

MILFORD CITY COUNCIL
MINUTES OF MEETING
August 24, 2020

The City Council of the City of Milford convened in a Workshop Session by way of a video conferencing website on Monday, August 24, 2020 at 6:30 p.m.

PRESIDING: Mayor Arthur Campbell

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

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

COUNSEL: Solicitor David Rutt, Esquire

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 August 24, 2020 Council Meeting agenda for additional information.

*Presentation by City Engineering Technicians
Wayfinding Project*

City Manager Whitfield recalled when the City's two University of Delaware interns Samantha Lee and Alex Beam, were introduced to City Council in July, adding they are here tonight to present the parking way finding project, which is one of several activities they have been working on over the summer.

He then turned the workshop session over to City Engineer James Puddicombe.

The City Engineer then thanked the two interns for all of their hard work noting that they will be finishing up this weekend and returning to the University of Delaware to complete their last year.

He encouraged Council to ask questions at any point during the presentation.

Ms. Lee began by stating that she and Mr. Beam worked on the City of Milford Pedestrian/Motor Vehicle Wayfinding project. The goal of this project was to solve the issue with the current parking system and allow the community to easier locate public parking lots, then find the ones that are closest to their end destination. Another objective was to make the Riverwalk more user friendly, which will be discussed later.

She conveyed the following:

The first part of the project involved parking lots while considering appropriate names. Ornamental signs would be placed in various locations that would help direct people to the different areas of town.

Referenced were maps showing five different parking lots, noting they are very difficult to find because there are poor directional signs. The entrance and exit to lot number four, which is by the parking lot by the old M&T bank, is difficult to find because it is on a back-side road and the sign placement is very suboptimal.

Lot number five on Mill Street has a no outlet sign and there is nothing that indicates it is a parking lot for the public to use.

There are six other parking lots and the main issues with parking lot number eight, which is by Milford Public Library, has no directional signs and there is nothing indicating that people are allowed to park there.

Parking lot twelve is at a weird intersection with a one-way in and one-way out which makes it difficult to enter and exit so a lot of people do not use it.

A map was presented showing all parking lots outlined in yellow with corresponding numbers.

The current problems associated are as follows:

Lots 1, 2, 3, 5, 8, 9, and 12 have no signs signaling they are public parking

Lot 5 has “no outlet” sign which deters people from parking

Lot 4 has no directional arrows and sign placement is suboptimal

Lot 10 parking sign is too small to see when driving

Mr. Beam then continued:

Ideas behind the proposed parking lot names were to keep them short. try to keep them pretty standard and related to Milford.

Trees was the one they preferred. When visiting each parking lot, they tried to match them as closely as possible, though they also wanted to have an option of a choice and came up with three naming conventions:

	Trees	Birds	Nuts
1	Magnolia	Finch	Walnut
2	Holly	Turkey	Pecan
3	Pine	Woodpecker	Almond
4	Cherry	Heron	Cashew
5	Willow	Goose	Peanut
6	Elm	Osprey	Hazelnut
7	Aspen	Raven	Pistachio
8	Cedar	Owl	Pine Nut
9	Sycamore	Swan	Macadamia
10	Birch	Duck	Chestnut
11	Mulberry	Pigeon	Coconut
12	Oak	Dove	Acorn

A map was then presented showing the proposed new signage locations. The blue white icons represent locations of where signs will go and the label above them indicate the direction that the site will be facing.

A routing of the cars going to parking lots, equal to capacity and flow of traffic was kept. The signs will be the standard green and white signs.

Ms. Lee then talked about the ornamental naming lot sign that was chosen for the entrance of each parking lot. This also solves the problem of not knowing which parking lot is public, and which isn't. That is a problem when someone is looking for a parking lot and once a driver sees a sign, they then know they are permitted to park in that lot.

Thirteen would be needed only because the bank parking lot has the entrance at the main lot and one in the rear so two signs would be needed at that location.

The city already has the sign and posts so they would not need to be purchased.

Costs of the project are:

\$37.50 for directional sign (30) + \$50 freight fee \$1,175.00 total
Taken from Garden State Highway Products, Inc.

\$51.95 for lot name sign (13) \$675.35 total
Taken from myparkingsign.com

Grand total needed: \$1,850.35

Mr. Beam then talked about the pedestrian way finding side of the project. Knowing where things are, and giving a kind of location and a way to connect the Riverwalk so that people know where it is and how it continues. The idea is to install mile markers for safety purposes. If something were to happen on the Riverwalk, people could provide that information so they could be easily located.

Two maps, with dark green representing the Riverwalk and the light green representing where to connect them. There are two disconnections with one on Church Avenue and the other near the Calvary Methodist Church on SE Front Street.

Nothing really designates that the Riverwalk continues there. Multiple ways could fix that and the preferred is something similar to a painted path or painted image, similar to a Ladybug, trees, geese and/or ducks, but that would signify the Riverwalk continues.

Small trail markers would be used as a safety and tracking feature for people who are using the Riverwalk to distinguish how far along on the Riverwalk they have walked.

The Riverwalk is 2.1 miles and one would be needed every tenth of a mile for a total of 21, in addition to one at the start of the Riverwalk.

Three types were considered, all engraved and each made of different materials with varying price ranges of \$1,145 (composite posts), \$1,604 (metal plates) and \$4,364 (cedar posts).

Mr. Beam pointed out that currently nothing really distinctly makes the Riverwalk obvious. There are a few signs spread out, that are very small.

Something more definitive is needed that would reference the Riverwalk, the site of each parking lot, the downtown business area and the proximity of other parks in relation to the Riverwalk.

The Riverwalk signs would be installed at all major entrances to its path and mile markers every tenth of a mile.

A final cost estimate was then provided:

Low cost:

30 Directional signs + 13 Name signs = \$1850.35

3.5" circular metal trail markers (22) = \$1145

4 trail maps = \$800

Grand total = \$3795.35

High Cost:

30 Directional signs + 13 Name signs = \$1850.35

22 pure cedar posts = \$4364

4 trail maps = \$800

Grand total = \$7014.35

Mr. Puddicombe then added that the way finding for the traffic is the major part of this project. However, Parks and Recreation Director Brad Dennehy had asked connecting the Riverwalk and the mile markers, which is why that was included. This would be a split project between public works and the Riverwalk portion would most likely be done by Parks and Recreation.

When asked which of the three markers would last the longest, the City Engineer said metal emplacements. He also had them consider is any sort of graffiti or vandalism that could occur. They attempted to find things that could not be easily removed or painted over.

The various materials were then discussed.

Councilman Fulton applauded the hard work of the two interns and the wonderful presentation.

When asked how quickly could this be initiated; Mr. Whitfield said it would most likely be a winter project and he anticipates the signs taking approximately three months and the placement is normally done during the colder months.

Councilman Boyle also thanked the interns, adding this is a project that is needed, but one that is difficult to get accomplished. He is pleased we were able to use them and hopes they learned something from the experience they can take back with them to school.

Councilman Baer and Mayor Campbell also thanked them for the outstanding job.

Councilman Baer suggested adding a picture of the branch or leaf of the tree on the sign, to make it easier for people to remember their location through the use of a graphic, in addition to the name.

Mayor Campbell also thanked them and wished them well and commended City Engineer Puddicombe for his oversight and assistance with the project.

Presentation by Help Initiative:

Lights On, Milford Strong

Weatherization Assistance Program

Health On, Milford Strong

City Manager Whitfield then introduced Harold Stafford and Charlie Kistler from Lights on Milford Strong HELP Initiative to talk a little about their project and a couple new initiatives.

Mr. Kistler introduced him as the Executive Director of the Health Initiative and the Honorable Harold Stafford who is the Director of Government Relations for the organization and also the Board President.

The Executive Director then provided a briefing of the Milford Strong 2019 Campaign. Talking about how they kicked the program off, the key words are partnerships and collaboration and performance and being able to work street to street, door to door. Those are the big differentiators in the kind of program being offered through the lights program.

He talked about the zones identified during phase one of the installation. There are 412 homes in the orange section, that were identified in cooperation with the police department. They were able to install 478 homes with energy efficiency lighting.

The light bulbs used typically on the front porch automatically goes on as soon as the lumen level gets low enough or in the back, if there is no fixture, the LED light cannot be installed that would use a solar motion light. Typically, 600-900 lumens of light, motion driven, provide roughly 20 feet/120 field of view.

He then talked about the city's 478 installations, broken out by category of housing stock, single family, multifamily and vacancies, which are problematic. The energy savings is 27,000 kilowatts, broken down by per property by housing type. The Planning Director helped them identify houses that were consuming 20,000 up to 50,000 kilowatts of energy on an annual basis. Identified were 93 homes and energy efficiency measures were installed in those homes.

Workshops were done through the faith-based community and 31 participants were educated.

He talked about the presentation they provided to the Attorney General last week. With the help of Lieutenant Huey, they were able to collect crime statistics over a two-year period.

Also provided were the type of crimes committed and the areas impacted. Part one crimes are crimes against people Part two crimes are against property.

Discussed was the reduction in crime that means the LED lights had a direct impact. Part two crimes saw a reduction of 11.52% and then the delta of part one and part two equal a 9% reduction.

Phase two funding from Energized Delaware allows them to come in and start doing more lights in Milford. They will be going into multifamily and landlord tenant properties first because of the virus, and the kind of conditions it is placing on them when they go door to door.

Property management and landlord/tenant relationships provide a buffer between the tenant and the program. They use the landlord to be the buffer that works directly with the tenant and is how they get both partners to sign off on the installation.

On the health side, DNREC funded 100 healthy home assessments in Milford. They have identified 198 homes of which at least 100 assessments will be done. By replacing the inefficient lighting, pipe wrapping and similar work builds the trust factor that allows the next big thing which is the Weatherization Assistance Program. They are Milford and Seaford as template cities to go in and do the best job possible by leveraging the kind of work they receive through the Lights Program going door to door and building trust.

That enables them to do the intake process which gets them into the pipeline for delivering these weatherization services. This involves a three-year contract of \$1.5 million over a 12-month period, just in Kent and Sussex Counties.

Other programs such as the heating, heating repair, replacement program and the pre-weatherization are yet to be finalized, but should be soon.

They want to leverage off all the program as they go into each city, thus creating a delivery mechanism that uses the resources of each of these programs in the most cost-effective way to make the biggest impact.

Mr. Kistler confirmed they have several bilingual people working with these residents. Three that speak Spanish and two that speak French/Haitian Creole.

Last time they executed an MOU and they would like to do that again. He explained this is a no money proposition coming out of the coffers of the city. The MOU is a good mechanism that really defines and mutually agree on the scope of work and the timeline for which the services are delivered.

They would like to do that gain as a public and durable commitment between two parties. They want to continue working with the police department.

He also emphasized that Milford has one of the gold standard customer service groups in the State of Delaware. They know because they work with customer service everywhere. They want to work closely with them going forward, to be able to help people that are in the bordering on disconnection.

Also, they want to proceed with the Planning Department, adding that Rob Pierce provided a lot of GIS our GIS mapping. They have since purchased a license for the GIS technology and are trained in it. Though they can do more, it would be great to have that access.

Being able to associate with the city's outreach events is extremely important to getting the word out there and also through social media.

They have talked with City Manager Whitfield and had a great exchange. If they can get any kind of hand off or a referral to the multifamily property management groups in Milford, as well as the landlord tenant relationships, will tremendously facilitate their ultimate goal and objective, which is to deliver the services.

He reiterated that the funding for this project is coming from Energized Delaware in the amount of \$336,000 for Fiscal Year 21. They want to use Milford and Seaford as templates to be able to spend that money downstate. They are also working in Wilmington and Middletown as well.

They need a green light from the Mayor and City so they can proceed.

Councilmember Culotta asked for more information about the language Mr. Kistler mentioned was difficult in the first MOU.

Mr. Kistler explained the first MOU was a little unique because it was a split between DEMEC and their green energy funds and how the money was split each time an invoice was created. In addition, there was some language added by the Solicitor, that made sense. It was just getting through that agreement that ended up making them smarter and more sensitive to some of the issues about equal opportunity and things like that.

This will be different because there is no financial ask.

He added that they go door to door, and ask the client to sign the client intake form. That is done three reasons. The client commits in front of them, that they are going to anonymously contact 911 if they see any suspicious activity. Milford's call volume went up as a result and people became much more sensitive to other surroundings.

The second thing was to encourage the neighbors to participate in this program. It's free. And it hopes to improve public safety and reduce their energy burden.

The third one is to attend the workshops. It is signed in front of them which makes it a public endurable commitment. Then there is a sense of obligation to follow through.

Mayor Campbell thanked them and directed them to continue working with the City Manager and the Planning Director.

Mr. Kistler concluded by handing out a commitment. He said the next time they do this, they will have the bilingual people, especially the program manager in this area. She will be doing the presentation instead of him.

There being no further business, the Workshop concluded at 7:16 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

MILFORD CITY COUNCIL
MINUTES OF MEETING
August 24, 2020

The City Council of the City of Milford convened their regular meeting by way of a video conferencing website on Monday, August 24, 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, Jason James Sr. and Katrina Wilson

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

COUNSEL: Solicitor David Rutt, Esquire

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 indoor public gatherings until further notice. See August 24, 2020 Council Meeting agenda and packet for additional information.

CALLED TO ORDER

Mayor Campbell called the meeting to order at 7:16 p.m.

INVOCATION AND PLEDGE

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

RECOGNITION

New Employee Introduction/City Finance Director Lou Vitola

City Manager Whitfield recalled that our current Finance Director Jeff Portman will be retiring around the middle of October. Tonight, he is introducing his replacement, Lou Vitola. Mr. Vitola has a great deal of finance experience having worked in Middletown, Newark, DEMEC and the State of Delaware.

Mr. Vitola said this is the start of his second week in Milford and he is very thankful for the opportunity. He said that Milford is a beautiful city and though he doesn't know a lot about it, he has learned there are a lot of really good people working for the city and he looks forward to contributing and doing anything he can on behalf of the residents and businesses here.

