available for volunteer fire departments, though from the conversations he has been part of, they have never applied for and the City agrees to help them with those submissions.

He continued:

The City will be made aware of alternate funding sources, would notify Carlisle and the City would undertake a feasibility study to determine a source to provide water to Carlisle, without charge, for tank replenishment, because apparently now they are filling their tanks out of the fire hydrants, and they mentioned a charge. That is the reason the City offered to provide free water if they were willing to go to a well source.

In addition, the agreement states the City would maintain the current sirens within the City limits for emergency notifications, and they would install a replacement siren on Marshall Street, with funding from the Carlisle Enhancement Fund, and the sirens would be silenced from 9:00 p.m. to 7:00 a.m., with the exception of catastrophic emergencies.

When asked why the fire siren replacement should be paid from the enhancement fund is something Council needs to discuss in a workshop or in a committee.

Councilmember Peel said she is surprised the City is silencing the alarm at night and is something that Council never discussed as a caveat for donating money.

Councilmember James feel those are minor things, but the fire department is essential. Some of the other things discussed were simply nice to have. He would cancel all of those if the City only could fund the fire department, because we cannot do without it.

Councilmember James also feels that a lot of those things go far beyond what is needed for the City to make a decision, from a financial perspective, on whether it can make a contribution to the life and property-saving emergency responding function of the fire department.

The Solicitor confirmed the initial version was prepared by the former City Manager, as Councilmember Culotta has pointed out. He added the bottom line, is this is ultimately Council's decision.

Councilman James agrees something needs to be in writing, because Council is accountable for the decisions that are made when it comes to using taxpayers' money, as in this case. He emphasized it is not Council's money, nor is it free City money, it is the taxpayers' money. But whatever is written, needs to make sense and this goes far beyond that and what the funding decision requires.

Interim City Manager Whitfield asked Council for the opportunity to correct it. He vowed with President Sharp that it would be done within a short period of time and that was his intent. He agreed with Mr. Rutt that the City was waiting to hear back from their Attorney, which he believes will very soon occur. At that point, they can move forward.

Mr. Whitfield said he hears what Council is saying and he understands his charge and he thinks he can get it done.

Councilmembers were in favor of Mr. Whitfield proceeding with it.

When Councilmember Brooks asked when it would be done, Mr. Rutt said it is in the fire department's court right now, because their Attorney prepared a document and is waiting for their response. He encouraged Carlisle Fire Company representatives who were in attendance, to review what Mr. Rogers had prepared, so that it can be completed. They responded with assurance by saying 'it's there'.

## NEW BUSINESS

### *Alcohol Waiver/Chapter 77/Running of the Goat*

Mr. Whitfield referenced the activity permit that will include an alcohol waiver for the annual Running of the Goat on May 8<sup>th</sup>, identical to what they have done in the past. His recommendation is to approve it.

Councilmember Morrow moved to authorize the Alcohol Waiver for the Running of the Goat event on May 8<sup>th</sup>, seconded by Councilmember Peel. Motion carried.

### *Appointment/Board of Elections/Annual Election & Police Borrowing Special Election*

City Clerk Hudson explained this is an authorization needed each year though there is a change in the normal three members, due to their absence this year on April 25<sup>th</sup>.

She noted that board needs to be in place prior to the election should there be any pre-election complaints that need to be addressed.

Councilman Brooks asked why the election will be held at Public Works this year, Ms. Hudson explained that Carlisle Fire Company was her first choice, but has a wedding reception the day of the election. Past experience with the schools have made the process somewhat difficult, because arrangements had to be made with their maintenance staff to be present during the election and open and close the school both on Saturday mornings/evenings. In addition, the numerous requirements in the municipal election law require staff to begin set up on Friday, which also presents issues, in addition to the delivery of the election machines which occurs earlier that week.

Councilman Culotta feels it should be at Lulu Ross because that is where everyone in Milford is used to voting. Councilmember Brooks pointed out that since the Public Works Building has been remodeled, when you walk in there is a hallway.

Councilman Brooks the last time it was here at City Hall there was a big problem because people could not get up the steps and most people drove away because they could not park. Councilmember Culotta he agrees it is better than holding it at City Hall. He added that the year he ran for Mayor he was told by a lot of voters that they did not come because the parking lot was full though he knows there is a handicapped ramp though it takes 45 minutes to get up the ramp.

Councilman James moved to appoint the following three members to the Board of Elections for the April 25<sup>th</sup> Election, seconded by Councilmember Morrow:

Katrina Wilson  
Joanne Leuthauser  
Carlene Wilson

Motion carried.

Councilman Brooks also recalled there was a festival going on downtown and those people were saying they were not going around Milford to vote so they didn't vote.

Councilmember Culotta agrees a place needs to be established that is ADA compliant and where it is easy to park. If that is the Public Works Facility, he will agree. However, over time, Milford residents have been trained to vote at Lulu Ross. He has no problem designating Public Works which is easy to get in and out.

Councilmember James said that he agrees and believes that Public Works solves a lot of problems---parking, easy access and there is plenty of notice with it being advertised already. He was wondering how it ended up at Public Works too, but it sounds to him like all the boxes have been checked.

Mayor Campbell also announced that the annual Candidate Debate, always sponsored by the Delaware State News, who had it scheduled on latter April. However, Milford Live scheduled a second debate at Benvenuto Restaurant on April 9<sup>th</sup>.

As a result, the State News canceled their debate, because they did not want the candidates to go thru two debates.

#### *Funding Authorization/Manhole Sealing/Sewer Capital Reserves*

*Mr. Whitfield stated that as part of the Capital Improvement Plan requests submitted by the Department, investigation of inflow and infiltration (I & I) of ground/storm water into the sanitary sewer system was identified as a project. In 2019, the City paid Kent County nearly \$870,000 to treat I & I flow.*

One project that has been identified is the sealing of manholes in the Truitt Avenue area of the City. By completing the sealing work, water infiltration through the mortar seams inside the manhole will be stopped.

Councilmember Peel moved to authorize \$11,850 from Sewer Reserves to cover the I & I manhole sealing work, seconded by Councilmember Culotta. Motion carried.

*Authorization/Execution/DNREC Grant Agreement/Mill Street Sewer Rerouting*

Mr. Whitfield reported the City Engineer applied for and received a DNREC Planning Grant for rerouting of a sewer line from the rear of Avenue Church. Presently the terra cotta line is exposed and adjacent to the stream bed, which subjects the line to inflow and infiltration as well as making it vulnerable to being broken.

The planning grant will look at alternatives for rerouting the sewer line.

Councilman James confirmed that matching fund will be required in order to secure the grant.

City Engineer James Puddicombe added that DNREC will provide 1/3 of the project funding, with the City paying for the other 2/3.

Councilmember James also asked if any of the items are identified in the restricted funds, Mr. Whitfield shared that it would be paid from the \$50,000 I&I line item that is part of the capital budget.

Councilmember James moved to authorize Mayor Campbell to execute the grant agreement as well as authorize the payment of any matching funds, and any rerouting project costs, to be expended from Sewer Reserves not to exceeding \$30,000, seconded by Councilmember Culotta. Motion carried.

*Introduction/Ordinance 2020-04/Chapter 230-Zoning/Sign Regulations*

Mayor Campbell introduced Ordinance 2020-04, related to billboards, which Planning Director Pierce recalled being discussed at the time of the comprehensive sign code update and is scheduled before the Planning Commission on March 17th and is scheduled for a public hearing before Council on March 23<sup>rd</sup>.

*Introduction/Ordinance 2020-05/Hickory Glen Final Major Subdivision*

Mayor Campbell introduced Ordinance 2020-05, for the Final Major Subdivision of Hickory Glen, which Planning Director Pierce stated was originally received Preliminary Approval in 2014 and involves 159 townhouses and 240 apartments. It is also scheduled before the Planning Commission on March 17th and is scheduled for a public hearing before Council on March 23<sup>rd</sup>.

*Introduction/Ordinance 2020-06/Milford Ponds Revised Use for a Planned Unit Development (Entire Project)*

Mayor Campbell introduced Ordinance 2020-06, related to the revision of the Planned Unit Development for Milford Ponds, which Planning Director Pierce explained will modify their unit mix to 504 single family homes and 264 apartments. It is scheduled before the Planning Commission on March 17th and is scheduled for a public hearing before Council on March 23<sup>rd</sup>.

*Introduction/Ordinance 2020-10/Milford Ponds Revised Preliminary Major Subdivision (Phase II)*

Mayor Campbell introduced Ordinance 2020-10, related to the revision of the Revised Preliminary Major Subdivision for Phase II of Milford Ponds, which was previously approved. This removes the townhouses originally planned, replacing them with single family detached homes. It is scheduled before the Planning Commission on March 17th and is scheduled for a public hearing before Council on March 23<sup>rd</sup>.

*Introduction/Ordinance 2020-11/Milford Ponds Preliminary Major Subdivision (Phase III)*

Mayor Campbell introduced Ordinance 2020-11, for the Preliminary Major Subdivision for Phase III of Milford Ponds on the east side of the development, for 52 single family dwellings. This is also scheduled before the Planning Commission on March 17th and is scheduled for a public hearing before Council on March 23<sup>rd</sup>.

*Introduction/Ordinance 2020-07/Mispiration Realty LLC/522 NW Front St/Change of Zone from R2 to C1*

Mayor Campbell introduced Ordinance 2020-07, for a Change of Zone from R-2 to C-1 at 522 Northwest Front Street and owned by Mispiration Realty LLC. This was the previous L&W Office Building and is also scheduled before the Planning Commission on March 17th and is scheduled for a public hearing before Council on March 23<sup>rd</sup>.

*Introduction/Ordinance 2020-08/First Baptist Church of Milford/6044 Old Shawnee Rd/Annexation and Change of Zone from MR to R1*

Mayor Campbell introduced Ordinance 2020-08, for the Annexation and Change of Zone at 6044 Old Shawnee Road, now owned by First Baptist Church of Milford and adjacent to their current church site. The ordinance is scheduled before the Planning Commission on March 17th and is scheduled for a public hearing before Council on March 23<sup>rd</sup>.

*Introduction/Ordinance 2020-09/Personnel Code/Chapter 55/Tuition Reimbursement Policy*

Mayor Campbell introduced Ordinance 2020-09, involving an amendment to Chapter 55 and will add a Tuition Reimbursement Policy for employees and was discussed at the February Finance and Public Works Committee.

ADJOURNMENT

There being no further business, Councilmember Boyle moved to adjourn the Council Meeting, seconded by Councilmember Peel. Motion carried.

The Council Meeting adjourned at 7:59 p.m.

Respectfully submitted,

Terri K. Hudson, MMC  
City Clerk/Recorder