

MILFORD CITY COUNCIL

MINUTES OF MEETING

July 8, 2013

The Monthly Meeting of Milford City Council was held in the Joseph Ronnie Rogers Council Chambers of Milford City Hall, 201 South Walnut Street, Milford, Delaware on Monday, July 8, 2013.

PRESIDING: Mayor Joseph Ronnie Rogers

IN ATTENDANCE: Councilpersons Bryan Shupe, Garrett Grier III, S. Allen Pikus, Dirk Gleysteen, Owen Brooks, Jr., Douglas Morrow, Sr., James Starling, Sr. and Katrina Wilson

City Manager Richard Carmean, Police Chief Keith Hudson and City Clerk/  
Recorder Terri Hudson

COUNSEL: City Solicitor David Rutt, Esquire

CALL TO ORDER

Mayor Rogers called the Monthly Meeting to order at 7:00 p.m.

INVOCATION AND PLEDGE

The Pledge of Allegiance followed the invocation given by Councilman Starling.

APPROVAL OF MINUTES

Motion made by Mr. Pikus, seconded by Mr. Shupe to approve the minutes of the June 10, 2013 and June 24, 2013 Council Meeting as presented. Motion carried.

RECOGNITION

No guests were present to be recognized.

MONTHLY POLICE REPORT

Presenting the Monthly Police Report on behalf of Chief Hudson, Mr. Morrow moved to accept the police report as submitted, seconded by Mr. Starling. Motion carried.

CITY MANAGER REPORT

Mr. Carmean presented the following report:

*Administration*

*I would like to thank the Mayor and Council for their work and input in completing the 2013-2014 City of Milford Budget. I know that Mr. Pikus, Finance Committee Chairperson, was very pleased with the participation by the Mayor and Council regarding the content of the budget. I realize all involved had difficulty in attempting to do more with less. Everyone had items, changes, or projects that had to be set aside or denied in order to reach a balanced budget with no increases in taxes, fees, or rates.*

*An administrative assistant's position for the city manager was requested in this year's budget, but funds were not available. In an attempt to somewhat solve this problem I have moved the administrative assistant from planning and zoning, code enforcement, and building inspection into a position that will give assistance to the city clerk and the city manager. She will also continue working with land management records and working with CLT with updates.*

*The duties performed previously by this employee have been distributed among several other staff members. This is, for the lack of a better description, a partial fix.*

*I have moved the Building Inspector and Code Official back to the public works facility under Mr. Dennehy. However, I am unsure how that will work once the billing staff and cashiers are moved back downtown.*

*Mr. Rutt has given me the nod to send the agreement of sale to PNC for the bank property. I have done so. Also prior to the mailing of the agreement the Phase I and partial Phase II environmental studies were completed. A Phase I is basically a historical look at the property and the surrounding areas. A Phase II is further invasive in that borings and other material samples can be taken from the property and analyzed for contaminants. The Phase I showed that a service station had been on an adjoining property some years ago, and that station had underground tanks. I therefore had borings done on the perimeter of the properties to test for any contaminants. None were found. Mr. Rutt has done a title search and I have asked him to settle as soon as possible.*

*During some of the recent heavy rains we experienced another small leak in the lower level. This was quickly traced to the ramp area where the ramp meets the building. There is a large caulked strip between the ramp and the side of the building. I have discussed a better way of diverting water away from the building with several contractors. I believe a much more permanent fix is to place a decorative brick edging against the building for the entire length of the ramp at little expense. The leak did no damage to the basement.*

#### *Sewer and Water*

*Asbestos removal at the Washington Street treatment plant begins Monday, July 8, 2013. The site has been fenced in for security and safety reasons. Also on the same date the bypass pumps should be installed at the Washington Street sewer pump station (DBF Engineer Erik Retzlaff confirmed this work has not been done yet.)*

*In several meetings with the representatives of Wickersham Subdivision, and Mr. Duplechain of DBF, most of the questions have been resolved as to the placement of our water tower and treatment facility on that property. Through further discussions with Mr. Hall, the adjoining property owner to Wickersham, allowed the city to locate a very satisfactory parcel for the planned construction of a sewer pump station to serve the southern area of our limits. Mr. Hall and his family have been generous in their assistance with our needed projects in south Milford.*

#### *Streets*

*The Northeast Front Street parking lot has been finished, but not striped as of this date. I feel this work by the city and the improvements made by the owner of the adjacent property has brought a much better look to Milford. Dennis Silicato has given the shopping center a nice face look considering its condition in recent years.*

*The detour on Airport Road is allowing the construction of a turn lane into the Cascades residential project. This detour is inconvenient but necessary to improve traffic safety. The repair is being paid by the developer of Cascades.*

*I do feel additional signs are needed as a number of vehicles are seen turning around which should not be occurring. I will see that more signs are placed in the area.*

*The road will be closed until at least the middle of August.*

#### *Electric*

*I have placed a lease in the council packets for approval by mayor and council. This is for a 22,000 square foot warehouse space in which we will be storing the materials for construction of our new 138KV transmission line on Route 113. This is a clear indicator we are getting closer to seeing our new substation become a reality.*

#### *Billing*

*We are within a few weeks of beginning our outsource mailings of bills. If all goes as planned, our customers should experience no change at the end of the process except the improved look to the bills.*

Mr. Gleysteen asked if the cost of renting the warehouse space was included in the substation budget; Mr. Carmean stated yes that will be paid from those same funds. The city manager noted that is only a \$6,000 cost of an \$8 million project. He said there are lots of small parts that need to be opened up, laid out and inventoried.

Mr. Pikus explained the materials were requested to be stored inside.

#### COMMITTEE & WARD REPORTS

##### *Fourth Ward*

Mr. Starling reported that nothing has been done with the markings on Route 113 and North Street Extended. Mr. Carmean said he had contacted DelDOT and believes they will provide some assistance. The city is unable to touch any DelDOT roads without their permission.

Ms. Wilson recalled that Levy Court Commissioner Erik Buckson also offered to help correct the problem at that intersection.

##### *Masten Circle Stripings*

Mr. Brooks asked that the striping on Masten Circle between M&T Bank and McDonalds be repainted. The stripes can hardly be seen and vehicles are having difficulty determining which direction to go to make a turn.

##### *Homelessness Task Force*

Ms. Wilson reported that the Task Force for the Homeless met. Mr. Gleysteen and Mr. Pikus were also in attendance. She said they pulled together a lot of resources and information. Once they complete their final draft, they will be presenting the packet to council along with a plan of action.

#### COMMUNICATIONS & CORRESPONDENCE

Included in packet.

#### UNFINISHED BUSINESS

##### *Infrastructure Investment Strategy/Amberwood Subdivision, Innovation Park II LLC and MBT Holdings LLC*

Mr. Carmean recalled the presentation given by City Planner Gary Norris and Economic Development Director Steve Masten regarding the extension of infrastructure to some undeveloped properties in the city. Mr. Brooks and Mr. Morrow was unable to make it that evening though Mr. Brooks later reviewed it.

The city manager then read the following synopsis of that presentation:

*The Infrastructure Investment Strategy is appropriate and necessary at this time because:*

*\*'Shovel Ready' lands attract business development like Independent Commons and robust infrastructure allows existing businesses to grow and expand. Baltimore Aircoil, Perdue and Sea Watch are examples of the predictable job creation and business expansion when adequate utilities are available.*

*\*Infrastructure Investment supports Milford's future revenue requirements through business and job growth. In addition, this initiative ensures that Milford is competitive with surrounding communities offering 'Shovel Ready' sites*

and lands.

*\*Infrastructure Investment is aligned with the objectives of Milford's Comprehensive Plan, Master Plan and Economic Development Strategic Plan. Also, it promotes Milford as a viable business destination for new businesses desiring to locate in Delaware through inquiries to Delaware's Economic Development Office.*

Mr. Pikus then referenced the comments of State Planning Director Connie Holland and other area business people, investors and developers. He said they all agreed that council needed to put forth more effort into attracting businesses to Milford. He said he does not know how much money is available but recalls comments made by Ms. Holland regarding available funding for economic development through Alan Levin's Office (Delaware Economic Development Office-DEDO).

Mr. Carmean agreed that Ms. Holland felt some funds would be available.

Mr. Pikus then pointed out we have a Comprehensive Plan. Those properties are approved as part of the plan. Mr. Carmean said there is also a Master Plan on the southeast area of Milford. He recalled that Mr. Masten and Mr. Norris' recommendation were that the zoning districts be changed though we will need to contact the property owners for their input.

The city manager advised that the property east of Route 1 is zoned institutional as was requested by the property owner. However, no one has talked with the other property owners which include the Fry Farm, Draper Property, etc. Mr. Carmean confirmed the Draper farm is not one of the priority properties and it is currently zoned residential.

Mr. Pikus emphasized they are asking city council to start working on a plan to put a package together.

Mr. Grier asked if any engineering work has been done to get utilities to these specific properties; Mr. Carmean explained that as far as east of Route 1, we have installed a water main beneath Route 1. However, we have not extended it out as of this date. The sewer has not been run beneath Route 1.

Mr. Grier asked about the design; Mr. Carmean said we do not have a design but have a conceptional that Davis, Bowen and Friedel put together. It shows the best direction to take the sewer line though no engineering has been done.

Mr. Grier asked if the sewer line will go beneath Route 1 or up Bucks Road; Mr. Carmean confirmed it will go underneath Route 1.

DBF Engineer Erik Retzlaff advised there were some schematic things done originally based on the number of properties that were annexed into the city. He said that until the developers move forward, it is difficult to finalize the design. He said they can try to come up with a game plan and a number.

Mr. Pikus said if it goes under Bucks Road, it has to go under Route 1. Mr. Carmean agreed stating that we have a manhole connection at the northeastern most side of Meadows at Shawnee. That is where we would make our initial connection to carry over to the pump station at Shawnee Acres. Then it would come up through Marshall Street and down to Fisher Avenue.

The city manager explained there are upstream improvements that will need to be made including the Fisher Pump Station. There will be a number of improvements needed to handle the additional loads from out there.

Mr. Pikus said this would be part of the whole infrastructure picture as we prepare to go out there; Mr. Carmean agreed.

Ms. Wilson said she feels we may need to prioritize some things, but feels the presentation and support we received from the developers and two business leaders that were invited helped council understand the change we may need

to consider. They were clear on that though she did not take it that we needed to come up with a plan and start the work. She agrees we need to know that partnership is in place before we become proactive.

Mr. Shupe feels a debate is needed about what city council should be doing. He asked if the city should be investing money to put infrastructure out there or should the developers be doing it or even the State of Delaware. He asked if there should be a partnership and believes we have not gotten to the point yet.

Ms. Wilson said that Connie Holland was alluding to the partnership.

Mr. Pikus said he prefers the city manager start doing something and encourages council to authorize him to get some prices. He can determine what needs to be done and what the cost will be to accomplish that. He said we have been talking about it for a long time but we need to do something about it. His opinion is we need to step up to the plate.

Mr. Brooks feels we need to understand what we are preparing for; Ms. Wilson agreed. Mr. Brooks asked if we are talking about five different developments. Mr. Pikus stated we are talking about three developments. Mr. Brooks said there were five properties presented; Mr. Pikus said they prioritized and decided on three. Mr. Brooks feels it is only fair that what you do for one property, you do for all properties.

Mr. Pikus stated that council has the right to prioritize whatever council wishes. Mr. Brooks believes we need to treat all the developers the same. Ms. Wilson agrees and likes the partnerships but feels we also need to consider the type of plan and what percentage of the partnership they are willing to fulfill. She feels the city becoming a partner is the best route for our taxpayers.

Mr. Shupe says he still feels we need to talk with the State of Delaware. They had enough interest to come in here and tell us that this should be a big priority. He said it would be nice if they could put some skin in the game.

Mr. Pikus asked if we need to authorize the city manager to proceed with the plan; Ms. Wilson asked the city manager his opinion.

Mr. Carmean said that is one of the reasons he wrote City Planner Gary Norris and Economic Director Steve Masten a memo asking them to investigate what other communities are doing. Their presentation made to mayor and council at the last meeting was based on that investigation.

He explained that the city has been operating under the old policy where the developers or people who are building at a certain location pay to get the infrastructure to them. Before he went out and spent money on this and came back to council to inform them he spent a substantial amount of money, he wanted assurance that is the direction council wanted him to take.

Mr. Carmean asked how close can we come to cost numbers without the actual engineering being done. Mr. Retzlaff responded by stating it is difficult to get it exactly right when different properties are being developed. He explained there could be potentially different routes though they could give a worse case scenario. However, it will come down to the timing of who comes first and how they will develop. They could provide an overall big number.

Mr. Brooks asked if some type of plan needs to be in place to provide the analysis noting there is more than one hundred acres of land. Mr. Retzlaff agreed that is part of it. He explained that a lot of the preliminary work was based on assumption as to the maximum density allowable based on the zoning and what the generated wastewater flows would be. It would need to be a worst case scenario but if that does not occur, the numbers could be significantly off.

Mr. Brooks said from his experience, the cost would need to be based on the pipe size and capacity which is impacted by the type of business or plan proposed.

Mr. Retzlaff explained the majority of the work that was done previously was to identify where the pumping stations were needed. They estimated how deep the main sewers would have to be as well as how long the pressurized pipe