Mayor Campbell welcomed Mr. Vitola adding he had the pleasure of meeting him earlier and is happy we were able to find someone with the background and experience he has to replace Mr. Portmann.

Proclamation 2020-13/Prostate Cancer Awareness Month

Mayor Campbell acknowledged Prostate Awareness Month and referenced the following proclamation:

Prostate Cancer Awareness Month

WHEREAS, prostate cancer is the most commonly diagnosed non-skin cancer in men and the second leading cause of cancer deaths in men; and

WHEREAS, approximately 240,000 men are diagnosed with prostate cancer in the United States alone every year - one man every 2.63 minutes, roughly 30,000 die each year from the disease - one man every 17.52 minutes; and

WHEREAS, 1 in 7 men are diagnosed with prostate cancer. African American men are at the highest risk for the disease with a rate of 1 in 4 men; and

WHEREAS, African American men are 2-5 times more likely to die from the disease; and

WHEREAS, Education regarding prostate cancer and early detection strategies is critical to saving lives and preserving and protecting our families; and

WHEREAS, all men are at risk for prostate cancer and we encourage the citizens of Sycamore Township to increase the importance of prostate screenings.

NOW, THEREFORE, BE IT RESOLVED, I, Arthur J. Campbell, Mayor of the City of Milford, by the power vested in me, do hereby proclaim the month of September 2020 to be Prostate Cancer Awareness Month in the City of Milford.

Proclamation 2020-14/National Suicide Prevention Awareness Month

Mayor Campbell also acknowledged September as National Suicide Prevention Awareness Month and presented the following proclamation:

September Is National Suicide Prevention Awareness Month

Whereas, September is known across the United States as “Suicide Prevention Awareness Month” and is intended to help promote awareness surrounding each of the suicide prevention resources available to us in this community; and

Whereas, Suicidal thoughts can affect anyone regardless of age, gender, race, orientation, income level, religion or background; and

Whereas, Suicide is the 10th leading cause of death among adults and the 2nd leading cause of death among individuals between the ages of 10 and 34 in this country; and

Whereas, Claiming the lives of 129 Americans every day, each suicide directly impacts a minimum of 100 individuals, including family, friends, co-workers, neighbors, and community members; and

Whereas, the City of Milford chooses to publicly place our full support behind local educators, mental health professionals, athletic coaches, law enforcement officers, and parents, as partners in supporting our community by simply being available to one another; and

Whereas, local organizations like the AFSP Delaware Chapter are on the front lines of a war that many still refuse to discuss, as suicide and mental health remain too uncomfortable to talk about; and

Whereas, every member of our community needs to understand that throughout life’s struggles, we all need the occasional reminder that we are all fighting our own battles; and

Whereas, I encourage all residents to take the time to check in with their family, friends, neighbors and coworkers on a regular basis and to communicate their appreciation for their existence by any gesture they deem appropriate. A simple phone call, message, handshake, or hug can go a long way towards helping someone realize that suicide is not the answer.

NOW, THEREFORE, I, Arthur J. Campbell, Mayor of the City of Milford, do hereby proclaim September 2020 as Suicide Prevention Awareness Month in the City of Milford.

COMMUNICATIONS & CORRESPONDENCE

Councilman Marabello reported another problem with brown water. Mr. Whitfield explained that the City is in the process of doing waterline flushing. Though has been completed, it probably did stir up some sediment as a result. All mains will be flushed over the next few weeks.

They also talked about the DelDOT's Southeast Second Street paving project and the work that still needs to be completed before the roadway is paved. City Engineer James Puddicombe is in touch with the State though they have not provided those dates, but he will follow up.

Councilmember Wilson then asked Solicitor Rutt for clarification on handling complaints from constituents and whether it had to be in writing to be brought before Council; Mr. Rutt stated that any concerns should funnel through the City Manager, who can then inform the appropriate department or staff members, so the matter can be handled properly and in a much quicker manner than waiting for a Council meeting.

In addition to Milford being ranked as one best cities to live in this past year, Mayor Campbell provided details related to the newest award as the Most Up and Coming Town in the State of Delaware for Housing.

He also reminded Council that anyone that wishes to attend the October SCAT meeting needs to contact the City Clerk's Office to RSVP.

UNFINISHED BUSINESS

No items.

NEW BUSINESS

Edward Byrne Memorial Justice Assistance Grant (JAG) Program/FY20 Local Solicitation

Chief Brown updated Council sharing that the police department is receiving \$16,002 under the federal JAG Program through a joint Sussex County grant. That money will be used to purchase lockout tool kits for vehicles, Class-B style uniforms, tasers and batteries, and a camera system. The City of Seaford Police Department has also applied for \$11,390 portion of the grant.

He mentioned they have been postponing the purchase in hopes of the new building, but unfortunately, they have had several cameras down and they can't wait any longer. They need to be monitoring the hallways and cellblocks throughout the building which is the reason they will use a portion of the money to update the security cameras.

Other money will be used to purchase a Class B uniform. Chief Brown said his men have been asking for an alternate for some time, which will consist of BVD's and a pullover shirt with a logo.

Councilman Boyle moved to accept the Chief's recommendation, seconded by Councilmember Fulton. Motion carried.

Approval/Police Department/Tyler Technologies Contract Amendment/Records Management Software

Chief Brown recalled talking about for several months and this is only a formality because it was part of this year's budget. He recalled when the department was kicked off the state system because they didn't upgrade before the deadline. He clarified the contract amendment is for the CAD migration and needs approval tonight because of the costs. Some changes had to be made which reduced the total cost from \$143,000 to \$141,930.

Councilmember Wilson moved to authorize the Tyler Technologies Contract Amendment in the amount of \$141,930, seconded by Councilmember Boyle. Motion carried.

Approval/COVID-19 Emergency Expenses Funding

City Accountant Sandra Peck presented the expenses that were incurred as a result of the COVID-19 health emergency. She explained the City was able to obtain a Justice Assistance Grant to aid in costs throughout the city.

Additionally, a Request for Public Assistance with FEMA was submitted for reimbursement of eligible expenses. JAG funds were spent on computer equipment for remote work access, Zoom services and touchless bathroom equipment. FEMA funding

is eligible to reimburse expenses incurred to meet the requirements set forth in the State of Delaware Declaration of a State of Emergency, as modified.

AG Funding \$ 62,187
FY20 Expenses \$ 43,532
FY21 Expenses \$ 18,655

In fiscal year 20, expenses of \$102,408 and are asking for funding from the general fund in the amount of \$20,000, though it is expected to be closer to \$15,000, though the margin was added because FEMA has not gotten through a review and the uncertainty that everything will qualify.

In fiscal year 21, estimates costs are \$56,655 through the end of the calendar year. If Covid-19 extends beyond the end of the year, they may have to come back before Council again. Of those funds, \$9,500 is being requested from general fund reserves and the balance to be covered through the JAG and FEMA funding.

Councilmember Boyle moved to authorize up to \$20,000 from the general fund for fiscal year 2020 and \$9,500 from general fund reserves for fiscal year 2021 for Covid-19 expenses, seconded by Councilmember Culotta. Motion carried.

*Funding Policy/Private and Not-for-Profit Organizations
Funding Request/Mispillion Art League/Big Draw Event*

City Manager Whitfield commented that City Council has received a funding request for the Big Draw Festival DE to be held in Downtown Milford in October. Presently, there is a resolution passed by Council on June 12, 2000 that restricts City funding to organizations that are not directly created or commissioned by the City of Milford.

The Big Draw is an event being organized by the Mispillion Art League, an organization with no connections with the City of Milford. However, Council may want to consider revising the existing resolution to permit funding request for City events that does benefit the City of Milford and its residents. Additionally, it may be possible for the Big Draw event to be sponsored/partnered with the Parks and Recreation Department, or DMI, in which case both entities meet the criteria of being "created or commissioned by the City".

An additional \$5,000 was budgeted for community festivals in the 2021 operating budget with the request from Mispillion Art League of \$4,646.

The City Manager recommends one of the following two options:

- 1) Authorizing the funding request provided the Mispillion Art League partner with the City of Milford Parks and Recreation Department for the event, and enter into an agreement with the City;
- 2) Denying the request based on the Council Resolution of June 12, 2000.

Councilmember Culotta said he attended the event last year, and it was a unique and fun event that brings a lot of foot traffic to the businesses in our downtown. His concern is changing the policy and open the door for other nonprofits to make similar financial requests and believes that needs to be addressed first.

Councilmember Boyle recalled talking about possibly establishing a fund that would be somewhat managed by the community economic development committee for groups that hosted activities that supported the entire city. In this case, the event brings people downtown so he likes that idea. In that situation, these organizations would compete for the funding by way of written requests to the community and economic development committee. Decisions would then be made on how to spend the city's money with the goal of bringing people downtown or as a means to support other businesses in Milford.

Councilmember Fulton sees this as a castle unfolding doesn't just fall within the purview of what DMI does for us with the downtown district.

A lengthy conversation continues regarding the relationship between the City and various organization.

Councilmember Marabello believes this should be considered an exception, because of the pandemic and he does not want to discourage volunteers who doing a lot of work by not supporting the event.

Mispillion Art League President Morgan Golladay then spoke, stating that DMI is a 501C(3), as the art league is. They have almost 400 members and last year, 70 of their members were involved in the Big Draw and this year because of Covid19, they have had to change their focus.

They began planning in December and received the theme in February from the international organization. They have received a good deal of publicity last year, including two television interviews, three radio interviews and seven newspaper and online articles and a magazine article. As a result, the City of Milford received publicity because they firmly believe that we're an arts organization and are part of Milford. They are not limiting their approach only to the downtown area, which is the focus for DMI according to President Golladay and are essentially artists without borders.

She then talked about the many opportunities they provide to schools, children, families and individuals from all over, and not just within Delaware.

The theme this year is Climate Change, and is based around ecology and recycling. Because of the refocus, all of their committees have been working virtually since then March which is difficult when trying to provide a festival atmosphere for people. Because of that, they will be providing packets this year, with the biggest expense for printing and advertising.

All brochures and booklets will be bilingual as well. Their volunteer members will be providing packets of material with the booklets, the class catalog and the Riverwalk booklet to at least 200 participants because that funding will provide at the current time. In addition, all of the material will also be on line.

They do not want someone to be limited in their participation because they don't have access to a computer or unable to download or print. All of the things that they are doing this year are focused on individual family activities rather than closing off Park Avenue and having eight tons of sand delivered again.

President Golladay also shared that last year, they were totally funded by Bayhealth. They have approached three or four different businesses this year that are either connected directly to energy resources or to recycling to help provide sponsorship but were turned down by each. They are also collecting recyclable items that will be used in their projects.

She confirmed they are requesting \$4,646. One of their volunteers is an employee for Cisco Company who has a program that provides money back to the nonprofit organization, based on the number of hours the volunteers spend with the organization. They are not asking for repeat funding and this request is driven by Covid19.

Councilman Culotta expressed concern that if this is approved, this is going to open the door for other organizations to ask for funding.

Councilmember James referenced the resolution that is in place that in 2000, Council voted not to fund these type organizations. He feels that before anything is done, that must be dealt with, whether we honor it or rescind it. He also pointed out there are many other organizations that have been impacted by Covid-19 who could use one-time funding assistance that could benefit from the \$5,000 that is in the budget.

Councilmember Fulton asked if this will be done in person or will the Big Draw be done online. President Golladay said it is a combination this year. The 23 classes and workshops will be in person though they self-supporting and in person. However, they hope not to have large gatherings of people simply because there are many unknowns by the time October comes along. They will be providing packets for families to pick up and will be at the farmers market at the end of September, in addition to their office downtown.

She said their mission is to provide a quality visual arts program to the community and will not identify where the community starts or stops.

Councilmember Fulton expressed concern the City will be sponsoring an in-person event while educational institutes like Milford School District will be providing hybrid education.

Ms. Golladay then pointed out that the in-person classes are not sponsored by this donation though the classes are part of the Big Draw. This donation will be used totally for the packets that will be done at home by the families.

Councilmember Wilson asked if the group made a provide from last year's Big Draw; Ms. Golladay said it was a break-even situation and there was possibly \$500 that was leftover that went into general operating to reimburse the money that was put up for the registration fees to be paid to the international organization.

Councilmember Wilson thinks it is wonderful but at the same times, she agrees with the other councilmembers that the other nonprofits in the City who could benefit, especially those impacted by Covid19. In addition, the city itself has been affected and there has been a need to be aware of our spending versus the lack of revenues coming in just for utilities, as an example.

Councilmember Marabello feels there needs to be a continuity with the art league and it is almost an educational facility. He feels that if we don't encourage this in these hard times, and again pointed out there is additional money in this account. He recommends authorizing it through a partnership with the City of Milford Parks and Recreation. Doing it that way, would not violate the June 12, 2000 year agreement.

Councilmember Marabello also pointed out the funding that was provided to DMI's Ladybug Festival, which will be rolled over to next year. They are only asking for one-time funding. This is important for the downtown and city's growth going forward, and Council should not discourage them by not supporting them.

Councilmember James stated that as a point of clarification, City Council did not commit to fund the Ladybug Festival next year and that money is back in the budget. But they were also instructed to come back with another request and it was pre-conceived the answer will be yes and instead will be based on economic conditions at that time.

However, Councilmember James concurs that Milford is an art town and believes in supporting it. He asked if we may consider partial funding versus full funding.

Mr. Whitfield added that the city was involved in this project last year through a number of items and manpower provided by the public works department in preparation for the event. He believes if Council wants to move forward, there should be an agreement in placed stating this is one-time funding and would stipulate what the city would be doing as well as what the art league would be providing.

Councilmember Boyle recalled the same conversations previously when the Ladybug Festival and the Chamber Festival were discussed. Perhaps only the events that have a much larger impact on the city should be considered that will bring good publicity and lots of people to town.

He recommends we put the funding mechanism on the agenda for the Council retreat.

Councilmember Morrow asked if the city enters into an agreement, which he is not opposed to, does the city accept the liability; Solicitor Rutt said the agreement would shift all that liability to them. They would have to provide proof of coverage for something like this. In this situation, the art league would indemnify the city and an indemnification and hold harmless clause would be added as is standard.

Solicitor Rutt pointed out that this is more of a grant than an agreement because they are being granted a particular amount of money for this project, with the protective language included in the grant. No agreement is required because the city will not be participating in the activity itself, other than to provide money.

Councilmember Wilson prefers this be part of a larger discussion and recalled other organizations that fell under the Parks and Recreation who entered into funding agreements, but were required to allow children to participate who otherwise would not have been able to afford to.

Councilmember Culotta said we all agree this is great event, whether the city funds it or not. The problem is the method in which the request is coming. He believes if this came through a partnership with DMI, then we're not we're not stuck with

opening the floodgates. The way around this is the earlier suggestion to partner with Parks and Recreation. However, the argument can still be made by other organizations who need money.

When asked how this can be accomplished without undoing the control have been in place for a number of years.

Mayor Campbell then talked about the number of requests Milford Lions Club receives each year. He agrees with Mr. Rutt that is what is needed in this situation.

Councilmember Boyle reiterated that a program is needed, all parameters established and have it refined it to the point where the conditions are set and where the money comes from. Otherwise, the city is going to be addressing this each time a request is made.

Councilmember Culotta also noted that the Lions Club receives a lot of requests, and because they are a nonprofit organization, they can choose who they want to help or not. If that happens, all requests need to be submitted by January 1st, because the funding may not be available in October.

Councilmember Wilson agrees we need to be very careful, with those parameters established and set in stone.

When asked when the money is needed, Ms. Golladay stated the entire month of October is when this is occurring; she also added the budget request is for \$4,646. They are doing whatever they can because some of these costs they do not know. They are working with one of Milford's local companies handle the printing. One of the problems is some of these booklets all these booklets need to be saddle stapled because of the size. They don't have the equipment to do that nor do they. But they are working on trying to get the budget down as much as they can.

She said if they cannot get donations, this is what it's going to cost. Whatever donations they receive will simply reduce the amount of the budget. They have already received a donation of \$900 from the volunteer match from a Cisco and are hoping that some other donations will provide addition assistance, in terms of materials they will be providing to the participants.

President Golladay said she is hearing that DMI is a partner and asked Solicitor Rutt if because they are a 501C(3) does their charter and their status with the US Treasury Department prohibit them from making donations to other 501C(3)'s. Solicitor Rutt confirmed that nonprofits can contribute can contribute to other nonprofits. What they cannot do is any type of project where they're going to have profits at the end of the year that must be declared for tax purposes. The nonprofit status deals with their income and not with their donations.

President Golladay understands that this request has opened a can of worms for City Council and it's a matter of determining what the resolution means and how to deal with this matter.

Councilmember Culotta asked if this is postponed until the next Council meeting, would that provide enough time to allow President Golladay and her volunteers to do what is necessary with their current budget.

Ms. Golladay said it will be cutting it very close because they already have expenditures that need to be paid now, in terms of advertising and banners, as well as getting their catalogs together. They wanted all the printing down by the end of the month.

She also confirmed that with or without the funding, Mispillion Art League will make it worth. One of the big expenses is advertising because everything has to be done virtually. The packets will be used at home and there is a need to get the word out where the packets can be picked up. In addition, there is a need to get the word out to people that the material and booklets will be available online. That is a big part of the increase in advertising.

Councilmember Marabello said because of the Parks and Recreation activities have been curtailed because of Covid and asked if expenditures have actually been diminished because of that; the City Manager said not really, because a lot of the fees that are charged for those programs go to pay for the program itself. So, the overall expenses have not changed drastically as a result.

Councilmember Marabello then asked Council to consider how much the arts are valued in Milford and if they are important first and maybe moving forward, perhaps consider some type of local division just for the arts, just like the State of Delaware. He thinks it would be discouraging not to help them at this point.

Councilmember Marabello moved to propose this first recommendation that Council authorize the funding request as provided and partner with the City of Milford Parks and Recreation and enter into an agreement. Councilman Morrow seconded the motion and recalled a portion of the logo as art town. That is enough for him to sponsor this event.

Solicitor Rutt said at this point, the issue is whether the City should enter into the agreement between Parks and Rec and the art league.

City Clerk Hudson asked for further clarification on the motion.

It was agreed that as long as it is through Parks and Recreation, the resolution did not have to be addressed.

Councilmember Marabello then rescinded his original motion.

Councilmember Fulton then moved to authorize the partnership of Mispillion Art League and the City of Milford Parks and Recreation Department, for the purpose of the Big Draw event, seconded by Councilmember Morrow. Motion carried by a 7-1 vote, with Councilmember Wilson casting the dissenting vote.

Solicitor Rutt then stated that before the funding motion is made, he believes in the arts and agrees they are very important. Because of that, he will contribute \$500 to this event, which may impact the motion.

Councilmember James also added a comment stating that he would match Solicitor Rutt's contribution with an additional \$500. Councilmember Culotta also donated \$200 from his business for this event. It was agreed this would offset the amount requested and Councilman Marabello contributed \$100.

Councilmember Fulton moved to authorize the funding of up to \$3,346 to the Mispillion Art League for the Big Draw, seconded by Councilmember Baer. Motion carried by a 7-1 vote, with Councilmember Wilson voting no, and stating it is not based on the amount of money, but because she feels it is important to represent all organization in the City equally.

Bid Award/Mispillion Street Group Project

City Manager Whitfield recalled this project that has been on the books since before he was hired in 2016 and deferred to City Engineer James Puddicombe for further details.

City Engineer Puddicombe reported that this involved a good section of streets and his plan is to get them paved and off the books. He reported three total bids were received. All were well under the engineers estimate and he is unsure if that is due to a shortage of work or the increased size of the project.

The City Engineer reported the project includes the reconstruction of McColley Street from SE Front to Mispillion Street, reconstruction of Marshall Street from SE Front Street to the dog park, and the reconstruction of Mispillion Street from Marshall Street to Fisher Avenue. The reconstruction includes new pavement, curb and sidewalk. Waterline work includes 4" line in Mispillion Street to provide a water loop and a new 8" main extension in Marshall Street to serve the future Riverwalk Villas. Lead water service lines will also be replaced. Sewer line work consists of a new sewer service line for Riverwalk Villas. Three bids were received from:

Diamond Materials: \$682,386

David A Bramble: \$860,517.50

A-Del Construction: \$864,950 (Contingent amount was incorrectly calculated)

Staff recommends awarding a contract to Diamond Materials a Limited Liability Company in the amount of \$682,386.00 as they are the apparent low bidder and have a very good local reputation for work similar to this project (most recently Airport Road). The engineer's estimate for the project was \$1,194,355. The funds to be used would be furnished according to the

following amounts and from the accounts listed below: Municipal Street Aid \$434,440.16 Real Estate Transfer Tax Reserves: \$ 80,000.00 Water Reserves: \$139,327.92 Sewer Reserves: \$ 28,617.92 Total \$682,386.00 In exchange for the improvements being completed for the future Riverwalk Villas, the Riverwalk Villas developer will be responsible for the future reconstruction of Mispillion Street between Marshall and Columbia, including curb and sidewalk on both sides of the street, and new pavement.

Councilman Marabello moved to accept the lowest bid and award the contract to Diamond Materials a Limited Liability Company in the amount of \$682,386.00 for the Mispillion Street Group 2020 Project to be funded with \$434,440.16 from Municipal Street Aid, \$80,000 from Real Estate Transfer Tax Reserves, \$139,327.92 from Water Reserves and \$28,617.92 from Sewer Reserves, seconded by Councilmember Boyle. Motion carried with no one opposed.

Bid Award/Lovers Lane Paving (CTF) Project

City Manager Whitfield then reported that Lovers Lane was a project that was slated using Community Transportation Funds, from both Representative Shoop and Senator Wilson.

City Engineer Puddicombe explained this is a repaving project and involves Lovers Lane from Southeast Second Street, all the way down to Lulu Ross. This is mainly a new pave project and will require some full depth patch or pavements due to the additional load from school buses. Other than that, there's a small amount of asbestos cement waterline that extends into this section of road that will be removed and replaced with something less harmful.

Two bids were received:

David A Bramble: \$148,075.00

A-Del Construction: \$236,210.00

In total, the project comes to \$148,075.00. Funds to be paid according to the following amounts and from the accounts listed: Community Transportation Funds \$100,000.00 Municipal Street Aid \$3,125.00 Asbestos Cement Water Main Removal \$16,600 Lead Service Line Removal \$28,350.

Both the asbestos cement water main and lead service lines were identified in the Water Capital Improvement Plan.

Councilmember Boyle moved to award the contract to David A. Bramble a Corporation in the amount of \$148,075.00 to be funded with \$100,000 from CTF grant, \$3,125 from Municipal Street Aid, \$44,950 from Water Reserves for the asbestos cement water main replacement and lead service line replacement, seconded by Councilmember James. Motion carried with no one opposed.

EXECUTIVE SESSION

Councilmember Boyle moved to go into Executive Session reference the below statute, seconded by Councilmember Wilson:

Pursuant to 29 Del. C. §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 8:38 p.m. for the purpose as is permitted by the Delaware Freedom of Information Act.

Return to Open Session

Motion made to return to open session by Councilman Boyle, seconded by Councilmember Fulton. Motion carried. Council returned to Open Session at 8:44 p.m.

Collective Bargaining Agreement

No action needed.

ADJOURNMENT

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

The Council Meeting adjourned at 8:47 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder