

CITY OF MILFORD
COUNCIL WORKSHOP MINUTES
February 23, 2022

The City Council of the City of Milford convened in a virtual Workshop Session on Wednesday, February 23, 2022 beginning at 6:06 p.m.

PRESIDING: Mayor Archie Campbell

IN ATTENDANCE: Councilpersons Daniel Marabello, Mike Boyle, Andrew Fulton, Todd Culotta, Brian Baer, Nirmala Samaroo, and Jason James Sr.

STAFF: City Manager Mark Whitfield and City Clerk Terri Hudson

COUNSEL: Solicitor David Rutt, Esquire

ABSENT: Councilmember Katrina Wilson

Councilmember James joined the meeting after it commenced.

Staff Member Rob Pierce was in attendance.

Building Code Updates/Residential Sprinklers

Mayor Campbell turned the meeting over to Planning Director Rob Pierce.

Director Pierce recalled last month's workshop at which time the proposed text amendments to Chapter 88 Building Construction, adoption of the 2018 International Residential Code, 2018 Building Code and 2018 International Swimming Pool and Spa Code were all reviewed. The city currently operates under the 2012 version of those codes and there is no requirement for sprinklers in residential units. The sprinkler requirements for commercial structures are governed by the State Fire Marshal's Office.

Representatives from the Delaware Sprinkler Coalition, the State Fire Marshal's Office and the Carlisle Company were in attendance to discuss the domestic residential sprinkler systems.

Mr. Pierce read the memo included in the (refer to) packet and the presentation materials that were provided at the January 10, 2022 workshop.

Again, in attendance were City Building Code Official Frederick Coppock, Sprinkler Coalition Chairman Paul Eichler, Carlisle Fire Company Chief Ryan Knowles, and State Fire Marshal Chief John Rudd. Assistance Chief Dwyane Fox attended this evening.

Mr. Pierce also invited members of the Builders and Remodelers Association Emily Taylor, Joe Clark of NBR Ryan Homes, and some additional builders who were asked to express any concerns relating to the code updates.

A concern regarding the related additional costs per square foot that will could impact affordable housing and the general price of housing was expressed, which was confirmed to be \$1.35.

At the last workshop, Mr. Eichler referenced the national average of \$1 35 per square foot and that takes several factors into consideration. That cost is associated with being tied into some type of municipal water system or in this case, the City of Milford's water supply will keep the cost down.

He did forward to the Planning Director some information from the Home Fire Sprinkler Coalition that profiled nine different communities throughout the United States. Of that, six provided their cost per square foot that ranged from \$1.03 to \$3.50.

Chairman Eichler took the community examples that were tied into a municipal system, which takes it to \$3.50 and an average size home of 2,400 square foot and will add \$8,400 to the cost of the home. Amortized over 30 years would add \$40 a month to a mortgage payment at a 4% interest rate.

After speaking with location contractors, he comfortable using \$2 to \$2.50 or \$1 less.

He also noted there may be a discount through the homeowners' policy and State Farm provides a 7% discount on a sprinklered home.

Assistant Chief Fox added that for Sussex County, the average is around \$2 to \$2.50 cents a square foot based on real time figures related to townhomes and single-family dwellings. Two 3,000 square foot homes in Lewes had systems installed, that included a tank and a pump, and that was still in the same range. However, they do not include any tap fee the municipal may charge.

Sussex County requires sprinkler systems for homes with four or more stories. Lewes and Milton wrote ordinances around the first of the year, in addition to Newark who has required it since 2002. The City of Seaford has tried to incentivize it and everyone else has left it optional.

It was confirmed that Newark has not seen a slowdown in building construction because of the requirement.

What is being considered, according to Mr. Pierce is the requirement would only be for new-single family duplexes and townhouse units though the City has the option of again opting out and making it optional. That is what Kent County did when they adopted the 2018 version some time ago.

Mr. Rudd added that during their last round of ICC codes, Delaware City did not exempt out of the sprinkler requirements so any new homes in Delaware City also require a 13D sprinkler system. He also noted that one of the reasons Newark added the requirement was because the number of volunteer firefights continued to decrease.

Joe Clark of Ryan Homes stated that in January 2017, all builders are required to share the benefits of home fire sprinklers brochure at the time of contracts. He is unsure who would be responsible for enforcing or checking on that. They also must provide an estimation of those costs to the buyers. Since the year that became a requirement, he is only aware of one customer that selected that option. Between New Castle and Kent Counties, that information has been provided to 500 to 600 homes a year.

There has also been a struggle when trying to estimate costs and coming up with a good square foot number and the big variable comes into the infrastructure and not just being able to connect. Instead, the problem is if there is pressure and what the pressure would need to be.

Assistant Chief Fox added that as long as there is a residual in the 45-to-50-pound range, it has not been a problem. The two homes in Lewes that had a tank and pumps did so because they do not live there all the time and they are putting antifreeze in the system. Any public or municipal water provider would not want that put back into their system. They opted to do a tank and a pump to keep that from contaminating the source.

City Manager Whitfield said that the lowest point in the City is about 46 PSI with most over 50.

An in-depth conversation followed regarding piping, housing elevation, metering, etc. In addition, currently Milford's fee is \$3,195 per EDU which is equivalent to one dwelling unit one house.

The City Manager pointed out that in the case of a sprinkler line, that will be stagnant most of the time and hopefully all the time and never be used. He does not see a reason why we would charge an impact fee as a result. There is concern about not running the sprinkler line through the meter. The opportunity is there for theft of water by tapping onto your sprinkler line for domestic usage. He would run everything through the meter with two separate shut offs on the house side of the meter.

The possibility of corrosion was also discussed though Assistant Chief Fox has only seen that on sprinkler heads that are outside.

When asked to comment on fire prevention, Assist Chief Fox noted that many people think that when a sprinkler system is installed, that means the house will not burn down. And the 13D sprinkler system is a lifesaving system and the intent is to get people out of the home and not die. The statics are staggering on how well these sprinkler systems work in doing that.

He added that typically most fires are cooking fire. When they go to a sprinklered home, there is a little cabinet damage, and the stove may be damaged. Other than the water damage, the people can move back in and stay there that night because only that sprinkler or two sprinklers work where the actual fire is.

Carlisle Fire Chief Knowles added that this is a helpful tool to the fire company. The City is aware of their manpower issues, though right now, it is great. But in two weeks, he does not know. They are fully in support of the sprinkler requirement. The fire company responds to a lot of cooking fires especially in multi-family residential buildings. The stove and the cabinets catch on fire and the high-rise buildings, like the ones behind the fire company already have a sprinkler system that basically puts the fire out. That saves all the residents in each building.

Assistant Chief Fox also pointed out, that right now in Delaware there is only a handful of contractors who can install the 13D systems and followed with an explanation of the inspection process by his office. He also spoke about training possibilities for Milford's staff.

Mayor Campbell then thanked those that attended and for the significant amount of information that was provided.

Planner Pierce asked for some direction from Council to move forward with the sprinkler requirements. City Manager Whitfield said staff will proceed with making the mandatory sprinkler and providing that ordinance for consideration by Council at a future meeting.

Sidewalk Master Plan Review

Planning Director Pierce provided an update on the City's Sidewalk Master Plan.

The purpose of the master plan or the gap analysis was to determine locations of both sidewalks in relationship to the recently adopted bicycle master plan from this past fall, determine prioritization for sidewalk installation, analyze the level of improvements needed to construct sidewalks in desired locations, and review all local and State capital projects and private development that may impact closing some of the sidewalk gaps. They also evaluated the City's CIP plan and how to address the remaining gaps, related financial impacts and the party who will be financially responsible, along with an estimated timeline.

The City Engineer then assisted with the level of construction needed. With that, an implementation and prioritization plan were created and is being provided tonight for feedback. He then provided a map and highlighted the various locations where sidewalks are needed based on the bicycle plan. The goal was to have sidewalks on both sides of all streets wherever possible.

Four exhibits were included in the packet, each showing the overall the location of existing sidewalks, proposed bicycle shared-use paths and proposed sidewalks. The first exhibit entitled “Proposed Sidewalk Locations” illustrates where staff believes sidewalks should be installed throughout the City. The second exhibit entitled “Prioritization” breaks the proposed sidewalk segments into three categories-- low priority, medium priority, and high priority areas.

The third exhibit entitled “Level of Construction” demonstrates the level of construction difficulty for the proposed sections within the high priority area. The fourth exhibit entitled “Estimated Completion” highlights sidewalk sections that are to be constructed as part of planned or proposed City, State, or private development projects in the next 5 years within the high priority area. The cost estimates are as follows:

	Length (feet)	Cost per Linear Foot	Total Cost
Sidewalk Only	24,570	\$75	\$1,842,750
Curb & Sidewalk	12,560	\$150	\$1,884,000
Difficult Projects	19,430	Unknown	Unknown

- ▶ Excludes development projects where sidewalk is constructed as homes or projects are built.
- ▶ Excludes NE Front Street TAP Project and NE Front Street DelDOT project.

Mr. Pierce reminded Council that as part of the approved Capital Improvement Plan, a sidewalk connectivity initiative item was added with \$100,000 allocated each year for the next five years.

Three financial options were provided:

- 1: Sidewalk gaps are fully paid for by the property owner.
- 2: Sidewalk gaps are partially subsidized by the City, similar the sidewalk repair program.
- 3: Sidewalk gaps are fully paid for by the City.

State and/or federal grants may also help. Routes to School Program, Community Development Block Grants, and Community Transportation Funds can be applied for as well.

City Manager Whitfield talked about the overall strategy of making Milford a true walkable community. It is a big project and a lot of money, but if it is done and whether it takes 15 or 25 years, that goal will be accomplished.

Several financing scenarios were considered including property owners being able to pay to over an extended time frame at zero interest.

When asked what is needed tonight, the City Manager said the next step is the preparation of the capital improvement plan so that money can be set aside for a sidewalk gap project. Council will need to provide the Planning Director some policy decisions as was done with the sidewalk repair program.

Director Pierce said he wanted to give Council an idea of what was needed as far as an overall plan and to get some feedback from Council. Solicitor Rutt said no determination can be nor any decisions can be made. The cost portion will need to be made after a public hearing is held.

There being no additional items on the agenda, the Workshop concluded at 8:07 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder