

MILFORD CITY COUNCIL
MINUTES OF MEETING
July 13, 2020

The City Council of the City of Milford convened in a Workshop Session by way of a video conferencing website on Monday, July 13, 2020 at 6:22 p.m.

PRESIDING: Mayor Arthur Campbell

IN ATTENDANCE: Councilmembers Daniel Marabello, Mike Boyle, Andrew Fulton, Todd Culotta, Brian Baer, Douglas Morrow and Jason James Sr.

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

COUNSEL: Solicitor David Rutt, Esquire

ABSENT: Councilmember Katrina Wilson

In an effort to adhere to social distancing protocols and best practices imposed by Governor John Carney's State of Emergency Declaration effective March 13, 2020, the City of Milford has canceled all public gatherings until further notice. See July 27, 2020 Council Meeting agenda for additional information.

*Staffing Analysis Presentation
Pinnacle Change, Incorporated*

City Manager Whitfield recalled that last year, City Council was presented with a number of requests for additional staff in customer service, public works and parks and recreation. One of the questions asked was whether the City had a long-range plan in terms of staffing or if an analysis has been done to consider future needs.

As part of last year's budget, funding was allocated and a number of firms interviewed, with Pinnacle Change selected for this project. They spent a considerable amount of time with staff during their rigorous assessment of each City Department. The study included a comparison with other municipalities as well.

Mr. Whitfield confirmed this plan is not cast in stone, though it does provide a point of reference from where to start and where to move forward.

Jeff Smith from Pinnacle was in attendance.

Mr. Smith thanked Mr. Whitfield and HR Administrator Jamesha Eaddy for their assistance throughout the project. He explained the finished product is meant to be a roadmap that will provide guidance and ways for the City to continue to improve. They went into extensive detail with every department, with the exception of the police department, who opted not to participate.

Mr. Smith also noted that they met with 25 department heads and supervisors who were extremely collaborative, super transparent and responsive. That work resulted in a 70-page report, though he is only providing a brief synopsis.

The result is a good go-forward set of best practices and guidance, which will allow the city to continuously improve. They found the City to be very impressive, and when compared to similar ones, they put this municipality into the high performing government category.

Mr. Smith commented how the report is really broken down into the first dozen pages. The remaining information includes supporting detail that staff is able to use.

He then provided the following information:

The nature of what they did was to basically follow some really solid foundational steps that aligned with the community expectations found in the strategic plan surveys, which they found to be commendable and very practical.

There are always quantitative aspects--how many staff are needed, how many will be needed in a couple years, and if the department is over or under and are there enough resources.

It is difficult to comment on the adequacy of staffing levels, now or in the future, if you're not also taking into account the capabilities of the folks that are employed in those positions.

Secondly, how the leaders are allocating resources into the right avenues to get the most return with some very limited resources.

This provided a good view of how rigorous our model was because it goes into the major categories of structure, how well the City is aligned with the strategic plan and what is needed to guide the future over the next couple years. At that point, it will need to be revisited.

Processes in capabilities were also reviewed and whether the right employees were able to execute on things, which really drives such reports. If the staff wasn't as good as it is in those categories, the report would have been half the size because there is no point making recommendations if they are unable to come to fruition as some point in the future.

He then provided a quick summary of what they suggest could happen in the next couple of years.

Some serious thought was given to benchmarks and they were comfortable with the numbers and some of the ideas expressed by staff. Obviously, everything is dependent upon outliers, such as pandemics, resource allocations and budget nuances and constraints.

For the most part, there is a need to try and match staffing levels in comparison to the City's exponential community growth, which is way above all its local peers. As a result, additional capabilities and resources will be needed to support that growth.

This gives a pretty good feel for what follows in the rest of the executive summary including some of the more specific recommendations and observations of what could be considered.

The rest of the report takes each department and expands it into more detail than what is in the summary page.

His partner, John Davis, had planned to participate, and did most of the heavy lifting during the study. Unfortunately, he was having Zoom problems and at this time is unavailable.

Mr. Smith said that because of his work, Mr. Davis understands the City's operational and technological environment really well though he will talk about the two areas that really jumped out.

The most critical area to consider some substantial funding, would be in the IT area. The City is somewhat behind relatively speaking, compared to where they believe the City should be. Technology is always a two-edged sword that costs a lot of money and effort, but it is unparalleled in its ability to sustain productivity and growth.

That is the big area of need when compared to everything they observed.

The other need is to fill Mr. Whitfield's position in the public works department, though the process is underway.

Mr. Smith continued:

Senior Leadership seems to understand the number one principle and in performances, surrounds themselves with the very best people. That will allow the room to grow and will also empower them in a way that they enjoy their job and are passionate about what they do. They were very impressed by that.

He can't say enough about demonstrating conviction, a pro activity. Day jobs are day jobs but the City has a very passionate workforce, which is a huge asset that can be leveraged.

Succession planning is another area they would recommend paying more attention to. Although it is great to have talented people, it can be bad when the time comes for them to move on and retire. It is not easy to find really good people in a very short period of time in those situations.

Once technology begins to be beefed up, one of the other recommendations is the ability to make more objective and metric based decisions. Right now, that is difficult because there is not enough technology support in place to do that.

That will also take a lot of the bureaucracy and politics out of day-to-day decisions, while allowing what it can to be backed up with some objective substance.

Most governments in that situation, start by identifying those things they want to try and measure. Figure out ways to start to capture that data manually, get familiar with it, then work on it and improve. When technology gets added to the mix, there is a replacement of manual effort with technology logical efforts, which will allow the City to move forward faster.

Mr. Davis was then able to connect and provide additional feedback. He reported the following:

As far as prioritized recommendations, he wanted to frame it in with some overarching themes. One of the items that kind of appears in C, D, and E is technology. There were a lot of tech technology opportunities identified by City staff.

That provides efficiency optimization by allowing existing staff to do more with the current systems or can even free them up to do things they presently do not have to do.

That is an important piece, when coupled with looking at staffing changes. This may allow certain things to be addressed with technology, in addition to staffing optimization.

In a couple areas, such as planning development when a comparison was done with peer cities, it was determined that department may be short one full-time employee (FTE). When they discussed different options, the overarching theme is that regulations with permitting, licensing and more transactional activities need more support which will allow City Planning Director more free time to concentrate on developments, planning and outward facing.

The third thing referenced were the items listed individually by area. For example, customer service, has a single point that provides that citizen or resident experience, but there may be other things that could be co-located or provided together from public works or the planning and development office.

One of the concepts discussed was how to optimize administrative support that exists in various areas across the City, while coordinating when there is a need in one particular area. That can be supported, rather than going out and hiring temps or seasonal workers.

The prioritized recommendations are not necessarily stand-alone in a vacuum.

Mr. David and Mr. Smith then opened it up to questions.

In reference to the IT issue, a question was asked by Councilman Fulton about how the usage was tracked per department. He asked about that during his walk-thru though there wasn't a methodology that had been developed within the City to track the support of the IT department in each department.

Mr. Davis said that would be a second-tier assessment. Interviews were done with key individuals from each area to gather understanding and some background, though further analysis was needed to dig into those details.

Councilman Culotta pointed out that in his own observation of City operations, he feels our IT technology is a bit antiquated and needs a lot of improvement. He asked what made that obvious during the study.

Mr. Davis said the thing that jumped out with IT is the City has been operating with a bare bones staff. With looking at the RP system and other technology, there is definitely a need to do a further assessment. Items mentioned were administrative support for a help desk. That would provide a central point of contact that can gather information so the technical people can do what they need to do. He was astonished that less than two FTE's were supporting a City this size.

Councilman James asked if when evaluating IT, did the report consider the entire enterprise, because there is an RFP being prepared, to seek a consultant to guide us on a new financial management system, for example. He questioned if now is the time or should it be coupled with an entire enterprise to cover all functions of the City, whether that is HR or something similar.

Mr. Davis said it is important when looking at any assessment, to bring everything out on the table, to make sure that you know what's out there, whether you plan on actually acting on it, in order to prevent any surprises.

If the focus of the RFP is financial, operational and transactional, there may be other areas such as analytical or public works. Their need for scheduling and work orders and inventory management may not be part of that system. But it is important to be aware of all the pieces, whether it will be handled in the next year, or two or three.

Councilman James asked if they are saying there is a need for more staffing in the planning department to allow Mr. Pierce to function, or for everyone to function at the proper level. He thinks that when talking about the high performers' function, it is important they are at the correct pay grade and not a level below. He also asked if the consultants' felt having a planner and an economic development director should be two separate functions.

Mr. Davis said that in the comparisons, they reviewed annual reports and it would list the FTE structure and those titles. Often titles represent something different. Some had economic development, though some had deputy or assistant directors. But what is not getting done on the economic development side is the focus on serving the community in terms of the amount of growth, as far as building, and the support needed there. There is a need to be creative and who could be where and how to approach that.

Their main focus was on planning and development and there seems to be a lot being done with the current staff they have. When comparing to others, they were one to two less than every group.

Mr. Smith said there is a similar situation with Parks and Recreation. A lot of municipalities have to combine certain functions because of our lack of resources and the need to share resources.

He agrees there is a need to determine whether the City is better smaller and separated, or would it be beneficial to be combined. If the latter is the case, we need to figure out how to move that a little faster.

Mr. Davis said another question is if the City has the right people doing the right job with the right tools. For example, is there a leader of an area doing administrative work when that resource is really needed to help the overall system. In terms of what is being accomplished, he believes there is a need to look further at the resources, and whether technology or people will be the best solutions.

There being no further questions or comments, the Workshop Session concluded at 6:58 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

MILFORD CITY COUNCIL
MINUTES OF MEETING
July 13, 2020

The City Council of the City of Milford convened their regular meeting by way of a video conferencing website on Monday, July 13, 2020. The meeting was available for public view and participation as permitted.

PRESIDING: Mayor Archie Campbell

IN ATTENDANCE: Councilmembers Daniel Marabello, Mike Boyle, Andrew Fulton, Todd Culotta, Brian Baer, Douglas Morrow and Jason James Sr.

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

COUNSEL: Solicitor David Rutt, Esquire

ABSENT: Councilmember Katrina Wilson

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CALLED TO ORDER

Mayor Campbell called the 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 June 8, 2020 and June 22, 2020 Council and Workshop Meetings. Motion made to approve, with a one amendment, by Councilmember Boyle, seconded by Councilmember James. Motion carried.

RECOGNITION

Proclamation 2020-12/Honoring Former Councilmember Lisa Ingram Peel

Mayor Campbell recognized Former Councilmember Peel by presenting her with the following proclamation, read into record by City Clerk Hudson:

PROCLAMATION 2020-12
Honoring Councilmember Lisa Ingram Peel

WHEREAS, Sworn in by the Honorable Mayor Bryan W. Shupe on September 14, 2015, Lisa Ingram Peel has served as a Councilmember for the City of Milford after being elected to fill the remaining term left vacant by the late S. Allen "Skip" Pikus; and

WHEREAS, Lisa Ingram Peel has served as a member of the Public Works, Finance, Economic Development, and Police Committees, during that time, as well as Chair of the Community Affairs Committee; and

WHEREAS, Major accomplishments have taken place during her tenure as a Councilmember of the City of Milford, including the planning and completion of the \$314 million Bayhealth Sussex Campus, Riverwalk and Greenway Expansions, formation of Private/Public Partnerships, initiation and implementation of Downtown Revitalization Efforts, Redevelopment of vacated Subdivisions, Approvals of Major Healthcare Projects, essential Transportation Improvements, many new Employee initiatives and the creation of updated and more sound legislation; and

WHEREAS, She took a strong leadership role with the City's first Strategic Plan, working collaboratively with residents and business owners on some of the most pressing and complicated issues facing our City, addressing them with open eyes, ears and heart; and

WHEREAS, Her active, personal involvement within the City of Milford, in both official and unofficial capacities, has had a profoundly positive influence on the lives of many in this community; and

WHEREAS, Lisa Ingram Peel has decided not to seek re-election to Council and her term expired on June 22, 2020.

NOW, THEREFORE, BE IT HEREBY PROCLAIMED BY THE MAYOR AND COUNCIL OF THE CITY OF MILFORD, IN COUNCIL MET:

1. The Mayor and Council express their extreme appreciation to Lisa Ingram Peel for devoting her undivided attention and rendering her guidance and leadership ability to the City of Milford over the past five years.
2. Lisa Ingram Peel is hereby recognized and commended for many successes during her tenure, made possible by her commitment, devotion, thoroughness, good judgment, integrity and concern, thus leaving the City with a much brighter future. Best wishes are extended to her in all future endeavors.

Ms. Peel expressed her appreciation adding that it has been her pleasure to serve the City and its citizens and to work alongside everyone. And that she looks forward to seeing everyone out and about, and especially in the downtown area.

Mayor Campbell and Councilmembers thanked her for her service.

MONTHLY POLICE REPORT

Chief Brown apologized because he did not have the report in front of him. He said the numbers are way down because of the coronavirus and other issues, but they should be back to normal in the near future.

He also reported that he will be on vacation beginning Wednesday through Sunday and will follow up with a letter as is required.

Councilman James commended Chief Brown stating that they had some issues in his ward, that involved a number of complaints, including gunshots and similar calls. The Chief arranged for a meeting with residents who lived where most of the activity was occurring and came up with a plan. The outcome was very positive and it has been peaceful since.

Another incident involved an officer Councilmember James observed playing basketball with a child who had been experiencing some problems. He thought that was a great example of community policing.

Chief Brown commented that while school is out, he is making sure the school resource officers are doing things like that. He has also directed them to walk a lot of foot patrol in the downtown.

Councilmember Fulton moved to accept the Monthly Police Report, seconded by Councilmember Culotta. Motion carried

Monthly Stats:

A total of 124 arrests were made by the Milford Police Department during June 2020. Of these arrests, 69 were for criminal offenses and 55 for traffic violations. Criminal offenses consisted of 15 felonies and 54 misdemeanors. Traffic violations consisted of 17 Special Duty Radar, 2 Drunk.- Driving charges, 36 other.

Police officers investigated 25 accidents during the month and issued 21 written reprimands. In addition, they responded to 988 various complaints including city requests and other agency assistance.

Due to COVID-19 Pandemic stats are extremely lower than normal.

Monthly Activities

Throughout the month of June, participated in numerous conference calls and virtual meetings in reference the COVID-19 and the Governor's Emergency Order for the State of Delaware. This includes weekly Fire and Police conference calls, calls with the Governor, monthly State and Sussex Chiefs meeting, COVID-19 JAG conference call, City budget

conference calls and Municipalities of Sussex Co. conference call and numerous call with City Government Officials, the City Manager and the public.

Interviewed four applicants for the Public Works Director Position throughout the month of June.

Participated, along with several members of the Police Department, in the Walk of Change protest on June 14, 2020.

Met with Councilman James, Councilwomen Wilson and a resident to discuss mitigation nuisance property located on North Street on June 24, 2020.

Training -

All Training outside the department was cancelled for the Month of June 2020 due to the COVID-19 Pandemic. Officer have been assigned required training via webinars throughout the month.

Motion carried.

MONTHLY CITY MANAGER REPORT

City Manager Whitfield referenced his report in the packet. Though there are not a lot of highlights this month, he did want to mention Parks and Recreation and their response to the cancellation of summer programs because of the COVID-19 situation.

He shared that P&R Director Denney and his team have done a lot of extra work, that do not normally fall within the duties of that department. They have been keeping very busy helping with a number of items in and around town related to its beautification. His staff has actually taken on some new landscaping projects that have either been completed or are slated to be done at the various municipal buildings, including City Hall and Finance. So even though the recreational programs were canceled, they have managed to find productive ways to refocus by going in a different direction.

Mr. Whitfield was also pleased to announce that with the many rain occurrences recently, and with flooding in some downtown areas, City Hall's basement has remained dry, with the sump pumps kicking on and everything working as it was designed.

Councilmember Fulton moved to accept the City Manager Report, seconded by Councilmember Culotta. Motion carried.

MONTHLY CITY FINANCE REPORT

Finance Chairman James reported that for the month of May, the total of all funds—cash, reserve, impact fees and all other type of funds were \$47,008,647, down \$151,0360 from April. There was a reduction in operating cash of which \$731,000 came out of the general fund, which was offset by some increases in other operating cash accounts.

Reserves were up slightly by \$6,000; there was an increase in the general fund reserve of \$200,000 and a decrease in the water fund reserve of \$72,000 for a budgeted capital project and an increase in impact fees of \$159,772. Major increases were reported of \$77,804 in water impact fees, \$39,554 in sewer impact fees and \$38,814 in police and general government facilities fund.

On a go forward basis, Finance Director Jeff Portmann will continue to provide the fund analysis on a monthly basis until he retires.

However, City Accountant Sandra Peck has taken the management of the revenues and expenses on the operating page.

Chairman James then spoke about available cash and restricted and unrestricted amounts. The unrestricted amount is that available cash and the restricted/obligated amounts are the total restricted funds amounts. Those amounts are earmarked for those particular projects. Some of the money for those projects has been spent out of the operating cash. Until those projects are complete, the money will not be moved from the reserves to replace operating cash. That will happen once the projects are complete.

There is one adjustment going to be made in the electric reserve funds of \$4.4 million, as has been previously discussed. Council authorized using \$3 million of operating cash to pay down debt and that change will be shown on the next report.

Chairman James reported that 92% of the year has elapsed with 90% of the year's revenues collected.

The expenditures have a current run rate of 80%, which may end up at 83% for the year. However, expenses lag behind revenues and presently, revenues are ahead of expenses by \$4.5 million, though that gap is expected to close. In prior years, City revenues end up out pacing expenses by the end of year, somewhere between \$3.5 and \$3.9 million.

It was also noted there is currently \$275,000 in delinquent utility accounts due to the Covid pandemic.

City Manager Whitfield announced that this past week, DEMEC representatives met with Congresswoman Lisa Blunt Rochester regarding utility losses and was public utilities be provided with some funding, or at least written into the next Covid-19 bill. She agreed to pursue that.

Governor Carney, as of July 1st, is now allowing utility disconnects for non-payment, but after a minimum of four months for repayment of past due bills. The City will be notifying our customers of the new criteria set forth by the Governor, to allow them to make their accounts current. Any extenuating circumstances will be reviewed and dealt with on a case-by-case situation.

Chairman James also informed Council that DMI returned the entire \$30,000 that was earmarked for the 2020 Ladybug Festival.

In addition, there is an RFP being prepared for a consulting firm who will guide the City on the selection of a financial management firm.

The City Manager then verified that the real estate property tax line item shown does not include any delinquent property taxes paid from previous years; instead they are shown in accounts receivable.

City Accountant Peck further clarified that process stating that the amount on the budget report only includes the current year taxes that are billed. Prior years collected are included in the receivables and part of the audit report.

She also noted that the current delinquent property tax balance is just below \$300,000, of which \$153,000 is in the current fiscal year.

Councilman Marabello moved to accept the May 2020 Finance Report, seconded by Councilmember Fulton. Motion carried.

COMMITTEE & WARD REPORTS

Mayor Campbell presented his committee appointments for Fiscal Year 2020-2021:

COMMITTEE	CHAIR	MEMBERS
Annexation	Dan Marabello	Brian Baer, Katrina Wilson, PC Chair Sharp
Community & Economic Development	Katrina Wilson	Mike Boyle, Todd Culotta, Andy Fulton
Finance & Public Works	Jason James	Brian Baer, Dan Marabello, Doug Morrow
Police	Mike Boyle	Andy Fulton, Jason James, Doug Morrow
Community Cemetery Board		Todd Culotta
Kent Economic Partnership		Doug Morrow

Councilmember James asked that the calendar meeting dates align with those on the assignment list.

COMMUNICATIONS & CORRESPONDENCE

Mayor Campbell then spoke about the increasing number of emails and correspondence he is receiving related to the police shooting earlier this year. He has forwarded them to Chief Brown though the Mayor did contact the Attorney General's Office to encourage the conclusion of the investigation so that these records can be released when requested.

Councilmember James reminded Council of the Community Day of Prayer event on Tuesday, July 28, 2020 beginning at 6:00 p.m. at Bicentennial Park. Community and religious leaders from various denominations will be gathering for prayer and to enjoy some inspirational music.

UNFINISHED BUSINESS

No items.

NEW BUSINESS

Adoption/Resolution 2020-21/Designating Signers & Authorizing Electronic Signatures

City Manager Whitfield reported that Resolution 2020-21 authorizes the signatures, including electronic signatures, for all city checks. Presently, checks are electronically signed by the Mayor and Vice-Mayor and any check over \$10,000 require a live signature of either the Mayor, Vice-Mayor, Finance Chair or City Manager.

Over the past several months, staff, Council and the Mayor have tried to eliminate as much person-to-person contact as possible. Considering the small number of checks that are over the \$10,000 threshold, he is recommending all checks be electronically signed. In addition, a list of all checks over \$10,000 would be emailed weekly to the Mayor and Vice Mayor for review and approval. The resolution eliminates the need for live signatures.

Councilmember James pointed out this is more modern-day approach and has been in place at his employment for the last 25 years on his job with no associated problems.

Councilman Boyle said he has no problem with electronic signatures, but asked if the City locking ourselves into a position, where if for whatever reason, one of the principles are not available. His concern is there are no other alternatives.

Mr. Whitfield explained that currently, we have four check signers, and with Covid-19, we were trying to limit the amount of exposure, basically to the Mayor and City Manager signing the checks.

Councilman Boyle reiterated he has no problem with that, but is only concerned with the limitation that only the Mayor and Vice Mayor are included in this resolution.

A discussion followed regarding the current policy allowing the Mayor, Vice Mayor, Finance Committee Chair and the City Manager to sign checks. It was also noted that presently, the Vice Mayor and Finance Chair are the same person.

The Charter states that Council can designate a person, and Councilman Boyle's concern is the limitation to two positions on the resolution, with no other options. A different resolution, would be needed for the bank to accept another signature. If the desire is to have another position, the resolution should be amended prior to its adoption according to Solicitor Rutt.

City Manger Whitfield recommended adding 'any member of the finance committee'. He said the question involves section 3 which states:

'The Finance Director shall submit to the Mayor and Vice Mayor a weekly report, displaying all checks to be issued by the City in an amount over \$10,000, for their review and approval.'

Solicitor Rutt recommended adding a second sentence to section 3 stating 'that in the absence of the Mayor or Vice Mayor, any member of the Finance Committee is authorized to receive the report from the Finance Director'.

There was a question about when the file would be provided and if it was prior to the checks being dispersed; Mr. Whitfield confirmed it would be presented before the checks are issued.

Councilmember Fulton suggested the following language:

“The Finance Director shall submit to the Mayor and Vice Mayor a weekly report displaying all checks to be issued by the City in the amount of \$10,000 or more, for their review and approval. In the absence of the Mayor or Vice Mayor, any member of the Finance Committee can perform their duties.’

Motion made by Councilmember Boyle to adopt the resolution, with the additional sentence, seconded by Councilmember Morrow. Motion carried.

Mayor Campbell later in the evening asked if there were any public comments on Resolution 2020-21; no one responded.

Authorization/Police Department/Body Camera Equipment & Contract

Mayor Campbell deferred to Chief Brown for a synopsis.

Chief Brown commented by stating this was part of what had been put in the budget. But because of the amount, it needs approval by Council. He is upgrading all cameras, but more importantly, moving the storage to unlimited storage, because that's where he is having problems and he has found it is hard to budget. He is constantly having to review the amount of storage that needs to be purchased, because they have not yet gotten to the point where they can begin to purge videos because of the state retention laws.

Overall, he thinks it will be better to have this unlimited feature. He has tried to figure out when the footage is unnecessary, but at the same time, wants to make sure he gets everything recorded he can. It will be much easier if the officers do not have to worry about it. They can just record all the time from now on.

Chief Brown confirmed the exact amount was included in his budget. What he is presenting tonight for approval covers \$44,000 a year for the next four years, with a reduced amount the first year. That credit is the result of their current agreement which has not yet expired. He confirmed the total amount is \$191,904.32.

Councilmember Marabello moved to authorize the five-year contract to Axon Enterprises for a total of \$191,904.32, as was included in the FY20-21 budget, seconded by Councilmember James. Motion carried.

Adoption/Resolution 2020-22/Public Works Department Fee Schedule

Mr. Whitfield explained that with the adoption of the budget and increase in wages, there is a need to update the labor rate included the Public Works billable rates as shown in the packet.

Public Works Operation Supervisor Rhiannon Slater recalled that Council has previously put these fees into place. This is only an update based on the changes in salary.

Councilman Fulton noted there is a \$20 decrease to the engineering technician and questioned if that is correct.

Ms. Slater contacted City Accountant Peck by telephone for further clarification. While she was on the phone, Mayor Campbell opened the meeting for any public comment regarding Resolution 2020-22. No one responded and the public comment session was closed.

Councilman Culotta then questioned the rates related to the engineer and engineering techs and whether there are fixed costs. His concern is if someone doesn't go through a plan review, for example, they may not know what the rates will be. He has often heard that a developer receives their plan review bill from the city, it is much higher than they expected and they were unaware of all these costs going into the project. That often places a heavy burden on the developer or builder.

City Manager Whitfield said he prefers to let Mr. Pierce talk about it, because he has put together the rate schedule. Mr. Pierce said it will be ready for the meeting in August and are presently working with a consultant. The rates shown in the

resolution are much lower than what the City pays for a consultant who has additional overhead expenses. However, that is not reflected in our rate schedule.

Mr. Pierce said he is getting close and has drafted a fee schedule for the City Manager and City Engineer to review, in addition to his consultant, as he previously mentioned.

Currently, he is able to provide an upfront estimate to any applicant that comes in. In the meantime, the criteria and established rates will provide an even more accurate review before they start the plan review. They are also asked to authorize and put the money up front prior to the start of the plan review, as has been implemented over the last month.

Ms. Slater returned to the meeting stating that according to the City Accountant, it appears there was some typo of error on last year's rate. It should have been \$39.76 not \$61.50. As a result, there will be a slight increase to the new \$40.87 rate.

When asked if there was also a typo in the labor rate for the City Engineer, because that also show a decrease, Ms. Slater said that according to Ms. Peck, it should also be \$7 less. The City Engineer, for fiscal year 2020, should have been \$61.84 and a three-cent increase is being requested as a result of benefit changes.

Solicitor Rutt suggested that because of the errors discussed, and to protect the record, he suggested Mayor Campbell again ask for any public comments. Mayor Campbell again asked if anyone from the public wished to comment; no one responded and the comment session was closed.

Councilmember Fulton moved to adopt Resolution 2020-22 authorizing the updated Public Works Department Fee Schedule as has been presented, seconded by Councilmember Boyle. Motion carried.

Appointment/City Planning Commissioners

Mayor Campbell reported that we are in need of several vacancies on our Planning Commission. Tonight, he is asking Council to appoint two new commissioners.

After providing a brief background on each applicant, he asked that Shelby Nash DiCostanzo and Kathryn Stetson be appointed as Planning Commissioners.

Councilmember Boyle moved to confirm the appointment of Shelby Nash DiCostanzo to the Planning Commission, seconded by Councilmember Baer. Motion carried by a roll call vote of 5-2:

<u>Yes</u>	<u>No</u>
Boyle	Culotta
Marabello	Morrow
Fulton	
Baer	
James	

Councilman Marabello moved to confirm the appointment of Kathryn Stetson to the Planning Commission, seconded by Councilmember Boyle. Motion carried by a unanimous roll call vote.

It was noted another commissioner will be resigning after the July meeting, which will leave one more vacancy. The plan is to interview an applicant from Ward 4 who can hopefully be appointed in August.

Authorization/Contract Renewal/R&R Realty Listing Services Authorization/Contract Renewal/First State Inspections Services

Planning Director Pierce reminded Council that R&R Realty has a current contract listing the vacant lands owned by the City, primarily in Independence Commons and the Greater Milford Business Park. He is seeking another one-year extension which will allow them to market and promote the available parcels.

Mr. Pierce assured Mayor Campbell that R&R has generated more interest in the properties than previously.

Councilman Culotta said he has worked with R&R properties and is familiar with their ecosystem of clients and feels they are one of the top commercial realtors in the area.

The Planning Director confirmed the locations of the parcels in Independence Commons and the Business Park, and added that he believes the contract is structured so that additional City properties may be included during the term of the agreement. The sale prices of the business park lots shown were what City Council had previously authorized.

Councilmember Culotta moved to authorize the renewal of the R&R Realty contract, seconded by Councilmember Fulton. Motion carried.

Authorization/Contract Renewal/First State Inspections Services

Planning Director Pierce is asking to continue the relationship his department has First State Inspection Agency for on-call contractual building inspections and building plan review services. It is included in the budget in the amount of \$35,000.

He added that last year, he spent \$11,000 for on call services, \$49,000 in FY19 and \$91,000 in FY18.

The decrease is the result of moving inspections back in-house when an additional inspector was added to his department. First State is only used when the building official is unavailable or the work load gets to the degree his inspectors are unable to get the paperwork completed in a timely manner. Currently, he only has one certified inspector though his goal is to have the other certified and cross trained.

Councilmember Boyle moved to authorize the First State Inspection Agency services, as presented, seconded by Councilmember Marabello. Motion carried.

Introduction of Ordinances:

Mayor Campbell introduced the following three ordinances, followed by a brief synopsis by Planning Director Pierce:

Ordinance 2020-19

Jerry Embleton for a Conditional Use to allow a Mixed Use on 0.121 +/- acres in a C2 Zoning District. Property is located along the west side of N. Washington Street between NE Front Street and NE Second Street., addressed as 0 Washington Street, Milford, Delaware. Present Use: Vacant; Proposed Use: Two-story mixed-use structure containing first floor commercial space and a single second story apartment. Tax Map: MD-16-183.10-03-57.01

Ordinance 2020-20

R&S Construction LLC for a Conditional Use to allow a Single-Family Semidetached Dwelling on 0.19 +/- acres in an R2 Zoning District. Property is located along the south side of SE Second Street between Montgomery Street and Franklin Street, addressed as 212 & 214 SE Second Street, Milford, Delaware. Present Use: Vacant; Proposed Use: Single-Family Semidetached Dwelling. Tax Map: 3-30-7.17-275.00 & 3-30-7.17-276

Ordinance 2020-22

Cosmo Properties LLC for a Conditional Use to allow a Daycare to be known as Triumph Youth Center on 2.08 +/- acres in a C3 Zoning District. Property is located along the north side of Milford-Harrington Highway, approximately 2,200 feet west of the Route 113 intersection, addressed as 350 Milford-Harrington Highway, Milford, Delaware. Present Use: Shopping Center; Proposed Use: Same with Daycare. Tax Map: MD-16-173.00-01-08.00

Public hearings have been scheduled on all three applications for the City Council meeting on July 27th, following a review and recommendation by the Planning Commission.

EXECUTIVE SESSION

Councilmember Culotta moved to go into Executive Session reference the below statute, seconded by Councilmember Fulton:

Pursuant to §10004(b)(4) Strategy sessions, including those involving legal advice or opinion from an attorney-at-law, with respect to collective bargaining or pending or potential litigation, but only when an open meeting would have an adverse effect on the bargaining or litigation position of the public body.

Motion carried.

Mayor Campbell recessed the Council Meeting at 8:28 p.m. for the purpose as is permitted by the Delaware Freedom of Information Act.

Return to Open Session

Council returned to Open Session at 8:36 p.m.

Mayor Campbell announced that no action was needed as a result of the closed session discussion.

ADJOURNMENT

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

The Council Meeting adjourned at 8:38 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder