

City of Milford



CITY COUNCIL AGENDA

March 14, 2016 – 6:30 P.M.

Joseph Ronnie Rogers Council Chambers
Milford City Hall
201 South Walnut Street
Milford, Delaware

SPECIAL COUNCIL MEETING

Call to Order - Mayor Bryan Shupe

Recess into Executive Session*

{Pursuant to 29 Del. C. §10004(b)(4)} (Collective Bargaining Update)

{Pursuant to 29 Del. C. §10004(b)(2)} (Proposal/Sale of City Land)

Return to Open Session

Teamsters Local 326 Contract

City Land Sale

Adjourn

COUNCIL MEETING

Call to Order - Mayor Bryan Shupe

Invocation

Pledge of Allegiance

Approval of Previous Minutes

Recognition

Introduction of MPD K-9 Officer

Monthly Police Report

City Manager Report

Committee & Ward Reports

Communications & Correspondence

Unfinished Business

New Business

Presentation/Bayhealth Project

Authorization/Property Easement Exchange/Bayhealth

Approval/Construction Start Date/New Bayhealth Campus

Presentation/UFS Electric Rate Study Proposal

Authorization/FY 2015-16 Budget Transfer/Electric Reserve Fund/SE Water Tank Power Supply

Adoption/Resolution 2016-05**/Independence Commons/Deed Restriction Amended

Introduction/Economic Development Ordinance/Chapter 19

Authorization/Alcohol Waiver/Mispillion Shipbuilder River Race*

Approval/City of Milford's Deferred Comp Plan (457(b) Amendment*

Adoption/Resolution 2016-06/Spring Clean-Up Week

Approval/Revised Council Committee Structure & Assignments

Monthly Finance Report

Adjourn

This agenda shall be subject to change to include additional items including executive sessions or the deletion of items including executive sessions which arise at the time of the public body's meeting.

SUPPORTING DOCUMENTS MUST BE SUBMITTED TO THE CITY CLERK IN ELECTRONIC FORMAT NO LATER THAN ONE WEEK PRIOR TO MEETING;
NO PAPER DOCUMENTS WILL BE ACCEPTED OR DISTRIBUTED AFTER PACKET HAS BEEN POSTED ON THE CITY OF MILFORD WEBSITE.

CITY OF MILFORD

DELAWARE



“THE GARDEN CITY OF TWIN COUNTIES”

OFFICE OF THE CHIEF OF POLICE
KENNETH L. BROWN

400 N.E. FRONT STREET
MILFORD, DE 19963
(302) 422-8081 FAX (302) 424-2330

TO: Mayor and Members of City Council

FROM: Kenneth L. Brown, Chief of Police

DATE: March 10, 2016

RE: Activity Report/February 2016

Monthly Stats:

A total of 624 arrests were made by the Milford Police Department during February 2016. Of these arrests, 203 were for criminal offenses and 421 for traffic violations. Criminal offenses consisted of 65 felonies and 138 misdemeanors. Traffic violations consisted of 128 Special Duty Radar, 7 Drunk-Driving charges, and 286 other.

Police officers investigated 61 accidents during the month and issued 122 written reprimands. In addition, they responded to 1106 various complaints including city requests and other agency assistance.

Monthly Activities:

On February 18, 2016, several officers from the department closed an active drug investigation for the sales of Heroin with the assistance of the Dover Police Department. Many of these sales initially took place in the Redner's parking lot.

During the course of the investigation 96 bags of suspected Heroin were seized.

On February 18, 2016, the following evidence was seized as a result of two (2) search warrants:

- 86 bags – suspected Heroin
- Approx. 73.3 grams of suspected marijuana
- \$2,485.00 USC
- 2 Digital scales & other drug paraphernalia

Totals: 182 bags of suspected Heroin
Approx. 79.3 grams of suspected marijuana
\$2,485.00 USC

SRO:

Sgt. Masten with the assistance of Det. Maloney spent an evening with Cub Scout Den from Pack #186 speaking to them about a variety of topics that allowed them to complete a badge. One item they spent a lot of time on was evidence collection and they worked with the scouts while practiced lifting latent finger prints.

All three SROs were sworn in by the Attorney General Matt Den from statewide jurisdiction.

After reports of a subject in a van attempting to lure children, Cpl. Bloodsworth has stepped up efforts to speak to students about the dangers of being approached by strangers. Pfc. Stanton and Cpl. Bloodsworth spoke to a majority of students at Mispillion Elementary on February 2, 2016. Sgt. Masten made an aggressive push to make the public aware of the reports of this subject attempting to lure children. Social Media and area news outlets were used to help get the message out. On camera interviews were conducted about this matter for WBOC, WMDT, WRDE, and ABC 6 out of Philadelphia.

Investigations continued into the bomb threats received by area schools.

A lunch meeting was held with our Volunteer Patrol Unit at Grotto's and was attended by Capt. Bailey, Lt. Wells, and Sgt. Masten. General topics were discussed at this meeting.

Planning for 2016 "Milford's Night Out" have begun with the date being August 2, 2016.

K-9:

For the Month of February the Milford Police Department K9-2 (Henk) unit responded to 46 calls for service.

For the month of February the Milford Police Department K9-2 (Henk) was utilized on 6 different incidents.

K9-2 (Henk) was utilized one (1) time as a precautionary presence on suspects known to have fight or flight risks.

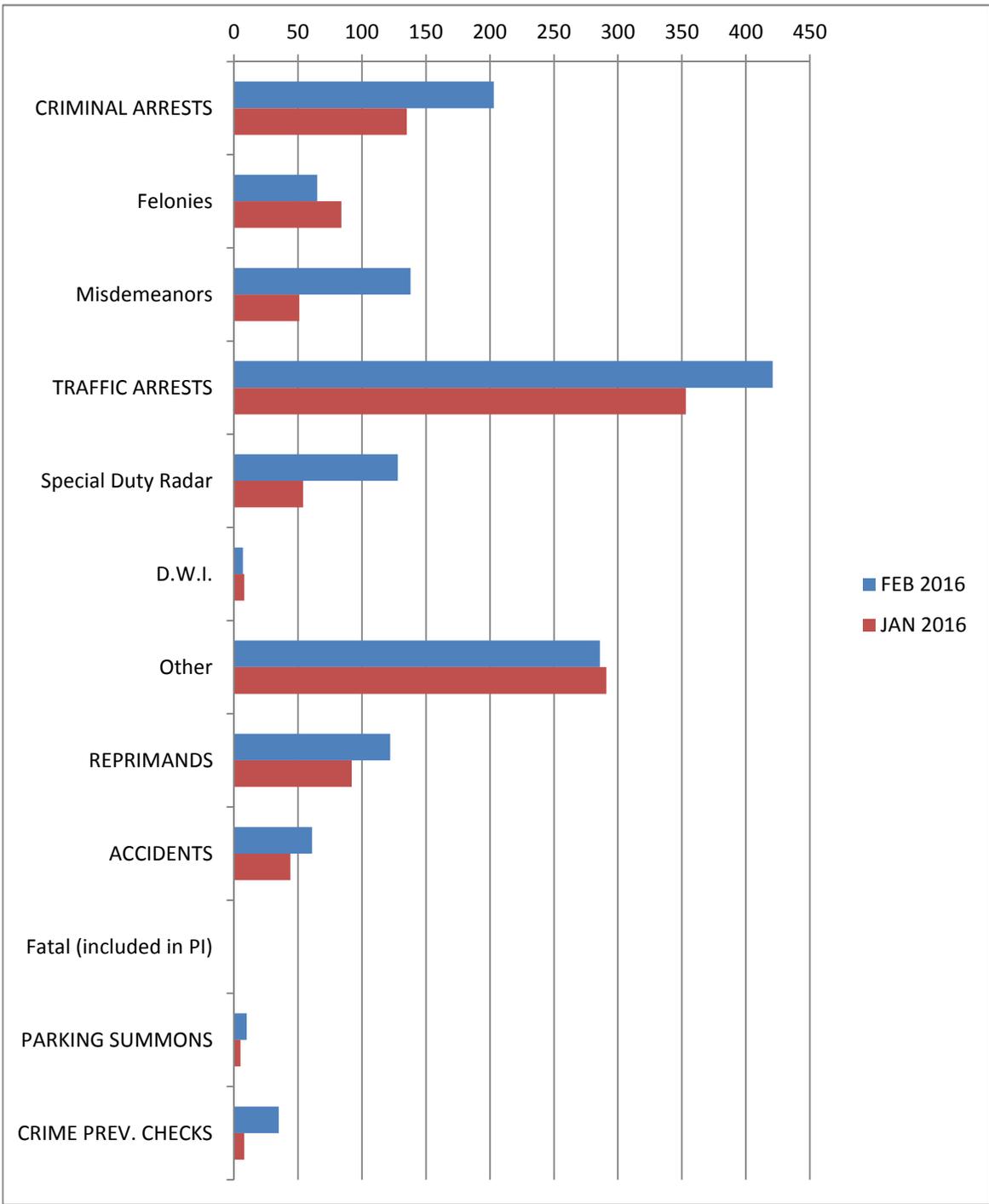
K9-2 (Henk) conducted three (3) building searches on businesses with open doors and suspected of burglary.

K9-2 (Henk) conducted two (2) sniffs for narcotics resulting in the following seizures:

- Marijuana – 4.5 Lbs. (approximate street value \$15,000)
- US Currency - \$9,012.00
- Numerous drug paraphernalia items.

FEBRUARY 2016 ACTIVITY REPORT

	FEB 2016	TOTAL 2016	FEB 2015	TOTAL 2015
COMPLAINTS	1106	2167	1125	1125
CRIMINAL ARRESTS	203	338	212	212
Felonies	65	149	47	47
Misdemeanors	138	189	165	165
TRAFFIC ARRESTS	421	774	434	434
Special Duty Radar	128	182	120	120
D.W.I.	7	15	3	3
Other	286	577	311	311
REPRIMANDS	122	214	120	120
ACCIDENTS	61	105	40	40
Fatal (included in PI)	0	0	0	0
PARKING SUMMONS	10	15	10	10
CRIME PREV. CHECKS	35	43	41	41
FINES RECEIVED	\$ 5,346.19	\$ 11,868.39	\$ 10,611.23	\$ 10,611.23



Monthly Updates

March 2016

Streets

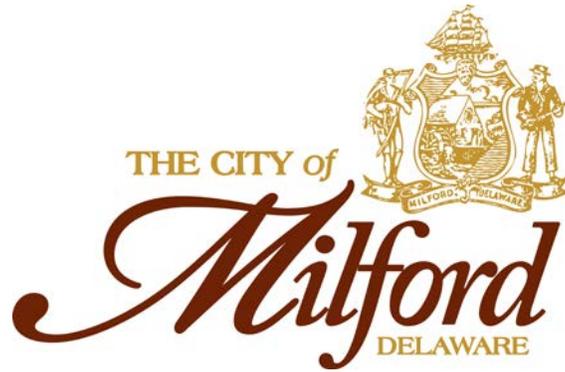
- Crews continue to patch many potholes on Airport Rd.
- Davis Bowen and Friedel has been working with DelDOT on the Airport Rd. paving project, they are awaiting final results on the sample testing.
- Three catch basins have been rebuilt by Smith Concrete: (2) in the Greater Milford Business Park and (1) Kent Place – near Middle school.
- Crews cleaned up all the trees that were damaged by the storm last October on Delaware Avenue right-away.
- Four pine trees have been ordered to replace the ones that were damaged on Mr. George Mackie's property at 12 E. Clarke Ave. during a storm last October. The damages were attained from falling trees that were on city property.

Solid Waste (container work orders are completed by street crew)

- Bulk pickups/revenue: Month of **February: 11** (\$550)
- Work Orders Completed in February:
 - Container Deliveries (13) 6-Yard Waste, 4-Recycle, 3-Trash
 - Container Swaps (5) - Size of Container
 - Additional Trash Containers (2) - Trash
 - Damaged Containers (10) Replaced with new containers
- Spring Clean-up week has been selected for the week of April 11-15th, which falls on the Gold Recycling route week. Please see attached ad that will be in the Milford Beacon on the week of March 29 & April 4th. We will also be advertising on Milford Live, and on the City's website, Facebook page and Twitter page. Notification has also gone out in customers' bills.
- Timmy Webb and City Manager met with Julie Banks, a representative for Hearthstone Manor on February 25, to discuss concerns with multi-family trash collection. Issues discussed were: abandoned trash containers due to lack of storage, residents sharing containers as a way to cut down the amount of containers. A meeting will be held at City Hall on March 14th to discuss possible resolutions.
- City has purchased 112 DSWA (used) yard waste containers from Blue Hen disposal at \$12 each. Blue Hen disposal has purchased the assets of First State Disposal at the beginning of the year. As they begin swapping out the DSWA yard waste containers for their own containers Blue Hen will have more to sell the city. Currently it's a cost savings to the city of \$ 46.79 per container.

Water & Wastewater

- Repaired Well Chlorinator
- Assisted AC Schultes with Well Work
- Exercised Valves so Water could be Turned Off for Contractor
- Assisted Tri-State Grouting videotape Truitt Avenue Sewer Mains
- Repaired Water Leak on West Clarke Avenue
- Plowed Snow
- Changed out Piping and Water Meters at Caulk Company West Plant location



ELECTRIC DEPARTMENT
(302) 422-1110 FAX (302) 422-1117

180 VICKERS DRIVE
MILFORD, DE 19963

www.cityofmilford.com

To: Eric Norenberg, City Manager
Rick Carmean, Electric Superintendent
Jeff Portmann, Finance Director

From: Jennifer Anderson, Electric Operations Manager

Date: 3/3/2016

Re: February 2016 Work Report

-
- The Electric Department completed (29) Work Orders/ Trouble Service Calls in February, and has in progress (13) Work Orders still open at the end of the month.

Electric

- 2/1/16 Electric Crew pulled fiber at substation to regulators.
- 2/2/16 Electric Crew repaired faulty street lights and replaced a bad underground service located on Front St.
- 2/2/16 10 a.m. Meeting at DBF Re: Bayhealth Project (Rick).
- 2/3/16 Electric Crew cut down dead tree on 10th Street and replaced a broken pole on SE 2nd St.
- 2/3/16 8:30 a.m. Public Works Staff Meeting.
- 2/3/16 3:00 p.m. Smart Metering Meeting w/City Manager at City Hall (Rick).
- 2/4/16 Electric Crew installed 2 underground services at Orchard Hill.
- 2/5/16 Electric Crew helped with light snow removal/clean-up.
- 2/8/16 Electric Crew run fiber to the Solar Project located on Airport/Canterbury Rd.
- 2/9/16 Electric Crew installed underground service at Orchard Hill.
- 2/10/16 Electric Crew helped with snow removal in the morning and Solar Project in the afternoon.
- 2/11/16-2/12/16 Electric Crew laid weed block and stone in at the Solar Project location.
- 2/11/16 9:30 a.m. Smart Metering Conference Call (Rick).

- 2/16/16 Electric Crew worked on power trailer for Parks & Rec. (Rain Day)
- 2/16/16 10 a.m. Cisco Phone System Discussion at City Hall.
- 2/17/16-2/19/16 Electric Crew pulled fiber to DEL1 Substation from City Hall.
- 2/22/16-2/23/16 Electric Crew set 500KVA transformer at Lighthouse Christian Church and pulled 600 feet of Okinite cable.
- 2/24/16 Electric Crew finished power trailer for Parks & Rec. (Rain Day)
- 2/25/16 9 a.m. Bayhealth Electrical Utility Meeting (Rick).
- 2/25/16 Cleaned up Oil Spill with the assistance of Compliance Environmental at Silver Hill Apts. due to pole snapping from high wind causing transformer to leak its oil contents.
- 2/26/16 8:30 a.m. Public Works Staff Meeting.
- 2/26/16 Electric Crew finished first pull of fiber to the substation.
- 2/29/16 Electric Crew moved a buried pipe at Watergate.

Miss Utility Locates

- There were (140) Miss Utility locates completed in February for the Electric and Water Departments.



Milford
Parks & Recreation
Department

MEMO

TO: Mayor and Council

FR: Brad Dennehy

Director of Parks & Recreation

DA: March, 11th 2016

RE: Monthly update from the Parks and Recreation Department

Mayor and Council,

At your request here are some highlights from the month of February, from the Parks & Recreation Department.

- MP&R staff fixed our electronic basketball scoreboard in-house, as the quoted price to repair it was approximately \$5000.
- Capped off another successful youth instructional basketball program.
- Finished the youth basketball league, and the indoor soccer season.
- Completed both age groups gymnastic programs.
- Completed the spring brochure for recreational activities and programs, and got this dispersed out to all of the elementary schools, Central Academy and local daycares.
- Had some electric and plumbing issues at Tony Silicato park public restroom, which meant it was temporarily shut down over winter. The solar panel issues were fixed by the Electric Department, and the plumbing issues were fixed by a local plumber. The restroom is now back up and operational.
- Attended a meeting with the City Manager, and a representative from DMI economic committee, to discuss DMI's desire to have a public restroom downtown. The meeting was an informational meeting in nature.



Milford
Parks & Recreation
Department

- Park staff worked Presidents day snow storm, clearing snow at the Boys and Girls club, and ensured there was access to the Milford Community Cemetery.
- MPR oversaw the removal of a large dead tree at the library which came down in one of the snow storms. The tree was cut up, removed and the stump was ground up.
- Met with two urban foresters from the Delaware department of Forestry and gave them a tour of the City of Milford. Discussed various items including a list of recommended trees for Milford, identifying trees that need to be removed, and possible grant funding for tree projects.
- Attended the Delaware Recreation and Parks Society annual two day conference which was held in Rehoboth beach. Milford Parks and Recreation nominated Representative Harvey Kenton for the Delaware Recreation Parks Society legislative award, which he received, and gave mention to the City of Milford (please see attached press release).
- Attended the Downtown strategy meeting at City Hall.
- Continued to work on grants for both Goat Island and the additional floating kayak dock, with our design consultant.
- Met with another contractor to get a proposal for upgrading the heat and air conditioning at the Armory.
- Attended a follow up DMI design committee meeting with the City Manager, Chief of Police, and City Planner to discuss coordination of downtown efforts.

As always, if you require further information please don't hesitate to contact me.

Thank you.



DELAWARE SOLID WASTE AUTHORITY

Richard P. Watson, P.E., BCEE
Chief Executive Officer

Robin M. Roddy, P.E., BCEE
Chief Operating Officer

Board of Directors

Gerard L. Esposito
Chairman
Ronald G. McCabe
Vice Chairman
Timothy P. Sheldon
Tonda L. Parks
Norman D. Griffiths
Michael R. Paraskewich, Jr., Ph.D., P.E.
William J. Strickland

February 17, 2016

Eric Norenberg
City of Milford
P.O. Box 159
Milford, DE 19963

Dear Eric:

Enclosed please find the City of Milford's numbers for the month of January 2016.

**January 2016
Weight in Pounds**

MILFORD TRANSFER STATION

15,547	225
--------	-----

MILFORD COMMONS

40,810	0
--------	---

Sincerely,

Rich Von Stetten
Sr. Manager of Statewide Recycling

C:\RVSRD correspondence\cityofmilford.doc
Christie Murphy
Attachments: City of Milford Curbside Totals

1128 S. Bradford Street, Dover, Delaware 19904
Phone: (302) 739-5361 Fax: (302) 739-4287

CITIZENS' RESPONSE LINE: 1-800-404-7080 www.dswa.com

**CITY OF MILFORD CURBSIDE RECYCLING
JANUARY 2016**

Date Out	Trans Num	MT Label	DT Label	Bill Acct Name	Net TN
1/7/2016	738660	7100-RC Single Strea	7000-Recommunity	City of Milford	4.38
1/7/2016	738691	7100-RC Single Strea	7000-Recommunity	City of Milford	5.15
1/14/2016	739310	7100-RC Single Strea	7000-Recommunity	City of Milford	6.24
1/14/2016	739317	7100-RC Single Strea	7000-Recommunity	City of Milford	4.05
1/15/2016	739341	7100-RC Single Strea	7000-Recommunity	City of Milford	5.05
1/15/2016	739342	7100-RC Single Strea	7000-Recommunity	City of Milford	4.88
1/21/2016	739930	7100-RC Single Strea	7000-Recommunity	City of Milford	2.99
1/21/2016	739950	7100-RC Single Strea	7000-Recommunity	City of Milford	4.07
1/28/2016	740377	7100-RC Single Strea	7000-Recommunity	City of Milford	3.84
1/28/2016	740380	7100-RC Single Strea	7000-Recommunity	City of Milford	3.65
1/29/2016	740420	7100-RC Single Strea	7000-Recommunity	City of Milford	3.48
1/29/2016	740422	7100-RC Single Strea	7000-Recommunity	City of Milford	3.15
				TOTAL	50.93



**DELAWARE LEAGUE OF LOCAL GOVERNMENTS
MONTHLY DINNER MEETING
THE DUNCAN CENTER
500 W. LOOCKERMAN STREET, 5TH FLOOR, DOVER**

THURSDAY, MARCH 24, 2016

REGISTRATION/SOCIAL HOUR: 5:30 P.M. - 6:15 P.M.

DINNER: 6:30 P.M. – 7:15 P.M.

PROGRAM: 7:15 P.M.

PROGRAM:

The Honorable Senator Tom Carper is the League guest and keynote speaker for the March meeting. Senator Carper has a long history of public service in Delaware. He is currently in his third term as Senator and is the Ranking Member of the Homeland Security and Government Affairs Committee. Senator Carper also serves on the Senate Finance Committee and the Environment and Public Works Committee. Prior to his election to the Senate, he was Governor for two terms, Congressman for five terms, and State Treasurer for three terms. Senator Carper is a veteran of the Vietnam War. He will speak to the members about current Federal issues and events pertinent to local governments in Delaware.

Next Meeting: Thursday, April 28, 2016

WE MUST HAVE YOUR RESERVATIONS NO LATER THAN MARCH 18, 2016

Mail To/Make Payable to: Delaware League of Local Governments • P.O. Box 484 • Dover, DE 19903-0484
Phone: 302-678-0991 • Email: cfluft@udel.edu

_____ will have _____ attendees
(Municipality/County/Agency)

PLEASE LIST THE NAMES OF THOSE ATTENDING

<u>Name</u>	<u>Title</u>
_____	& _____
_____	& _____
_____	& _____
_____	& _____
_____	& _____
_____	& _____

- () Check enclosed for () dinners @ \$30 each
- () Payment will be made at the door
- () Check mailed for () dinners @ \$30 each



State Rep. Harvey Kenton receives his award from Delaware Recreation & Parks Society President Kendall Sommers.

Kenton & Dukes Honored for Enhancing Delaware's Parks, Recreational Opportunities

February 19, 2016 – Two members of the House Republican Caucus were honored this week for their efforts to enhance parks and recreational opportunities in Delaware.

State Reps. Harvey Kenton, R-Milford, and Tim Dukes, R-Laurel, were each presented with the 2015 Legislative Award from the Delaware Recreation and Parks Society (DRPS). The two lawmakers were the only members of the 148th General Assembly to be so honored.

"Representative Kenton has proven time and time again that he is an avid supporter of parks, recreation, and open space," said Paula Ennis, Recreation Supervisor for Newark's Parks & Recreation Department and a member of the DRPS Awards Committee. "He was instrumental in securing funding for much-needed improvements in the community cemetery, the twenty-second phase of the Mispillion River Greenway - known as the Gary L. Emory Nature Trail at Goat Island -- and the largest Can-Do playground in Delaware."

In accepting the award, Rep. Kenton said he was flattered and humbled to be recognized for his work. "Working with Brad Dennehy, the director of the Milford Parks

& Recreation Department, and Mary Betts, and the mayor and the city manager has been an honor," Rep. Kenton said. "I'm looking forward to being able to work with them all in the future."

Tim Dukes was unable to attend the presentation, but his absence did not prevent him from being praised by the group of park professionals.

"Representative Dukes is an active supporter of Trap Pond State Park with his time and funding," Ms. Ennis said. "In the past two years, Representative Dukes has given funds for the repairs of Cypress Point Road and construction of new bathrooms and a parking lot for Bethesda Church (a historic structure located inside the park). ... His support of Delaware's state parks goes beyond his own district. This year he also contributed \$5,000 of his Community Transportation Funds for the Cape Henlopen Fishing Pier re-decking project, which started in January."



State Rep. Tim Dukes

The awards ceremony was held Thursday at the Atlantic Sands Hotel in Rehoboth Beach as part of the Delaware Recreation and Parks Society's 36th Annual Conference.



Terence M. Murphy, FACHE
President and Chief Executive Officer
640 S. State Street ~ Dover, DE 19901
302.744.7000 ~ 302.744.7181 fax

February 12, 2016

Mr. Eric Norenberg, ICMA-CM
City Manager
City of Milford
201 S. Walnut Street
Milford, DE 19963

RE: BAYHEALTH / HEALTH CAMPUS
Milford, Delaware

Dear Mr. Norenberg:

I want to take this opportunity to thank you, City Council, Planning Commission, and staff for working with Bayhealth Medical Center and our design team on our new Health Campus in Milford. The City of Milford has demonstrated on numerous occasions its commitment to our project. We are very excited about this project.

I am writing you to discuss the utility easements proposed for the Health Campus properties. The Health Campus is located in an area that is experiencing significant growth due to the DelDOT interchange. Based on our working relationship with the City, we know that you are planning and constructing utility upgrades (sewer, water, electric) to serve this growing area of Milford. The City has requested several utility easements on Bayhealth Medical Center's properties to help facilitate the growing demand for utility infrastructure. While there is a direct benefit to Bayhealth Medical Center in granting these easements to the City of Milford, these easements will also benefit the City and other developments surrounding the Health Campus. For example, one of the easements will provide power to the new water facilities located on the Wilson property. Bayhealth Medical Center does not object to granting the utility easements to the City of Milford.

There is a triangular shaped property that the City of Milford owns along Elks Lodge Road immediately adjacent to our property. The property is approximately 22,298 S.F. This property would benefit the Health Campus by allowing a future access to be constructed from Elks Lodge Road. Therefore, I am proposing that Bayhealth Medical Center grant the requested utility easements to the City of Milford in exchange for the City conveying the triangular shaped property to us.

Please contact me to discuss this matter in more detail.

Sincerely,

A handwritten signature in black ink, appearing to read 'Terence M. Murphy'.

Terence M. Murphy, FACHE
President / CEO



PROPERTY TO BE
CONVEYED TO BAYHEALTH
22,258 S.F. / 0.51 AC.

PRELIMINARY EASEMENT EXHIBIT
BAYHEALTH HEALTH CAMPUS

•
CITY OF MILFORD
SUSSEX COUNTY, DE

LAYER STATE: 11x17

**BECKER
MORGAN
GROUP**

ARCHITECTURE
ENGINEERING
Dover, DE
309 S. Governors Ave.
Dover, DE 19904
Ph. 302.734.7950
Fax 302.734.7965

BMG: 2014092
SCALE: 1" = 100'
DATE: 2015-12-22
DRAWN BY: M.A.R.

1A



Terence M. Murphy, FACHE
President and Chief Executive Officer
640 S. State Street ~ Dover, DE 19901
302.744.7000 ~ 302.744.7181 fax

February 12, 2016

Mr. Eric Norenberg, ICMA-CM
City Manager
City of Milford
201 S. Walnut Street
Milford, DE 19963

RE: BAYHEALTH / HEALTH CAMPUS
Milford, Delaware

Dear Mr. Norenberg:

Bayhealth Medical Center, Inc. is in the design phase for the new Health Campus at the intersection of Cedar Creek Road and Wilkins Road. We have an aggressive design and construction schedule in an effort to be operational by 2019. I am writing you to request an early start of construction for the foundations in advance of final approvals. It is our intention to issue a foundation package for construction in May 2016 in order to meet our schedules.

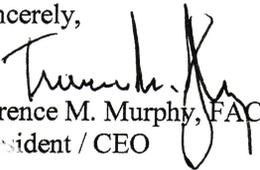
We understand the risks in pursuing this schedule; however, there are several reasons why an early construction start would not have a negative impact to this project:

1. Planning Commission unanimously granted preliminary site plan approval for the project at their December 18, 2015 meeting. In addition, Planning Commission and City Council approved the annexations and rezoning for the new Health Campus.
2. Bayhealth Medical Center and our design team have worked closely with the City of Milford to coordinate utility services and all other design and approval related topics necessary for the Health Campus. We meet regularly with the City staff.
3. Bayhealth Medical Center and our design team have worked closely with the outside regulatory agencies to determine site access and stormwater management areas.
4. Given the complexity and size of the Health Campus, an early construction start would permit us to maintain our completion schedule.
5. Bayhealth assumes all the risk of an early construction start, and understands it is our responsibility to obtain all site approvals, including the City of Milford, for this project.

We will be pursuing all site approvals as quickly as possible. However, given this is a \$275M project with construction spanning over a couple years to complete, it is important that we be allowed to start the foundations in May 2016. We completed a similar project in Dover at our Kent Campus without complications under the same circumstances.

Please contact me to discuss this matter in more detail.

Sincerely,


Terence M. Murphy, FACHE
President / CEO

201409200bz-ltr.doc

Utility Financial Solutions, LLC

Utility Financial Solutions, LLC
Mark Beauchamp, CPA, CMA, MBA
President, Utility Financial Solutions



UFS Qualifications

- ▶ Locations: Holland, Grand Haven, Traverse City Michigan; Lincoln, Nebraska; Madison Wisconsin
- ▶ President: Degree in Water Purification Technology, Accounting, MBA
- ▶ Team includes Accountants, Engineers, Finance and Economists
- ▶ Completed cost of service studies for municipal utilities in 42 States, Guam, Canada, Caribbean

UFS Qualifications

▶ Course Instructors:

- American Public Power Association/American Water Works Association/National Association of Regulatory Utility Commissioners/National Rural Electric Association

▶ Courses Taught:

- Financial planning for municipal utilities
- Water/Wastewater/Electric cost of service courses
- Series of financial planning and City Council/Board training courses
- Development of municipal utility financial targets
- Course on communicating rate increases to City Councils and end users
- Line extension policies for new customers

Services

- ▶ Long-Term Financial Projection:
 - Identification of key financial targets
- ▶ Cost of Service Study
- ▶ Power Cost Adjustment Mechanism
- ▶ Rate Design
- ▶ Presentation



Cost of Service Summary

Customer Class	Cost of Service	Projected Revenues	Change to Meet COS
Residential Service Rate A	3,310,810	3,048,700	9%
General Secondary Service - Rate B	2,189,888	1,973,674	11%
Street Lighting	120,840	106,000	14%
Secondary Demand/Energy Service - Rate C	2,613,477	2,632,694	-1%
Primary Demand/Energy Service - Rate D	13,205,053	13,425,300	-2%
Total	21,440,068	21,186,368	1.2%
Revenue Increase Needed		\$ 253,700	



Customer Charges

- ▶ Costs that do not vary with usage:
 - Meter operation, maintenance and replacement costs
 - AMR installation costs
 - Meter reading
 - Billing Costs
 - Customer Service
 - Portion of Distribution System (35–50%)



Financial Projection

Base Case – No Rate Increase

Fiscal Year	Projected Rate Adjustments	Projected Revenues	Projected Expenses	Adjusted Operating Income	Projected Cash Balances	Capital Improvements	Bond Issues	Debt Coverage Ratio
2011	0.00%	140,298,723	141,333,703	(1,034,980)	35,313,396	6,975,000	-	2.34
2012	0.00%	143,900,552	146,605,317	(2,704,765)	29,549,231	6,265,000	-	2.14
2013	0.00%	145,430,257	150,971,486	(5,541,229)	20,701,100	6,516,000	-	1.78
2014	0.00%	147,395,894	155,879,882	(8,483,988)	7,246,116	8,123,000	-	1.42
2015	0.00%	148,176,101	160,519,276	(12,343,175)	(7,718,630)	7,068,000	-	1.13
Recommended Operating Income Target - 2011				\$ 10,887,198				
Recommended Operating Income Target - 2015				\$ 10,273,763				
Recommended Minimums					\$ 40,304,223			1.40
Recommended Minimums					\$ 44,995,205			1.40



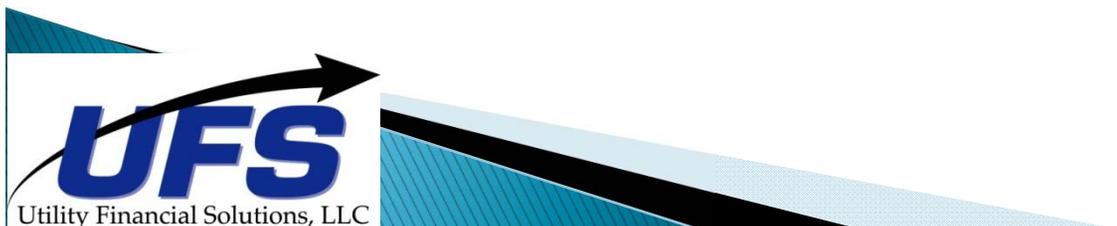
Financial Projection Recommended Rate Track

Fiscal Year	Projected Base Rate Adjustments	Projected Revenues	Projected Expenses	Adjusted Operating Income	Projected Cash Balances	Capital Improvements	Bond Issues	Debt Coverage Ratio
2011	2.80%	145,331,282	141,333,703	3,997,579	40,345,956	6,975,000	-	2.98
2012	2.80%	152,669,729	146,605,317	6,064,412	43,514,526	6,265,000	-	3.27
2013	2.80%	158,116,137	150,971,486	7,144,652	47,806,147	6,516,000	-	3.43
2014	2.80%	164,233,081	155,879,882	8,353,199	52,069,264	8,123,000	-	3.62
2015	2.80%	169,308,261	160,519,276	8,788,985	59,693,430	7,068,000	-	4.55
Recommended Operating Income Target - 2011				\$ 10,887,198				
Recommended Operating Income Target - 2015				\$ 10,273,763				
Recommended Minimums						\$ 40,304,223		1.40
Recommended Minimums						\$ 44,995,205		1.40



(PCA) Power Cost Adjustment

- ▶ Automatic kWh charge that is passed-through to customers for increasing power costs
 - Used by about 60% of the municipal systems and many investor owned
 - Limits utilities expense risk (PP 60-80% O&M)
 - Does not limit board control of rates, concentrate on things more likely in their control – distribution and admin related (20% – 40%)
 - Reduces amount and frequency of rate adjustments



Rate Design

- ▶ Design rates based on feedback from City Council:
- ▶ Considerations:
 - Movement toward cost of service results
 - Movement toward customer charge
 - Limit major changes between classes or between customers within a rate class





THE CITY OF MILFORD

PROPOSAL FOR ELECTRIC COST OF SERVICE, FINANCIAL PROJECTION AND RATE DESIGN

December 7, 2015



Main Company location:
Utility Financial Solutions, LLC
185 Sun Meadow Court
Holland, MI USA 49424
(616) 393-9722
Fax (888) 501-0998

Submitted Respectfully by:
Mark Beauchamp, CPA, CMA, MBA
President, Utility Financial Solutions
mbeauchamp@ufsweb.com
(616) 393-9722



12/07/2015

Jeff Portman, Finance Director
City of Milford, Finance Building
10 SE Second Street
Milford, DE 19963

Dear Mr. Portman:

Utility Financial Solutions, LLC (UFS) is pleased to submit a proposal to provide an Electric Cost of Service and Rate Design Study. Over the last 14 years, UFS has set the standard in independent financial analysis and cost of service/rate design for over 300 Electric, Water & Wastewater Utilities around the world. UFS brings a national perspective providing services in 43 states, Guam, Canada and the Caribbean and allows us to provide an unsurpassed depth of knowledge on electric rate issues facing your community. We have provided electric, water and wastewater rate services to other utilities in Delaware and DEMEC members.

UFS is an international consulting firm with a staff that consists of course instructors for Electric, Water & Wastewater cost of service, financial planning and Board and Council training sessions for the American Public Power Association, American Municipal Power (AMP) National Association of Regulatory Commissioners, the American Water Works Association and Municipal Finance Officers Associations.

Our proposal is structured to allow the City of Milford to choose from a variety of services based on our phone conversation. The elements described in this proposal includes:

1. Development of potential new Power Cost Adjustment (PCA) mechanism
2. Design of electric rates with a true up of power cost adjustment
3. Development of financial projection
4. Development of cost of service study
5. Presentation to City
6. Combined prices for individual services and for all services combined

We appreciate the opportunity to submit this proposal and look forward to discussing it with you. If you have questions or need additional information, please me at (616) 393-9722.

Sincerely,

A handwritten signature in blue ink that reads "Mark Beauchamp". The signature is written in a cursive style and is positioned above a horizontal line.

Mark Beauchamp -President
Utility Financial Solutions, LLC
185 Sun Meadow Ct.
Holland, MI 49424

mbeauchamp@ufsweb.com
(616) 393-9722 Office
(616) 403-5450 Cellular
(888) 501-0998 Fax

TABLE OF CONTENTS

Understanding of Project Requirements	1
Proposed Work Plan and Project Approach	2
Executive Report & Deliverables	8
Firm Qualifications	9
Project Team Qualifications	12
References	17
Project Schedule	19
Project Fees	20

Understanding of Project Requirements

The City of Milford History and Project Requirements

The City of Milford (a member of the DEMEC) purchases power off the PJM Power Grid to supply electricity to nearly 6,500 residential and commercial customers. The City of Milford is requesting a comprehensive electric cost of service and retail rate design study. Our proposal is designed to meet the following objectives:

- Development of a Power Cost Adjustment mechanism
- True up of power cost adjustment and design of electric rates
- Develop a long-term financial plan to identify current and projected rate adjustments and assist the utility in identifying the amount and timing of future rate adjustments. The financial projection will include development of the following targets:
 - 1) Minimum level of cash reserve will be developed and compared with projected cash balances
 - 2) Projected debt coverage ratios will be calculated and compared with targeted debt coverage ratios
 - 3) Targeted operating income (rate of return) will be developed for each year of the projection period and compared with projected operating income
- Determine the cost of providing electric service to each class of customer.
 - 1) The utility rates will be unbundled and the following determined:
 - a. Charges to each customer class for power supply broken down by demand, energy and season.
 - b. Charges to each customer class based on level of service off the distribution system. The charges will include secondary, primary, sub-transmission and transmission voltage levels.
 - c. Monthly customer charges to each customer class.
 - d. Review utility rate classes and recommend additional rate classes or alternative rate forms for existing customer classes.
- Present results of study to management, Board of Directors and be available for additional presentations if requested
- Design electric rates for rate changes to accommodate movement toward cost of service objectives after feedback from the City Council. Price includes a retail rate design for one year for the current rate classes.

Our approach to this project was developed to meet the objectives of The City of Milford and is based on our prior experience preparing electric cost of service studies for publicly-owned utilities in Delaware and around the nation. Our proposed work plan is designed to meet the requirements and methodologies established in the industry. The following section of our proposal includes the Technical Approach/Work Plan and includes the following sections:

- Preliminary Tasks to Complete Study
- Development of Electric Cost of Service Model
- Development of Unbundled Electric Rates
- Development of Long-Term Financial Models
- Development of Long-Term Rate Track
- Development of Rate Designs to meet financial and social objectives of the City
- Reports
- Meetings and Presentations
- Deliverables

Preliminary Tasks

The preliminary tasks will vary depending on the services requested by the City of Milford. Listed below are preliminary tasks for a full cost of service study.

Review of Relevant Reports

Review of certain reports is necessary to ensure the models are established to fit the specific requirements of The City of Milford. Listed below are examples of reports to obtain and review.

- Yearly financial, operating and maintenance reports including fixed assets reports
- Outstanding bond issues and specific bond covenants
- Rate schedules and any special contracts

Collect and Verify Data

Meeting with utility management is critical to ensuring the final reports will meet the objectives of The City of Milford and the information request prepared by Utility Financial Solutions is understood. The specific objectives of the meeting will be to:

- Identify and clarify the scope of services and specific expectations of management
- Review billing system capabilities for providing the information necessary for the cost of service analysis. ***We will complete one revenue proof to reconcile revenues received compared with calculated revenues from billing system.***
- Review chart of accounts and determine strengths and weaknesses and its consistency with utility accounting practices
- Discuss with management the strengths and weaknesses of determining utility revenue requirements using a utility basis vs. cash basis
- Discuss power supply operations and recent or anticipated changes in operations
- Review of transmission charges
- Additions or losses of major customers

Preparation of Data Request

Based on discussion with management and staff, we will prepare an information request that will include the necessary information to complete the study. Listed below are specific reports that will be requested:

- Customer billing and usage statistics by month for latest fiscal year
- Monthly production statistics from electric department
- Trial balances for latest two years
- Audited financial statements for the latest three years
- Debt service schedules
- Current work-in-process
- Future capital improvement plan (typically a five year plan is requested, if available)
- Power Supply (we can get this from AMP)
- System load data (if available for example through a SCADA system)

Power Cost Adjustments (PCA)

Purchased Cost Adjustments (PCA) are used by many municipal electric utilities to help ensure power costs are recovered from customers in a timely fashion. Power cost adjustments need to be developed considering the financial stability of the utility and the month to month impacts on customer bills that often leads to customer complaints. UFS has developed a number of alternative methods for power cost recovery that helps to ensure the utility recovers its costs in a timely fashion but limits the month to month fluctuations. We will assess any current power supply cost calculation, discuss alternatives and develop the most appropriate method for the City. We will review and discuss the following considerations in the initial kickoff meeting:

1. Do large fluctuations occur in power supply costs
2. PCA's impact high load customers greater than lower load factor customers.
3. Does the current bill include a PCA line item
1. PCA can help improve bond ratings
2. PCA helps prevent overcharging or undercharging customers
3. PCA reduces the frequency of annual rate changes

A properly functioning PCA balances the risk of under-recovery of power costs with the potential fluctuations in the PCA charged to customers and each method has strengths and weaknesses. UFS in discussions with staff will review and recommend appropriate methodology for use by the electric department. Listed below are sample of PCA's we will review.

- Six and twelve month rolling average adjusted monthly
- Quarterly and semiannual adjustments
- Forecasted PCA with true up mechanism

The City of Milford market price of power varies depending on a number of factors including: natural gas prices, weather, economic conditions, MP costs, and an annual MP true-up. These factors will be considered in development of the PCA. **UFS in discussion with the City will recommend and help in the implementation of the PCA method chosen by the City.**

Electric Rate Design

Cost of service results are one factor in design of electric rates for customers. Other factors must be considered such as impact on customers, social and environmental issues and philosophy of the City. We will work with management and staff in the design of electric rates based on cost of service results, current rates, and impact on customer classes. We will make recommendations on rates for each class; identify potential new rate classifications, and weaknesses in current rate designs.

Development of Financial Plan & Rate Track

Development of a long-term financial plan is critical to help ensure the utility remains financially stable. The financial plan includes development of a five-year projection to assist the utility with the following:

- Identify long-term rate track and a plan, if necessary, to phase in rate adjustments
- Project cash balances of utility over the planning period
- Identify appropriate cash reserve requirements of the utility
- Identify the utility's ability to meet bond covenants specified in the ordinances
- Projected revenues and expenses over the five-year planning period
- Project purchase power costs and perform, if requested, sensitivity analysis on changes in wholesale power costs

UFS will work with staff in development of the long-term financial plan. To ensure the integrity of the model, we typically perform the following tasks:

- Develop a forecasting model for system growth and sales
- Adjust the model for known changes in sales, such as the addition of a large manufacturing company or recently closed facilities
- Adjust operating costs based on historical expenses adjusted for inflation or changes in operations

Development of Minimum Cash Reserves Levels

A critical question for utilities is the amount of funds necessary to hold in reserve for emergencies and future capital improvements. We will identify an appropriate funding for repair and replacement and the amount of cash to hold in reserve to meet the current and future needs of the utilities. The identification of minimum reserves requires a review of the following:

1. Historical investment in assets
2. Future capital improvement plan
3. Operation and maintenance expenses
4. Debt service payments
5. Insurance requirements
6. Customer deposits

Develop Test Year Sales and Power Requirements

Through review of historical sales, we will project future energy sales, number of customers, billing demands and revenue derived from projected sales. We will work with staff to estimate power supply expenses to meet projected energy and monthly demands. As part of this process, we will discuss with staff potential changes in power supply operations, distribution operations, and transmission charges.

Proposed Work Plan and Project Approach

Develop Test Year Revenue Requirements

Revenue requirements and the cost of service analysis will be completed on the embedded cost of service basis using a base year adjusted for known changes in expenses. Listed below are specific tasks that will be completed:

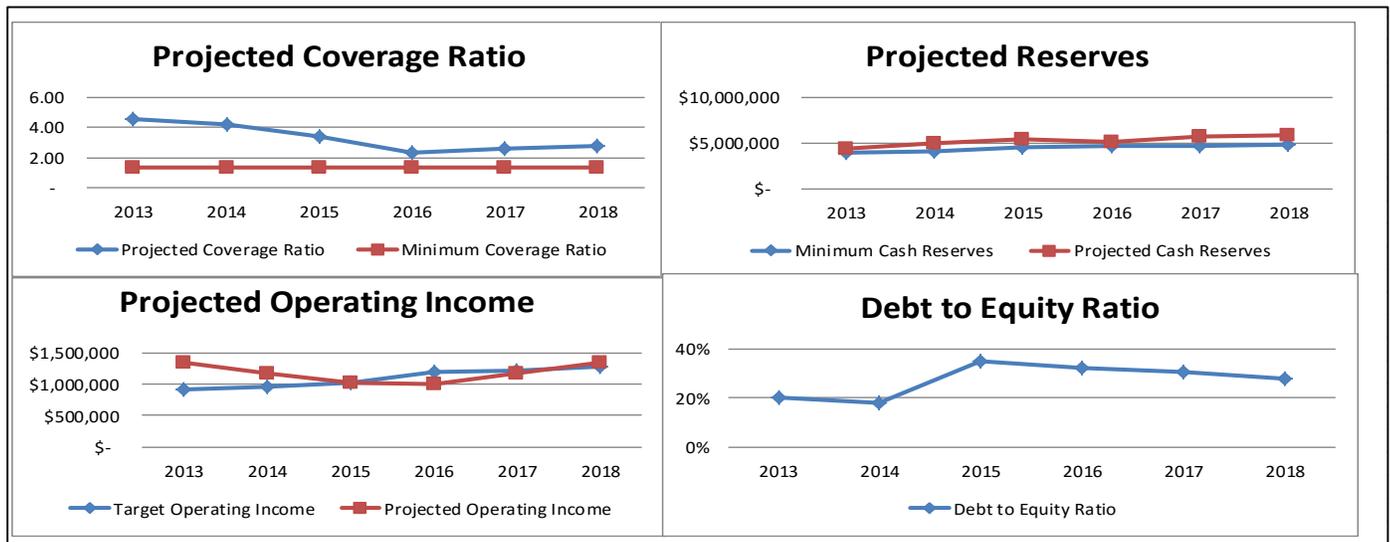
- **Expenses**
We will review expenses over the past three years and discuss with management significant changes and exclude any non-recurring expenses from the test year projection.
- **Power Supply Projection**
Power Supply costs typically represent over 70% of an electric utilities total revenue requirement. We will work with Utility staff to estimate power supply costs based on the projected monthly loads.
- **Debt Service**
Based on review of bond issues and debt service schedules, the principal and interest expense will be identified and incorporated into the analysis. The long-term financial plan will compare results with any requirements specified in the bond ordinance.
- **Capital Improvement Plan**
We will request the projected capital improvement plan, if available, and incorporate the plan into the cost of service and long-term financial plan
- **Rate of Return**
We will discuss with management appropriate rates of return based on industry standards and the specific requirements of The City of Milford.
- **Minimum Cash Reserves**
We will calculate the appropriate minimum cash reserves considering operating expenses, historical rate base and The City of Milford’s capital improvement plan.

A financial projection will be constructed with summary outputs similar to the tables and output graphs below and on the next page.

			Projected 2013	Projected 2014	Projected 2015	Projected 2016	Projected 2017	Projected 2018
Growth Rates			5.0%	0.5%	0.5%	0.5%	0.5%	0.5%
Inflation Rates			3.0%	3.0%	3.0%	3.0%	3.0%	3.0%
Interest Rate on Cash Balances			1.3%	0.8%	0.8%	0.8%	0.8%	0.8%
Purchase Power Adjustments			3.5%	0.0%	4.2%	2.6%	1.5%	1.7%

Fiscal Year	Projected Rate Adjustments	Projected Revenues	Projected Expenses	Adjusted Operating Income	Projected Cash Balances	Projected Bond Issues	Capital Improvements	Debt Coverage Ratio
2013	0.00%	11,549,627	10,208,180	1,341,447	4,410,201	-	1,000,000	4.56
2014	0.00%	11,607,376	10,446,550	1,160,826	5,024,661	-	900,000	4.21
2015	3.10%	12,021,969	10,998,959	1,023,011	5,428,876	6,000,000	7,000,000	3.42
2016	3.10%	12,451,527	11,451,932	999,595	5,134,777	-	1,500,000	2.34
2017	3.10%	12,896,589	11,722,219	1,174,370	5,646,876	-	900,000	2.56
2018	3.10%	13,357,718	12,012,946	1,344,772	5,867,119	-	1,400,000	2.78
Recommended Minimum 2014				\$ 956,159	\$ 4,152,152			1.40
Recommended Minimum 2018				\$ 1,269,198	\$ 4,833,023			1.40

Proposed Work Plan and Project Approach



Cost of Service Study

Development of Customer Class Demands and Allocation Factors

Load Profile Information

Load profile information identifies how customers use electricity at various times of the day and is critical to ensure the cost of service study is accurate and defensible. We will analyze information from the following sources:

- Electronic meters installed on time of use and other customers
- Load research information available from other sources
- Analysis of substation feeders
- Utilize our data base of existing load research obtained from other utilities

Development of Allocators

The load profile information will be used to allocate expenses based on cost-causation and each class's contribution to the electric department's system peak. The allocators will be developed on a seasonal and annual basis and used to determine the following costs for each customer class.

- Power supply demand cost by time of day and season
- Power supply energy cost by time of day and season
- Distribution related costs for sub-transmission or transmission service
- Distribution related costs for primary metered customers
- Distribution related costs for secondary metered customers
- Customer related costs for each class of customers

Proposed Work Plan and Project Approach**System Losses**

Losses can vary substantially depending on system loading and temperature. We will identify the system loss factor to use in the distribution rates. This will be done in one of two ways:

- If completed, we will use an existing system loss analysis.
- We will estimate the appropriate system loss factors during peak loss times through analysis of billing and usage data and applying engineering estimates to determine peak loss factors.

Prepare Cost of Service Analysis

Customer classes are typically established based on differences in load and usage patterns how customers use electricity dictates the cost of providing many of the utility services.

The cost of service portion of the model will determine the following:

- Rate adjustment necessary to meet rate of return requirements of utility
- Cost to serve each class compared with projected revenues
- Rate adjustment necessary for class to meet cost of service requirements
- Monthly customer charge by class
- Energy charges for each customer class
- Demand charge for demand metered customers

Electric Unbundling Scope of Services

To obtain information for setting distribution rates for customers who elect customer choice, an electric unbundling study is required to isolate the revenue requirements into the various components to deliver electricity to customers. As part of the study we will unbundle the utility costs in the following manner.

- 1) Power supply cost broken down by billing parameters
- 2) Transmission-related costs for any transmission or sub transmission facilities owned
- 3) Distribution related costs for substation, distribution system, transformer, services, and meter operation and maintenance
- 4) Customer service costs for meter installation, meter reading, billing and collections, customer service and any direct cost for specific customer classes
- 5) Peak system losses estimated on a seasonal basis

Format of Reports

UFS reports are typically separated into three reports listed below:

- **Executive Summary Report** – An overview that identifies the objectives, process and results of the rate study in a clear and concise format, the report includes graphs, charts, tables and recommendations.
- **Detail Report** – Includes all the detailed schedules developed to complete the study.
- **Rate Design Recommendation Report**– The rate design report is a separate module. To ensure efficiency and timeliness of the study the executive summary and the full detail report are provided to management for input into the rate design process. The rate design report includes the following:
 1. Comparison of the current and proposed rates
 2. Expected revenues generated from proposed rates
 3. Impact on customer classes at various usage levels or load factors within each rate class

Presentation of Cost of Service and Rate Design Study

A critical aspect of the study is the clear and concise presentation to the Board of Directors. UFS professionals are skilled at explaining and working with advisory and governing bodies to ensure decisions are based on information they can understand and apply to the local environment.

The following meetings are anticipated:

- 1) Initial meeting – Clarify scope of services, expectations of management and preliminary fieldwork (Conference call and/or webex)
- 2) Fieldwork – Fieldwork will be conducted to verify data (Conference call and/or webex - On-Site optional)
- 3) Review draft reports with management (Conference call and/or webex - On-site optional)
- 4) We are available for On-site presentations as requested by management such as review report with City Council or Board of Directors (included in price)

Deliverables

- 1) Requested number of Electric Cost of Service Study Reports as follows
 - Executive summary
 - Detail of COS analysis
 - Rate design including power and fuel cost adjustment clauses if any
- 2) Long-term financial plan
- 3) Revenue proof of proposed rates
- 4) Minimum cash reserve determination
- 5) Target operating income (rate of return)
- 6) Rate design & revenue proof for one year
- 7) Electric PCA Model

Firm Qualifications

Utility Financial Solutions is best qualified to meet the needs of The City of Milford. UFS has a long standing relationship and over 14 years of history in assisting municipalities with cost of service and financial analysis for Electric utilities and are recognized experts in the utility field. Our group and the project team assigned to this engagement is composed of highly qualified, experienced, and knowledgeable professionals who remain current on all issues facing utilities. UFS has completed similar rate design studies. UFS's reputation has resulted in an industry leading status shown by our frequent request to instruct classes and speak at conferences around the nation, the number of rate studies we have completed.

UFS provides consulting services to assist publicly-owned utilities in meeting their strategic and financial objectives. Services are designed to ensure complete client satisfaction and a commitment that:

- Services will be completed in the agreed upon timeframe
- Services are delivered within budget for services requested
- Services provided will meet or exceed client expectations
- Services will be unbiased and independent recommendations provided to the utility

Our experience and commitment to publicly-owned utilities ensures that we understand the issues they face and can assist in providing a variety of services including:

- Electric cost of service and rate design
- Review of indirect cost allocations
- Fee and ancillary service charges
- Cost reduction strategies and benchmarking analysis for utilities
- Financial analysis and feasibility studies for offering telecommunication services
- Evaluating and developing policies and procedures
- Econometric forecasts of sales and load growth
- Utility valuation services
- Power supply negotiation and financial analysis

As a result of our specialized industry knowledge we are frequently called upon to share our experience with others in the industry. We have given presentations at regional and national seminars regarding electric pricing, electric restructuring, electric unbundling, telecommunications, and other issues. Some of our presentations are listed on the next page.

Firm Qualifications

Conference	Date	Organization
Electric Rate Trends	2013, 2014, 2015	American Public Power Association Business and Financial Workshop
Advanced Issues in Cost Allocation for Gas, Water and Electric	2011, 2012, 2013	National Association of Regulatory Utility Commissioners - Institute of Public
Retail Pricing of Electricity Public Service Commissioners	2011, 2012, 2013, 2014, 2015	National Association of Regulatory Utility Commissioners - Institute of Public
Wholesale Pricing of Electricity Public Service Commissioners	2011, 2012, 2013, 2014, 2015	National Association of Regulatory Utility Commissioners - Institute of Public
Basic Electric Cost of Service	2014, 2015	American Municipal Power (AMP)
Economic Development Rates to Attract Customers	2014, 2015	American Municipal Power (AMP) Special Economic Development Meeting
Electric Rates for Key Accounts	2014, 2015	Missouri Public Utility Alliance
Electric Rates that Reflect Utility Costs	2013, 2014, 2015	American Public Power Association Webinar Sessions
Electric Rates that Promote Energy Conservation	2013, 2014, 2015	American Public Power Association Webinar Sessions
Financial Planning for Board Members and City Council	2010, 2011, 2012, 2013, 2014, 2015	American Public Power Association National Conference
Coping with Financial Challenges in Periods of Declining Sales	2011, 2012	American Public Power Association National Conference
Time of Use Pricing - Power Supply	2011, 2012, 2013	American Public Power Association Webinar Sessions
Industry Rate Trends & Future Rate Structures	2011, 2014, 2015	American Public Rate Association National Conference
Overview of Utility Financial Operations for Boards	2011, 2012, 2013, 2014, 2015	American Public Rate Association National Conference
Determining Utility Revenue Requirements	2011, 2012, 2013, 2014, 2015	American Public Power Association Webinar Sessions
Rate Making for Utility Boards/Councils	2011, 2012, 2013, 2014, 2015	American Public Power Association Webinar Sessions
Cash Reserve Policies	2011, 2012, 2013, 2014, 2015	American Public Power Association Webinar Sessions
Smart Grid and New Rate Designs for the Future	2011	American Public Rate Association National Conference
Basic Electric Cost of Service	Annually 2010 to 2015	American Public Rate Association Education Institute
Financial Planning for Municipal Utilites	Annually 2003 to 2015	American Public Rate Association Education Institute
Advance Electric Cost of Service and Rate Design	Annually 2003 to 2015	American Public Rate Association Education Institute
Publing Policy Makers Understanding of Financial Planning	2005, 2006, 2007, 2009	American Public Rate Association National Conference
Pricing Energy Efficiency Programs and Impact on Customer Rates	2009	American Public Rate Association National Conference
Intermediate and Advanced Cost of Service	Min 3 times annually from 2006 to 2015	American Public Power Association
Utility Line Extension Policies	2011, 2012	American Public Power Association
Decoupling Electric Rates	2011	American Public Power Association
Working with Boards and Commissioners to Explain Rate Changes	2012	Heartland Electric Association
Development of Time of Use Electric Rates	2010, 2011, 2012	American Public Power Association
Financial Planning for Water Utilites	2010	Southeast Water Association
Conservation Pricing and Impact on Utility Rates	2010	American Public Power Association

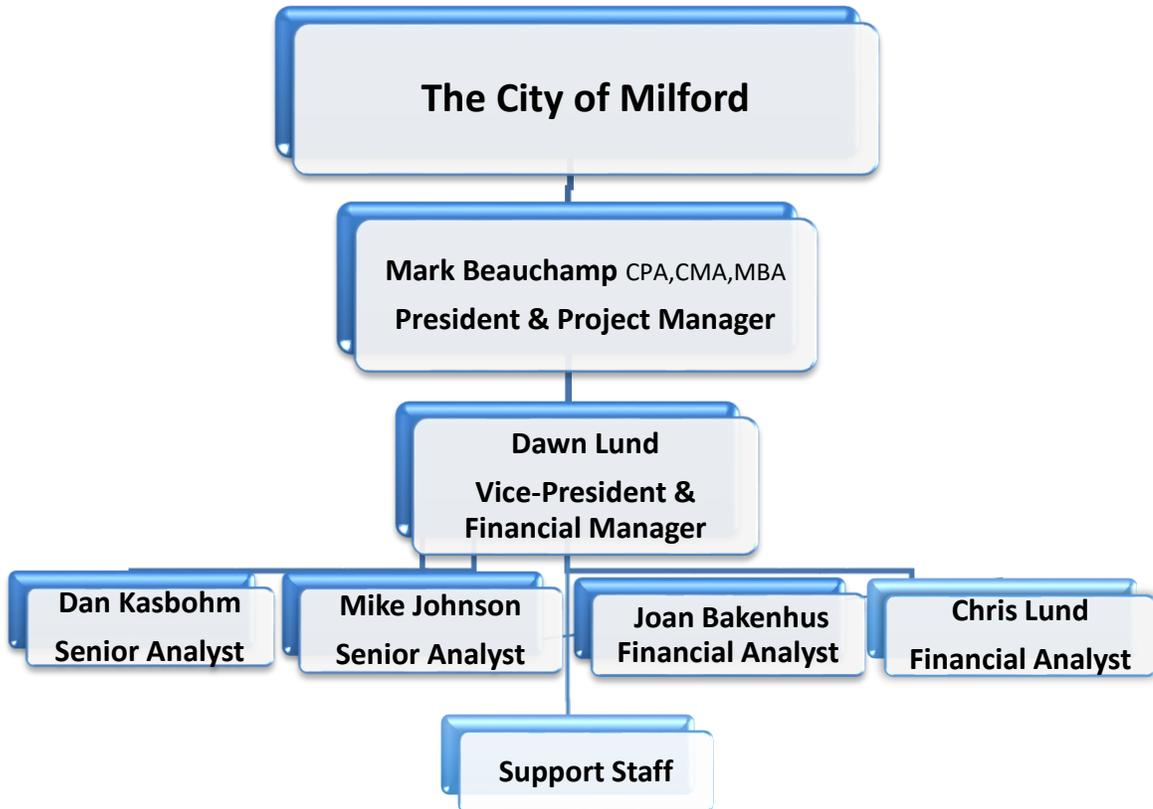
Firm Qualifications

Full Time Staff and Office Locations	
<p>Main Office and Contact, Authorized to negotiate and bind contract:</p> <p>Title: President Mark Beauchamp 185 Sun Meadow Ct Holland MI 49424 UFS – 14 Years Industry Experience – 33 years Phone 616-393-9722 Fax 888-501-0998 Cell 616-403-5450 mbeauchamp@ufsweb.com www.ufsweb.com</p>	<p>Authorized to negotiate and bind contract:</p> <p>Title: Vice President Dawn Lund 604 S Lake St Leland MI 49654 UFS – 12 Years Industry Experience – 20 years Phone 231-256-0092 Fax 888-566-4430 Cell 231-218-9664 dlund@ufsweb.com www.ufsweb.com</p>
<p>Title: Senior Analyst Dan Kasbohm 14986 Sandstone Road Grand Haven MI 49417 UFS – 10 years Industry Experience – 10 years Phone 616-846-6464 Fax 888-499-6609 Cell 616-402-7045 dkasbohm@ufsweb.com www.ufsweb.com</p>	<p>Title: Senior Analyst Mike Johnson 4901 Hermsmeier Road Madison WI 53714 UFS – 3 Years Industry Experience - 20 years Phone 608-230-5849 Fax 888-809-9640 Cell 608-609-6279 mjohnson@ufsweb.com www.ufsweb.com</p>

Project Team Qualifications

Proposed team members

UFS has put together a project team with the knowledge and experience to successfully meet your requirements and to deliver the report by the agreed upon time-frame. The team has over 100 years of combined experience performing similar studies for utilities. This provides The City of Milford with the experience to creatively solve financial and operational issues and help ensure financial stability in future years. The project team assigned has three team members located in Michigan plus support services out of Wisconsin and Nebraska locations. This team has completed cost of service, financial plans and rate design studies in 38 States, Guam and the Caribbean. The personnel assigned to this engagement are listed below:



Staff Availability

Utility Financial Solutions has adequate staff available to complete the tasks in the timeline requested in the RFP. Listed below are resumes of the team members assigned to this engagement.

Project Team Qualifications

Mark Beauchamp, President, CPA, CMA, MBA

President, Utility Financial Solutions, LLC

mbeauchamp@ufsweb.com - www.ufweb.com - 616-403-5450 mobile

Education

- AAS Water Purification Technology
- ABA Business Administration
- BBA Major – Accounting
- MBA Master’s Degree in Business

Course Instructor

American Public Power Association (APPA)

- Advanced Cost of Service Course (Cash Basis & Utility Basis of Ratemaking)
- Intermediate Cost of Service (Cash Basis & Utility Basis of Ratemaking)
- Basic Cost of Service (Cash Basis and Utility Basis of Ratemaking)
- Financial Planning for Municipal Utilities
- Financial Planning for Board & Councils
- Financial Planning and Rate Setting for Managers (Part of Managers Certificate Program)

American Municipal Power (AMP)

- Financial Planning and Rate Designs for Electric Utilities

Expert Witness Service

- Detroit Edison vs. Ameritech – Provided expert witness services for Detroit Edison on development of Pole Attachment Rates for Ameritech
- Nebraska State Unicameral – Served as an expert witness before the state of Nebraska Unicameral on Proper rate setting and credits to provide customer installed renewable generation
- Dayton Power & Light – Provided expert witness services on pole attachment rates. Case was resolved prior to Court appearance
- Coldwater Board of Public Works – Provide expert witness services on rate challenge by large industrial customer. Case was dropped after deposition was provided
- Smethport PA – Provided deposition and responses to Pennsylvania Public Service Commission on Rate Filing for Smethport

License and Qualifications

- Class “A” license in sanitary sewer treatment from the State of Michigan
- (CPA) Certified Public Accountant – Wisconsin
- (CMA) Certified Management Accountant – Institute Certified Management Accountants

Course Instructor

Michigan State University

- Advanced Issues in Cost Allocation (Utility Basis of Rate Making)
- Retail Costing and Pricing of Electricity
- Wholesale Costing and Pricing of Electricity

Southwest American Water Works Association

Michigan Rural Water Association

- Cost of Service & Rate Making for Water Utilities

Michigan Finance Government Officers Association

- Cost of Service & Rate Making for Water & Wastewater Utilities

Industry Involvement

- Member of the American Public Power Association
- Member of the American Water Works Association
- Member of the Institute of Management Accountants
- Speaker at national conferences on Financial Planning for Municipal Utilities, Pricing for Water Utilities, Pricing Fiber Optic backbone systems, Unbundling Electric Rates, and Ways to Attract and Retain Customers
- Author of articles appearing in national magazines and newsletters regarding pricing fiber optics, unbundling electric rates, and designing water rates

Project Team Qualifications

Dawn Lund

Vice-President, Utility Financial Solutions, LLC
dlund@ufsweb.com - www.ufweb.com - 231-218-9664 mobile

Dawn has 19 years' experience pricing and marketing utility services for electric, water and sanitary sewer. Dawn has worked with UFS for over 10 years and previously worked with a large utility and held positions as Cost and Rate Specialist and Marketing and Communications Specialist. Dawn works with utilities across the country teaching financials concepts and is also the instructor for Financial Planning courses for American Public Power Association. She is also a regularly requested speaker for various regional and national organizations. Dawn has a Bachelors in Accounting and has the following experience:

- Completed electric water and wastewater cost of service and rate design studies for utilizes across the country, Guam and the Caribbean
- Development of long-term sales and expense projections for electric, water, and sanitary sewer utilities
- Development of long-term financial plan and rate track for electric, water, and wastewater
- Development of electric rate designs to meet financial and social objectives of Utility
- Development of power (fuel) cost adjustments for electric utilities
- Development of connection charges for Water and Sewer utilities
- Review and recommend changes to ordinances related to utility operations
- Development of fees for utility services
- Business plan development for telecommunications and pricing of fiber services to customers
- Determining high strength surcharge rates for sanitary sewer treatment plants consistent with EPA requirements
- Determining appropriate allocations of overhead costs between utility services
- Development of marketing plans for utilities
- Development of special rates for electric utilities including Net Metering, Economic Development and Time of Use
- Determination of minimum cash reserve requirements for utilities
- Experienced in pricing electric line extension fees and system development charges
- Presentations to City Councils and Boards for approval of utility rates and proposed rate tracks
- Instructor for APPA's Financial Planning courses
- Monthly presentations to various organizations on topics such as: financial planning, Key financial targets, cash policies and how to explain rate increases to the end user, cost of services challenges and solutions

Project Team Qualifications

Mike Johnson, Financial Analyst

Mike joined Utility Financial Solutions in 2011 and has over 17 years' experience assisting utilities. He has a Higher National Diploma in Mechatronics (Combined Electrical/Mechanical Engineering). Mike is experienced in cost of service, rate making, financial/operational modeling, automation, electric utility operations, and power supply.

Mike's experience includes:

- Development of cost of service studies for electric, cable, gas, Water and Sewer utilities
- Forecasts utility revenue requirements
- Provides cost of services class allocations and rate making
- Develops utility financial analysis models
- Computes cost functionalization and allocation systems for designing and managing complex changes
- Evaluates data and system integration issues associated with new software implementations
- Provides market analysis, bidding and settlement processes analysis
- Prepared and testified on filings to Public Utility Commission

Joan Bakenhus, Financial Analyst

Joan has 15 years' experience working with municipal utilities and has a degree in Business Administration. Joan has worked as a Rate Analyst for one of the largest public power systems in the nation (Lincoln Electric System) and for Utility Financial Solutions since 2006. Joan is experienced in development of long-term financial plans, rate design models and cost of service studies for electric, water and wastewater utilities.

Joan's experience includes:

- Working with Utilities to identify information requirements to complete cost of service and financial plans
- Set up and develop utility revenue requirements, cost of service program and utility revenue proof
- Development of long-term financial forecasts for water, wastewater, and electric utilities to determine the amount and timing of rate adjustments
- Balancing and set up of models for development of cost of service and rate design for water, wastewater and electric utilities to determine commodity and customer charges
- Responsible for analysis, preparation and updating cost of service models for a number of electric, water and wastewater utilities
- Development of rate design models for electric, water and wastewater utilities
- Development of rate surveys
- Balancing of sales with revenue to help ensure proper billing statistics are used in cost of service models

Project Team Qualifications

Dan Kasbohm, Senior Analyst

Dan has 6 years' experience with Utility Financial Solutions. He has a degree in Engineering and has been employed in the automotive manufacturing industry for 16 years. Dan is experienced in development of time of use rates, load research data for electric utilities, long-term financial plans, power cost adjustment models, rate design models and cost of service studies for electric, cable, Water and Sewer utilities. Dan's experience includes:

- Development of cost of service studies for electric, cable, Water and Sewer utilities
- Development of long-term financial forecasts for water, wastewater, and electric utilities to determine the amount and timing of rate adjustments
- Managing professional, technical, and contract staff
- Balancing models for development of cost of service and rate design for water, wastewater and electric utilities to determine commodity charges and customer charges
- Assisted in developing econometric models and use of statistical analysis for forecasting
- Assisted in the development of rate design models
- Development of rate surveys for Utility Financial Solutions
- Balancing of sales with revenue to help ensure proper billing statistics are used in cost of service models
- Development of electric TOU models to analyze large load data files
- Development of inclining bloc rate models to determine projected revenues with ability to adjust block size, fixed monthly rate, usage block rates and varying rates of elasticity
- Assist in the development of Power Cost Adjustment models to project and balance power costs with actual monthly billings
- Develop power cost projections
- Prepared filing to Public Utility Commission

Chris Lund, Business & Technology Consultant, Financial Analyst

Chris joined Utility Financial Solutions in 2011 and has over 20 years' experience working with Information Technology implementations and Management Consulting. He has a bachelor's degree in business administration and information technology. Chris is experienced in cost of service, rate making, financial/operational modeling, automation, water and wastewater studies, electric utility operations, and power supply.

Chris' experience includes:

- Development of financial models for electric, water and wastewater utilities
- Forecasts utility revenue requirements
- Computes cost functionalization and allocation systems
- Evaluates data and system integration issues associated with implementation of rate setting

References

City of New Castle, Delaware

Contact: Pam Patone

Phone/Email: 302-323-2330 / patonep@newcastlecity.com

Scope of Work: UFS developed an electric and water Cost of Service Study & long-term financial plan to identify the amount and timing of future rate adjustments

- Developed long-term financial plan
- Worked with TVA to obtain rate approval
- Developed rates for each customer class
- Identified minimum levels of cash reserves
- Compared projected bond covenants with requirements in bond prospectus
- Identified target operating income

City of Lewes, Delaware

Contact: Darrin Gordon

Phone/Email: 302-645-6228 / dgordon@lewesbpw.com

Scope of Work: UFS completed a cost of service and rate design study in 2010 for Electric and are currently completing an electric, water and wastewater cost of service study.

The projects include the following:

- Developed long-term financial plan
- Worked with TVA to obtain rate approval
- Developed rates for each customer class
- Identified minimum levels of cash reserves
- Compared projected bond covenants with requirements in bond prospectus
- Identified target operating income

Nashville Electric Services, Nashville, Tennessee

Contact: Sylvia Smith, Budget & Rates Manager

Phone/Email: 615-747-3761 / snssmith@nespower.com

Scope of Services:

- Develop a long-term financial plan to assist in identifying the amount and timing of future rate adjustments. The financial projection included development of financial targets:
- Cost of providing electric service to each class of customer.
- Unbundle rates to determine:
- Charges to each customer class for power supply broken down by demand, energy and season.
- Charges to each customer class based on the voltage served for each customer and included secondary, primary, sub-transmission and transmission voltage levels.
- Monthly customer charges to each customer class
- Review utility rate classes and recommend additional rate classes or alternative rate forms for existing customer classes.
- Development of Time of Use Rates
- Design electric rates
- Training on all cost of service, financial projection and rate design models
- Electric Line Extension Policy

References

Rochester Public Utilities, Rochester, Minnesota

Contact: Bryan Blom, Manager Finance & Accounting

Phone/Email: 507-280-1616 /BBlom@RPU.ORG

Scope of Work: UFS completed a cost of service and rate design study in 2011. Project included completion of the following tasks:

- Comprehensive electric cost of service study to identify the cost of providing service to each customer class of the electric department and compare the cost of service with the current revenues anticipated from each class of customers
- Develop electric vehicle charging stations rates
- Review ratchet clause percent, cost based ratchets and recommend modifications
- Review and discuss power factor adjustments
- Review customer classes for possible new classifications specifically large customers between 1,000 – 5,000 kW and above 5,000 kW
- Review Load Management Credits for Air Conditioning
- Review, analyze and develop time of use rates and the potential for a critical peak pricing mechanism
- Review street lighting charges and fees
- Develop Standby Charges
- Develop Economic Development Rates
- Review Line Extension Policy
- Unbundle the electric rates into the components necessary to identify rates for customers taking service at various service levels
- Survey of Five Area Utilities

Project Schedule

Our experience with municipal electric cost of service and rate design studies, allows us to conduct a cost effective and efficient study. The following is the tentative project schedule for completion of the electric cost of service and rate design. This schedule will be finalized during the initial project kick-off meeting with management.

<i>Task</i>	<i>Expected Completion – Twelve Weeks</i>
Initial Meeting – Preparation of Information Request	Week One
Completion of Information Request by Client	Week Two
Planning/Set-up Models	Week Three – Five
Review and Development of Revenue Requirements	Week Six – Seven
Fieldwork	Week Eight
Cost of Service Analysis Component/Functional Costs	Week Nine
Cost based Rate Design and alternatives	Week Ten
Report, Recommendations & Presentation of Draft	Week Eleven
Final Report	Week Twelve

THE COMPLETION OF THE PROJECT ON THE PROPOSED SCHEDULE IS DEPENDENT ON THE COOPERATION OF VARIOUS DEPARTMENTS WITHIN THE CITY OF MILFORD TO PREPARE THE INFORMATION REQUEST IN A TIMELY MANNER.

Project Pricing

UFS Fee Proposal

Service	Individual Pricing	Combined Pricing
1. Development of potential new Power Cost Adjustment (PCA) mechanism	\$ 4,000	
2. Design of electric rates with a true up of power cost adjustment	3,800	
3. Development of financial projection	8,500	
4. Development of cost of service study	7,500	
5. Presentation to City	2,000	
6. Combined prices for individual services and for all services combined		\$ 22,500
Total	\$ 25,800	\$ 22,500

Prices, terms, and conditions are good for a period of 90 days from this date.

Payment will be made through submission of invoice which itemizes the work performed. "Total not to exceed amount" does not include on-site or travel expenses.

Out of Scope Services – on-site and travel expenses

On-site visits if deemed necessary and agreed upon by Westerville, will be billed at actual out of pocket expenses – plus add travel time @ 50% off regular rates. In addition, out of scope service time is billed at the discounted rate column below.

	<u>Regular</u> <u>Hourly Rate</u>
Mark Beauchamp	\$ 280.00
Dawn Lund	\$ 225.00
Mike Johnson	\$ 200.00
Dan Kasbohm	\$ 200.00
Joan Bakenhus	\$ 120.00
Support Staff	\$ 65.00 – 120.00

CITY OF MILFORD MEMORANDUM

TO: Eric Norenberg , Jeff Portman
FROM: Rick Carmean
SUBJECT: Transfer of Funds
DATE: February 29, 2016
CC:

Please transfer \$90,000.00 from 135-0000-344-90-09 BALANCE OF DEVELOPER FEES and \$100,000.00 from Electric Reserve to 135-5050-432-85-18 SE ELECTRIC EXTENSION



RESOLUTION 2016-05

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

Independence Commons in the City of Milford, Kent County, Delaware

WHEREAS, in 1998, the City of Milford (“City”) purchased and subdivided 211 +/- acres of property on the north and south sides of County Road 409 (Airport Road and east side of State Route 15 (Canterbury Road) for economic development benefits; and

WHEREAS, the City of Milford initially sold the property for \$24,000 an acre with appraisals of the properties completed in 2006, 2008 and 2016; and

WHEREAS, it is deemed to be in the best interest of the City of Milford and its taxpayers to sell the land in accordance with its most recent assessment; and

WHEREAS, as the owner of the subdivision and infrastructure shown and described in Exhibit B, attached hereto, and known as Independence Commons (“property”), the City intends that this property continue to provide employment opportunities and economic benefits to all City residents; and

WHEREAS, the City desires to create, establish, preserve and maintain a unified commercial development upon the property and finds it appropriate to subject the property to certain easement, covenants and other restrictions for the orderly development and operation of the property and mutual benefit of all owners of the property as a unified commercial development, regardless of time of purchase or zoning district; and

WHEREAS, the City deems it desirable and in the best interest of all present and future owners of the property and all portions thereof, to subject the property to this Declaration.

NOW, THEREFORE, the City hereby declares that the real property described in Exhibit B, effective March 14, 2016, is and will be held, conveyed, acquired and encumbered subject to the terms and provisions of the Declaration, all of which shall run with the land and binds any respective successors, heirs and assigns.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Mayor and Council of the City of Milford:

- 1) City Council approves the Declaration of Covenants, Conditions, Restrictions and Easements attached as Exhibit A.
- 2) This Resolution shall supersede Resolutions passed by the majority of City Council on February 13, 2006, March 12, 2007 and September 22, 2008 in relation to Independence Commons.

Mayor

City Clerk

Adopted: March 14, 2016

EXHIBIT A
Declaration of Covenants, Conditions, Restrictions and Easements

Article 1

OC – 1 Office Complex District

- A. The Property is zoned OC-1. The purpose of an OC-1 Office Complex District shall be to provide locations for the development of general and professional offices and office parks in areas of high accessibility and visibility. Also, this district will facilitate the expansion of the City's service industries in attractive environments.
- B. The Property shall be developed in accordance with this declaration and the terms of the OC-1 zoning district that are in place at the time the Property is purchased. The City shall provide a copy of the OC-1 regulations to the purchaser prior to settlement.

Article 2

Sign Requirements

- A. Each office structure may have one sign which pertains only to the permitted use on the premises and shall indicate only the name, insignia and/or address of the use.
- B. Wall signs must be integral with or attached flat against the building. (The sign must face the major thoroughfare that the property abuts).
- C. The monument signs for this development shall incorporate architectural features and colors common to the buildings. Monument signs shall include individually mounted reverse pan channel letters with internal lighting. Metal cabinets with white Plexiglas shall not be allowed. All signs shall require separate sign permit review and approval.
- D. Signs allowed under this section may be a maximum of fifty (50) square feet and may only be indirectly illuminated with non-color light, shall not be flashing or moving, shall be constructed of stone or brick. Signs constructed of other material will be reviewed and approved by the City Planner and the Planning Commission for conformance and architectural appearance with the Independence Commons concept. No more than 5% of the façade may be used for additional signage.
- E. One free standing directional sign of no more than two (2) square feet may be hung at the office driveway entrance.
- F. Signs may not overhang the street right-of-way nor otherwise obstruct or impair the safety of pedestrians or motorists.
- G. Portable signs and commercial vehicles serving as portable signs are prohibited.

Article 3

Easements

- A. Easements to Facilitate Construction, Installation and Maintenance. The City of Milford hereby reserves to itself and its successors and assigns, a non-exclusive blanket easement over and through each lot twenty-five (25) feet of any boundary line of such lot to the extent such boundary line runs along any roadway or the 100 year flood plain, and otherwise fifteen (15) feet of any boundary line of such lot, for all purposes

reasonably related to the development, installation, completion, maintenance and operation On Community Features on the Property, including without limitation: temporary slope and construction easements; and drainage, erosion control and storm and sanitary sewer easements (including the right to cut or remove trees, bushes or shrubbery, to regrade the soil and to take any similar actions reasonable necessary; provided, however, that thereafter The City of Milford shall cause to be restored the affected area as near as practicable to its original condition; easements for the storage (in a slightly manner) of reasonable supplies of building materials and equipment necessary to complete, repair, operation or maintain such Community Features; and easements for the construction, installation, and Upkeep of improvements (e.g. structures, landscaping, street lights, signage, sidewalks, etc.) on the Property or reasonably necessary to serve the Property.

- B. Storm water Management Easement. The City Of Milford hereby reserves to itself and its successors and assigns an easement and the right to grant and reserve easements over and through each lot within twenty-five (25) feet of any boundary line of such lot to the extent such boundary line runs along any roadway or the 100 year flood plain, and fifteen (15) feet of all other boundary lines of such lot, for the construction installation, maintenance, repair, operation and replacement of storm water management facilities, including storm water retention areas, which are Community Features. The City of Milford shall assign its right, title and interest therein to the Association. Storm water shall be conveyed across lots only by means of storm sewers and appurtenant facilities and piping which shall be designed, installed and maintained in accordance with the requirements of state and local government authorities having jurisdiction and not by means of trenches, ditches and swales. Each Owner shall bear the cost of installation of pipes necessary to provide underground conveyance features on adjoining lots. The City of Milford and/or the Association shall also have the right to allow adjacent properties to connect their storm water management facilities into the Storm water Facility for the Property; provided, however that the Owners of such adjacent properties shall be required to agree to bear a portion of the expense of Upkeep for the storm water management facilities for the Property in such amount as may be deemed appropriate by The City of Milford and/or the Association. No such use shall be such as to prevent the Owners of each of the lots from enjoying and making full use of the Storm water Facilities in accordance with their applicable design and capacity requirements under applicable laws and regulations.
- C. Easements for Utilities and Related Services. A non-exclusive perpetual blanket easement is hereby granted over and through each lot within twenty-five (25) feet of any boundary line of such lot to the extent such boundary line runs along any roadway or the 100 year flood plain, and fifteen (15) feet of any other boundary line of such lot, for ingress, egress and for installation and Upkeep of the facilities for providing as Community Features for any portion of the Property, and utilities, including without limitation water, sewer, drainage. Gas, electricity, cable, fiber optic, telephone and television service, whether public or private, to any person installing or providing Upkeep for the aforesaid services. By virtue of this easement, it shall be expressly permissible and proper for The City of Milford or the Person providing the service to install and maintain the necessary equipment on the Property within the area of such easement and to affix and maintain wires, circuits, conduits, installations and other features and facilities underground. Any pipes, conduits, lines, wires, transformers and any other apparatus necessary for the provision of metering of any utility may be installed, maintained or relocated where contemplated on any site plan approved by the City of Milford, within the easement areas described above. No water, sewer, gas, telephone, electrical, television, or communication lines, systems or facilities may be installed or relocated unless approved by The City of Milford. Should any Person providing utilities or services covered by the foregoing general easement request a specific easement by separate recordable document, The City of Milford shall have, and is hereby given, the right and authority to grant such easement without conflicting with the terms hereof, and, if so requested, the Owner of each lot to be burdened thereby shall join in such document without charge or consideration. Any Person using the easement created herein shall use its best efforts to install

and maintain the utilities and services provided for herein with minimal disturbance to the Owners; complete its installation and Upkeep activities as promptly and expeditiously as possible; and restore the surface of the ground to substantially its original condition after completion.

Article 4

Common Expenses

- A. Each Owner of any parcel, by acceptance of a deed, agrees to pay to the City of Milford an annual fee for the maintenance of storm water management areas, open space, landscaping and landscaped buffers. Said such fee is set at \$400.00 per lot.

Article 5

General Conditions

- A. Each Owner shall be responsible for the management and upkeep of all parking areas, landscaping, entrance features, project signage, storm water management facilities and structures, utilities facilities and associated lighting and irrigation systems located on its lot that are not part of the Community Features.
- B. The City of Milford shall be responsible for the management and upkeep of all the Community Features, the cost of which shall be assessed as Common Expense. The City of Milford shall not have any responsibility for the Upkeep of any other portion of the lots (except those lots of which The City of Milford is an Owner) except for the Community Features. The City of Milford shall establish the standard for Upkeep of Community Features in its sole discretion.
- C. Each Owner shall keep such Owner's lot and all improvements located on the lot in good order, condition and repair and in a clean and sanitary condition, including without limitation all necessary grounds maintenance, except to the extent maintained by The City of Milford. Each Owner shall perform this responsibility in such manner as shall not unreasonably disturb or interfere with the other Owners. If any Owner shall fail to keep such Owner's lot in as good repair and condition as when acquired and in neat and orderly condition, consistent with such Rules and Regulations as The City of Milford may promulgate, then The City of Milford may give notice to that Owner of the condition complained of, specifying generally the action to be taken to rectify that condition. If the Owner fails to take the actions specified by The City of Milford or to otherwise rectify the condition within thirty (30) days after the date of notice is given, or such other period as may be specified in the notice if the circumstances warrant a different period, The City of Milford shall have the right to rectify that condition by taking such action as was specified in the notice. The costs incurred in rectifying the condition shall be assessed against such Owner's lot.
- D. Sidewalks. If the public right-of-way adjacent to any lot is improved by a concrete sidewalk or similar structure, the Owner of such lot must maintain the sidewalk adjacent to such Owner's lot to the extent not maintained by The City of Milford as a Community Feature or by the appropriate governmental agency.
- E. No person shall make any additions, alteration or improvement in or to any portion of the Property (other than normal Upkeep) which is visible from the exterior of such portion of the Property, without the prior written consent of The City of Milford.
- F. No lot may be subdivided or its boundaries otherwise relocated without the approval of The City of Milford, and Mortgagee of the affected lots, any Owner affected and the appropriate governmental entity. No portion less than all of any lot shall be conveyed or transferred by an Owner without the prior written approval of The City of Milford.
- G. Any person obtaining approval of The City of Milford shall commence construction or alteration in accordance with plans and specifications approved within six (6) months after date of approval and shall

substantially complete any construction or alteration within such period as within six months after approval, or such other time period determined by The City of Milford, then approval shall lapse.

- H. In the event that any purchaser of land within the Property shall not commence construction of a building thereon within two years from the date of settlement, The City of Milford shall have the option of purchasing said land from the owner at any time prior to the commencement of said construction at the purchase price paid therefore as shown in the Owner's settlement sheet.
- I. Trash. Except in connection with construction activities, no burning of any trash and no accumulation of storage of litter, refuse, bulk materials, building materials or trash of any other kind shall be permitted on any lot. Trash containers shall not be permitted to remain in public view from another lot except on days of trash collection. Trash containers and refuse disposal systems must be maintained in enclosures or screened in compliance with the Rules and Regulations. No portion of the lot shall be used as an auto junk yard or salvage yard.
- J. It is prohibited to have any outdoor storage buildings and outdoor storage of any kind, located on the property.

Article 6 Architectural Review

- A. The City of Milford shall develop Design Guidelines. Such Guidelines are hereby incorporated by this reference and shall be enforceable as if set forth herein in full. Such Guidelines include:
 - 1. Exterior front and side walls are subject to site plan approval and must be finished on the exterior with the following:
 - a. Architectural masonry units, excluding concrete block and cinder block
 - b. Natural stone
 - c. Precast concrete
 - d. Steel
 - e. Aluminum
 - f. Glass materials or the equivalent
 - g. Vinyl siding

Article 7 Reconstruction and Repair

- A. If a building or other major improvement located upon a lot is damaged or destroyed, the Owner thereof shall restore the site either by repairing or reconstructing such building or other major improvements or by clearing away the debris and restoring the site to an acceptable condition compatible with the remainder of the Property. Unless The City of Milford permits a longer time period, such work must be commenced within six months after the casualty and substantially within twenty-four months after the casualty.

Article 8 Compliance

- A. Failure to comply with any of the terms hereof or the Design Guidelines or the Rules of Regulations shall be grounds for relief, including without limitation, of an action to recover any sums due for money damages, injunctive relief, foreclosure of the lien for payment of all assessments, any other relief provided for herein and any other relief afforded by a court of competent jurisdiction, including attorneys' fees, all of which

relief may be sought by The City of Milford and/or its managing agent. Before an action may be sought, the City shall notify the Owner against whom such action would be brought, the reason for the action, and shall be given an opportunity to be heard in a public hearing before the Board of Adjustment.

Article 9
Amendments

This Declaration of Covenants, Conditions, Restrictions and Easements, as herein stated, may, from time to time, be amended by Resolution. Such amendment, supplement, or change shall not become effective except by majority vote of City Council

IN WITNESS WHEREOF, the City of Milford, has caused this Resolution to be executed this 14th day of March, 2016.

CITY OF MILFORD

By: _____
Mayor

(Seal)
Attest: _____
City Clerk

STATE OF DELAWARE
COUNTY OF SUSSEX SS:

On this 14th day of March 2016, before me, a Notary Public in and for said County, personally came Bryan W. Shupe, Mayor of the City of Milford, Delaware, a Municipal Corporation, to me personally known to be the respective officer of said Municipal Corporation and the identical person whose name is affixed to the foregoing instrument.

WITNESS my hand and Notarial Seal the day and year last above written.

Notary Public

Notary Name

Commission Expiration

EXHIBIT B
Legal Description

LANDS OF MILFORD INDEPENDENCE COMMONS

September 19, 2008

ALL that piece or parcel of land, hereinafter described, situate, lying and being on the northerly side of Airport Road, the easterly side of Canterbury Road and being located in Milford Hundred, Kent County, Delaware, being all of Parcels 3,4,5,6,7,8,9,10,11, 12,13,14,15,16,17,18, lands of the City of Milford, lands of the State of Delaware, Delaware Veterans Boulevard, Patriots Way, West Liberty Way and East Liberty Way as shown on a plat entitled "Milford Independence Commons", completed by Davis, Bowen & Friedel, Inc., dated July 2005 and revised September 2008; said piece or parcel of land being more particularly described as follows:

BEGINNING at a point formed by the intersection of the northerly right-of-way line of Airport Road, (County Road 407) 60 feet wide, with the easterly right-of-way line of Delaware Veterans Boulevard, width varies, said point being the southerly end of a daylight easement to Airport Road,

- 1) Thence, leaving said right-of-way line of Delaware Veterans Boulevard and coincident with said right-of-way line of Airport Road the following (5) courses and distances, North 69 degrees 39 minutes 23 seconds West 488.77 feet to a point,
- 2) Thence, along a curve to the left having a radius of 860.89 feet, an arc length of 308.55 feet and a chord bearing and distance of North 79 degrees 52 minutes 40 seconds West 306.91 feet to a point,
- 3) Thence, South 89 degrees 50 minutes 48 seconds West 625.08 feet to a point,
- 4) Thence, North 85 degrees 22 minutes 25 seconds West 113.11 feet to a point,
- 5) Thence, South 89 degrees 51 minutes 46 seconds West 250.00 feet to a point at the southerly end of a daylight easement to Canterbury Road, (Delaware Route 15) width varies,
- 6) Thence, leaving said right-of-way line of Airport Road and coincident with said daylight easement North 54 degrees 03 minutes 53 seconds West 58.55 feet to a point on the easterly right-of-way line of aforementioned Canterbury Road,
- 7) Thence, coincident with said right-of-way line of Canterbury Road the following (2) courses and distances, along a curve to the left, having a radius of 2580.67 feet, an arc distance of 254.27 and a chord bearing and distance of North 01 degrees 49 minutes 13 seconds West 254.17 feet to a point,
- 8) Thence, North 16 degrees 51 minutes 33 seconds West 64.34 feet to a point on the southerly line of lands of, now or formerly Donald B. & Renee A. Smith as recorded in the Office of the Recorder of Deeds in and for Kent County and the State of Delaware in deed book D-485, page 249,
- 9) Thence, leaving aforementioned right-of-way of Canterbury Road and coincident with said Smith lands, the following (2) courses and distances, North 83 degrees 51 minutes 24 seconds East 268.17 feet to a point,
- 10) Thence, North 06 degrees 09 minutes 25 seconds West 160.12 feet to a point, on the easterly line of lands of, now or formerly Beverly H. Messick, as recorded in the aforementioned Office of the Recorder of Deeds in deed book D-681, page 186,

11) Thence, leaving said Smith lands and coincident with said Messick Lands North 06 degrees 09 minutes 50 seconds West 275.24 feet to a point, on the easterly line of lands of, now or formerly Richard F. & Emma I. Farley, as recorded in the aforementioned Office of the Recorder of Deeds in deed book D-424, page 69,

12) Thence, leaving said Messick lands and coincident with said Farley lands, North 03 degrees 36 minutes 52 seconds West 165.08 feet to a point at the easterly end of a private road,

13) Thence, leaving said Farley lands and coincident with said end of private road and in part coincident with lands of, now or formerly Kevin J. & Christine I. Docherty, as recorded in the aforementioned Office of the Recorder of Deeds in deed book M-42, page 62, North 03 degrees 03 minutes 55 seconds East 143.13 feet to a point, on the southerly line of lands of, now or formerly Paynter A. & Joyce E. Lynch, as recorded in the aforementioned Office of the Recorder of Deeds in deed book D-424, page 273,

14) Thence, leaving said Docherty lands and coincident with said Lynch lands the following (2) courses and distances, South 87 degrees 07 minutes 56 seconds East 221.36 feet to a point,

15) Thence, North 02 degrees 49 minutes 41 seconds East 197.76 feet to a point on the easterly line of lands of, now or formerly Dr. Brent & Gwendlyn Elliott, as recorded in the aforementioned Office of the Recorder of Deeds in deed book B-33, page 117, said point also being in the centerline of Swan Creek Branch,

16) Thence, leaving said Lynch lands and coincident by and with the centerline of said branch also coincident with said Elliott lands also coincident with lands of now or formerly Ronald & Debbie Lavere as recorded in the aforementioned Office of the Recorder of Deeds in deed book, A-46 page 229, also coincident with lands of, now or formerly Edward Ripper as recorded in the aforementioned Office of the Recorder of Deeds in deed book P-49, page 239, also coincident with lands of, now or formerly Marty A. & Robin Lavere Messick as recorded in the aforementioned Office of the Recorder of Deeds in deed book 2123, page 193, also coincident with lands of, now or formerly Roger & Ruth Ann Minner as recorded in the aforementioned Office of the Recorder of Deeds in deed book I-30, page 53, also coincident with lands of, now or formerly James A. Bowman as recorded in the aforementioned Office of the Recorder of Deeds in deed book D-397, page 3, the following (20) courses and distances, North 02 degrees 36 minutes 13 seconds West 24.24 feet to a point,

17) Thence, North 26 degrees 41 minutes 21 seconds East 74.64 feet to a point,

18) Thence, North 73 degrees 46 minutes 40 seconds East 40.42 feet to a point,

19) Thence, North 60 degrees 55 minutes 03 seconds East 45.25 feet to a point,

20) Thence, North 64 degrees 17 minutes 03 seconds East 70.86 feet to a point,

21) Thence, North 31 degrees 59 minutes 01 seconds East 40.16 feet to a point,

22) Thence, North 33 degrees 34 minutes 30 seconds East 52.71 feet to a point,

23) Thence, North 37 degrees 04 minutes 53 seconds East 56.03 feet to a point,

24) Thence, North 01 degrees 26 minutes 29 seconds West 27.35 feet to a point,

25) Thence, North 84 degrees 23 minutes 10 seconds East 69.26 feet to a point,

26) Thence, North 56 degrees 08 minutes 29 seconds East 357.40 feet to a point,

- 27) Thence, North 05 degrees 30 minutes 15 seconds East 30.70 feet to a point,
- 28) Thence, North 43 degrees 22 minutes 30 seconds East 137.43 feet to a point,
- 29) Thence, North 38 degrees 15 minutes 15 seconds East 111.56 feet to a point,
- 30) Thence, North 84 degrees 35 minutes 41 seconds East 160.76 feet to a point,
- 31) Thence, North 65 degrees 09 minutes 48 seconds East 148.49 feet to a point,
- 32) Thence, North 27 degrees 47 minutes 42 seconds East 92.54 feet to a point,
- 33) Thence, North 46 degrees 29 minutes 11 seconds East 146.05 feet to a point,
- 34) Thence, North 81 degrees 54 minutes 47 seconds East 126.16 feet to a point,
- 35) Thence, North 73 degrees 40 minutes 00 seconds East 19.83 feet to a point on the westerly line of lands of, now or formerly Delaware Hospice, Inc. as shown on aforementioned plat of "Milford Independence Commons"
- 36) Thence, leaving the centerline of aforementioned Swan Creek Branch and coincident with said Delaware Hospice lands, South 11 degrees 05 minutes 32 seconds East 937.30 feet to a point on the northerly line of lands of, now or formerly Darren J. & Judith M. Sobota as recorded in the aforementioned Office of the Recorder of Deeds in deed book D-170, page 321,
- 37) Thence, leaving said Delaware Hospice lands and coincident with said Sobota lands South 73 degrees 28 minutes 51 seconds West 178.71 feet to a point on the southerly line of lands of, now or formerly P.J. Walker as recorded in the aforementioned Office of the Recorder of Deeds in deed book D-543, page 132,
- 38) Thence, leaving said Sobota lands and coincident with said Walker lands, also coincident with lands of, now or formerly Melody Booker-Gardner as recorded in the aforementioned Office of the Recorder of Deeds in deed book D-704, page 292, also coincident with lands of, now or formerly Randy E. Marvel, as recorded in the aforementioned Office of the Recorder of Deeds in deed book D-543, page 128, South 65 degrees 33 minutes 59 seconds East 1525.85 feet to a point on the westerly line of lands of, now or formerly John K. & Joseph A. Huber as recorded in the aforementioned Office of the Recorder of Deeds in deed book Q-51, page 151,
- 39) Thence, leaving said Marvel lands and coincident with said Huber lands, also coincident with lands of, now or formerly Anthony & Elizabeth Cadiz as recorded in the aforementioned Office of the Recorder of Deeds in deed book Z-53, page 310, also coincident with lands of, now or formerly Henry F. & Barbara G. Traute as recorded in the aforementioned Office of the Recorder of Deeds in deed book D-152, page 219, also in part coincident with lands of, now or formerly Raymond D. & Marianne Flavin Jr. as recorded in the Office of the Recorder of Deeds in deed book I-54, page 27, South 31 degrees 53 minutes 34 seconds West 850.72 feet to a point on the northerly line of lands of, now or formerly Tim Johnson as recorded in the aforementioned Office of the Recorder of Deeds in deed book D-286, page 59, being designated as Parcel 2 on aforementioned plat of "Milford Independence Commons"
- 40) Thence, leaving said Flavin lands and coincident with said Parcel 2, also coincident with other lands of, now or formerly Tim Johnson as recorded in the aforementioned Office of the Recorder of Deeds in deed book D-592, page 1, being designated as Parcel 1 on aforementioned plat of "Milford Independence Commons" the following (9) courses and distances, North 58 degrees 09 minutes 09 seconds West 420.55 feet to a point,

- 41) Thence, South 31 degrees 42 minutes 14 seconds West 214.19 feet to a point,
- 42) Thence, along a curve to the right, having a radius of 95.00 feet, an arc distance of 130.17 and a chord bearing and distance of South 70 degrees 57 minutes 28 seconds West 120.22 feet to a point,
- 43) Thence, North 69 degrees 47 minutes 16 seconds West 323.55 feet to a point,
- 44) Thence, along a curve to the left, having a radius of 30.00 feet, an arc distance of 47.12 and a chord bearing and distance of South 65 degrees 12 minutes 44 seconds West 42.43 feet to a point,
- 45) Thence, South 20 degrees 12 minutes 44 seconds West 110.55 feet to a point,
- 46) Thence, South 12 degrees 20 minutes 44 seconds West 75.74 feet to a point,
- 47) Thence, South 20 degrees 20 minutes 58 seconds West 47.82 feet to a point,
- 48) Thence, South 24 degrees 39 minutes 02 seconds East 106.01 feet to the point and place of beginning;
CONTAINING 98.25 acres of land, more or less.

ORDINANCE NO. 2016-02

AMENDING THE CODE OF THE CITY OF MILFORD BY ADDING A NEW CHAPTER 19

WHEREAS, the City of Milford desires to adopt an ordinance providing for the procedures for the consideration of economic development incentives and the use of economic development tools; and

WHEREAS, to be consistent in the consideration and review of new development or redevelopment within the City, it is necessary to approve this Ordinance.

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

Section 1. The Code of the City of Milford is hereby amended by adding thereto a new Chapter 19, to be titled "ECONOMIC DEVELOPMENT AND REDEVELOPMENT".

Section 2. The Code of the City of Milford is further amended by adding the following provisions to the new Chapter 19, to hereby read as follows:

Article I – General Provisions

§ 19-1 Purpose

The City Council has deemed it to be in the best interest of the residents of the City and in furtherance of their health, safety and welfare to promote economic development and redevelopment within the City of Milford. In order to promote development and redevelopment, City Council has determined that incentives in the form of impact fee waivers, fee waivers, and other options should be made available to qualifying persons and businesses.

§19-2 Definitions

As used in this article, the following terms shall have the meanings indicated:

DIRECT JOB-refers to a Full-Time Equivalent Job that is created by the Incentive Beneficiary that did not exist prior to the receipt of notice of eligibility for a Specific Economic Development Incentive Program available under this Chapter. To be considered a Direct Job, there must be an increase in the total number of Full-time Equivalent Jobs employed by the Incentive Beneficiary.

ELIGIBLE PROJECT-refers to a project of an Incentive Beneficiary that is approved by the City Manager to receive economic incentives under a Specific Economic Development Incentive Program offered under this chapter.

FULL-TIME EQUIVALENT JOB-calculated as total hours worked in jobs created divided by the number of hours in a Full-time Schedule.

FULL-TIME SCHEDULE-an average of thirty (30) hours per week, or at least one-hundred and thirty (130) hours in a month.

INCENTIVE BENEFICIARY-refers to the person or entity that has applied for and been approved to receive economic incentives made available under this Chapter. Any individual who owns 50% or more of an entity that has been approved for economic incentives under this Chapter shall also be identified as an Incentive Beneficiary.

INCENTIVIZED PROJECT-refers to the specific project identified in the application submitted by the Incentive Beneficiary for receipt of economic incentives under this Chapter.

INDIRECT JOB-refers to a job that is created by a person or entity who is not an Incentive Beneficiary but has created an indirect job as a result of an economic incentives offered to an Incentive Beneficiary under this Chapter.

INSTALLMENT LAND CONTRACT-refers to a real estate contract between the City and the Incentive Beneficiary whereby the City agrees to sell to the Incentive Beneficiary city-owned property for an agreed upon price that is to be paid by the Incentive Beneficiary through monthly, quarterly or annual installments. The City shall retain title to the real property until the full purchase price is paid by the Incentive Beneficiary.

PART-TIME JOB-refers to a job for which an employee averages less than thirty (30) hours per week on a regular basis.

SPECIFIC ECONOMIC DEVELOPMENT INCENTIVE PROGRAM (SEDIP)-refers to any incentive program under Article III that City Council has ordained to be made available to qualifying applicants. Each program may incorporate any of the economic incentives identified under Article II, subject to any unique terms and conditions as City Council may deem appropriate.

§19-3 Administration

The City Manager and his or her staff shall develop the administrative procedures necessary to implement any SEDIP available under this Chapter 19. The City Manager or such person as he or she may designate shall promulgate reasonable standards to be used in determining whether an applicant is eligible for economic incentives under the particular SEDIP being applied for in accordance with Article II and the specific terms and conditions of the SEDIP. The City Manager or his or her designee shall be responsible for auditing the Incentive Beneficiary as required. Revocation of eligibility shall be determined by the City Manager.

§19-4 Appeals

Any applicant denied eligibility or who is subject to revocation of eligibility may appeal the decision to the City Council within 30 days from the receipt of notice of denial or revocation of eligibility. The appeal shall be made by filing a written request with the City Clerk.

§19-5 Miscellaneous

Severability: Should any section or provision of this Chapter be declared void, illegal or otherwise invalid by a Court of competent jurisdiction such decision shall not affect the validity of any other provisions of this chapter not otherwise declared invalid or inapplicable.

Article II - Economic Development Programs

§19-6 Incentive Options

The following are a list of the incentive options that may be made available for any SEDIP offered under Article III of this Chapter, subject to any specific conditions or restrictions as may be identified in the specific program:

- A. **Impact Fee Waiver or Reduction:** A SEDIP may offer qualifying Incentive Beneficiaries a waiver or reduction from any City assessed water, sewer or electric impact fees to the extent provided for under the SEDIP.
- B. **Permit and Fee Waiver or Reduction:** A SEDIP may offer qualifying Incentive Beneficiaries a waiver or reduction from any of the following permits or fees:
 - (1) Building permit fee
 - (2) Water service connection fee
 - (3) Sewer inspection fee
 - (4) Electric service connection fee
 - (5) Fees associated with any preliminary or final site plan review
 - (6) Other fees associated with professional services provided by the City as it pertains to planning, engineering and legal review.
- C. **Fees that cannot be waived:** Any fees or taxes assessed by the State, County or School District and special fees payable for fire or public safety protection cannot be waived and must be paid by the Incentive Beneficiary to maintain eligibility under the Chapter.
- D. **Installment Land Contract:** When applicable, a SEDIP may permit the City Manager, on behalf of the City, to enter into a real estate contract between the City and the Incentive Beneficiary in which the City provides financing to the Incentive Beneficiary, and whereby the Incentive Beneficiary purchases the property through monthly, quarterly or yearly installments. The City shall remain the title owner of the property until full payment is received.

§19-7 Eligibility

- A. Eligibility for participation in any SEDIP shall be determined by the City Manager according to the specific provisions and requirements of the SEDIP being applied for.
- B. An otherwise eligible applicant shall be ineligible for any SEDIP if:
 - (1) An application for a building permit for the project was filed prior to the effective date of this Chapter; or
 - (2) The Incentive Beneficiary is delinquent on any taxes, assessments, sewer, water, electric, trash charges and any other fees due to the City of Milford for any property owned or leased by the Incentive Beneficiary; or
 - (3) The Incentive Beneficiary has previously had its eligibility revoked for any SEDIP offered under this Chapter.
- C. **Revocation of Eligibility.** If the Incentive Beneficiary is in default of any of the terms and conditions required under this Chapter, including any requirements specific to the SEDIP or an Installment Land

Contract, the City Manager shall provide a written notice of default to the Incentive Beneficiary. In the event the default is not substantially cured within fifteen (15) days, the City Manager shall immediately revoke the Incentive Beneficiary's eligibility and assess the Incentive Beneficiary the full cost of all impact and permit fees that were reduced or waived.

Article III – Specific Economic Development Incentive Programs

An applicant for economic incentives under this Chapter must apply for and meet the conditions of one of the SEDIP programs available under this Article III.

§19-8 Greater Milford Business Complex Incentive Program

A. Eligibility

Eligible Projects shall include any new construction on city-owned, undeveloped land within the Greater Milford Business Complex. Eligibility shall be based on the creation of full-time equivalent jobs as outlined in Table 1 under this Section. The Incentive Beneficiary shall enter into an agreement with the City of Milford to ensure the eligibility criteria are met and maintained.

B. Target Area – Greater Milford Business Complex

The Greater Milford Business Complex refers to the business park created by the City of Milford, as located on the south side of Airport Road in Milford, Kent County, Delaware, as further depicted in a Revised Record Plan of record in the Recorder of Deeds in and for Kent County, Delaware under Plot Book 68, Page 44.

C. Development Incentives

(1) Impact Fee Waivers

- a) Incentive Beneficiaries may qualify to select a waiver of any of the following impact fees according to the tiers provided in Table 1 below: Water, Sewer or Electric.
- b) The City will audit the Incentive Beneficiary three (3) years after the issuance of the first certificate of occupancy to verify the job creation levels are achieved. If the required Full-Time Equivalent Job levels are not met or maintained, the Incentive Beneficiary is responsible for payment of all fees and costs not otherwise waived or reduced under this program, including any fees and costs assessed by Kent County or other governmental agencies.

(2) Permit and Other Fee Waivers

- a) The City will provide a one-time reduction of all permits and fees identified under §19-6(b) in accordance with Table 1 below.
- b) The City will audit the Incentive Beneficiary three (3) years after the issuance of the first certificate of occupancy to verify the job creation levels are achieved. If the required Full-Time Equivalent Job levels are not met, the Incentive Beneficiary is responsible for payment of any waived or reduced fees.

- c) The Incentive Beneficiary is responsible for obtaining all required local, State, County, and Federal permits and approvals as may be required to complete the project.
- d) The Incentive Beneficiary shall be responsible for the Carlisle Enhancement Fee as outlined in the City of Milford Code.

(3) Installment Land Contract

- a) The Incentive Beneficiary may apply to purchase the City owned property through an installment land contract at a price and upon such terms and conditions as may be determined by the City Manager. The acceptance of the contract is subject to the express approval of City Council, which approval may be withheld in its complete discretion.
- b) The City will audit the Incentive Beneficiary annually to verify that the Incentive Beneficiary has created and maintained the required number of Full-Time Equivalent Jobs as identified in the installment land contract. Audits shall begin thirty-six (36) months from the date of contract signing and continue until full payment is made to the City. If the Full-Time Equivalent Job level averages below the required number for a period of three (3) consecutive years, excluding the first three years, the City Manager may determine that the Incentive Beneficiary is in default and provide notice as required.
- c) In the event the default is not cured, in addition to such other remedies as may be available, the Incentive Beneficiary shall be required to choose between the following two options:
 - i. Surrender all improvements and the property to the City; or
 - ii. Pay the entire remaining principal balance to the City within 45 days following the date the default notice was issued.

D. Greater Milford Business Complex Economic Incentive Program Tier Incentives

(1) Table 1.

Tier	Full-time Equivalent Jobs Created	Impact Fee Waivers	Waiver of Permits & Other Fees
1	5-9	1	20%
2	10-14	2	40%
3	15-19	3	60%
4	20-24	4	80%
5	25-29	5	All
6	30+	All	All

Section 3. Dates.

Introduction 03-14-2016

Adoption: 03-28-2016

Projected Effective Date: April 7, 2016



March 7, 2016

Milford City Council
201 S. Walnut St.
Milford, DE 19963

Dear Council Members:

Downtown Milford, Inc. is a partner in the 2nd Annual Mispillion Shipbuilder River Race to be held on the Mispillion River during the 13th Annual Bug & Bud Festival Saturday, April 23rd, 2016 from 9-4pm. This event was a great success in its inaugural year in 2015, highlighting the Mispillion Riverwalk and Greenway and the opportunities that exist for eco-recreation in Downtown Milford.

Each participant of the race will pay an entrance fee to paddle the Mispillion River by canoe, paddle board or kayak and will be welcomed back to town at the end of the race to an awards event, complete with donated food from Arena's Deli and beer samples for those 21 and over from Mispillion River Brewing. DMI would like to hold the awards event near the City of Milford Dog Park during the Bug & Bud Festival, specifically 1 Marshall Street, Milford DE.

Enclosed is a copy of the application for a group gathering license in the park area on Marshall Street. I have requested the license be active from 10am till 3 pm to allow for set up and cleanup of the Park. Please sign and return to my attention at the DMI office when Council has approved our request. If you have any questions regarding this event, please contact me at 302.930.0955 or sarakatehammer@comcast.net

Thank you for your consideration,

SaraKate Hammer
President, Downtown Milford, Inc.
Vendor Coordinator, Bug & Bud Festival 2016

Official Use Only

Application Number _____ Approved _____ Date _____

APPLICATION FOR A GROUP GATHERING LICENSE
TO SELL AND DISPENSE ALCOHOLIC LIQUOR AT A GATHERING OF PERSONS

Provide: Federal I.D. Number 51-0364402
Date of Affair 4/23/16
Hours of Affair 10AM-3PM

TO: Office of the Alcoholic Beverage Control Commissioner
Carvel State Office Building, 820 French Street
Wilmington, DE 19801
(302) 577-5222

I, Leland R. Nelson, being the Manager or Person-in-Charge
(Manager/PIC's Name)
(PIC) of a gathering of persons where alcoholic liquors are to be sold, on behalf of and in the name of

Downtown Milford, Inc. (302) 839 - 1180 Misphillion Shipbuilder River Race
(Name of Organization/Party) (Phone Number) (Name of Event)

am applying for a license to sell alcoholic liquor defined in the Liquor Control Act. I hereby solemnly swear to perform any and all duties and obligations required by said Act, and further certify that I am familiar with the requirements of said law. I also understand that the license, if granted, shall be valid only for the time, period, location, and event specified in this application.

1. Applicant's/Organization's Address: 207 S. Walnut St., Milford, DE 19963

1(a) License to be mailed to: 207 S. Walnut Street, Milford, DE 19963 or
Emailed to: director@downtownmilford.org

2. Manager/PIC's Address: 207 S. Walnut St., Milford, DE 19963
Day Phone - (302) 839-1180 Evening Phone - (302) 519-6767

3. Location of premises wherein license is to be used:

1 Marshall Street Milford DE 19963
(Bldg./complex/Park Name) (Street) (City) (State) (Zip Code)

- 4. I agree to obtain alcoholic beverages from either a Delaware licensed retailer or wholesaler authorized to provide such alcoholic beverages.
- 5. It is understood, under penalty of law, that alcoholic beverages shall not be sold, served or dispensed to any person in attendance at this gathering that is under 21 years of age or who appears intoxicated.
- 6. It is understood that the sale of alcoholic beverages are not permitted between the hours of 1:00 a.m. 9:00 a.m.

7. I agree to sell the alcoholic beverages for consumption on the premises where sold only except that it is permissible for me to sell up to 10 gallons for off premise consumption by way of a raffle or auction, live or silent.
8. It is understood that alcoholic beverages remaining on the premise that are not opened, may be returned to the licensed wholesaler or retailer from which they were purchased or donated, within 30 days of the date of the gathering.
9. I submit \$5.00 dollars in payment of full license fee at the rate of \$5.00 for one or two days, and \$2.00 per day for each day thereafter, Sundays and Holidays as defined in Title 4 Section 709, require an additional \$5.00.

_____ DMI Executive Director ³⁰² 30 839 1180
 (Signature of Applicant) (Title) (Phone Number)

I understand, and approve, that the above applicant is making application for a license from the Office of the Alcoholic Beverage Control Commissioner to store alcoholic liquor for resale and consumption on the premises and limited off-premises consumption, during the above scheduled event located at:

1 Marshall Street, Milford, De 19963

Saturday, April 23, 2016

(Complete Address for Event)

(Date(s) of Event)

10am-3pm.

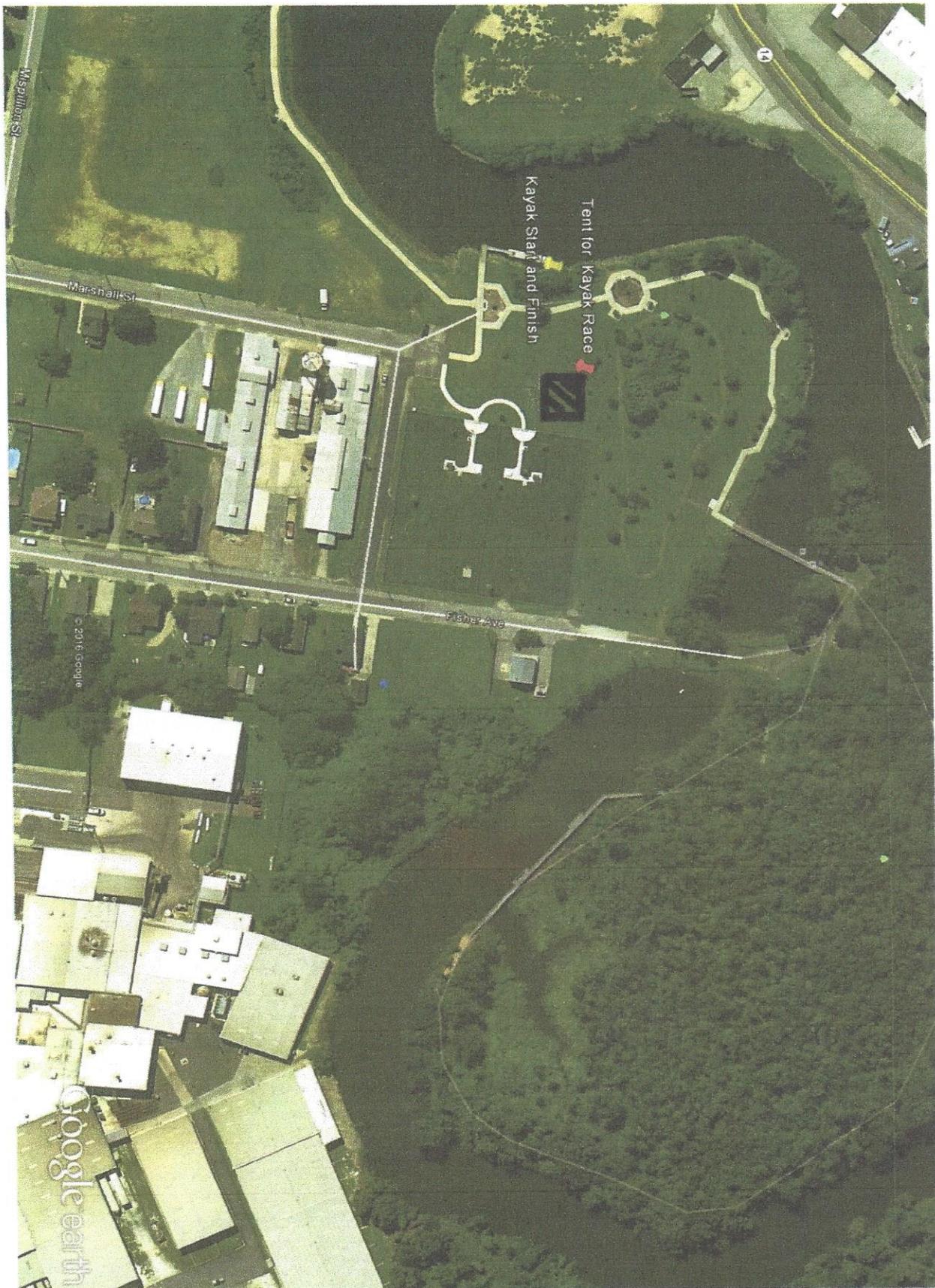
(Hours of Operation)

_____ () - _____
 (Signature of Owner of Hall/Home, Landlord or Rental Agent) (Title) (Phone Number)

_____ () - _____
 (Alternate Contact Person) (Phone Number)

PLEASE COMPLY WITH THE FOLLOWING REQUIREMENTS:

1. Organizations (other than #2 below) must submit current IRS Tax Form 990, or IRS Department of Treasury letter granting an exemption from federal income tax under Section 501(c)(3)
2. If a candidate, political organization, or party, you must submit proof of current registration with the Delaware Department of Elections.
3. The applicant must submit a floor plan of the area to be licensed. The floor plan must include all seating, bar area, entertainment and liquor storage
4. The completed application along with the proof of non-profit status, floor plan and the appropriate fee, must be **submitted no less than ten (10) days** prior to the date of the event. Timely submission will allow sufficient time for consideration by the OABC Commissioner.



- **Chapter 77 - ALCOHOLIC BEVERAGES**

- **§ 77-1. - Public consumption.**

It shall be unlawful for any person to consume any alcoholic beverage or beverages upon any of the public streets, avenues, alleys, sidewalks, parks and similar public areas or in vehicles upon any of the above stated areas within the municipal boundaries of the City of Milford.

- **§ 77-2. - Public possession.**

It shall be unlawful for any person to possess in an open container any alcoholic beverage or beverages upon any of the public streets, avenues, alleys, sidewalks, parks and similar public areas or in vehicles upon any of the stated areas within the municipal boundaries of the City of Milford.

- **§ 77-3. - Special events.**

Alcoholic beverages may be sold and consumed at special events or gatherings in public places, upon application to and approval of the City Council.

Chapter 165 - PARKS AND RECREATION

§ 165-6. - Rules and regulations.

- A. Patrons shall remove all trash that is brought into the park.
- B. Dogs and other pets are not permitted in the parks during rentals or special events.
- C. Deposit shall be refunded only after buildings, grounds and/or equipment is inspected and found to be clean and without damage.

D. No alcoholic beverages permitted. Refer to Chapter 77 of the City of Milford Code.

(1) Exception and Regulations.

- (a) Alcoholic beverages may be sold and consumed at special events in parks only upon City Council approval of the written request to the City of Milford and receipt of the applicable permit from the State of Delaware Alcoholic Beverage Control Commission.
 - (b) The point of sale and consumption must be within a confined and designated service area with identified entrance/exit and barriers, low fencing, chains and stanchions or similar materials that will serve to define the area and restrict access.
 - (c) No alcohol may be taken outside the confined service area and is strictly prohibited on city streets and sidewalks beyond the boundaries of the designated area as posted by the event organizer.
 - (d) The event organizer is required to provide event identification to those persons twenty-one years of age or older who intend to purchase and consume alcohol at the special event in the park.
 - (e) Underage persons may be present in the confined service area if accompanied by a responsible adult.
 - (f) The Parks and Recreation Director will conduct an on-site inspection prior to the start of the event to ensure compliance with Article II of this code.
 - (g) Persons may only possess and consume alcohol made available at the event. No alcoholic beverages may be brought into the event.
 - (h) For safety reasons, all alcohol beverages must be served and consumed in plastic or paper cups or non-breakable containers.
 - (i) The event organizer must provide temporary or portable toilets. Such number will be determined by the Parks and Recreation Director whose decision will be based on the proposed number of attendees. Such temporary or portable toilets must be removed from the event site within twenty-four hours after the conclusion of the event for which the permit was granted.
 - (j) A security deposit, as determined by the Parks and Recreation Director and based on the anticipated number of participants, shall be paid at the time the organizer enters into an agreement for the use of the park. Security deposit will be refunded only if the area is left in good and undamaged condition and free of litter after a determination by the Parks and Recreation Director. Security deposit shall be forfeited for repair or maintenance time to clean up the area. The security deposit is a separate payment than the rental fee. Refer to 2.03(c).
- E. The Parks and Recreation Director shall determine whether permittee is required to hire Special Duty Police Officers from the Milford Police Department.
 - F. It is the responsibility of the permittee to rent portable restrooms if required.
 - G. Noise levels must comply with Chapter 157 of the City of Milford Code.
 - H. Special event hours are restricted to the following times:
 - (1) Monday-Saturday 9:00 a.m. to dusk.
 - (2) Sunday 1:00 p.m. to 6:00 p.m.

- I. Fire, health and safety regulations must be obeyed at all times.
- J. The Parks and Recreation Director reserves the right to refuse any application, revoke any approval of accepted application and/or cancel the proposed event which has been previously approved.

[Ord. No. 2014-10, § 3, 6-23-2014; Ord. No. 2014-14, § 2, 12-18-2014]

§ 165-7 - Application.

The Park, Pavilion or Equipment Reservation Application must be completed and signed by the applicant. Approval by the Milford Parks and Recreation Department is required.

[Ord. No. 2014-10, § 3, 6-23-2014]

§ 165-8. - Hold harmless agreement.

A Hold Harmless Agreement, releasing the City of Milford and its agents from all injury and liability of any kind arising from permittee's use and occupancy of city property must be signed by permittee and received by Milford Parks and Recreation Department before any permit will be issued.

1.25. "Severance from Employment"

means the date on which the Employee dies, retires or otherwise has a severance from employment with the Employer, as determined by the Administrator.

1.26. "Special Section 457 Catch-up Contributions"

means the catch-up contribution for a Participant in the three consecutive years prior to the year in which the Participant reaches Normal Retirement Age, as permitted under Section 457(b)(3) of the Code and pursuant to Section 3.2.

1.27. "Unforeseeable Emergency"

means a financial hardship of the Participant or Beneficiary resulting from:

(a) An illness or accident of:

- (1) the Participant or the Beneficiary
- (2) the spouse of the Participant or Beneficiary, or
- (3) the dependent of the Participant or Beneficiary;

(b) Loss of the Participant's or Beneficiary's property due to casualty; or

(c) Similar extraordinary and unforeseeable circumstances arising as a result of events beyond the control of the Participant or Beneficiary.

A determination of an Unforeseeable Emergency will be based on each Participant's and Beneficiary's specific facts and circumstances.

ARTICLE II PARTICIPATION

2.1. Eligibility

Each Eligible Individual will be eligible to participate in the Plan at the earlier of the date that he first completes 1,000 hours of service with the Employer or the first anniversary of the employees hire date. The Eligible Individual shall commence participation in the Plan on the January 1 or July 1 that is coincident with or next following the date that the Eligible Employee satisfies the eligibility requirements to participate in the Plan and and after the Eligible Individual has executed a Participation Agreement.

2.2. Determination of Eligibility and Effective Date of Participation

(a) The Administrator will determine whether an Eligible Individual has satisfied the eligibility requirements of Section 2.1 above based upon information furnished by

**CERTIFICATION OF CITY CLERK
CITY OF MILFORD, DELAWARE**

The undersigned hereby certifies that he/she is the City Clerk of the City of Milford, Delaware and that the attached amendment to the City of Milford 457(b) Deferred Compensation Plan was adopted unanimously by City Council at a meeting held on _____ at _____.

Dated: _____

Clerk

**CITY OF MILFORD 457(b) DEFERRED COMPENSATION PLAN
AMENDMENT**

The City of Milford 457(b) Deferred Compensation Plan (“Plan”) be and hereby is amended this _____ day of March, 2016, effective immediately, as follows:

FIRST: Section 2.1, Eligibility, is deleted in its entirety and replaced with the following new Section 2.1:

Each Eligible Individual will be eligible to participate in the Plan for purposes of salary deferral contributions on his or her date of hire with the City of Milford. For purposes of Employer Matching Contributions, Eligible Individuals will be eligible to share in the Employer Matching Contribution on the earlier of the date that he or she completes 1,000 Hours of Service or the first anniversary of the Eligible Individual’s date of hire. The Eligible Individual shall commence participation for purposes of the Employer Matching Contribution on the January 1 or July 1 that is coincident with or next following the date that the Eligible Individual satisfies the eligibility requirements to participate in the Plan and after the Eligible Individual has executed a Participation Agreement.

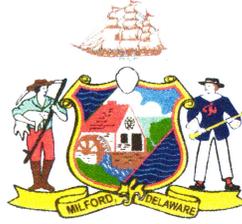
CITY OF MILFORD, DELAWARE

Date

By: _____
Jeffrey A. Portmann, Finance Director

By: _____
Mayor

City of Milford



Resolution 2016-06

SPRING CLEAN-UP WEEK

Now, Therefore, Be It Resolved by the Mayor and Council of the City of Milford, in Council met:

WHEREAS, it is desirous to promote the general cleaning of the City of Milford and improve its overall beauty to the maximum enjoyment and benefit of all citizens and visitors; and

WHEREAS, we are fortunate to live in a community blessed with natural assets and we have a continuing responsibility to preserve our environment by keeping it clean, healthy and in order by organizing and carrying out clean-up and fix-up projects which will enhance, restore and maintain the beauty of all properties; and

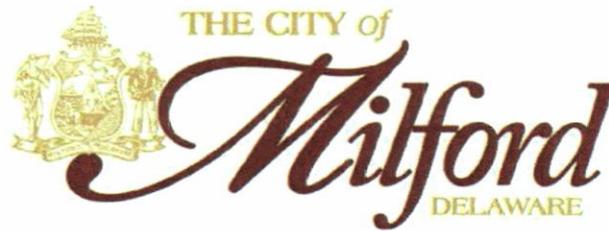
WHEREAS, all maintenance and clean-up debris, including large and bulk items, shall be placed for curbside pickup in order to exemplify cleanliness and beauty.

NOW, THEREFORE, I, Bryan W. Shupe, Mayor of the City of Milford, by the power vested in me, do hereby proclaim the week of April 11, 2016 to April 15, 2016 “Spring Clean-Up Week” in the City of Milford; in the case of inclement weather, “Spring Clean-Up Week” will be extended through April 22, 2016.

IN WITNESS WHEREOF, I hereunto set my hand and caused the Seal of the City of Milford to be affixed this 14th day of March 2016.

Mayor Bryan W. Shupe

City Clerk _____



Annual Spring Clean-Up Week **April 11th through April 15th**

The City of Milford is pleased to offer additional refuse collection to its customers the week of April 11th through April 15th.

During this week, customers may place additional items for disposal alongside their City container ON THEIR REGULARLY SCHEDULED TRASH AND YARD WASTE COLLECTION DAY.

There is no additional charge for this service and customers do not have to call for a bulk pickup.

In order for the City of Milford to provide this service to its customers, the following guidelines must be adhered to:

- *Additional items for disposal must be placed beside the city container on the customer's regular trash collection day.*
- *City containers and items must be placed curbside by 7:00 a.m.*
- *Additional yard waste must be placed beside the city container on the customer's regular yard waste collection day. (see route schedule below)*
 - *Customer is allowed a maximum of (3) bundles of branches.*
 - *Branches must be (3) inches in diameter or smaller, cut to a length of 4 feet or less and must be tied securely into bundles.*
 - *NO bags or personal containers of yard waste will be accepted.*
 - *Yard Waste Collection Schedule:*
 - * **GOLD ROUTE** (Monday trash customers) – *Wednesday, April 13th*
 - * **MAROON ROUTE** (Tuesday & Friday trash customers) – *Wednesday, April 20th*
- *Commercial trash, construction debris and hazardous materials will not be accepted.*

Collections **WILL ONLY BE COVERED ONCE**. A return trip will not be made on alternate days during this week. The city asks that every customer cooperate during this project.

For more information, please call the Customer Service Department at 302-422-6616.



Community Update

I hope that this mailing finds you well and enjoying the holiday season.

Enclosed please find your 2016 annual assessment notice along with the 2016 operating proposed operating budget. The budgets reflect income from additional units scheduled to close in the calendar year, which will provide the community with additional dues as well as initial assessment income. However, as with all past years, the expenses exceed income, therefore the budget reflects an increase of 10% to adequately cover those expenses. Even with the increase, funding is close to budget, however we feel confident that we can work smarter to utilize the funds available to continue to provide better services to the community.

The budget will be ratified at the annual homeowners meeting, scheduled for Saturday, February 27, 2016 at 10:00 a.m. in clubhouse, immediately following the Homeowners Association meeting at 9:00 a.m.

This year, we will be electing one person to serve on the Condominium Council and one person to serve on the HOA Board of Directors. If you are interested in serving on the Condo Council, please email me directly at jbanks@wilgusassociates.com with a brief bio outlining the reason for your interest in serving and any skills or work related assets you feel would benefit the Association. As a Council member, you serve as support, offer opinions on various issues brought to the Council by Wilgus Associates, who manages the day-to-day affairs of the community. The Council meets on a quarterly basis and provides interim feedback via email to support the management company. You are an advisor, not a worker-bee!!!

* Finally, as a way to regain control over the abundance of unused and otherwise abandoned trash receptacle located outside of the trash corrals, the Council will ask all owners to either surrender your trash receptacle in place of utilizing the common area corral trash by way of sharing cans or relocate your individual receptacles to your garage, where you will be required to store in at all times, other than trash pick-up days. Those trash corrals have more than enough capacity to allow owners to share. If you desire to surrender your receptacles, please take them to the corral location during the month of January so that the city can collect them. Any receptacles left outside of the corrals after that time will be removed and owners leaving receptacles outside of their garages will be in violation of the covenants of the community. We hope you accept this as a positive change for the overall aesthetics of the community.

Warm Wishes to you and your families for a safe and happy holiday season.

Julie Banks, Association Manager
Wilgus Associates, Inc.

General Committee Structure - Each committee shall consist of three members of the Council (unless otherwise dictated by the Charter or Codified Ordinances). Committee members shall be appointed by the Mayor, with the concurrence of the City Council, at the first regular meeting of the Council following any regular City election or as soon thereafter as is practicable. The Mayor should strive to include as many City Councilmembers as possible across the committees and to appoint a different City Councilmember to Chair each committee. The Chair of each committee shall be responsible to the Council for the function of the committee. The Mayor and other Councilmembers are welcome to attend and participate in the meetings of any committee. The City Manager or designee shall attend all committee meetings, unless excused. Two committees may meet together in joint session when topics cross the scope of both committees.

Annexation Committee

Purpose: Once the Planning Director deems an application for annexation is complete, the Mayor shall appoint a Committee composed of not less than three of the elected members of the City Council and one member of the City Planning Commission to investigate the possibility of annexation. Not later than ninety (90) days following referral by the City Council, the Committee shall submit a written report containing its findings and conclusions to the Mayor and City Council of Milford. The report so submitted shall include the advantages and disadvantages of the proposed annexation, both to the City of Milford and to the territory proposed to be annexed, and shall contain the recommendation of the Committee whether or not to proceed with the proposed annexation and the reasons therefore.

- Katrina Wilson, Chair
- Douglas Morrow
- James Burk
- Archie Campbell, Planning Commission Chairman

Community Affairs Committee

Purpose: The Community Affairs Committee plans and organizes local events to increase community awareness and involvement in programs and services. It shares advises staff and City Council regarding use of a variety of communication tools to share information with and engage residents, the business community, public officials and City employees. It also, provides policy guidance to City Council on issues related to: neighborhoods, housing, homelessness, code compliance, historic preservation, and planning, zoning and development processes including site plan, permitting and inspections, public transit, walkability and bikeability, infrastructure planning

- Chris Mergner, Chair
- James Starling
- Lisa Ingram Peel

Economic Development Committee

Purpose: The Economic Development Committee shall provide policy guidance to the City Council on matters pertaining to economic development, including economic development activities to attract new businesses to Milford, to retain and expand current business, to support small and local business/entrepreneurism, and to facilitate workforce development. The Economic Development Committee shall also monitor the status of the Greater Milford Industrial Park and Independence Commons, monitor the status of the Economic Development Fund and recommend changes to ordinances or programs to enhance economic development efforts.

- Garrett Grier, Chair
- James Starling
- Chris Mergner

Finance Committee

Purpose: The Finance Committee shall advise the Council on policy matters relating to the City's fiscal health, debts service, development and implementation of innovations, government efficiency (including energy efficiency) best practices, and use of new technology. In conjunction with the City Manager and Finance Director, the Finance Committee shall convene the annual budget review sessions and include the entire City Council.

- Doug Morrow, Chair
- Garrett Grier
- Lisa Ingram Peel

Parks and Recreation Committee

Purpose: The Parks and Recreation Committee shall provide policy guidance to the City Council on matters relating to the operation and development of City parks and recreational facilities, on recreational programs provided by the City, including fees and charges for facility use and programs.

- James Starling, Chair
- Owen Brooks
- Katrina Wilson

Police Committee

Purpose: The Public Safety Committee shall provide policy guidance to the City Council on issues related to the operations and facilities of Milford Police Department, emergency preparedness and homeland security.

- Douglas Morrow, Chair
- Katrina Wilson
- James Burk

Public Works Committee

Purpose: The Public Works Committee shall provide policy guidance to the Council regarding the financing, maintenance, operation and improvement of the public utilities (electric, water, wastewater and solid waste) serving the City of Milford, both privately and municipally-owned, as well as energy and water conservation and related sustainability initiatives. The Committee shall provide policy guidance to the Council regarding the streets and transportation network.

- Owen Brooks, Chair
- James Burk
- Chris Mergner

**CITY OF MILFORD
FUND BALANCES REPORT**

Date: January 2016

Cash Balance - General Fund Bank Balance	\$3,185,378
Cash Balance - Electric Fund Bank Balance	\$2,827,028
Cash Balance - Water Fund Bank Balance	\$1,425,640
Cash Balance - Sewer Fund Bank Balance	\$842,282
Cash Balance - Trash Fund Bank Balance	\$221,369

	<u>General Improvement</u>	<u>Municipal Street Aid</u>	<u>Real Estate Transfer Tax</u>	<u>Solid Waste Reserves</u>
Beginning Cash Balance	431,648	1,191,442	1,743,029	0
Deposits		56,788	28,818	
Interest Earned this Month	55	161	222	
Disbursements this Month	(480)		(48,333)	
Investments				250,000
Ending Cash Balance	\$431,223	\$1,248,391	\$1,723,736	\$250,000

	<u>GF Capital Reserves</u>	<u>Water Capital Reserves</u>	<u>Sewer Capital Reserves</u>	<u>Electric Reserves</u>
Beginning Cash Balance	784,307	6,045,855	3,113,229	5,240,841
Deposits	1,000,000	1,044,095	500,000	1,500,000
Interest Earned this Month		513	259	483
Disbursements this Month		(1,102)	(4,310)	
Investments	250,000			
Ending Cash Balance	\$2,034,307	\$7,089,361	\$3,609,178	\$6,741,324

	<u>Water Impact Fee</u>	<u>Sewer Impact Fee</u>	<u>Electric Impact Fee</u>	<u>Economic Development Fund</u>
Beginning Cash Balance	\$1,390,635	911,735	402,915	944,028
Deposits	2,525	1,335	3,000	
Interest Earned this Month				
Disbursements this Month				(\$44,095)
Investments				
Ending Cash Balance	\$1,393,160	\$913,070	\$405,915	\$899,933

INTEREST THROUGH THE SEVENTH MONTH OF THE FISCAL YEAR:

General Fund	6,795	Water Fund	1,810
GF Capital Reserves	1,305	Water Capital Reserves	4,651
Municipal Street Aid	1,003	Sewer Fund	1,051
Real Estate Transfer Tax	1,419	Sewer Capital Reserves	2,403
Electric Fund	3,834	Trash Fund	3,959
Electric Reserves	3,881		

TOTAL INTEREST EARNED TO DATE \$32,111

REVENUE REPORT

Page Two

58% of Year Expended

Date: January 2016	AMOUNT BUDGETED	MTD	YTD	YTD%
ACCOUNT				
Economic Development Fund	182,755	0	121,288	66.37%
General Fund Reserves	302,000	0	32,651	10.81%
Realty Transfer Tax-Police	575,000	48,333	333,333	57.97%
Real Estate Tax	3,731,000	2,268	3,725,757	99.86%
Business License	35,000	9,900	25,325	72.36%
Rental License	85,000	41,700	71,650	84.29%
Building Permits	60,000	2,605	51,873	86.46%
Planning & Zoning	15,000	700	13,582	90.55%
Grasscutting Revenue	16,000	0	8,000	50.00%
Police Revenues	437,000	8,837	316,241	72.37%
Misc. Revenues	268,000	31,774	116,502	43.47%
Transfers From	3,215,480	267,956	1,875,696	58.33%
Total General Fund Revenues	\$8,922,235	\$414,073	\$6,691,898	75.00%
Water Revenues	2,901,930	220,855	1,661,136	57.24%
Sewer Revenues	2,306,500	209,108	1,517,861	65.81%
Kent County Sewer	1,700,000	148,257	1,086,535	63.91%
Solid Waste Revenues	1,113,855	91,046	637,752	57.26%
Electric Revenues	26,085,126	1,882,294	15,148,423	58.07%
TOTAL REVENUES	\$43,029,646	\$2,965,633	\$26,743,605	62.15%
YTD Enterprise Expense		32,370		
YTD Enterprise Revenue		49,036		
LTD Carlisle Fire Company Building Permit Fund		121,304		

EXPENDITURE REPORT

Page Three

Date: January 2016

58% of Year Expended

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	YTD%	UNEXPENDED BALANCE
City Manager					
Personnel	479,029	\$29,919	275,382	57.49%	203,647
O&M	146,631	\$6,322	106,576	72.68%	40,055
Capital	0	\$0	0		0
Total City Manager	\$625,660	\$36,241	\$381,958	61.05%	243,702
Planning & Zoning					
Personnel	164,730	\$13,469	92,253	56.00%	72,477
O&M	40,130	\$3,008	18,344	45.71%	21,786
Capital	0	\$0	0		0
Total P, C & I	\$204,860	\$16,477	\$110,597	53.99%	94,263
Code Enforcement & Inspections					
Personnel	150,420	\$11,459	83,257	55.35%	67,163
O&M	67,940	\$2,728	26,411	38.87%	41,529
Capital	0	\$0	0		0
Total P, C & I	\$218,360	\$14,187	\$109,668	50.22%	108,692
Council					
Personnel	31,225	\$1,527	17,761	56.88%	13,464
O&M	45,480	\$3,748	22,290	49.01%	23,190
Council Expense	19,365	\$1,981	17,149	88.56%	2,216
Contributions	211,000	\$140,470	211,000	100.00%	0
Codification	4,500	\$0	4,496	99.91%	4
Employee Recognition	11,495	\$589	11,492	99.97%	3
Insurance	24,365	\$0	14,640	60.09%	9,725
DEDO/Downtown Grant	23,250	\$0	0	0.00%	23,250
Economic Development	5,000	\$0	5,000	100.00%	0
Armory Expenses	19,505	\$50	4,547	23.31%	14,958
Total Council	\$395,185	\$148,365	\$308,375	78.03%	86,810
Finance					
Personnel	359,015	\$27,687	205,511	57.24%	153,504
O&M	58,855	\$5,247	35,776	60.79%	23,079
Capital	6,425	\$0	6,424	99.98%	1
Total Finance	\$424,295	\$32,934	\$247,711	58.38%	176,584
Information Technology					
Personnel	189,010	\$9,069	67,416	35.67%	121,594
O&M	175,480	\$3,507	55,220	31.47%	120,260
Capital	62,760	\$0	50,331	80.20%	12,429
Total Information Technology	\$427,250	\$12,576	\$172,967	40.48%	254,283

EXPENDITURE REPORT

Page Four

Date: January 2016

58% of Year Expended

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	YTD%	UNEXPENDED BALANCE
Police Department					
Personnel	3,897,786	\$342,597	2,175,105	55.80%	1,722,681
O&M	496,719	\$25,189	317,447	63.91%	179,272
Capital	84,000	\$0	80,900	96.31%	3,100
Total Police	\$4,478,505	\$367,786	\$2,573,452	57.46%	1,905,053
Streets & Grounds Division					
Personnel	470,530	\$34,705	226,870	48.22%	243,660
O&M	458,605	\$26,527	197,040	42.97%	261,565
Capital	120,000	\$114,996	114,996	95.83%	5,004
Debt Service	17,140	\$0	15,975	93.20%	1,165
Total Streets & Grounds	\$1,066,275	\$176,228	\$554,881	52.04%	511,394
Parks & Recreation					
Personnel	578,680	\$34,930	335,243	57.93%	243,437
O&M	259,923	\$9,528	124,807	48.02%	135,116
Capital	241,292	\$0	55,119	22.84%	186,173
Total Parks & Recreation	\$1,079,895	\$44,458	\$515,169	47.71%	564,726
Total General Fund					
Operating Budget	\$8,920,285	\$849,252	\$4,974,778	55.77%	3,945,507

EXPENDITURE REPORT

Page Five

Date: January 2016

58% of Year Expended

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	YTD%	UNEXPENDED BALANCE
Water Division					
Personnel	310,855	\$24,959	173,338	55.76%	137,517
O&M	1,029,160	\$81,957	493,435	47.95%	535,725
Capital	583,000	\$52,783	132,254	22.69%	450,746
Debt Service	978,915	\$0	313,521	32.03%	665,394
Total Water	\$2,901,930	\$159,699	\$1,112,548	38.34%	1,789,382
Sewer Division					
Personnel	310,855	\$24,956	173,323	55.76%	137,532
O&M	1,151,560	\$71,719	530,469	46.07%	621,091
Capital	286,630	\$0	48,842	17.04%	237,788
Debt Service	557,455	\$0	383,869	68.86%	173,586
Sewer Sub Total	\$2,306,500	\$96,675	\$1,136,503	49.27%	1,169,997
Kent County Sewer	1,700,000	\$149,050	1,086,804	63.93%	613,196
Total Sewer	\$4,006,500	\$245,725	\$2,223,307	55.49%	1,783,193
Solid Waste Division					
Personnel	390,810	\$30,381	217,737	55.71%	173,073
O&M	723,045	\$46,140	371,035	51.32%	352,010
Capital	0	\$0	0		0
Total Solid Waste	\$1,113,855	\$76,521	\$588,772	52.86%	525,083
Total Water, Sewer Solid Waste	\$8,022,285	\$481,945	\$3,924,627	48.92%	4,097,658
Electric Division					
Personnel	1,256,805	\$96,118	668,823	53.22%	587,982
O&M	1,723,728	\$141,336	834,805	48.43%	888,921
Transfer to General Fund	2,500,000	\$208,333	1,458,333	58.33%	1,041,667
Capital	635,000	\$0	5,795	0.91%	629,205
Debt Service	344,595	\$0	250,573	72.72%	94,022
Electric Sub Total	\$6,460,126	\$445,787	\$3,218,329	49.82%	3,241,797
Power Purchased	19,625,000	\$1,653,684	11,143,082	56.78%	8,481,918
Total Electric	\$26,085,126	\$2,099,471	\$14,361,411	55.06%	11,723,715
TOTAL OPERATING BUDGET	\$43,027,696	\$3,430,668	\$23,260,816	54.06%	19,766,880

INTERSERVICE DEPARTMENTS REPORT

Page Six

Date: January 2016

ACCOUNT	AMOUNT BUDGETED	MTD	YTD	58% of Year Expended YTD%	UNEXPENDED BALANCE
Garage					
Personnel	87,380	6,734	49,340	56.47%	38,040
O&M	73,580	3,557	30,621	41.62%	42,959
Capital	0	0	0		0
Total Garage Expense	\$160,960	10,291	\$79,961	49.68%	80,999
Public Works					
Personnel	162,720	5,222	41,348	25.41%	121,372
O&M	208,075	11,395	77,478	37.24%	130,597
Capital	0	0	0		0
Total Public Works Expense	\$370,795	16,617	\$118,826	32.05%	251,969
Billing & Collections					
Personnel	539,665	40,162	304,342	56.39%	235,323
O&M	208,420	16,312	113,497	54.46%	94,923
Capital	20,000	0	17,285	86.43%	2,715
Total Billing & Collections	\$768,085	56,474	\$435,124	56.65%	332,961
City Hall Cost Allocation					
Personnel	0	0	0		0
O&M	57,630	3,957	27,414	47.57%	30,216
Capital	0	0	0		0
Total City Hall Cost Allocation	\$57,630	3,957	\$27,414	47.57%	30,216

ALL COSTS SHOWN ON PAGE 6 ARE ALSO INCLUDED IN THE VARIOUS DEPARTMENTS LISTED ON PAGES 3-5 OF THE EXPENDITURE REPORT WHO UTILIZE THE SERVICES OF THE DEPARTMENTS LISTED ABOVE. INTERSERVICE FUNDS ARE ENTIRELY FUNDED BY OTHER CITY DEPARTMENTS.

MILFORD CITY COUNCIL
MINUTES OF MEETING
February 8, 2016

A Meeting of Milford City Council was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall on Monday, February 8, 2016.

PRESIDING: Mayor Bryan Shupe

COUNCIL MEMBERS
IN ATTENDANCE: Councilpersons Garrett Grier III, Lisa Peel, James Burk, Owen Brooks Jr.,
Douglas Morrow and James Starling Sr.

City Manager Eric Norenberg, Police Chief Kenneth Brown and
City Clerk/Recorder Terri Hudson

COUNSEL: City Solicitor David Rutt, Esquire

CALL TO ORDER

Mayor Shupe called the Council Meeting to order at 7:02 p.m.

INVOCATION AND PLEDGE

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

APPROVAL OF PREVIOUS MINUTES

Motion to approve the January 5th, 11th and 25th Committee and Council Meeting minutes made by Mr. Brooks, seconded by Mr. Morrow. Motion carried.

RECOGNITION

Carlisle Volunteer Fire Company/Check Presentation

Mayor Shupe presented Carlisle Fire Chief Duane Fox with a check for its annual allotment of \$140,000 from the city.

Milford Police Department/Introductions & Commendations

Chief Brown introduced his staff to council, the majority of whom were recently promoted. He advised that Captain Gary Bailey has been with the department for approximately 27 years and will be his second in command; Lieutenant Edward Huey, also a 27-year veteran, is the primary IT person and fleet services manager; Lieutenant Rick Jefferson, who oversees the criminal and communications division in addition to training, has been with the department the same amount of time. Lieutenant David Wells, a 19-year veteran, oversees the entire patrol division.

Chief Brown then introduced Officers Brandon Dodd and Officer Miles Kosiorowski. He noted that these two officers are totally on board with the chief's vision of enhanced community policing and exhibited that by assisting one of our seniors. They were patrolling Hearthstone Manor the Sunday following the recent snowstorm and observed a female starting to shovel her driveway. Concerned, they asked why she needed to shovel her driveway and she informed them she had to go to a doctor's appointment the following day. These two officers then exited their patrol vehicles and proceeded to shovel her driveway.

Mayor Shupe and Chief Brown then presented the officers with a Certificate of Recognition for an act above and beyond by aiding an elderly Milford resident on January 24, 2016.

Mayor Shupe thanked Chief Brown for keeping with his commitment to community services. He added that they also had an officer come into his business to notify them of a situation and appreciates the personal interaction by these

officers.

He then thanked all the officers in attendance for their services to our residents and businesses..

Proclamation 2016-01/Black History Month

Mayor Shupe read the following proclamation into record:

WHEREAS, Black History Month was first celebrated in February 1976 by the Association for the Study of African American Life and History (ASALH); and

WHEREAS, the Association continues to support the study of African American History in homes, schools, churches, organizations, businesses, and government; and while it believes that Black history, like American history, should be studied 365 days a year, it continues to view February as the critical month for pursuing this mission; and

WHEREAS, the Association continues to support the study of African American history in homes, schools, churches, organizations, businesses, and government; and while it believes that Black history, like American history, should be studied 365 days a year, it continues to view February as the critical month for pursuing this mission; and

WHEREAS, the history of African Americans unfolds across the canvass of America, beginning before the arrival of the Mayflower and continuing to the present. From port cities where Africans disembarked from slave ships to the battle fields where their descendants fought for freedom, from the colleges and universities where they pursued education to places where they created communities during centuries of migration, the imprint of Americans of African descent is deeply embedded in the narrative of the American past. These sites prompt us to remember and over time became hallowed grounds; and

WHEREAS, the Association has made "Hallowed Grounds: Sites of African American Memories" the Black History theme for the month-long celebration in 2016 to bring attention to the centennial celebration of the National Park Service and the more than twenty-five sites and the Underground Railroad Network to Freedom that are part of America's hallowed grounds, including the home of the father of black history, Dr. Carter G. Woodson; and

WHEREAS, Milford is the home of the Milford Eleven, a special group who gained national attention as the first African American students to attend a previously all-white Milford School in 1954. Though only in the Milford School District for 28 days, their impact was far reaching as they proudly paved the way for future generations.

NOW, THEREFORE, I, Bryan W. Shupe, Mayor of the City of Milford, Delaware, on behalf of Milford City Council, proclaim the month of February 2016 as BLACK HISTORY MONTH and urge all citizens of Milford to participate in the appropriate programs and activities of our schools, churches, museum, library, and other organizations that recognize and honor the significant contributions Americans of African heritage have made to the City of Milford, the State of Delaware, to the Nation and throughout the World.

MONTHLY POLICE REPORT

Mr. Morrow presented the monthly report on behalf of Chief Brown. He moved to accept the January report, seconded by Mr. Burk. Motion carried.

CITY MANAGER REPORT

Mr. Norenberg referenced the departmental reports in the packet.

The city manager then discussed a few vehicles that are many years out of date. He informed council that a process is needed for disposal of such items and he will be working on that. He will follow up with council via an e-mail within two weeks.

He will need to speak with the city solicitor about including a defined process in the codified ordinances. Because

council approves vehicle purchases, he feels they should be informed when a vehicle is being disposed of as well.

Mr. Norenberg also noted that the process of easement approvals for the Bayhealth Campus is underway.

A draft agreement has been submitted to the Milford Aquarium director which is under review by their board. Once approved by their board, the city will provide the funding previously approved by city council.

A few weeks ago, council established a charter review committee. Some internal review has been done and he will consult with the city solicitor when the items will be presented at the charter review committee.

He anticipates the first charter review committee meeting will be held the end of the month.

Motion made by Mr. Grier and seconded by Mr. Starling to accept the city manager report. Motion carried.

COMMITTEE & WARD REPORTS

No reports provided.

COMMUNICATIONS & CORRESPONDENCE

Included in packet.

UNFINISHED BUSINESS

Planning Commission Vacancy

Mr. Norenberg has only heard of one potential candidate. She will meet with the city planner to learn more about the position. He anticipates an application will be submitted for review and a possible appointment made at the next council meeting.

Downtown Master Plan/Rivertown Rebirth Update/Muldrow and Associates

Ben Muldrow of Muldrow and Associates referred to the strategy board (attached) summary. He explained that a one hundred page report was reduced to a one page implementation plan. It breaks out the first year goals to accomplish in year 2016-2017, followed by years 2018-2019, then 2020 and beyond.

Three major categories were created--"Engage the River", "Create a Destination" and "Enhance Connections".

Mr. Muldrow explained there are seven primary partners in the implementation of this process. They include the City of Milford, Chamber of Commerce, Downtown Milford, Parks and Recreation, private sector, Downtown Development Corporation and Milford Police Department.

Mr. Muldrow then discussed the first year of implementation. One of the first things they are excited about is the idea of the Vinyard Village Micro Retail Space that will provide additional retail density along the river.

They are also recommending an annual river race to connect with the river. A meeting will be held to discuss that second year event which will be sponsored by DMI and Parks and Recreation during the Bug and Bug Festival on April 23rd.

The third idea is to create a new event to highlight the river. Create another strategic event during a different time during the year that may engage in the water in a different way.

The fourth recommendation is to position Milford as a gateway to the bayshore.

Mr. Muldrow explained that DNREC recently launched the region in the eastern part of the state known as the Delaware

Bayshore; Milford plays an opportunity to serve as a gateway. With that, Milford may be able to tap into state level support.

In the second category “Create a Destination”, DMI needs to engage our business community to create an ‘extended hour campaign’. This will be a targeted campaign focused on getting our downtown stores to stay open longer. He feels this is a long process and most likely a three-year plan will be needed to complete an extended hour campaign. During the first year, the goal is to add one night a month. In year two, migrate to one night a week. By the third year, move into an extended weekend.

We also want to attract one new restaurant into the downtown district and they would like the city to lead that charge. In addition, attract three new businesses in a net gain. What has been occurring in downtown is an overall churn and instead an overall net gain can be accomplished.

Milford Skating Center and Lou’s Bootery building enhancements were recommended and both have owners who are amenable.

Mr. Muldrow noted that public safety is a perception issue and there are actual safety issues versus the perception of safety. We want to take advantages of the recent leadership changes to reinvigorate the sense of safety downtown.

They want DMI organization to go out and target a co-working space. This is a space in downtown that provides an office space for professionals to share.

One of the major items is a public restroom and an ATM in the downtown. Some funding mechanisms are possible where the city can partner with a local bank and install an ATM; the revenue transactions can then actually fund the upkeep of the bathrooms.

Mr. Muldrow then reviewed the “Enhance the Connections” category. He urged the city to create a Downtown Development Corporation which would be a 501(c)(3) nonprofit organization that would be used as a partner in this community. It can help leverage property, help make real estate transactions and make deals work where it may not as a city. This would be a volunteer board made up by representatives of downtown property owners, city council and DMI board members.

The Downtown Entrepreneur Group is something that DMI has already done. They are planning a second meeting later this month at which time they will be learning about the downtown plan.

He also feels that now is a time to re-engage with the community by reconnecting with the downtown merchants and recent changes in some of the downtown businesses. Ongoing rivertown rebirth updates to the community and a biannual rebirth review are suggested, such as a leadership summit among these partner groups.

The Chamber of Commerce recently kicked off an economic development effort and there is a need to keep a focus on downtown.

Parks and Recreation will provide some public beautification by adding overhead decorative lighting on Park Avenue.

Mr. Muldrow pointed out the next step involves Mayor Shupe and Mr. Muldrow planning the first Rivertown Rebirth review.

The consultant stated that every six months, this group will review the summary page. They will grade each point; at that time, they will re-evaluate why they accomplished what they did and any reasons why they did not. That will establish appropriate goals moving forward.

This document will become a living document and at each meeting, it will be updated and will continue to grow and change.

Mayor Shupe noted that several residents and business owners have been instrumental in getting this started. He said there have been many questions about when this will get started and concluded by stating that time is very close. He looks forward to using the strengths and abilities of our residents and business owners in seeing this come to fruition.

NEW BUSINESS

Bid Approval/138kV Dead End Structure, Switch & Accessories/Electric Department

PE Alan Cobb of Progressive Engineering, Charlotte, North Carolina, oversaw this process and submitted the following recommendation:

Sealed bids were received, publicly opened and read on January 14, 2016 for furnishing the referenced equipment to be installed in your 138 kV Delivery #1. As shown by the enclosed tabulation of bids received, Substation Enterprises, Inc. offered the most attractive proposal in the amount of \$45,426.00. We have reviewed the proposal and believe it to be in compliance with the requirements of the specifications and therefore recommend this proposal for acceptance.

City Manager Norenberg said this project was budgeted and will modernize some of the equipment that will increase safety and prevent future outages. It will also increase the safety of our employees as they open and close these switches.

Mr. Brooks moved to award the bid, in the amount of \$45,426.00, to Substation Enterprises, Incorporated, seconded by Mr. Starling. Motion carried.

MONTHLY FINANCE REPORT

Through the sixth month of Fiscal Year 2015-2016 with 50% of the fiscal year having passed, 55% of revenues have been received and 46% of the operating budget expended.

Mr. Grier moved to accept the December 2015 Finance Report, seconded by Mr. Brooks. Motion carried.

EXECUTIVE SESSION

Mr. Grier moved to go into Executive Session reference below reason, seconded by Mr. Morrow:

Pursuant to 29 Del. C. §10004(b)(4), Collective Bargaining Update/Teamsters Local 326

Motion carried.

Mayor Shupe recessed the Council Meeting at 7:28 p.m. for the purposes as are permitted by the Delaware Freedom of Information Act.

Return to Open Session

City Council resumed their regular session at 8:00 p.m.

Collective Bargaining Update/Teamsters Local 326

Mr. Rutt stated that the motion will be to authorize the city manager, police chief and negotiating team to negotiate within the perimeters discussed in Executive Session.

Ms. Peel moved to adopt the motion as stated, seconded by Mr. Grier. Motion carried.

ADJOURN

Mr. Brooks moved to adjourn the meeting, seconded by Mr. Morrow. Motion carried.

The Council Meeting adjourned at 8:01 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

Attachment:
Rivertown Rebirth Strategy Implementation Plan

MILFORD CITY COUNCIL
MINUTES OF MEETING
February 10, 2016

A Meeting of the City of Milford Police Committee was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall, 201 South Walnut Street, Milford, Delaware on Wednesday, February 10, 2016.

PRESIDING: Chairman Douglas Morrow

IN ATTENDANCE: Mayor Bryan Shupe

Committee Members:
Councilman James Burk and Councilwoman Katrina Wilson

Councilman Owen Brooks Jr.

City Manager Eric Norenberg & Deputy City Clerk Christine Crouch

Chairman Morrow called the Committee Meeting to order at 5:32 p.m.

Councilman Owen Brooks was also in attendance.

EXECUTIVE SESSION

Ms. Wilson moved to go into Executive Session reference below matter, seconded by Mr. Burk:

*{Pursuant to 29 Del. C. §10004(b)(9)} (Police Personnel Matters)
Officer Qualifications & Position Duty Change*

Motion carried.

Chairman Morrow recessed the Council Meeting at 5:33 p.m. for the purpose of an Executive Session as permitted by Delaware's Freedom of Information Act.

RETURN TO OPEN SESSION

The Police Committee returned to Open Session at 5:43 p.m.

Officer Qualifications

No action required.

No discussion on second item.

Police Personnel Matters/Consideration of Additional Officers

Mr. Morrow recalled at the December Special Council meeting, Mr. Brooks asked that council consider hiring four additional police officers. At that time, Mayor Shupe assigned the matter to the police committee and this meeting has been called to discuss that issue.

Mr. Morrow has since followed up with the finance director to obtain some related budgetary numbers. He reported that the starting wage is \$45,500; adding in the health insurance, pension, payroll benefits, etc. totals \$85,000. He reminded the committee members that a one-cent property tax increase equals \$80,000.

He reported that to hiring four additional officers would require a four-cent tax increase.

Mr. Morrow feels that before this can be considered, a financial plan is needed. He also recommends that during this discussion, the new police building also be considered. He said the current station is overcrowded and he does not believe

four additional officers will make that situation much worse.

Mr. Brooks said the reason he recommended four is because that adds one to each shift and they are only working one shift at a time. The reason he said four is because the department has four shifts. To work shift work, he said that they need four shifts.

Mr. Morrow explained that he is just presenting what is needed should the four officers be approved.

He also believes that we are on the right path with the new negotiating team and hopes the police contract issues will be resolved over the new few meetings scheduled with the teamsters.

Mr. Brooks stated that if we hired them in a month, it should not be hard on this budget because Dion his son retired at the start of the budget and his seat was never filled and three others retired and three others left so there should be a lot of money in the pot.

Mr. Morrow asked the city manager to get up with the finance director to determine how much money is left in the budget. Mr. Burk recommends Mr. Norenberg look into the budget and see what other opportunities are available. He informed the committee member that this was the first year he was involved in the budget and he observed a lot of unutilized budgeted items last year. He feels we need to figure out what we have and what is not being spent. That way, we can use that money and not raise taxes as much.

Mr. Burk commented that the officers that were promoted had twenty plus years of service and asked what sort of path to retirement they are looking at. He does not want to push anyone out but feels that Chief Brown knows his team better than anyone else, adding that those officers are higher-end employees.

Chief Brown stated that all of those officers are eligible to retire; however, none have immediate plans to retire. Only one officer had even mentioned the possibility though he agreed to stay for a while and he believes he will stay for a few more years.

Mayor Shupe suggests finding some steps to get to that goal. He recalled the first thing that Chief Brown said he wanted to do was to fill the current vacancies. He feels that is important and emphasized its importance.

They mayor stated that the chief has the authority to hire and he should do that. After that, he recommends that an assessment of the police department be done that includes all thirty officers* showing the areas we are doing well in, those we lack and any needs.

The mayor said when he discussed this with Mr. Morrow earlier today, they discussed possibly finding federal or state money to help fund that assessment project. He feels this is not only a challenge now, but Milford is going to continue to grow over the next ten plus years. He wants to know how the department should be set up so we can determine throughout that period of time how many officers are needed.

Mayor Shupe definitely agrees that as Milford grows, more officers are needed. But an assessment from Chief Brown and a law enforcement professional can provide empirical evidence by determining the number of officers that are needed.

Mr. Morrow feels that needs to be taken one step further. He referenced the new Bayhealth campus that will have a tremendous impact on this community. He said that in addition to bringing a lot people into the community, there will be an increase in jobs in both the medical and professional fields. He feels we can get more bang for our buck if an overall city assessment is done. He suggests they look at utilities, public works, billing, parks and recreation, etc.

Mr. Morrow said perhaps we are understaffed in some areas and overstaffed in other departments though he doubts that is the case. But it would be worth finding some additional moneys if that were done throughout the city.

He predicts the process will be a six to nine-month process. If council decides to go with a citywide assessment, there is a need to find grant money. He recalled studies that were done in the past that cost the taxpayers \$40,000 or \$50,000 and nothing was ever implemented. He remembers a lot of money being wasted on studies in the past.

Mr. Morrow agrees that if we do an assessment, he highly recommends all departments be included. Mayor Shupe then pointed out the assessment could say that we need more officers.

Mr. Brooks said someone is always talking about needing officers in the parks and downtown. Someone always says we need officers to walk through there to make sure everyone is safe. He continued by saying people want to use the parks and need to feel safe. Someone walking downtown in the dark needs to see at least a police officer ride by.

Mr. Brooks believes we need to feel safe in the City of Milford. He said that he feels safe everywhere in Milford even though his son, who was a police officer, tells him he cannot do that. He told him Mr. Brooks that he is not even safe at the little league ballpark.

Mr. Burk said now that Chief Brown has promoted the officers, he suggests his organizational chart be reviewed and determine who is in CI, patrol and administration. He can then develop his bullpen and prepare for retirement. He said people work their whole lives to retire and that is what people want to do.

Mr. Burk stated that we also want to facilitate community policing and more patrol will be needed. He agrees that Chief Brown should be the one to figure out who is where on his team.

He agrees with everyone that we will see a lot of future growth and that homes will be selling which will result in an increase in transfer taxes. However, that is not happening right now because the shovel is not in the ground. He feels it is important to simply get the department from where it is today to where it should be to accommodate the growth of the town and how we are going to pay for needed increases in staffing.

Mayor Shupe said the reason he brought up the assessment is so we can be proactive as we move forward with the growth of this town. He does not want to all of a sudden realize we do not have enough officers which could potentially create a crime wave or cause other things to happen and our department is unable to handle it.

Mr. Morrow referenced the Ben Muldrow's study and presentation that was paid by grant money. He believes funding should be sought so that we can assess all sides in order to be prepared. Utilities, streets, sewer and police all need to be assessed. He said that perhaps the University of Delaware or a similar entity should be contacted. He noted that Chief Brown has connections with the IACP (police chiefs' organization) who oversees this type of study.

Mr. Burk noted that the Attorney General's office just received a huge allotment of money that they are throwing at different cities throughout the state. Mr. Morrow suggests Chief Brown review that, along with the city manager.

Mr. Morrow feels we need to be ahead of the curb and ready citywide when this development begins. Training police officers takes about a year and Chief Brown agreed.

Mr. Morrow asked how many more officers are needed to be fully staffed; Chief Brown stated two more officers will give them a full complement of officers.

Ms. Wilson stated that everything that is being said is all good, but she goes back to what Mayor Shupe said that the department needs to be fully staffed before anything else is considered.

Chief Brown stated that for clarification, there are thirty-two officers when fully staffed of which two were added as school-funded officers.

Ms. Wilson reiterated the need to get up to thirty-two officers; then Chief Brown should look at what they need once that is accomplished. She said crime has increased everywhere and referenced the complaints that occur at Walmart alone. Mr. Brooks said crime is really bad.

Mr. Burk pointed out that when comparing monthly police reports, the numbers are lower. He asked how crime is going up if our numbers are lower. He asked how that is happening though he saw where felonies were up slightly though he hears from people that crime numbers are high.

Mr. Brooks said that what bothers him is if a gang wanted to come in the City of Milford at three o'clock in the middle of the night, all they have to do is fake an accident out there and fake an accident out there and the police go there and the police go there. Then there is nobody in the center of Milford.

Ms. Wilson said people realize that and they also know how many officers we have on duty. She thinks it is already a crisis that we do not have enough officers. She emphasized the need to jump on this as soon as possible. She knows some people feel it is important to hire an expert, but she is not one for paying all that money to get some firm to come to Milford only to tell us what we already know we need to do.

Mr. Morrow agrees we already know and most of our residents know.

Ms. Wilson does not really want to pay a firm \$50,000 for them to show council another PowerPoint presentation.

Mayor Shupe said that is why he suggested looking at some other sources. With the downtown plan, the city received \$24,000; the total cost was \$27,000 so the city only had to pay \$3,000. Mayor Shupe said their information will be important as he and council try to sell the plan to increase the number of officers which will involve a tax increase. An assessment will give him and Chief Brown the empirical evidence needed through the information by the third party.

The mayor said that unfortunately this will have to be sold to the public. Everyone in this room understands but most of the public does not.

Mr. Brooks said all the people have asked him for many years why four officers were hired; he explained to them about the four shifts and that only one went on a shift. Then they understand that we are not putting four out there.

Mr. Morrow recalled when Biden was still in senator and had a funding mechanism where the federal and state governments would pay for an officer for a few years. The last four officers were added more than ten years ago. Going back to the time when Dick Carmean was chief thirty years ago, the number stayed the same until the four officers were hired.

City Manager Norenberg is familiar with a few organizations that do these type of studies. One is the Center for Public Safety Management that spun off from ICMA (City Managers Association) and is based in Washington DC and a partner of IACP. They do this type of consulting for both police and fire. Also the Novak Consulting Group that handled the recruitment for the city manager position has done this type of consulting. He said they were hired before the chief's position in Oberlin was filled a year ago. He said they really dug into the department's data and both organizations are similar in that they ask for data from the previous years, analyze the numbers and return and start meeting with city council and any other focus group council feels should have a voice.

They provided the new Oberlin chief with a roadmap of what needed to be improved on. But to the mayor's point, Mr. Norenberg agreed the end result will be a tax increase but we will have the backup data from an expert and not a group of administrators and council members. Instead we have someone else who has crunched the numbers and has looked at trends and understands what and why something is needed. This makes it much easier for council to explain in his opinion.

He said the study done in Oberlin was approximately \$30,000 to \$35,000 and took about seven or eight months.

The city manager said he can work with Chief Brown to try and explore some possible funding sources. If they find some, they can then start looking at requests for proposals.

Mr. Morrow said it would definitely need to be paid through a grant of sort; Mr. Brooks agreed adding that we should build the new police station with a grant. He said that Smyrna got a new nice one for \$8 million.

Mr. Morrow advised there is \$50,000 in escrow for the Growmark property which is located across from the current police station. When he discussed the matter with Mr. Portmann last month, he learned that the agreement was never returned from Growmark. He would like to have an answer about whether or not they are willing to sell the property so we can move forward.

Mr. Norenberg reported that our solicitor is trying to track down the agreement which might be in a box of an attorney who

is in process of retiring. He feels we may need to start that process all over again because it was never fully executed. That will either give the city an out should we change our mind, or extend the period in which a final decision must be made.

Mr. Morrow believes the three-year period has not started because it was never executed. He would hate to see that property be purchase by someone else considering there was so much time and effort that went into selecting an appropriate site. He recalled the number of days they drove around to find a suitable site. The first selection was in Independence Commons though the city manager later installed solar panels on the rear of the parcel. That would have saved the cost of buying the land, save on stormwater management and infrastructure such as roads. As a result, this remained the only viable property available. Mr. Morrow emphasized that there is a huge advantage considering it is in the downtown where a lot of things are happening.

Mr. Brooks agrees it is a lot of land and one of the best locations. The location of the current department requires sandbags anytime there is a big storm; if not, the rainwater enters the basement of the police station as has occurred on many occasions.

Mayor Shupe recalled the discussions about the armory being used for a police department. In his opinion, it would be extremely challenging to get what is required for an up-to-date police department into that building. He asked if there has been any thoughts about demolishing the armory and building a new police station on top of that property.

Mr. Brooks feels that the state legislators may not allow that.

Mayor Shupe then asked what the school will do with the middle school; Mr. Burk said he is going to a meeting tonight about the reuse of the middle school. The mayor feels that may be an option that could work.

Mr. Morrow explained that was one of many options that was considered. Ms. Wilson said council asking the school before and they stated no; Mr. Morrow agreed.

Mayor Shupe said that for this to work, the middle school would have to be taken down and something new built because of the numerous challenges with that building. He would not recommend putting the police department inside the current facility because of that. However, if that building were demolished, we could potentially build a new police station on the land. He pointed out he is only throwing out ideas and nothing concrete.

Mr. Brooks questioned the residential location. He asked Chief Brown if when police officers get in their vehicles to leave, do they blow their sirens. Chief Brown explained that they do particularly in an emergency situation.

Mr. Burk said he could care less as a neighbor. He understands he would be right across from the department and they can blow their sirens as long and loud as they want.

Mr. Brooks asked if he would be ok with that occurring all night; Mr. Burk said to bring it. He noted there are ambulances running through there constantly to the hospital in addition to helicopters going and coming all the time.

Mr. Burk then informed the committee that Middletown has two locations. They have a main department and a satellite. That may be more cost effective. When they are building a new one, they could use the old station. Then could then have two locations and strategically locate them in relation to response time.

He understands that Middletown is a different animal than Milford and has a lot more money.

Mr. Morrow reiterated that is why the Growmark property is attractive. They could still utilize the current station possibly for community policing.

Mr. Burk said he will be happy to report back on what the school says about the building because he will be attending that meeting as soon as this meeting adjourns.

Mr. Morrow then asked the city manager and Chief Brown to begin looking at possible funding mechanisms. As he stated, he wants the entire city included because the growth that is coming. He was here during the last boom and he and Mr. Brooks both concur that the city was fortunate to have those four officers beforehand.

Mr. Brooks agreed adding that he also asked for four officers at that time.

Mr. Morrow said we also need to check out the property, look at other options and see what the school has to say. In reality, a new police station would take three years once we get started. Mr. Brooks believes it will take that long to build and put all the electronics in it.

Mr. Morrow agreed that is a referendum/tax increase issue.

Ms. Wilson stressed that this is one thing she feels the citizens in Milford would have no problem approving. Mayor Shupe feels it is a good thing that it has to go to referendum so that the residents can make the decision instead of council. It would also make them feel like they are part of the decision making.

It was agreed that eventually, the city will make use of the armory. Mr. Morrow does not believe it is large enough for a police station. In addition, it is landlocked with only one way in and one way out which is not what is recommended for today's facilities.

Mayor Shupe suggests reporting back to the school to determine if they are willing to demo it. He believes they will have to explain what we plan to do before we can officially ask for it. Mr. Burk does not believe the school knows what they are doing with it.

Ms. Wilson recalled that money is an issue. Mr. Morrow agreed noting that it was going to cost almost \$2 million to demo the building. Mayor Shupe said if he were them, he would just demo the building and stop all the conversation about it.

Mr. Brooks said the conversation he got from one school official was if they tore the building down and built a new school there, would be a whole lot cheaper than buying the Simpson property.

Mayor Shupe said one of the concerns is that could work right now, but not in another five or ten years. At that point, they would have to go back out for another referendum. One of the big problems is the site is landlocked and the reason they chose the Simpson Farm. He emphasized that we do not want to put ourselves in that same position because that is one of the problems with their current site.

He stated that even if a smaller station is built initially, we need enough land to be able to add onto it in future years. The only way that can be accomplished is having enough land to allow that.

They mayor commented that the reason the Growmark property is so attractive is because there is more room than for just the building itself.

Mr. Brooks reported that a lot of people wanted the school on the McColley property because it was connected to the school. The boys and girls playing sports were already there and didn't need to be transferred to the Simpson Farm.

Ms. Wilson recalled the price of the McColley property was much higher than the school could afford; Mayor Shupe agreed especially when compared to the appraisal.

Mr. Burk then asked Chief Brown if there is anyway they can get the data off the blinking speed limit signs because he know it tracks them. He asked if it will record high and low times of when people are speeding; he feels the police department could use that data.

Mr. Burk said he always hears from his constituents that people are driving too fast. He said that hard numbers would help the officers know where to go and could increase revenues for the city as well.

He asked if Chief Brown could look into it adding they are bluetooth. He said he would love to have one over in his ward because they really seem to help. They had one on South Walnut Street for a while and it really seemed to slow people down.

Mr. Burk said there is one on Kings Highway which is good because people fly down that street. Chief Brown reported there are permanent ones on South Walnut, SE Second and one was just delivered that will be installed on SE Front Street.

Mr. Burk said there is a terrible speeding problem; Mr. Brooks agreed there is speeding all over town. He said when someone asks him where a police officer is, he tells them they can't be everywhere at once.

ADJOURN

There being no further business, the Police Committee Meeting adjourned at 6:16 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

*Correct number of MPD Officers Authorized 32 (2 SRO's paid by MSD)

MILFORD CITY COUNCIL
MINUTES OF MEETING
February 22, 2016

The City Council of the City of Milford met in Workshop Session on Monday, February 22, 2016 in the Joseph Ronnie Rogers Council Chambers of Milford City Hall, 201 South Walnut Street, Milford, Delaware.

PRESIDING: Mayor Bryan Shupe

IN ATTENDANCE: Councilpersons Christopher Mergner, Garrett Grier III, Lisa Ingram Peel, Owen Brooks, Jr., Douglas Morrow, James Starling, Sr. and Katrina Wilson
City Manager Eric Norenberg, Police Chief Kenneth Brown and City Clerk/Recorder Terri Hudson

COUNSEL: City Solicitor David Rutt, Esquire

CALL TO ORDER

Mayor Shupe convened the Workshop Session of Council at 7:01 p.m.

DMI Annual Report/Executive Director Lee Nelson

Director Nelson recalled that over a year ago, because the city was one of their major shareholders, they decided to institute reporting their activities to city council on an annual basis.

Mr. Nelson continued by providing the following activity report for the year 2015:

The organization is a thirty-square block area of downtown. They are 100% volunteer driven with the exception of Mr. Nelson who is the sole paid employee. As a result, DMI has more than 200 volunteers that have contributed 6,385 hours to making Milford a better place to live, work and play.

That number is 18% higher than the previous year and the value of that effort is \$146,811.

They host thirteen special events, which is a 30% increase from 2014. That resulted in 17,425 visitors/guests in our downtown area while helping improve and diversify our local quality of life. He noted those are guesstimations in part, though some were head counts which can be challenging.

The events are as follows:

March: 5th St. Patrick Day 'Toasting the Town'
3rd and final unveiling of "Augusta" Public Art Event
April: 13th Bug and Bud Festival; 2nd Flowers and Feathers BBQ
May: 20th Riverwalk Farmers Market
1st Historic Preservation Group 'Roaring 20's' Party
7th 'Milford in Bloom' Planting
June: 1st Brewgrass Festival
September: 3rd Eat in the Street
November: 1st Milford International Food Festival
20th Farmers Market Fall Market
2nd Shop Small Saturday;
15th Santa Claus House
December: 10th Holiday Stroll

This result is a great combination of events of which many have occurred for years. They try and appeal to different demographics with some family-oriented events while others appeal to older citizens. Their goal is not to serve just one

group, but instead include all residents in Milford.

This year they instituted a diversity initiative. They were fortunate to have Noa Kornbluh who was a VISTA member focused on diversity. One third of Milford's population are minorities and they want them to be a bigger part of the downtown activities. Ms. Kornbluh came for one year to focus on that need. She went downtown and asked businesses what type things were needed to make Milford's population come together. The answer was two things--food and art.

With the food in mind, Ms. Kornbluh put together a Milford International Food Festival that brought approximately 700 visitors to Milford. Twelve multinational food vendors from around the area attended as well as four food trucks.

The second focus was art and that project is currently underway. The Milford Multicultural Mural called "We are Milford" will be 24 feet long times 12 feet high and will be placed on the Park Avenue side of Arena's Grill. Three professional multicultural muralists are creating it while also mentoring six to seven students. The mural will show the various cultures in Milford and highlight famous landmarks in Milford and flags representing each nationality. They hope to have it completed by the end of March.

The Milford Historic Preservation Committee last year hosted the first Roaring 20's Garden Party event. That is planned again this year with the intent to raise funds to help restore one or more residences or businesses in the downtown area with the cooperation of that property owner.

The Brewgrass Festival was another new event that was very successful with more than 500 paying guests. Over 57% of the visitors came from outside Milford which means we are becoming more and more of a destination.

This is the 20th year for the Riverwalk Farmers Market which was awarded the top Farmers Market in Delaware by the American Farmland Trust in Washington, D.C. That is an organization that monitors farmers markets around the United States. Milford was the 33rd best in the United States.

The market brought in over 8,800 visitors this past year which was a 22% increase over 2014. Vendors sold \$136,000 worth of sales which puts Milford Farmers Market in the top five out of the twenty-eight in Delaware.

The newest Project Pop-Up is Petite Sweets. There is currently discussion about whether or not DMI will be taking that program over as they continue to work with DEDO.

In 2015, the Maryland Tourism and Travel Summit awarded DMI the Tourism Arts and Downtown Development as the "Best Media & PR Campaign: Eat, Drink and Buy Art". Milford is one of the eighteen small towns in Maryland and Delaware that have combined to market as a unit. People that come from the metropolitan areas are not concerned about the state they are in and instead want to do things in and around the areas. Two years ago, DMI joined and because of its success, Delaware now shares a Maryland tourism award.

Mr. Nelson thanked council for their support stating that is the basis and structure for their volunteers to do wonderful things.

Ms. Wilson thanked Mr. Nelson noting they are doing a good job trying to reach out to everyone and appreciates that. The director said the diversity project is very important and they are reaching out to the residents as well as nonprofits, including Mispillion Art League, Second Street Theater, Senior Center, Milford Library, etc. They hope to move forward with that goal.

Mayor Shupe thanked Mr. Nelson and the DMI organization who have been a big help with the other initiative to promote tourism the city has been working on along with the chamber of commerce and University of Delaware. Through a DEDO grant, they have acquired university graduate students to do surveys of individuals in Milford, as well as those who are visiting, to determine why they are here, what they know about Milford, what would attract them, etc. They are using that data to assist the city, chamber, DMI and private organizations to focus on getting more people into Milford.

With no further business, the Workshop Session was adjourned at 7:18 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

MILFORD CITY COUNCIL
MINUTES OF MEETING
February 22, 2016

A Meeting of Milford City Council was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall on Monday, February 22, 2016.

PRESIDING: Mayor Bryan Shupe

IN ATTENDANCE: Councilpersons Christopher Mergner, Garrett Grier III, Lisa Ingram Peel, Owen Brooks, Jr., Douglas Morrow, James Starling, Sr. and Katrina Wilson

City Manager Eric Norenberg, Police Chief Kenneth Brown and City Clerk/Recorder Terri Hudson

COUNSEL: City Solicitor David Rutt, Esquire

CALL TO ORDER

Mayor Shupe called the Council Meeting to order at 7:19 p.m.

INVOCATION AND PLEDGE

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

RECOGNITION

No special guests in attendance.

COMMITTEE REPORTS

Rivertown Rebirth Implementation Update

Mayor Shupe reported that a meeting was held earlier this evening with Downtown Milford, private sectors, city employees and other organizations. The item discussed was the investment made by the city with the riverwalk and other projects and how to encourage related private investment. Approximately thirty people attended who suggested ways to reach out to property owners and business owners to hopefully partner with them.

The group will reconvene over the next couple months; at the end of six months, each of the implementation strategies will be graded.

He noted because the downtown area is in Ward Two, Councilwoman Peel attended. Ms. Peel added that she is pleased with the momentum and was excited to see the number of people that attended.

Schedule Public Works Committee Meeting

City Manager Norenberg explained we are in the process of scheduling a Public Works Committee meeting to discuss electric rates as well as water and wastewater code updates.

Schedule Community Affairs Committee Meeting

The city manager also advised that several things related to the planning and development area, including rental fee updates, needs to be discussed. Code updates, which include the International Property Maintenance Code, will also be considered.

COMMUNICATIONS & CORRESPONDENCE

Included in packet.

UNFINISHED BUSINESS

Appointment/Planning Commission Vacancy

Mr. Norenberg recently talked with former Planning Commissioner Debbie O'Neill and asked if she had a suggestion for her replacement because council has been searching for her replacement. Ms. O'Neill suggested contacting Sara Pletcher. After speaking with Ms. Pletcher, she met with the city planner to learn more about the duties of the commissioners.

The city manager referred to her letter of interest and resume included in the packet.

Mr. Brooks moved to appoint Sara Pletcher to the City of Milford Planning Commission, seconded by Mr. Starling. Motion carried.

NEW BUSINESS

Morris & Ritchie Associates, Inc./Hickory Glen/Preliminary Major Subdivision/2nd Extension Request

City Planner Rob Pierce explained this is the second request for an extension of the preliminary Hickory Glen major subdivision approval. The plan was originally approved by city council on February 24, 2014; a one-year extension was granted on February 23, 2015.

Mr. Pierce reminded council of the previously approved 161-lot subdivision located between Holly Hill Road and Milford-Harrington Highway. It includes 399 units of which 240 will be apartments and 159 townhouse units.

The planning commission reviewed the extension request at their February 16, 2016 meeting and unanimously approved the extension of the preliminary site plan and recommended granting another one-year extension for the preliminary major subdivision.

Mr. Brooks asked what has taken so long to get started; Mr. Pierce explained that the developer was waiting on the northwest study which was provided last spring. They are still working on utility location for several properties in the area.

Conservation district approval was received last summer though they are currently working on a couple other items with the city.

Mr. Phil Tolliver, P.E. of Morris & Ritchie Associates added that they are also working with the Becker Morgan Engineering Group who is developing the project to the south of this site. Their sewer is flowing to the pump station that Morris & Ritchie is designing. Baltimore Air Coil is also flowing their sewer to this pump station. As a result, it has been a challenge getting all projects coordinated and on the same time frames. A public works agreement has been received that they are presently commenting on.

Mr. Tolliver said one of the big milestones was getting the project approved by the Kent Conservation District. If that did not happen, the entire design would have to be changed. DNREC has a new stormwater management code that has been in effect for approximately eighteen months ago. Their design for the stormwater management plan and sediment control plans had to be approved prior to January 2015. They beat that date and are now grandfathered and fully approved which allows them to proceed with the engineering process.

He is confident another year is needed and hopes to have everything ready for approval the next time he comes before council.

Mr. Morrow moved to approve a one-year extension for the Hickory Glen/Preliminary Major Subdivision, seconded by Ms. Wilson. Motion carried.

Appointments/Dover/Kent County MPO Technical Advisory Committee

Mr. Norenberg informed council the Metropolitan Planning Organization is a federally designated organization required

for transportation planning around metropolitan areas. The Dover/Kent County MPO is responsible for coordinating transportation planning for Kent County, including Milford and Smyrna. He is recommending our city planner be appointed Milford's primary designee and the city manager as the alternate to the Technical Advisory Committee.

Former city planners served on that committee and Mr. Norenberg stressed the importance of having representation on the committee.

Mr. Pierce attended the last meeting as Milford's representative, so the motion should be retroactive to the February 8, 2016 meeting.

Ms. Peel moved to appoint City Planner Rob Pierce as the Milford's primary representative to the Dover/Kent County TAC Committee and City Manager Eric Norenberg as the alternate, retroactive to February 8, 2016, seconded by Mr. Mergner. Motion carried.

Approval/DNREC Mosquito Spraying Policy

Mr. Brooks moved to approve the Annual DNREC Mosquito Spraying Policy, seconded by Mr. Morrow. Motion carried.

EXECUTIVE SESSION

Mr. Grier moved to go into Executive Session reference below reasons, seconded by Mr. Brooks:

Pursuant to 29 Del. C. §10004(b)(4)--Collective Bargaining Update.

Motion carried.

Mayor Shupe recessed the Council Meeting at 7:34 p.m. for the purpose as is permitted by the Delaware Freedom of Information Act.

Return to Open Session

City Council returned to Open Session at 7:50 p.m.

Teamsters Local 326 Contract

Mayor Shupe announced that no action is needed as a result of the discussion in Executive Session.

ADJOURN

With no further business, Mr. Mergner moved to adjourn the Council Meeting, seconded by Mr. Morrow. Motion carried.

The meeting adjourned at 7:53 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder