

MILFORD CITY COUNCIL
Minutes of Meeting
March 8, 2021

The City Council of the City of Milford convened their regular meeting by way of video conferencing on Monday, March 8, 2021. The meeting was available for public view and participation as permitted.

PRESIDING: Mayor Archie Campbell

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

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

COUNSEL: City 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 March 8, 2021 Council Meeting agenda for additional information.

CALL TO ORDER

Mayor Campbell called the meeting to order at 7:03 p.m.

INVOCATION & PLEDGE OF ALLEGIANCE

The invocation was provided by Councilwoman Wilson and the Pledge of Allegiance followed.

Councilman Boyle made a motion to approve the previous minutes included in the packet. Councilman Fulton seconded the motion; the motion so passed with all ayes.

APPROVAL OF PREVIOUS MINUTES

Councilman Boyle made a motion to approve the meeting minutes from January 11, 2021 Finance & Public Works Committee Meeting and the January 11, 2021 City Council Meeting. Councilman James seconded the motion. Motion passed with all ayes.

RECOGNITION

Introduction/Milford Police Contracted Staff

Chief Brown introduced Amy Kevis, the Executive Director of Partners in Public Safety Solutions, Inc. who is overseeing Milford Police Department's new mental health program. Ms. Kevis is a veteran of the New Castle County Police Department, retiring in 2012 after 20 years of police service. Upon her retirement, she was hired as the Director of Emergency Services for the Department of Health and Social Services, Division of Substance Abuse and Mental Health and managed Mobile Crisis Intervention Services for the State of Delaware.

Also introduced was Jenna Haines, a licensed Master's Degree social worker, who will be assigned to work with the department. She is a licensed Master Social Worker in Maryland and Delaware whose focus is forensic mental health and psychiatric services.

Introduction/Milford Police Officer

Chief Brown then introduced Officer Aline Check-Guzman who recently graduated from the Dover Municipal Police Academy.

DMI Presentation & Budget Request

Executive director Cat Perfetti and DMI President Peggy Riley were present. Ms. Perfetti submitted financials and a video prior to the meeting for Council review.

Councilman Marabello then asked about the status of Petite Sweet. Ms. Perfetti replied there are some pending issues that need to be addressed though they are no longer located at the address that was on file.

Councilman Culotta asked for clarification of what that the legal issue was; Ms. Perfetti replied that it involved a small business loan grant in the amount of \$5,000 which was in default.

In relation to their budget, Ms. Perfetti noted their normal funding request is for \$45,000. However, the office space at 207 S Walnut Street also acted as an additional funding source or savings because they were not charged any rent. As a nonprofit based organization, they were not eligible for any of the pandemic grants other than the paycheck protection program. They were hoping for the extra support from the City for a year to adjust to paying the office rent since basically they have been unable to hold any events or fundraising which is typically used offset their budget.

They are planning a scavenger hunt with the library and starting a new art coalition. Their plans are to expand the art in Milford as well.

She added that all they have been able to do through the pandemic is support their small businesses, due to the shift of their focus because of Covid.

Councilman James asked if any funding was anticipated from the paycheck protection or any other opportunities in the future. Ms. Perfetti replied that they just applied for the second round and it is her understanding they have been approved though nothing has come through yet. While \$9,000 was received the first round, they are unsure of the amount that may be received this time.

If approved for any other funding, the Executive Director will let City Council know.

Their video will be sent out via email by the City Clerk to all Councilmembers.

STAFF REPORTS*Monthly Police Chief Report*

Councilman Boyle read the monthly Police report into the record for Chief Brown.

Monthly City Manager Report

City Manager Whitfield provided highlights from his monthly report included in the packet:

- Our employee Covid numbers continue to decrease. Of the 23 people infected, all employees have recovered and are back to work.
- We held interviews for the Economic Development/Community Engagement Administrator and IT Director this past month. We will hold in person interviews in March.
- Rob and I met with the State Planning Office on development in the Southeast part of the City.
- The Mayor, Councilperson Culotta, and I attended the first meeting of the Water Infrastructure and Investment Network along with members from Slaughter Beach.
- Sussex County town managers met to discuss Sussex County building permit system that duplicates most City/Town systems.
- Jamesha, Chief Brown and I attended several meetings with the Teamsters Union regarding the contract for the dispatchers.
- The Chief, Mayor, Public Works Director and I met with the Police Station architect to discuss several items.
- We met with EDiS regarding the basement fit out project.

Public Works Department

Director Svaby presented his monthly report:

Director's Office

- Engaged Duffield Associates in Phase II Environmental Investigation at the Rookery; Informally spoken with various candidate concessionaires about a prospective RFP for management of the Golf Course and Hospitality operation at same;
- Participated in Kickoff meeting and began crafting an RFP for Construction Manager/Agency to complement Becker Morgan's continued Architectural/Engineering Design work on the new Police Station;
- Compiled and submitted Public Works Department Capital Budget plan to Finance.

Electrical/Technical Services Division

- Performed substation switching to accommodate DPL maintenance of transmission supply;
- Posted Ground Technician job for vacant position;
- Coordinated with Milford Wellness Village for planning of new service to feed electric vehicle charging stations;
- Developed guidelines for interconnection and net metering;
- Used new software to program new 2-inch Kamstrup water meters;
- Helped identify issue with pump controls at Shawnee Acres Pump Station.

Public Services Division**Streets/Utilities Section**

- Repaired water line leak on Berry Lane;
- Remove snow and ice from snow storms in February including includes parking lots, roadways, sidewalks, and stairs at all of the City properties. Used approximately 50 tons of salt for paved roads and parking lots and ~500 pounds of sidewalk salt for stairs and sidewalks;
- Continued working on sign replacement for the Downtown District;
- Replace vents tubes on wet well at Well #9;
- Street-Swept all of the Communities in the City's jurisdiction.
-

Water/Sewer Section

- Coordinated Fence installation with Grasso fence Company at Lighthouse Pump Station;
- Pulled pump at Fork Landing Pump Station to remove debris;
- Oversaw CES Company clean a total of six (6) sanitary sewer pump stations (Watergate, Wendy's, Knotts Landing, BAC, American Inn, and North Shores);
- Repaired seal around incoming sanitary sewer pipe at Washington Street Pump Station.

Engineering Division

- Completed field walk of 2020 Streets Conflicts;
- Began Final Plans for 2020 Streets Utility work;
- Continued Data analysis of last year's pump station flows to determine approximate locations and quantity of I&I;
- Continued revision of City Constructions Standards and associated code recommendations;
- Reviewed several issues with sidewalk billing and continued to make corrections in conjunction with customer service.

Operations Division

- Finalized ERP Software submission review and coordinated demonstrations for two responsive and qualified vendors;
- Updated vehicle replacement list and integrated it to PW Capital Budget submission

Planning & Economic Development Department

Director Pierce provided his report for the previous month:

- Through the first two months of the 2021 calendar year, the City issued 28 new residential construction permits. The total construction investment in Milford from January through the end of February based on issued building permits was \$9,147,601.
- The City of Milford has seen 77 projects with a committed investment of over \$23.0 million within the Downtown Development District (DDD) area since September 2016 (based on permit valuations from submitted applications). The State of Delaware has committed or awarded over \$2.81 million in grant funds for both large and small commercial and residential projects in Milford. The City has waived over \$356,000 in permit fees and taxes associated with these projects in accordance with Chapter 19 Economic Development and Redevelopment and DDD program guidelines.
- The Planning Commission and City Council will review a conditional use request for an indoor recreation use on Lot 8 of Independence Commons.
- The Planning Commission has begun reviewing Chapter 230 Zoning and Chapter 200 Subdivision of Land in an effort to address the goals and recommendations from the 2018 Comprehensive Plan, reduce the number of potential Board of Adjustment applications, provide clarity on ambiguous language and modernize portions of the ordinances. The Planning Commission reviewed several administrative articles within Chapter 230 Zoning at the February meeting and provided feedback. The Commission will review Off-street Parking, Landscape Screening and other Miscellaneous provisions at the March meeting and prepare for discussion regarding Definitions and Use and Area Regulations for the April meeting. The workshops will be held prior to each Planning Commission regular meeting over the next few months with the intent of having final edits for consideration this Summer.
- The Board of Adjustment will review four new variance applications at the March meeting. Applications involve infill development, redevelopment of non-conforming dwellings in the DDD area, a lot line adjustment and the construction of an oversized commercial accessory building.
- During the month of February, the City completed final construction plan reviews for the Knights Crossing Phase I project. Review comments have been sent to the applicant and the City is awaiting revised plans and response letter before conducting further review.
- Century Engineering, DelDOT and Planning Staff continue to work on updating the Bicycle Master Plan. A list of projects has been developed by the team and DelDOT is working on prioritizing these segments based on criteria used by the State. The Bicycle Advisory Committee will review the prioritization efforts and project list at the March 10 meeting from 4 to 6 pm.
- Staff attended a Downtown Development District website and marketing meeting conducted by the State of Delaware and will be working with the State during the month of March to update online content related to the program.
- Staff attended 3-day online FEMA floodplain management training.
- Staff attended the Downtown Milford, Inc. Economic Vitality committee meeting.
- Staff continues to work towards implementing the goals and objects of the 2018 Comprehensive Plan, SE Master Plan, Downtown Development District (DDD) application, Rivertown Rebirth Master Plan and Strategic Plan.

Councilman Fulton asked if it could be shared what type of businesses are going into the business park. Director Pierce replied that one of them is a by-right contractor on the south side though they have not yet submitted their site plan. The last two lots on the South side under contract by them.

The other two are conditional use applications that will be seen by City Council. One is on the agenda later this evening and the other one is a charitable organization that will be developing the 11-acre parcel in Independence Commons.

Councilwoman Wilson asked about the duplex that is almost completed on Church Street adding there is no grass in the front yard and only asphalt. Director Pierce replied that the City zoning code allows for a certain amount of impervious coverage on a property; it is believed that property is allowed 45% of the lot area. While it does meet our current zoning regulations, Council can consider some adjustments if they wish.

Councilwoman Wilson asked when the steakhouse on Route 113 is going to open. Director Pierce replied that they are trying to finalize the right-a-way improvements. DeDOT has agreed to allow a temporary 60-day certificate of occupancy. It is on the calendar this week for a final inspection though he is unsure of the exact opening date.

Councilwoman Wilson shared that there is a huge hole as you go through the KFC drive thru which has become a safety concern. Director Pierce replied that code enforcement reached out to the owner over the winter, though he will have them follow up again.

Councilman Fulton asked the project status and spacing between the homes in Simpsons Crossing. Director Pierce replied that the project was approved around 2007 or 2008 as a planned unit development so they were allowed to deviate from the zoning regulations approved by City Council. That included 3½ foot side setbacks between units which would leave a separation of 7 feet. It was pointed out that all the building permits that have been submitted to date are at least 5 feet from the property line.

Parks and Recreation Department

Director Dennehy provided his monthly report that was included in the packet.

- Please attached update from the Recreation Supervisor regarding winter recreation programming and some attached photos.
- Park staff salted parking lots and pushed snow (minor) on at least four occasions the month of February.
- Signs were installed at the Milford cemetery for annual clean up, 2nd and 3rd week of March.
- Additional signage was installed at the Dog Park to remind visitors to clean up after their dogs.
- A leaking hydrant was addressed at the Dog Park and new landscaping/drainage stones will be placed around the hydrant.
- Weekly trash runs continued for all of the park facilities.
- A number of parks and rec. vehicles and mowers were serviced by the mechanic.
- Preparations began for the return of seasonal staff in March.
- Park Superintendent completed the Tree City USA application on behalf of the City.
- Remainder of winter greenery was removed from hayracks and planters in the Downtown.
- Two staff members (RJ Skinner and Doreen Wrightsman) were recommended to the Awards and Recommendation Committee for their exceptional customer service, and for assistance with the referendum.
- The Memorandum of Understanding (MOU) with the Delaware Nature Society, was completed in February, and was presented to the Council for review and approval. This highlighted Milford on the front page of the Delaware State News and another additional article in Milfordlive.
- Director assisted Delaware Nature Society with a grant application for the Delaware Sea grant research project.
- Director coordinated a meeting with the State Parks planning office to begin developing a plan for some existing park areas and potential connectivity with walking trails, etc.
- A meeting was held with members of the Rotary organization to being discussions on the redevelopment of Marshall's pond, specifically how the Rotary can help in the coordination of cleaning up the banks of the pond and how the development of this park could benefit current and future residents.

Councilman Morrow asked if the City will be refunded by the Odd Fellows Community Trust Fund for the work that the City is currently working on. City Manager Whitfield replied that the City donates a good amount of time and labor to the cemetery, who does not have the funds available to move the walls. It was agreed to assist them in removing the wall, and no reimbursement was ever discussed. Councilwoman Wilson pointed out that we have discussed and waited for about 10 years for that wall to come down.

Councilwoman Wilson asked about the status of the Jewish community request regarding a designated area in the cemetery. She referenced the amount work that has been done to create a 'community cemetery' and does not believe that sectioning areas off for individual groups seem appropriate. She added that the community cemetery is for the community.

Councilman Morrow pointed out that the cemetery board is the sole decision-making body and Council has no say. For example, if they choose to make a separate section, City Council has no right in that decision. Councilwoman Wilson pointed out that the City does provide a lot of financial support and should be entitled to an opinion.

Mayor Campbell commented that from the cemetery standpoint, the Board of Directors does not answer to the City though there is City representation on the board. He understands everyone's concerns and agrees the City has invested a lot of their own money and resources though it remains under the umbrella of the board.

Councilman Fulton asked how the pickleball program is making out. Director Dennehy said that further discussion is needed with the City Manager and Director of Finance because funding is required to build the pickleball courts.

Human Resources Office

Ms. Eddy presented the February report for her office:

- Interviews were conducted for the positions of Economic Development and Community Engagement Administrator, Information Technology Director and Administrative Assistant, Public Works.
- A job offer was extended for the position of Administrative Assistant, Public Works.
- 3 onsite tours are scheduled for the position of Economic Development and Community Engagement Administrator on March 5, 8-9, 2021.
- 1 onsite tour is scheduled for the position of Information Technology Director on March 18, 2021.
- Onboarded new hire for the position of Part-Time Police Dispatcher.
- February 2021 Excellence Award Nominations: Katrina White, Deputy City Clerk (Winner), Ralph Skinner (Parks Superintendent) and Doreen Wrightsman (Administrative Assistant, Parks and Recreation)
- The Reward and Recognition Committee designed custom City T-Shirts for all employees to celebrate National Employee Appreciation Day on March 5, 2021.
- COVID-19: As of February 28, 2021, the City has 0 positive employee cases.
- DeLea Founders Insurance Trust Safety Committee Meeting: Ralph Skinner, Parks Superintendent will be the speaker for a 5-minute Safety Tool Box Talk on Riding Mower Safety at the March 16, 2021 meeting.
- A firm will be selected in March to begin the 2021 Job and Classification and Compensation Study.

Councilman James asked how often the job classification and compensation study is conducted. Ms. Eddy explained that it was recommended it be done every four years during the last recommendation.

Finance Staff Monthly Report

Director Vitola reviewed the following staff report:

- Monthly Financial Reporting
 - The January 2021 Month-to-Date (MTD) and Fiscal Year-to-Date (YTD) Financial Reporting Package was distributed to Council with a narrative addressing financial results.
 - No significant changes were made to the financial reporting package this month.
- Capital Improvement Planning
 - The Fiscal Year 2022-2026 Capital Improvement Plan (CIP) budgeting process was launched internally in February; the Finance Department is organizing submissions from department heads and will work according to the following schedule:
 - ♣ March 2021 – Finance & Management Staff to review, question, build spreadsheet, prepare presentation
 - ♣ April 12, 2021 – CIP to Finance & Public Works Committee and City Council
 - ♣ April 26, 2021 – Council adopts CIP with funding addressed in 2022 Operating Budget
- Operating Budget
 - The Fiscal Year 2022 Operating Budget process kicked off on Monday, March 1 with the distribution of spreadsheet templates, internal projections and guidance to department heads; we will work according to the following schedule:
 - ♣ March 24, 2021 – All worksheets and supporting documentation due to Sandra Peck
 - ♣ April – Review and update spreadsheets (Sandra/Lou/Mark)
 - ♣ April 12-16, 2021 – Supervisors meetings/questions (Mark/Lou/Sandra)
 - ♣ April 19 – May 3, 2021 – Finalize and prepare budget for presentation (Sandra/Lou/Mark)
 - ♣ May 7, 2021 – Draft FY22 Operating Budget to Clerk for distribution to City Council
 - ♣ May 17-20, 2021 – Evening budget workshops with City Council (two evenings)
 - ♣ June 7, 2021 – Final FY22 Budget distributed to City Council
 - ♣ June 14, 2021 – FY22 Budget adoption by City Council
- FY20 Financial Statement Preparation and Audit
 - All outstanding issues delaying the preparation of the financial statements and the audit were resolved in February
 - Drafts of all audit communications indicated an unmodified opinion ("clean audit"), as well as a successful audit of federal funds and internal controls
 - The final draft of the FY20 Annual Report has been distributed to Council and is scheduled for review and approval on March 8, 2021
 - Following Council approval, the Auditors will finalize quality control, date and execute all required communications and merge audit disclosures with the approved document to render the final report for publication, printing and submission to satisfy disclosure requirements
 - A Request for Proposals (RFP) for the provision of independent financial statement audit services for FY 2021-23 was released on February 3, 2021. Nine proposals from qualified firms received on March 2, 2021 are being evaluated by staff to formulate a recommendation to the FPWC and City Council on March 8, 2021.
- Enterprise Resource Planning (ERP) Vendor Demonstrations
 - The City of Milford ERP Scoring Team and staff representing functions throughout City operations participated in software demonstrations from the two finalists in the process over the course of six full days the last week of February and the first week of March.
 - All staff participating in any demonstration were asked to evaluate the vendor presentations and software functionality
 - The project management team is compiling staff evaluations for incorporation into the broader scoring model, which will assist in the development of a software platform recommendation
- Billing & Customer Service Department

o After suspending utility service interruptions from December 10, 2020 through January 28, 2021 due to reduced staffing levels and weather approached levels consistent spring resulting from statewide disconnections. Staffing and in February. Our ability to exposure to losses improve interrupt service delivery, left. At the same time, we accounts carefully, offering COVID-19 relief funds, and resources.

As of	Past Due Accounts	Past Due Amount
8/31/2020	1,286	\$ 540,365
9/10/2020	1,097	371,460
11/5/2020	1,081	247,905
12/11/2020	916	152,802
1/8/2021	1,429	260,088
2/2/2021	1,134	452,622
3/3/2021	1,171	227,082

conditions, past due volumes with the spike observed last restrictions on utility conditions returned to normal contain credit risk and limit substantially with the ability to which is evident in the table at continue to monitor past due extended payment plans, referrals to charitable

o The 2020 tax levy was due September 30, 2020. The table below highlights past due property tax data since then. The formal monitions process began this week to address the initial group of properties, individually having the

Property Tax Levy	Past Due Amounts as of:				
	11/5/2020	12/11/2020	1/8/2021	2/1/2021	3/3/2021
2020	\$ 229,290	\$ 132,511	\$ 108,200	\$ 102,144	\$ 95,069
2019 & Prior	249,788	229,831	221,023	218,418	208,083
Total	\$ 479,078	\$ 362,342	\$ 329,223	\$ 320,562	\$ 303,152

greatest and longest past due balances and collectively totaling almost \$95,000 in past due tax balances. Our intent is to recover

unpaid property taxes in phases so as not to contribute to oversupply of distressed property sales. The monitions process will become a more regular part of the Department's collection cycle going forward to encourage payment, improve the property tax collection rate and signal a standardized set of regular tax collection procedures.

o The annual stormwater billing and the initial sidewalk billing processes were completed and mailed on Friday, February 5, 2021. During February, the vast majority of stormwater charges were received, while \$37,580 was collected for sidewalk improvements.

MONTHLY FINANCE REPORT

Councilman James reviewed the monthly City Finance Report in the packet, and specifically, expenditures and revenues.

Director Vitola reviewed the monthly finance report for January 2021:

- The January 2021 Month-to-Date and Fiscal Year-to-Date (YTD) Financial Reporting Package is enclosed for your review. The following executive summary highlights this month's notable developments. No significant changes were made to the presentation of the financial data or the report layout this month.
- Pages 1-2: Cash and Reserve Balances
- Cash and investment balances (page 1) remain strong through the first seven months of the year, but the standard caution is that reserve requirements and funding commitments (page 2) encumber a significant portion of the balance in each fund, most notably the general fund, sewer fund, the Municipal Street Aid (MSA) fund and Realty Transfer Tax (RTT) fund.
- Disbursements were made from all four major reserve accounts (page 2, lines 18-21) during January. Aside from the \$236,000 disbursed from electric reserves for the acquisition of the budgeted and council-approved material handler and the nominal investment fees drawn from sewer reserves, the water and general fund activity consists

of transfers to the operating cash accounts to reimburse accumulated capital expenditures initially disbursed through the ordinary accounts payable process in support of reserve-funded initiatives.

- Transfers were made to record installment payments related to two interfund loans initiated from reserves:
- Line 19 on page 1 reflects a transfer from solid waste operating funds to water fund reserves to satisfy the first of seven annual installments of \$71,430 to repay the water fund for a FY20 interfund equipment loan
- Line 21 reflects a transfer from general operating funds to electric fund reserves to satisfy the second of four annual payments to satisfy a FY19 interfund loan to support garage equipment
- Page 3-6: Revenue & Expenditures
- General fund revenues continue the strong trend into the New Year, as YTD revenue as a function of the annual budgeted revenue is almost 76%, but the figure is skewed by the annual property tax billing and the controlled recognition of transfers in and reserve-funded projects, which occur regularly to match the budget. Adjusted for property tax billing, incoming transfers and reserve-funded initiatives, YTD general fund revenue is still a healthy 67% of the annual budget, while expenditures are being monitored closely, again measuring under the levelized budgeted expenditures through the end of January.
- Enterprise fund revenues likewise remain strong through the first seven months of the year. After December's light results, revenue rebounded in January to exceed budget for all but the water fund and pushed the YTD revenue variance ahead of the levelized revenue budget by more than 5%.
- In December, higher than expected power purchases (given the level of sales) in the electric fund, high infiltration and inflow (I&I) costs in the sewer fund and debt service payments in each of the two funds contributed to last month's weak results. By contrast, January's expenses tallied nearly \$0.8 million less than that recorded in December, helping push YTD expenditures almost 5% below the levelized YTD budget to mirror the success on the revenue side of the equation.
- Despite the positive rebound from December's foreboding results, controllable operating expenses and capital spending funded by current operations have been held deliberately low through the fiscal year so far. Necessary operating and capital expenditures deferred to the second half of the year have the potential to contribute to a reversal of the positive budget variance experienced throughout the fiscal year.

Mayor Campbell asked how tax collections were going, Director Vitola replied that it continues to be worked down month by month and staff continues to make progress. Since November, it has been reduced from \$479,000 to \$350,000.

He added that Solicitor Rutt is working on some next steps for the 10 most delinquent properties that make up approximately \$95,000 of that total.

Councilman Fulton made a motion to accept all monthly staff reports, seconded by Councilwoman Wilson. The motion passed with all ayes.

COMMITTEE & WARD REPORTS

Mission Review/Police Facility Citizens Advisory Committee

Chief Brown deferred to City Manager Whitfield to review the proposed mission for the Police Facility Citizens Advisory Committee.

Councilman Morrow then asked how the Chief fits into the Advisory Committee and if he will approve the final plans for the station; City Manager Whitfield replied that the Committee would make a recommendation to Council regarding the final plan. Councilman Morrow asked the wording on the last couple of sentences be changed. Solicitor Rutt commented that it does indicate that staff support includes the Chief and City Manager, as well as Finance and Public

Works Directors and that typically, a project like this required input from staff. He agreed the intent is for the Committee to make a recommendation, however, City Council has the final say.

Councilman Baer asked about the membership for this Committee. He noticed that ward three only has one member and ward one has three members. Mayor Campbell replied that he appoints the people who reach out to him and are willing to volunteer.

Mayor Campbell again encouraged Council to find way to boost their constituents' interest in an attempt to get involved and to contact City Hall or to complete the online application for boards and commissions. He noted the number of board and commission vacancies that have been filled in recent months, in addition to those on Council in which no one expressed an interest.

COMMUNICATIONS & CORRESPONDENCE

Councilman Culotta received another complaint about cars rolling through the stop sign at Maple and Walnut Street. Though the Police Chief has been notified, there remains a problem.

UNFINISHED BUSINESS

Appointment/Parks & Recreation Advisory Board

City Manager Whitfield announced the recommendation to appoint Nicholas Brandon to complete the remainder of the term left by Ian Wright on the Parks and Recreation Advisory Board that expires 08/31/2021.

Councilman Fulton made a motion that Nicholas Brandon be appointed to fill the vacancy on the Parks and Recreation Advisory Board as recommended. Councilman James seconded the motion, that passed with all ayes.

Appointment/Planning & Zoning Commission

City Manager Whitfield reported that Charles Hammond Jr. has been recommended to fill the vacancy left by Kathryn Stetson that expires on August 31, 2023.

Councilman Fulton moved to appoint Charles Hammond Jr. to the Planning and Zoning Commission. Councilwoman Wilson seconded the motion that passed unanimously.

NEW BUSINESS

Ordinance Introduction:

ORDINANCE 2021-03/CONDITIONAL USE

Equitable Owners/Applicant Jason L. Sr. & Pamela T. James, on behalf of the City of Milford, submitted a Conditional Use permit to construct a 4,000 square foot building to be used as a personal fitness business on 1.0 +/- acres of land at Lot 8 of Independence Commons.

Address: 206 Liberty Way

Present Comp Plan Map Designation: Commercial

Present Zoning District: OC-1 (Office Complex District)

Present Use: Vacant Proposed Use: Personal Fitness

Tax Parcel: MD-16-173.00-01-02.12

Mayor Campbell introduced Ordinance 2021-03/Applicant Jason L Sr and Pamela T James, on behalf of the City of Milford.

Councilmember James recused himself from any discussion.

Director Pierce provided a brief synopsis of the Ordinance that will come back before Council at the March 22 meeting for a public hearing and final action.

Acceptance/FY20 Annual Audit

Director Vitola reviewed the Annual Audit report included in the packet.

The financials were presented to the Finance and Public Works Committee earlier tonight, who issued a recommendation to the City Council to approve the report tonight.

Councilman James added that the Committee discussed the audit in depth and prior to that, action was postponed to allow more time for review. He believes that any questions have now been answered and all suggested edits completed. The auditors will follow with a final wrap once the draft report is approved. The City will then receive the final audit for our records.

Councilwoman Wilson made a motion to accept the audit report. Councilman Morrow seconded the motion that passed with all ayes.

Bid Award/Annual Audit Services

EXECUTIVE SUMMARY

The Scoring Committee recommends that Council authorize a three-year engagement for audit services with Zelenkofske Axelrod LLC (ZA) for an amount not to exceed \$142,695 consistent with the terms set forth in the Request for Proposals (RFP) for Independent Audit Services and the proposal submitted in response.

BACKGROUND

Finance and Administration staff issued the RFP for Independent Financial Statement Audit Services on February 3, 2021. A total of nine proposals were received by the 3:30 p.m. deadline on March 1, 2021, all of which met the submission criteria and all of which were reviewed and scored.

EVALUATION

Accountant Sandra Peck and I served on the two-member scoring committee, with City Manager Mark Whitfield standing by as a passive scorer in the event of a tie. Sandra and I scored the proposals independently pursuant to the enclosed Scoring Rubric for the qualitative categories, representing 75% of the total score. The cost proposal category (e) accounted for the remaining 25% of the total score; fee schedules were objectively calculated based on the relative distance from the total proposal value to the actual cost of the FY'20 Audit Engagement. A total score summary, comprehensive scoring grid for the top three firms, fee proposals by firm and fee tabulations by firm are all enclosed for your reference.

RATIONALE

The scoring Committee independently arrived at nearly identical scores for the top two firms and even reached comparable segmentation of the top, middle and bottom third of the proposals. Scoring aside, the Committee

landed in a state of near indifference among the top three highest-scoring firms. However, ZA is being recommended for the engagement due to several standout components in its proposal. First, nearly all of the firm's governmental clients and 75% of its municipal clients report on a calendar year end. The firm's resources are therefore underutilized and widely available during our audit timetable, lending additional assurance that our needs will be met promptly and attentively. Second, the firm's fee proposal was stated as a "not-to-exceed, all-inclusive maximum cost" based on discounted hourly rates and an estimate of hours, which presents a savings opportunity versus a fixed rate without any corresponding risk. Third, the firm put forth an optional fee schedule for renewal years 4 and 5 of the engagement noted (but not required) in the RFP. The fees are consistent with the three base years and represent the potential for stability and continuity if the engagement is successful through the initial term. Finally, while headquartered in Pennsylvania, the firm maintains a regional office in Frankford, DE, and the Committee believes in supporting investment in Delaware resources.

Earlier tonight, the information was presented to the Finance and Public Works Committee and they made a recommendation to award the proposal to ZA.

Councilman Fulton made a motion to authorize a three-year engagement for audit services with Zelenkofske Axelrod LLC (ZA) for an amount not to exceed \$142,695 consistent with the terms set forth in the Request for Proposals for Independent Audit Services. Councilman Boyle seconded the motion that passed unanimously.

Ratification/MPD Dispatchers/Teamsters Contract

City Manager Whitfield reported that he received notification late this afternoon that the Dispatchers Teamsters have ratified their part of the contract. However, because Council has not yet had an opportunity to review the contract, he recommends that any action be postponed at this time.

EXECUTIVE SESSION

Councilmember Fulton made a motion to go into Executive Session reference below statute, seconded by Councilmember Boyle:

Property Sale/Lease:

Pursuant to 29 Del. C. §10004(b)(2) Preliminary discussions on-site acquisitions for any publicly funded capital improvements, or sales or leases of real property;

Motion carried.

Mayor Campbell recessed the Council Meeting at 8:43 p.m. for the purposes as are permitted by the Delaware Freedom of Information Act.

Council returned to Open Session at 9:26 p.m.

Return to Open Session

Property Sale/Lease

Councilman Fulton made a motion to authorize the City Manager to proceed as discussed in the Executive Session. Councilman Boyle seconded motion. The motion passed with all ayes.

ADJOURNMENT

There being no further business, Councilmember Fulton moved to adjourn, seconded by Councilmember James. Motion carried. Mayor Campbell adjourned the meeting at 9:52 p.m.

Tracy N. Torbert
Transcriptionist