

City of Milford



CITY COUNCIL AGENDA

July 11, 2016 - 7:00 P.M.

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

COUNCIL MEETING

Call to Order - Mayor Bryan Shupe

Invocation

Pledge of Allegiance

Approval of Previous Minutes

Recognition

MPD Officers

Monthly Police Report

City Manager Report

Committee & Ward Reports

Communications & Correspondence

Unfinished Business

Adoption/Ordinance 2016-10/Code of the City of Milford/Chapter 55 Personnel-Use of Telephone, Mail, Copiers, Cellular Telephones, Internet, Email Systems, New Hires' Vacation & Vehicle Allowance

City Council Retreat*

New Business

Introduction/Ordinance 2016-08/Crop Production Services Inc/Conditional Use
District: I2 (General Industrial) Acreage: 34.17+/- acres

S/O Holly Hill Road 2900 feet SW/O Route 14 and Holly Hill Road Intersection
Tax Map MD-16-182.07-01-01.00 THRU -99.00; MD-16-182.07-02-01.00 THRU -99.00;
MD-16-182.07-03-01.00 THRU -23.00

Adoption/Resolution 2016-10/Scheduling Board of Revision and Appeal Hearing/FY 2016-2017
General Assessment

Authorization/Edward Byrne Memorial Justice Assistance Grant Program*

Monthly Finance Report

Recess into Executive Session

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

Return to Open Session

Teamsters Local 326 Agreement

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.

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CITY OF MILFORD

DELAWARE



OFFICE OF THE CHIEF OF POLICE
KENNETH L. BROWN

"THE GARDEN CITY OF TWIN COUNTIES"

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: July 6, 2016

RE: Activity Report/June 2016

Monthly Stats:

A total of 662 arrests were made by the Milford Police Department during June 2016. Of these arrests, 235 were for criminal offenses and 427 for traffic violations. Criminal offenses consisted of 58 felonies and 177 misdemeanors. Traffic violations consisted of 122 Special Duty Radar, 1 Drunk-Driving charges, 304 other.

Police officers investigated 53 accidents during the month and issued 116 written reprimands. In addition, they responded to 1379 various complaints including city requests and other agency assistance.

Monthly Activities:

Lt. Jefferson and Det/Pfc. Maloney attended the MEC Child Abuse Investigations Training Program sponsored by the Office of Juvenile Justice and Delinquency Prevention and the Fox Valley Technical College's MEC Training & Technical Assistance Program. This training was held from June 6, 2016 – June 10, 2016 in Fitchburg, Massachusetts. Only cost to the City for this training was per diem.

SRO:

Sgt. Masten advised that his unit was busy wrapping up odds and ends closing out the school year.

Cpl. Bloodsworth held a "Safe Summer Send Off" event at Banneker School in which several outside agencies came in and assisted our Department with a presentation.

Sgt. Masten attended a week long LEEDA school along with Chief Brown and Det/Sgt. Horsman, while Pfc. Stanton and Cpl. Bloodsworth attended a school safety seminar.

SRO's are currently working a modified shift so that they can walk foot patrols in parks, housing complexes and the downtown areas. They are working the downtown Farmers Market on Saturday mornings, concerts on Wednesday nights (Library grounds) and patrolling the Main Street area for every "Third Thursday" event.

The SRO's have also been utilized to assist with shift coverage when needed.

K9 Unit:

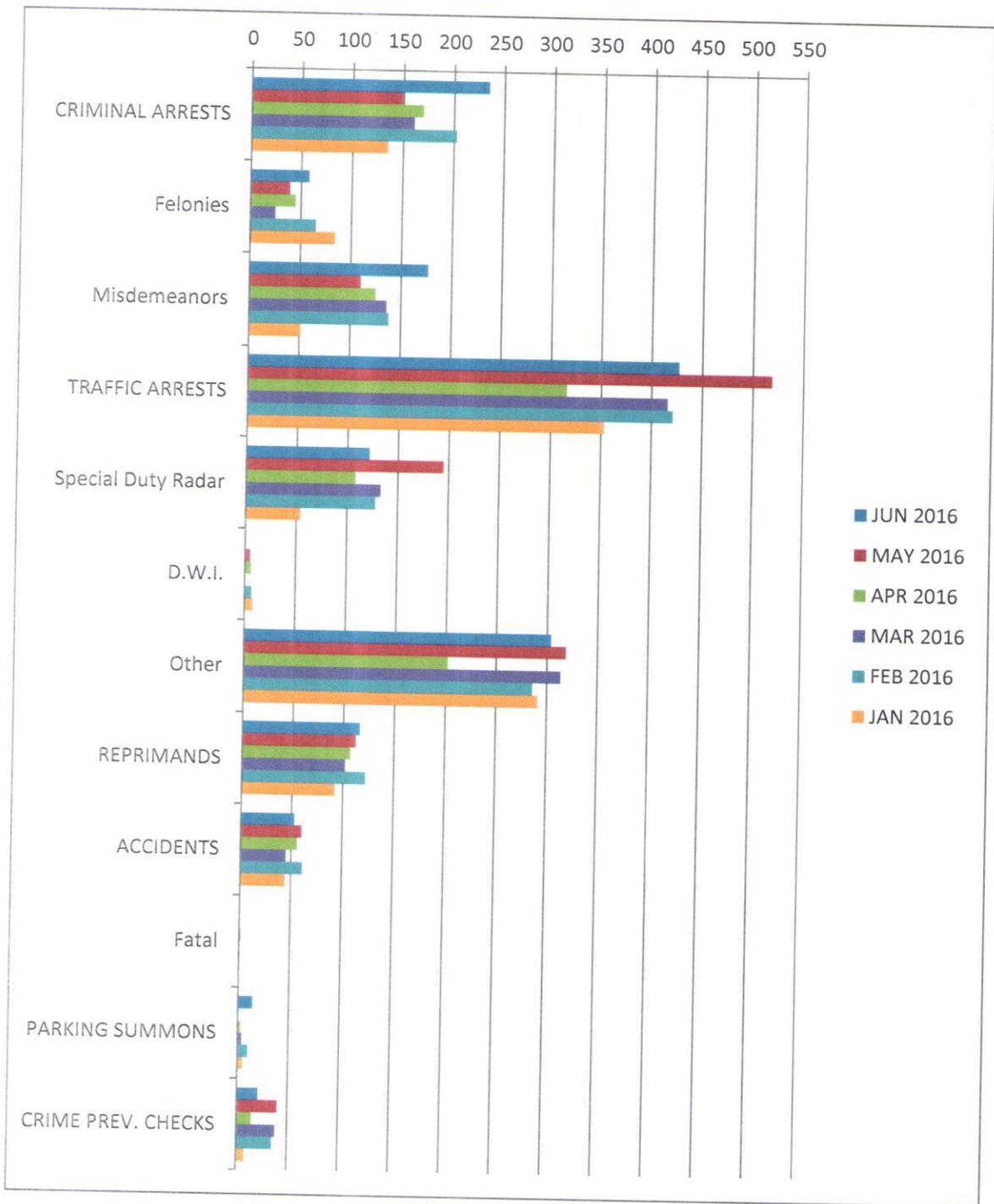
For the month of June the Milford Police Department K9 unit had the following stats:

| | | |
|---------------------------------------|-----|-----------------------|
| Calls for service: | 165 | |
| Utilized: | 18 | |
| No bite apprehensions | 1 | Armed robbery suspect |
| Used as precaution | 1 | |
| Tracks | 1 | |
| Drug sniffs | 5 | |
| ○ Marijuana - 3.4 grams | | |
| Building search | 3 | |
| K9 demonstrations | 2 | |
| ○ Mispillion Kennel Club | | |
| ○ Georgetown PD Junior Police Academy | | |
| Article search (evidence) | 1 | |
| Large violent crowds | 1 | |
| Assist other agency | 1 | Troop 7 |

❖ K9-1 missed one week due to vacation leave

JUN 2016 ACTIVITY REPORT

| | JUN 2016 | TOTAL 2016 | JUN 2015 | TOTAL 2015 |
|--------------------|------------|--------------|-------------|--------------|
| COMPLAINTS | 1379 | 7384 | 1222 | 7196 |
| CRIMINAL ARRESTS | 235 | 1053 | 182 | 1173 |
| Felonies | 58 | 316 | 48 | 261 |
| Misdemeanors | 177 | 737 | 134 | 912 |
| TRAFFIC ARRESTS | 427 | 2452 | 453 | 2794 |
| Special Duty Radar | 122 | 740 | 181 | 1004 |
| D.W.I. | 1 | 27 | 1 | 28 |
| Other | 304 | 1716 | 271 | 1762 |
| REPRIMANDS | 116 | 651 | 103 | 713 |
| ACCIDENTS | 53 | 319 | 55 | 305 |
| Fatal | 0 | 2 | 0 | 0 |
| PARKING SUMMONS | 14 | 37 | 13 | 74 |
| CRIME PREV. CHECKS | 21 | 157 | 10 | 196 |
| FINES RECEIVED | \$6,628.62 | \$ 42,169.02 | \$ 8,751.97 | \$ 57,017.54 |





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Online City Manager Update June 2016 Activity July 11, 2016

Administration / Finance

- The City has sold two addition vehicles/equipment via GovDeals.com with total sales to date of \$22,690.95 (net).
 - Streets and Solid Waste Division - 2 vehicles = \$10,360.00 (net)
- City Manager and Planning & Economic Development Coordinator met with a representative of Country Life Homes related to concerns of residents related to drainage and related matters. Additional follow up is expected in July.

Parks & Recreation Department

- Assisted with successful events: Kids Fest, Brewgrass Festival.
- Participated in a promotional video for the Governor's office to highlight trail systems state wide, including showcasing Milford's Riverwalk.
- Received a \$500 donation from the Milford Garden club (funds to be used to replace meeting room tables).
- Received a \$700 donation from the Milford Lions Club (funds to be used to offset the cost of summer camp).
- The Summer Playground Day Camp is in its 3rd week. Averaging 55-62 kids each week. We have a great group of High School and college students as our Group Leaders.
- The first of two Field Hockey clinics was held successfully June 20-23. The second session is scheduled for July 18-21 at MHS.
- The first session of Tennis was cancelled due to lack of enrollment, however Session II is a go and is scheduled for July 11-14 at MHS.
- Renovated the landscaping at the Public Works facility, including removing the old shrubbery and mulch, regrading of flower beds, installing 150 new plants and the addition of 18 tons of lava rock.
- Ongoing maintenance of parklands, sporting fields and flower beds, including mowing, weeding, fertilization and irrigation.
- Repaired faucet at Dog Park, re-mulched trees and dog play area.
- Installed patriotic red/white/blue banners alongside Riverwalk in preparation for July 4th.

PLANNING & ECONOMIC DEVELOPMENT

Enforcement & Inspections Division

| Code Enforcement Case Activity | |
|--------------------------------|-----|
| New Cases | 50 |
| Closed Cases | 66 |
| Open at Start of Month | 256 |
| Open at End of Month | 240 |

| Code Enforcement Violation Activity | |
|-------------------------------------|-----------|
| Abandoned Vehicle | 3 |
| Dangerous Tree | 1 |
| Furniture | 1 |
| Generic | 2 |
| Property Maintenance | 1 |
| Rubbish & Garbage | 5 |
| Weeds & Grass | 34 |
| Zoning Use | 3 |
| Total | 50 |

Rental Inspections Performed: 0

Rental Licenses Issued: 8

Vendor Licenses Issued: 1

Contractors Licenses Issued: 22

| Building Permits Issued | |
|--------------------------------------------|-----------|
| Commercial Foundation | 0 |
| Commercial Building Permit | 8 |
| Demolition | 8 |
| Residential New Construction | 5 |
| Residential Renovation/Accessory Structure | 8 |
| Roof/Siding | 2 |
| Solar Panels | 1 |
| Utility (Electric/Water) | 2 |
| Total | 34 |

- Staff investigated and resolved several minor property maintenance issues without issuing violation notices.
- City entered into an agreement with First State Inspection Agency for on-call commercial building plan review and inspection. FSIA will specifically assist the City of Milford with the inspection of the new Bayhealth hospital.
- Annual sprinkler test for City Hall has been completed.
- Developed proposed scope of work for City Hall maintenance and repairs. Getting quotes from different contractors to perform work.

Planning & Economic Activities Division

- City signed contract with the University of Delaware, Institute of Public Administration for assistance with the Comprehensive and SE Master Plan Update.
- State of Delaware provided written Pre-PLUS comments related to certification requirements for the Comprehensive Plan Update.
- Planning Commission met to review draft community questionnaire that will be part of the public participation requirement of the Comprehensive Plan Update. Questionnaires will be distributed to the public prior to beginning public workshop sessions.
- City Council appointed two new members to the Planning Commission.
- Community Affairs Committee met to discuss the addition of business licenses and modifications to the rental operating license and peddling, soliciting and transient merchant licensing chapters of the City Code.
- Planning Commission reviewed and recommended approval of the Crop Production Services Preliminary Conditional Use Site Plan. Applications will be heard by City Council in July.
- Planning Commission reviewed draft rules and procedures to be adopted at the next meeting.
- Staff continued to update GIS database related to utilities as part of the Asset Management Incentive Grant Program from the State of Delaware.

- Consultants continued work on conceptual plan for Mispillion River Water Quality Improvement Project.

PUBLIC WORKS DEPARTMENT

Streets & Solid Waste Division

| Pick Ups and Deliveries | Total |
|----------------------------------------|-------|
| Bulk Pick Up | 38 |
| New Container Delivery | 34 |
| Additional Container-Trash | 1 |
| Additional Container-Recycle | 1 |
| Additional Container-Yard Waste | 1 |
| Damaged/Replaced Container Replacement | 10 |
| After Hours Calls | 0 |

- Truitt Avenue/Cemetery Expansion Project Update: On schedule; plan to mill on July 7 and pave July 14. Notices will be hand delivered to residents within 48 hours of work being done.
- Applied for a DNREC Grant for 80 dual trash/recycle containers to be placed in parks in the downtown area.
- Power washed front steps of City Hall.
- Cold patch pot hole repairs completed: James Drive, NW Fourth Street, Boys & Girls Club
- Underground pipe repaired on Maple Avenue that was causing a sink hole.
- MPD parking lot prepped for paving.
- Street sweeper repaired and back in operation.

Solid Waste/Recycling/Yard Waste Diversion*

| | Solid Waste Tonnage | Curbside Recycling | Drop Off Recycling | Yard Waste | Total | Diversion |
|-------------------|---------------------|--------------------|--------------------|------------|---------|-----------|
| 2013 | 3903.34 | 617.90 | 213.77 | 473.85 | 5208.86 | 25.1% |
| 2014 | 3206.04 | 645.88 | 243.90 | 472.08 | 4567.90 | 29.8% |
| 2015 | 3077.95 | 642.20 | 407.07 | 304.55 | 4431.77 | 30.5% |
| 2016 (YTD) | 1223.31 | 251.00 | 155.47 | 148.16 | 1777.94 | 31.2% |

| | Solid Waste Tonnage | Curbside Recycling | Drop Off Recycling | Yard Waste | Total | Diversion |
|--------------|---------------------|--------------------|--------------------|------------|--------|-----------|
| March | 247.33 | 57.22 | 32.74 | 30.59 | 367.88 | 32.8% |
| April | 258.50 | 44.77 | 30.34 | 43.58 | 377.19 | 31.5% |
| May | 263.14 | 51.01 | 34.19 | 45.61 | 393.95 | 33.2% |

*The amount of waste diverted from the landfill through the recycling and yard waste programs.

Water & Wastewater Division

- Lowered meter pits on Truitt Avenue for contractor.
- Replaced fire hydrant on SE Second and S Walnut Street.
- Fixed water leaks on Milford-Harrington Highway, NE Second Street and SE Second Street.
- Replaced aerator trays.
- Helped take out old chlorine unit at Tenth Street Water Facility so new one could be put in.
- Disconnected services to houses on Shawnee Road for demolition.

Public Works: New Landscaping





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July 8, 2016

TO: Mayor and City Council
FROM: Eric Norenberg
SUBJECT: Personnel Ordinance Update

Purpose and Background

As previously reported, the City's Human Resources Manager and City Manager have been in the process of reviewing and updating the entire Personnel Ordinance since February. The bulk of the Personnel Ordinance dates back to the 1990s, though scattered revisions and updates have been made over the years, most recently in December 2015. The full revision will likely not be ready for a few more months, but there are three changes that merit an amendment now. It is recommended that the City Council approve the changes to the Personnel Ordinance as presented.

Discussion

The proposed changes are in three areas:

630. Use of Telephone, Mail, Copiers, Cellular Telephones, Internet and Email Systems:

Previously, this section only addressed telephone and mail (an example of the technologies and possible issues available in the 1990s). It is recommended that this section be expanded to address employee use of more recent technologies including, copiers, the internet, email and cellular telephones/smartphones.

For each of these tools, the expectation is that employees use the equipment and services primarily or exclusively for business purposes, be good stewards with these resources, and reimburse the City for personal use in certain situations.

In addition, this revised section would allow for the City to provide approved employees with a cellular telephone or smartphone – depending on job requirements – or a taxable monthly allowance to reimburse the employee for business use of a personal cellular telephone or smartphone. This has become more common in both the private and public sector as a way to lower operations cost for the employer and so that employees don't have to carry two devices. A more detailed policy has been developed and has been reviewed by the Police Chief, Finance Director and other department heads. If this ordinance passes, the policy will be issued by the City Manager (a draft is attached). (Earlier this year, a policy was issued by the City Manager governing proper use of the internet and email by City employees.)

A review by the Finance Department and department heads concluded that we should be able to lower the City's annual expenditures on cellular telephone services by allowing the allowances and carefully monitoring the employees issued telephones or allowances.

416. Vacation Leave for New Hires

Currently, most new hires to the City of Milford begin with no starting balance of vacation leave. While this may not be unusual for a young employee just starting his or her career, this can create difficulty in attracting someone in the midst of a career. For example, a new hire may have a preschedule vacation or other commitment for which they planned to use accrued vacation with their current employer. We do not have provisions to transfer earned vacation from one employer to another, so it is recommended that when necessary, as a recruitment tool for FLSA-exempt employees, the City Manager have the authority to award up to 120 hours of annual vacation to a newly hired employee prior to the completion of one year of service and approve the rate of accrual thereafter.

In recent years, such incentives have been approved. And, while it may be within the authority of the City Manager to do so, it is recommended that this incentive be formalized in the Personnel Ordinance.

661. Vehicle Allowance

The annual cost of maintaining a City-owned vehicle can be expensive and in some cases may not be necessary if the vehicle is not designed and outfitted for a particular purpose (e.g. patrol cars, plow trucks, etc.). There are a number of City staff who do travel regularly in the course of their normal workday or week for City business (examples include, the Public Works Director, City Manager, Human Resources Manager, Finance Department staff and more). For these employees who do not require a special vehicle to drive for their City business, a pool vehicle may be available and when not, mileage reimbursement must be paid. A third alternative that is recommended is to authorize the City Manager to provide a taxable vehicle allowance in select situations to cover routine work-related travel within Kent and Sussex Counties.

Key provisions include: Employees receiving a vehicle allowance are responsible for paying liability, property damage and comprehensive insurance coverage upon such vehicle and are responsible for all expenses in relationship to the purchase, operation, maintenance, repair and regular replacement of the vehicle. Proof of insurance levels satisfactory to the City shall be provided upon request by the City. The City of Milford shall reimburse employees with a vehicle allowance, at the established mileage rate of the vehicle for any City business use beyond Kent or Sussex Counties, if a City-owned vehicle is unavailable for such trip.

Even when accounting for the lower cost to purchase a vehicle on State Contract, the five-year projected cost to own and maintain a crossover SUV with four-wheel drive would be \$44,411. Whereas a \$200/month vehicle allowance would cost the City \$12,000 over five years.

Recommendation

It is recommended that the City Council approve these revisions to the Personnel Ordinance as cost savings measures, to attract new employees and to enable careful stewardship of City resources.



Cellular Telephone Policy (including Smart Phones)

Purpose

To establish guidelines for cellular telephone acquisition and usage and to provide for allowances.

Definitions

Cellular telephone (or cell phone): Hand-held mobile radiotelephone using cellular radio network, includes smart phones that combines cellular telephone capabilities with the ability to send and receive e-mails, access applications, and browse the Internet. Examples include Blackberry or Android devices.

Communication Allowance: A benefit-taxable payment, paid monthly through payroll, to FLSA Exempt employees and Non- Exempt employees with permission of the City Manager, for being available for urgent city business beyond normal business hours, or while out of the office, through the use of a personal cellular phone or other communication device. Any employee authorized for the Communication Allowance must notify their supervisor, immediately, if their cellular service ends or is interrupted.

Policy

1. It is the City's goal to provide the highest standard of service to our community. The City of Milford may issue cellular telephones to employees who work in areas or on assignments where standard City telephones, the City's radio system or other forms of electronic communication equipment are not readily available and where such use will benefit the City and its residents. City-funded cellular telephones are intended to enable staff assigned to special functions to operate more effectively, efficiently and safely in the completion of their assigned responsibilities.
2. Use of telecommunications resources (including cellular telephones and the associated service) shall be in compliance with the City of Milford employee policies and other related regulations. Staff using a city-issued cellular telephone should be aware that such devices may have the ability for the City to track the location of the device. Employees are responsible for safe use of cellular telephones when operating vehicles and equipment, therefore, employees should follow the guidelines established in the City's Safety Manual and follow the laws of the State of Delaware.
3. Possessing a city-issued cellular telephone is a tool and all employees are expected to use them responsibly. Employees are responsible for the care, protection and appropriate usage of these resources.
4. Personal use of the City-issued cellular telephone is limited to emergency or pressing reasons, preferably during breaks or meal periods. A short call(s) home or to the family, etc. by City employees when required to work extended hours shall be considered a business call. The employee is responsible for reimbursing the City for costs incurred when personal usage results in charges to the City for excess minutes, data usage or text messages not included in the City's plan. Misuse, including excessive personal calls or excessive personal use of data services, of a City-issued cellular phone may result in disciplinary action. The following are unauthorized uses of a City-issued cellular telephone:
 - a. Any calls that could be appropriately made from an available standard City telephone;

- b. Any call made in relation to an employee's personal business enterprise or their participation/membership in a non-City-related organization (e.g. political or religious groups or service clubs);
 - c. Any call for the purpose of entertainment, such as any 900 call;
 - d. Any prohibited email communication, text message or Internet access or usage as outlined in Computing Resources Policy;
 - e. Any communication of an obscene, threatening, demeaning, harassing or otherwise offensive nature that would be illegal, prohibited or inappropriate under City employee policies, regulations or the laws of the State of Delaware.
5. Cellular telephone contract minutes for City-issued cellular phones should be the smallest plan available to accommodate the particular business need. The City's Finance Department will review the Cellular/Data Plans, with the Department Heads, periodically to ensure the most cost effective plans are in use or at any time that unusual activity or usage is reported or identified.
 6. Cellular telephones and smart phones purchased by the City and assigned to employees will be selected to be both cost-effective and meet the work-related needs of the assignment.
 7. The City Manager and Police Chief are authorized by City Council to have a City-issued cellular telephone or "communication allowance". All other City of Milford employees must have the authorization of the City Manager to be issued a City cellular telephone or to receive a monthly communication allowance in lieu of a City-issued cellular telephone. Communication allowances will be paid through payroll and are subject to payroll taxes. Allowances or City-issued cellular telephones will be provided, with the City Manager's authorization, as follows:

| Who | Allowance | | City-Issued cell phone |
|----------------------------------------------------------------------------------------------------------------------------------------|------------|----|------------------------|
| Department Heads and designated employees, who are on call nights and weekends and must have "data" access | \$40/month | OR | \$40/month |
| Employees who are on call nights and weekends and only need voice communication when City radio services are not available or assigned | \$20/month | | |
| "On-call" employees – rotating cell phone | | | \$20/month |

Public Records

Any records that arise out of City business being transacted on a City-issued cellular phone are public records and need to be held and disposed of in accordance with the City's public records policy. Public records are not to be stored on a personal device, if public records are received on a personal device they are to be transferred to a City server or other appropriate media for proper records retention.

Violation

Employees violating this policy may be subject to disciplinary action in accordance with City policies, departmental operating procedures and/or collective bargaining agreements.

If you have questions regarding appropriate use of this policy, please contact your supervisor, the HR Manager or your respective Appointing Authority.

Effective Date: July 1, 2016

Eric Norenberg, City Manager

ORDINANCE 2016-10
CODE OF THE CITY OF MILFORD
PART I-ADMINISTRATIVE LEGISLATION
CHAPTER 55-PERSONNEL

WHEREAS, the City of Milford created a Personnel Ordinance and Manual in 1992 which, from time to time, has been updated to address new or changing practices, government regulations or technologies; and

WHEREAS, the City of Milford provides training, facilities, tools and equipment to enable employees to do their jobs; and

WHEREAS, the City Council budgets funds for the purchase and maintenance of such items, but expects the funds to be spent prudently and for the City Manager to administer reasonable expenditures of such budgeted funds while regularly monitoring; and

WHEREAS, the terms of said Personnel Ordinance and Manual need to be updated once again to address new technology and recruitment practices.

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

Section 1. That the City of Milford Code, Chapter 55 Personnel, Section 630. USE OF PHONE AND MAIL SYSTEMS is hereby repealed in its entirety:

~~Personal use of telephones for outgoing calls while on duty, including local calls, is not permitted. Employees may be required to reimburse the City for any charges resulting from their personal use of the telephone. Phones may be available for personal outgoing calls during breaks, meal periods or at other times with the supervisor's permission.~~

~~The use of City paid postage for personal correspondence is not permitted.~~

~~To assure effective telephone communications, employees should always use the approved greeting and speak in a courteous and professional manner. Please confirm information received from the caller, and hang up only after the caller has done so.~~

Section 2. That the City of Milford Code, Chapter 55 Personnel, Section 630, is hereby inserted to read as follows:

630. USE OF TELEPHONE, MAIL, COPIERS, CELLULAR TELEPHONES, INTERNET AND EMAIL SYSTEMS

Personal use of the City telephone or cellular phone system is limited to emergency or pressing reasons, preferably during breaks and meal periods. Employees may be required to reimburse the City for any charges resulting from the personal use of telephones or cell phones. Staff should refer to the detailed Cellular Telephone Policy.

The use of City-paid postage for personal correspondence is not permitted. Excessive personal use of City copiers, fax machines or printers by employees is not permitted. Reimbursement for such use will be in accordance with procedures and policy established the City Manager.

City employees may be issued a cellular telephone, smart phone or similar device to accomplish their assigned duties. Alternatively, under specific circumstances, a "communications allowance" may be paid

to compensate employees for their use of personal cellular telephone, smart phone or similar device for City business. The City Manager and Police Chief are authorized by City Council to have either a City-issued cellular telephone or a “communication allowance” per written agreement with City Council.

The determination of employees to receive a City issued cellular telephone, smart phone or similar device or a communications allowance, will be based on criteria and procedures established in the City’s Cellular Telephone Policy issued by the City Manager.

Cellular phone and smart phone use must be in compliance with the City’s Safety Manual, the Vehicle Use Policy, local ordinances and Delaware State Law.

Internet access is to be conducted in a responsible and professional manner, reflecting the City’s commitment to ethical and non-discriminatory government practices. It is also the City’s desire to protect the organization, as much as possible, from viruses or illicit attempts to access the City’s servers. The City of Milford maintains an electronic mail system to conduct City business. All email messages composed, sent, received and/or stored are the property of the City and not the property of any employee. The City has a Computing Resource Use Policy which explains how email and the Internet must be utilized. Before using email or the Internet, employees must acknowledge that they have reviewed and understand the City’s Computing Resources Use Policy.

Section 3. That the City of Milford Code, Chapter 55 Personnel, Section 416, is hereby added as follows:

416. Vacation Leave for New Hires

As a recruitment tool for FLSA-exempt employees, the City Manager may award up to 120 hours of annual leave prior to the completion of one year of service and approve the rate of accrual thereafter.

Section 4. That the City of Milford Code, Chapter 55 Personnel, Section 661, is hereby added as follows:

661. Vehicle Allowance

The City Manager and Police Chief are authorized by City Council to have either a City-issued vehicle or a vehicle allowance per written agreement with City Council. Department Heads who must travel extensively for their job and who must be able to respond to afterhours emergencies may either have a take home vehicle or a vehicle allowance as determined by the City Manager. Employees receiving a vehicle allowance are responsible for paying liability, property damage and comprehensive insurance coverage upon such vehicle and are responsible for all expenses in relationship to the purchase, operation, maintenance, repair and regular replacement of the vehicle. Proof of insurance levels satisfactory to the City shall be provided upon request by the City. The City of Milford shall reimburse employees with a vehicle allowance, at the established mileage rate of the vehicle for any City business use beyond Kent or Sussex Counties, if a City-owned vehicle is unavailable for such trip. The City shall maintain an “accountable plan” in accordance with related IRS regulations.

Section 5. Dates.

Introduction: 06/27/2016

Adoption (Projected): 07/11/2016

This ordinance shall take effect and be in force ten (10) days after adoption.

Published: Milford Beacon 06/22/2016



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201 SOUTH WALNUT STREET
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June 23, 2016

TO: Mayor and City Council
FROM: Eric Norenberg *EN*
SUBJECT: City Council Retreat

Purpose and Background

Many City Councils hold retreats annually or at the beginning of new terms to set goals and priorities, to plan for the future, and to ensure their working relationships are functioning well. At the request of the Mayor, I have surveyed other communities regarding City Council retreats and facilitators used. After that research, I entered into discussions with the University of Delaware Institute for Public Administration / School of Public Policy & Administration about facilitation for a City Council retreat in late-summer/early-fall.

Discussion

The scope for the retreat could include two segments:

- Planning for the Future:
 - Facilitated discussion and goal setting by City Council, with the help of key City officials. Discussion may include issues related to economic development, encouraging and managing growth, fiscal policy and public safety.
 - Desired Outcomes: Identification of priorities for the next one to two years and consensus on next steps for developing a strategic plan to guide City Council and City Management for the next 5-10 years (that may include a visioning process involving municipal government officials, stakeholders, and citizens).
- Team Building:
 - Understanding roles and responsibilities of elected officials, and appointed officials, City Boards and Commissions and defining expectations
 - Desired Outcomes: Enhanced understanding of work styles, and focus on methods/processes of effective decision-making related to the goals and plans set in the earlier component.

Pre-Retreat / Retreat Components: The facilitator would provide the following services and assistance before, during and after the retreat:

- Pre-meetings for project design
- Pre-Retreat Questionnaire/Survey of City Councilmembers, the Mayor and Appointees designed with the end objective in mind. Anonymity must be assured. Completion of the Pre-Retreat Questionnaire/Survey may be done electronically, in writing or via interviews depending on the preference of individual elected officials.

- Summary of questionnaire/survey results by IPA staff
- Development of the retreat agenda and related presentation materials to enhance the discussion and interaction between participants
- Retreat facilitation at a location designated and arranged by the City of Milford
- During the retreat, IPA staff will scribe notes/flip charts that captures discussions, decisions and pertinent ideas
- Summary notes of the retreat outcomes

These services from IPA would cost \$1,500. Other costs for the retreat would be refreshments, facility rental, etc.

Recommendation

It is recommended that the Mayor and City Council discuss and consider scheduling a retreat on a one of these three Saturdays: **September 10 or 17, or October 8** beginning at 8:30 in the morning. At this time, we anticipate the retreat ending in early to mid-afternoon. The location can be determined once a date is selected.

NOTICE OF PUBLIC HEARINGS
PLANNING COMMISSION PUBLIC HEARING: JUNE 21, 2016
CITY COUNCIL PUBLIC HEARING: JULY 25, 2016
Ordinance 2016-08

NOTICE IS HEREBY GIVEN the Planning Commission of the City of Milford will hold a Public Hearing on Tuesday, June 21, 2016 at 7:00 p.m. or as soon thereafter as possible.

A FINAL PUBLIC HEARING is scheduled on Monday, July 25, 2016 at 7:00 p.m. before Milford City Council. Following the hearing, the ordinance may be adopted, with or without amendments.

Ordinance 2016-08

Crop Production Services Inc for a Conditional Use for a Fertilizer Storage and Distribution Center in an I2 (General Industrial) District on 34.17+/- acres. Property is located on the south side of Holly Hill Road 2900 feet southwest of the intersection of Route 14 and Holly Hill Road, Milford, Delaware. Present Use: Vacant Land; Proposed Use: Fertilizer Storage and Distribution Center. Tax Map MD-16-182.07-01-01.00 THRU -99.00; MD-16-182.07-02-01.00 THRU -99.00; MD-16-182.07-03-01.00 THRU -23.00

WHEREAS, the City of Milford Planning Commission will consider the conditional use application at a Public Hearing on June 21, 2016; and

WHEREAS, Milford City Council will hold a Public Hearing on July 25, 2016 to allow for public comment and further review of the ordinance; and

WHEREAS, it is deemed in the best interest of the City of Milford to allow a Conditional Use for a Fertilizer Storage and Distribution Center as herein described.

NOW, THEREFORE, the City of Milford hereby ordains as follows:

Section 1. Upon the adoption of this ordinance, Crop Production Services Inc is hereby granted a Conditional Use Permit to allow a Fertilizer Storage and Distribution Center, in accordance with the application, approved plans and any conditions set forth at the Public Hearings.

Section 2. Construction or operation shall commence within one year of the date of issuance of the permit otherwise the conditional use becomes void.

Section 3. Dates.

Planning Commission Review & Public Hearing: June 21, 2016

City Council Introduction: July 11, 2016

City Council Public Hearing: July 25, 2016

Adoption: July 25, 2016

Effective: August 4, 2016

This ordinance shall take effect and be in force ten days after its adoption.

For additional information, please contact Rob Pierce in the Planning Department at Milford City Hall either by e-mail at RPierce@milford-de.gov or by calling 302-424-3712.

Advertised: Beacon 06/01/16

City of Milford



RESOLUTION 2016-10

WHEREAS, the provisions of Article VII, Section 7.06 of the Charter of the City of Milford state that Council shall cause a copy of the General Assessment to be hung in two public places in the City of Milford and there to remain for the space of ten days for public information; and

WHEREAS, attached to said copies shall be notice of the day, hour and place that Council will sit as a Board of Revision and Appeal for said General Assessment.

NOW, THEREFORE, BE IT RESOLVED, that on Monday, August 24, 2015 at 7:00 p.m., the City Council of the City of Milford will sit as a Board of Revision and Appeal for the 2016-2017 General Assessment.

Mayor Bryan W. Shupe

Attest: _____
City Clerk

Adopted: July 11, 2016

| | | |
|--------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|------------------------------|
| APPLICATION FOR FEDERAL ASSISTANCE | 2. DATE SUBMITTED June 28, 2016 | Applicant Identifier |
| 1. TYPE OF SUBMISSION Application Non-Construction | 3. DATE RECEIVED BY STATE | State Application Identifier |
| | 4. DATE RECEIVED BY FEDERAL AGENCY | Federal Identifier |
| 5. APPLICANT INFORMATION | | |
| Legal Name | Organizational Unit | |
| MILFORD, CITY OF (INC) | Milford Police Department | |
| Address | Name and telephone number of the person to be contacted on matters involving this application | |
| 400 NE Front Street | Knorr, Victoria | |
| Milford, Delaware | (301) 422-8081 | |
| 19963-1436 | | |
| 6. EMPLOYER IDENTIFICATION NUMBER (EIN) | 7. TYPE OF APPLICANT | |
| 51-6000177 | Municipal | |
| 8. TYPE OF APPLICATION | 9. NAME OF FEDERAL AGENCY | |
| New | Bureau of Justice Assistance | |
| 10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE | 11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT | |
| NUMBER: 16.738 | 2016 Sussex County Police Department Equipment Upgrades for Public Safety and Officer Safety. | |
| CFDA TITLE: Edward Byrne Memorial Justice Assistance Grant Program | | |

12. AREAS AFFECTED BY PROJECT

Sussex County

13. PROPOSED PROJECT

Start Date: October 01, 2016
 End Date: September 30, 2018

14. CONGRESSIONAL DISTRICTS OF

a. Applicant
 b. Project DE00

15. ESTIMATED FUNDING

| | |
|----------------|-----------------|
| Federal | \$52,560 |
| Applicant | \$0 |
| State | \$0 |
| Local | \$0 |
| Other | \$0 |
| Program Income | \$0 |
| TOTAL | \$52,560 |

16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?

This preapplication/application was made available to the state executive order 12372 process for review on 06/23/2016

17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?
 18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY AUTHORIZED BY GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS REQUIRED.

Close Window

Name of Applicant: City of Milford – Disparate, Application #2016-H4100-DE-DJ

Title of Project: 2016 Equipment and Technology Upgrade - Disparate

Goals: The Milford, Seaford, Georgetown and Laurel Police Departments will be using allocated grant funds to purchase radios, in-car camera equipment and defray the cost of a police vehicle to keep their communities and officers safer. After the award of the funds and departments purchase the requested equipment, equipment will be deployed and used to enhance officer safety with better verbal, visual and hands-on communications throughout communities.

Abstract Identifiers: Crime Prevention, Equipment-General, Officer Safety, Policing, Standards, Traffic Enforcement.

Abstract Narrative:

The Milford Police Department, Seaford Police Department, Georgetown and Laurel Police Department, in an effort to better protect its officers and the public, will be purchasing the requested equipment to achieve this goal. The departments intend to purchase radios, in-car camera system and to defray the cost of a police vehicle in an effort to keep up with upgraded technology and to better enhance standards for traffic enforcement, surveillance and communications between officers and their departments. This equipment will continue to enhance the officer's safety and the safety of the citizens they serve.

Program Narrative:

The total allocation for Disparate for Sussex County is \$52,560. All departments involved plan to use awarded funds to purchase equipment which will promote public and officer safety. The Milford Police Department will receive \$18,001 and will utilize these funds to purchase new mobile radios as old radios become obsolete. The Seaford Police Department will receive \$13,924 and will utilize funds to purchase new mobile radios along with extra palm microphones as old radios become obsolete. The Georgetown Police Department will receive \$10,600 and will utilize funds to replace and enhance an In-Car Camera system that is becoming inoperable. The Laurel Police Department will receive \$10,035 and will utilize funds to defray a portion of the costs associated with the purchase of a new police vehicle. Purchasing this equipment will keep each department in line with upgraded radio, visual communications technology and help to improve law enforcement services. These tools will continue the ongoing efforts to enhance our police officer's abilities to provide the public with a safe environment in which to live, work and vacation.

FY 2016 BJA Justice Assistance Grant Abstract

NAME: City of Milford, Application #2016-H4100-DE-DJ

TITLE OF PROJECT: 800Mghz Mobile Radio Upgrade

GOALS OF PROJECT: The replacement of outdated communications equipment to provide necessary interoperability of radio equipment used throughout the State of Delaware.

DESCRIPTION OF STRATEGIES: The State of Delaware currently operates an 800mghz radio system that is purchased from Motorola. The mobile radios purchased approximately 20 years ago, the Motorola mobile radios are no longer being serviced by Motorola due to lack of replacement parts. We are required to purchase upgraded Motorola mobiles to continue to operate on the state's radio system. The project funded with Justice Assistance Grant (JAG) funds will preserve the interoperability of the radio system for the City of Milford Police Department by permitting us to purchase the new mobile radios with accessories.

PROJECT IDENTIFIERS: Officer Safety
System Improvements
Equipment - General
Equipment - Tactical
Surveillance

Detailed Budget Breakdown:

D. Equipment – List non-expendable items that are purchased (Note: Organization’s own capitalization policy for classification of equipment should be used). Expendable items should be included in the “Supplies” category. Applicants should analyze the cost benefits of purchasing versus leasing equipment, especially high cost items and those subject to rapid technological advances. Rented or leased equipment costs should be listed in the “Contractual” category. Explain how the equipment is necessary for the success of the project, and describe the procurement method to be used.

EQUIPMENT (FEDERAL)

| Item | Quantity | Cost | Cost |
|----------------------------------------------------------------|----------|------------|---------------|
| APX6500 7/800 MHZ MID Power Mobile Radio (\$2,841.75 ea.) | 7 | \$2,841.75 | \$19,892.25 |
| Any overage will be paid out of City of Milford Budget. | | | FEDERAL TOTAL |
| | | | \$19,892.25 |

EQUIPMENT NARRATIVE (FEDERAL)

Equipment: The City of Milford Police Department will update its Motorola Astro Series Mobile Radios with newer models. As the older models reach their “Service Life” and become inoperable, Motorola will no longer be able to support repairs due to lack of parts on-hand and parts inventory becoming extinct. Upgrading communications between officers and the department will enhance officer and community safety. These items will be purchased through local vendors.

The City of Milford does not have pending applications submitted within the last 12 months for federally funded assistance that include request for funding to support the same project being proposed under this solicitation and will cover the identical cost items outlined in the budget narrative and worksheet in the application under this solicitations.

Budget Summary: - When you have completed the budget worksheet, transfer the totals for each category to the spaces below. Compute the total direct costs and the total project costs. Indicate the amount of Federal funds requested and the amount of non-Federal funds that will support the project.

| Budget Categories | Federal Request | Non-Federal Amounts | Total Cost |
|---------------------------|------------------------|----------------------------|-------------------|
| A. Personnel | \$0.00 | \$0.00 | \$0.00 |
| B. Fringes | \$0.00 | \$0.00 | \$0.00 |
| C. Contractual | \$0.00 | \$0.00 | \$0.00 |
| D. Equipment | \$18001.00 | \$1,891.29 | \$19,892.25 |
| E. Supplies | \$0.00 | \$0.00 | \$0.00 |
| F. Construction | \$0.00 | \$0.00 | \$0.00 |
| G. Consultants/Contracts | \$0.00 | \$0.00 | \$0.00 |
| H. Other | \$0.00 | \$0.00 | \$0.00 |
| Total Direct Costs | \$0.00 | \$0.00 | \$0.00 |
| I. Indirect Costs | \$0.00 | \$0.00 | \$0.00 |
| TOTAL PROJECT COST | \$0.00 | \$0.00 | \$19,892.25 |

| | |
|---------------------------|-------------|
| Federal Request | \$18,001.00 |
| Non-Federal Amount | \$ 1,891.29 |
| Total Project Cost | \$19,892.25 |

FY 2016 BJA Justice Assistance Grant Abstract

NAME: City of Seaford, Application #2016-H4100-DE-DJ

TITLE OF PROJECT: 800Mghz Mobile Radio Upgrade

GOALS OF PROJECT: The replacement of outdated communications equipment to provide necessary interoperability of radio equipment used throughout the State of Delaware.

DESCRIPTION OF STRATEGIES: The State of Delaware currently operates an 800mghz radio system that is purchased from Motorola. The mobile radios purchased approximately 20 years ago, the Motorola mobile radios are no longer being serviced by Motorola due to lack of replacement parts. We are required to purchase upgraded Motorola mobiles with accessories to continue to operate on the state's radio system. The project funded with Justice Assistance Grant (JAG) funds will preserve the interoperability of the radio system for the City of Seaford Police Department by permitting us to purchase the new mobile radios with accessories.

PROJECT IDENTIFIERS: Officer Safety
System Improvements
Equipment - General
Equipment - Tactical
Surveillance

Detailed Budget Breakdown:

D. Equipment – List non-expendable items that are purchased (Note: Organization’s own capitalization policy for classification of equipment should be used). Expendable items should be included in the “Supplies” category. Applicants should analyze the cost benefits of purchasing versus leasing equipment, especially high cost items and those subject to rapid technological advances. Rented or leased equipment costs should be listed in the “Contractual” category. Explain how the equipment is necessary for the success of the project, and describe the procurement method to be used.

EQUIPMENT (FEDERAL)

| Item | Quantity | Cost | Cost |
|----------------------------------------------------------------|----------|----------------------|--------------------|
| APX6500 7/800 MHZ MID Power Mobile Radio (\$2,712.00 ea.) | 5 | \$2,712.00 | \$13,560.00 |
| Extra Motorola Palm Microphones | 6 | \$61.00 | \$366.00 |
| Any overage will be paid out of City of Seaford Budget. | | FEDERAL TOTAL | \$13,926.00 |

EQUIPMENT NARRATIVE (FEDERAL)

Equipment: The City of Seaford Police Department will update its Motorola Astro Series Mobile Radios with newer models with accessories. As the older models reach their “Service Life” and become inoperable, Motorola will no longer be able to support repairs due to lack of parts on-hand and parts inventory becoming extinct. Upgrading communications between officers and the department will enhance officer and community safety. These items will be purchased through local vendors.

n

The City of Seaford does not have pending applications submitted within the last 12 months for federally funded assistance that include request for funding to support the same project being proposed under this solicitation and will cover the identical cost items outlined in the budget narrative and worksheet in the application under this solicitations.

Budget Summary: - When you have completed the budget worksheet, transfer the totals for each category to the spaces below. Compute the total direct costs and the total project costs. Indicate the amount of Federal funds requested and the amount of non-Federal funds that will support the project.

| Budget Categories | Federal Request | Non-Federal Amounts | Total Cost |
|---------------------------|------------------------|----------------------------|-------------------|
| A. Personnel | \$0.00 | \$0.00 | \$0.00 |
| B. Fringes | \$0.00 | \$0.00 | \$0.00 |
| C. Contractual | \$0.00 | \$0.00 | \$0.00 |
| D. Equipment | \$13,924.00 | \$2.00 | \$13,926.00 |
| E. Supplies | \$0.00 | \$0.00 | \$0.00 |
| F. Construction | \$0.00 | \$0.00 | \$0.00 |
| G. Consultants/Contracts | \$0.00 | \$0.00 | \$0.00 |
| H. Other | \$0.00 | \$0.00 | \$0.00 |
| Total Direct Costs | \$0.00 | \$0.00 | \$0.00 |
| I. Indirect Costs | \$0.00 | \$0.00 | \$0.00 |
| TOTAL PROJECT COST | \$0.00 | \$0.00 | \$13,926.00 |

| | |
|---------------------------|-------------|
| Federal Request | \$13,924.00 |
| Non-Federal Amount | \$ 2.00 |
| Total Project Cost | \$13,926.00 |

FY 2016 BJA Justice Assistance Grant Abstract

NAME: Town of Georgetown, Application #2016-H4100-DE-DJ

TITLE OF PROJECT: 2016 Equipment and Technology Upgrade

GOALS OF PROJECT: The Georgetown Police Departments will be using allocated grant funds to purchase In-Car Camera equipment to assist in keeping our community and officers safe. Once the financial award has been made, we will purchase the equipment. The cameras will be deployed in our patrol vehicles to enhance evidence collection and officer safety.

DESCRIPTION OF STRATEGIES: The Georgetown Police Department is requesting to use the 2016 JAG funds to replace and enhance In-Car Camera systems for our patrol section. The department intends to purchase In-Car Camera equipment in an effort to upgrade technology and to better enhance evidence collection and officer safety. Our current In-Car Cameras are starting to fail, resulting in lost video/audio. Failure to capture video evidence could lead to the dismissal of chargers, thereby, decreasing public safety. As a matter of officer and public safety, we feel the need to start the replacement process now, before crucial evidence is lost.

PROJECT IDENTIFIERS: Crime Prevention
Equipment-General
Officer Safety
Policing
Standards
Traffic Enforcement

Detailed Budget Breakdown:

D. Equipment – List non-expendable items that are purchased (Note: Organization’s own capitalization policy for classification of equipment should be used). Expendable items should be included in the “Supplies” category. Applicants should analyze the cost benefits of purchasing versus leasing equipment, especially high cost items and those subject to rapid technological advances. Rented or leased equipment costs should be listed in the “Contractual” category. Explain how the equipment is necessary for the success of the project, and describe the procurement method to be used.

EQUIPMENT (FEDERAL)

| Item | Quantity | Cost | Cost |
|--------------------------------------------------------------------------------------------------------------------------------|----------|------------|-------------|
| FB3KASA08ZSA2K4 Flashback3 syst, 8GBSD,OZ Cam, VLX, Std-Mon, Wht thru hole wifi/GPS Ant, Trunk Mount/Non0OHC or Windshield MNT | 2 | \$5,030.25 | \$10,060.60 |
| MVD-IR-CAM4 Camera, rear seat, IR kit. | 2 | \$270.00 | \$270.00 |
| FEDERAL TOTAL | | | \$10,600.00 |

EQUIPMENT NARRATIVE (FEDERAL)

Equipment: The Georgetown Police Department will update its In-Car Camera Systems with newer models. The older camera systems are nearing the end of their “Service Life.” Upgrading our In-Car Camera System will enhance community and officer safety and assist in collecting evidence.

The Town of Georgetown does not have pending applications submitted within the last 12 months for federally funded assistance that include request for funding to support the same project being proposed under this solicitation and will cover the identical cost items outlined in the budget narrative and worksheet in the application under this solicitations.

Budget Summary: - When you have completed the budget worksheet, transfer the totals for each category to the spaces below. Compute the total direct costs and the total project costs. Indicate the amount of Federal funds requested and the amount of non-Federal funds that will support the project.

| Budget Categories | Federal Request | Non-Federal Amounts | Total Cost |
|---------------------------|------------------------|----------------------------|-------------------|
| A. Personnel | \$0.00 | \$0.00 | \$0.00 |
| B. Fringes | \$0.00 | \$0.00 | \$0.00 |
| C. Contractual | \$0.00 | \$0.00 | \$0.00 |
| D. Equipment | \$10,600 | \$0.00 | \$10,600 |
| E. Supplies | \$0.00 | \$0.00 | \$0.00 |
| F. Construction | \$0.00 | \$0.00 | \$0.00 |
| G. Consultants/Contracts | \$0.00 | \$0.00 | \$0.00 |
| H. Other | \$0.00 | \$0.00 | \$0.00 |
| Total Direct Costs | \$0.00 | \$0.00 | \$0.00 |
| I. Indirect Costs | \$0.00 | \$0.00 | \$0.00 |
| TOTAL PROJECT COST | \$0.00 | \$0.00 | \$10,600 |

| | |
|---------------------------|-------------|
| Federal Request | \$10,600.00 |
| Non-Federal Amount | \$ 0.00 |
| Total Project Cost | \$10,600.00 |

Abstract
Laurel DE Police Department
Title-Purchase of Police Vehicle
Federal BJAG-2016
Application #2016-H4100-DE-DJ

The goal of this project is to provide for improved law enforcement services in the Town of Laurel. The Town is requesting that these funds be used to defray a portion of the costs associated with the purchase of a new police vehicle to replace one which is at the end of its useful life and is exhibiting signs of substantial wear.

The Town's strategy calls for ensuring that the police department fleet remains in good repair and that aging vehicles be replaced on a regular schedule. However, budgetary considerations dictate that the Town cannot purchase this vehicle on its own. Due to the critical nature of this need, it is imperative that the Town obtain grant funding to make this purchase. Laurel's ability to raise additional tax revenue is severely limited due to the relatively small assessable base.

The current budget only allows for operations and maintenance. No monies are available for new initiatives or new equipment despite the necessity.

The poverty rate is extremely high at 30.3%, while the rate for the nation is 15.6% and the rate for the state of Delaware is 12.0%. The unemployment rate in Laurel as of March of 2016 was 5.8%, compared to 4.4% for the state of Delaware. All of the statistics below are taken from the 2010-14 American Community Survey prepared by the US Census Bureau. Another indicator of distress is the percentage of owner-occupied houses as compared to rentals. 49.3% of the housing units in Laurel are owner-occupied, compared to 71.6% in the state of Delaware. Rental units are associated with lower incomes in many instances.

The median household income for Laurel is \$33,387, compared to \$60,231 for the state of Delaware.

The vehicle being replaced is not suitable for continued use. It is not reliable due to its age, mileage, and state of wear and tear. The Town depends upon its police patrol vehicles as the primary work platform for the department. It is essential that we be visible consistently. Our eventual goal is to reduce the crime rate substantially. This has hampered the state of safety in Laurel and has not allowed the police department to deliver the optimum public safety level of service. This situation has a serious impact on the confidence of the citizens in the department's ability to protect them.

Project Identifiers

Equipment- General
Traffic Enforcement
Crime Prevention
Policing
Equipment Tactical

Detailed Budget Breakdown:

D. Equipment – List non-expendable items that are purchased (Note: Organization’s own capitalization policy for classification of equipment should be used). Expendable items should be included in the “Supplies” category. Applicants should analyze the cost benefits of purchasing versus leasing equipment, especially high cost items and those subject to rapid technological advances. Rented or leased equipment costs should be listed in the “Contractual” category. Explain how the equipment is necessary for the success of the project, and describe the procurement method to be used.

EQUIPMENT (FEDERAL)

| Item | Quantity | Cost | Cost |
|---------------------|----------|-------------|-------------|
| 2015 Police Vehicle | 1 | \$24,405.00 | \$24,405.00 |
| FEDERAL TOTAL | | | \$24,405.00 |

EQUIPMENT NARRATIVE (FEDERAL)

Equipment: The Town of Laurel Police Department will be using these fund to defray a portion of the costs associated with the purchase of a new police vehicle as current vehicle is not reliable due to age, mileage, and state of wear and tear. The purchase of this new vehicle will increase officer and public safety.

The Town of Laurel does not have pending applications submitted within the last 12 months for federally funded assistance that include request for funding to support the same project being proposed under this solicitation and will cover the identical cost items outlined in the budget narrative and worksheet in the application under this solicitations.

Budget Summary: - When you have completed the budget worksheet, transfer the totals for each category to the spaces below. Compute the total direct costs and the total project costs. Indicate the amount of Federal funds requested and the amount of non-Federal funds that will support the project.

| Budget Categories | Federal Request | Non-Federal Amounts | Total Cost |
|---------------------------|------------------------|----------------------------|--------------------|
| A. Personnel | \$0.00 | \$0.00 | \$0.00 |
| B. Fringes | \$0.00 | \$0.00 | \$0.00 |
| C. Contractual | \$0.00 | \$0.00 | \$0.00 |
| D. Equipment | \$10,035.00 | \$14,370.00 | \$24,405.00 |
| E. Supplies | \$0.00 | \$0.00 | \$0.00 |
| F. Construction | \$0.00 | \$0.00 | \$0.00 |
| G. Consultants/Contracts | \$0.00 | \$0.00 | \$0.00 |
| H. Other | \$0.00 | \$0.00 | \$0.00 |
| Total Direct Costs | \$0.00 | \$0.00 | \$0.00 |
| I. Indirect Costs | \$0.00 | \$0.00 | \$0.00 |
| TOTAL PROJECT COST | \$0.00 | \$0.00 | \$24,405.00 |

| | |
|---------------------------|-------------|
| Federal Request | \$10,035.00 |
| Non-Federal Amount | \$14,370.00 |
| Total Project Cost | \$24,405.00 |

GMS APPLICATION NUMBER: 2016-H4100-DE-DJ

THE STATE OF DELAWARE

COUNTY OF SUSSEX

KNOWN ALL BY THESE PRESENT

INTERLOCAL AGREEMENT

BETWEEN SUSSEX COUNTY, THE CITY OF MILFORD, THE CITY OF SEAFORD, THE TOWN OF GEORGETOWN AND THE TOWN OF LAUREL ALL BEING LOCATED IN SUSSEX COUNTY IN THE STATE OF DELAWARE.

EDWARD BYRNE MEMORIAL
JUSTICE ASSISTANCE GRANT (JAG)
FY 2016 LOCAL SOLICITATION

This Agreement is made and entered into this **21st day of June, 2016**, by and between the City of Milford, City of Seaford, Town of Georgetown and the Town of Laurel, acting by and through its respective governing bodies, the City and Town Council, hereinafter referred to as the CITY, of Sussex County, State of Delaware, withesseth:

WHEREAS, this Agreement is made under the authority of respective City and Town Charters.

WHEREAS, each governing body, in performing governmental functions or in paying for performance of governmental functions hereunder, shall make that performance or those payments from current revenues legal available to that party: and

WHEREAS, each governing body finds that the performance of this Agreement is in the best interests of all parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services of functions under this Agreement: and

WHEREAS, the City, Town and County believe it to be in their best interests to reallocate the JAG Funds

NOW THEREFORE, the County of Sussex, City of Milford, City of Seaford, Town of Georgetown and Town of Laurel agree as follows:

Section 1.

The City of Milford agrees to accept \$18,001 as its share of the JAG funds and also agrees to be the fiscal agent that will submit a joint application.

Section 2.

The City of Seaford agrees to accept \$13,924 as its share of JAG funds.

Section 3.

The Town of Georgetown agrees to accept \$10,600 as its share of JAG funds.

Section 4.

The Town of Laurel agrees to accept \$10,035 as its share of JAG funds.

Section 5.

Sussex County is not eligible for any funds under this Agreement.

Section 6.

Each party to this Agreement will be responsible for its own action in providing services under this Agreement and shall not be liable for any civil liability that may arise from the furnishing of the services by the other party.

Section 7.

The parties to this Agreement do not intend for any third party to obtain a right by virtue of this Agreement.

Section 8.

By entering into this Agreement, the parties do not intend to create any obligations express or implied other than those set out herein; further, this Agreement shall not create any rights in any party not a signatory hereto.

CITY OF MILFORD



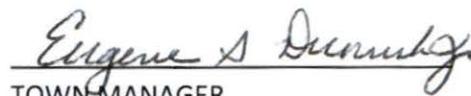
MAYOR

CITY OF SEAFORD



MAYOR

TOWN OF GEORGETOWN



TOWN MANAGER

TOWN OF LAUREL



TOWN MANAGER

SUSSEX COUNTY



COUNTY ADMINISTRATOR

**CITY OF MILFORD
FUND BALANCES REPORT**

Date: May 2016

| | |
|-------------------------------------------|-------------|
| Cash Balance - General Fund Bank Balance | \$2,300,043 |
| Cash Balance - Electric Fund Bank Balance | \$2,996,141 |
| Cash Balance - Water Fund Bank Balance | \$805,864 |
| Cash Balance - Sewer Fund Bank Balance | \$1,243,930 |
| Cash Balance - Trash Fund Bank Balance | \$282,536 |

| | <u>General Improvement</u> | <u>Municipal Street Aid</u> | <u>Real Estate Transfer Tax</u> | <u>Solid Waste Reserves</u> |
|----------------------------|--------------------------------|---------------------------------|-------------------------------------|---------------------------------|
| Beginning Cash Balance | 418,081 | 1,305,587 | 1,611,845 | 0 |
| Deposits | | | 64,771 | |
| Interest Earned this Month | 184 | | 718 | |
| Disbursements this Month | | 575 | (48,334) | |
| Investments | | | | 250,000 |
| Ending Cash Balance | \$418,265 | \$1,306,162 | \$1,629,000 | \$250,000 |

| | <u>GF Capital Reserves</u> | <u>Water Capital Reserves</u> | <u>Sewer Capital Reserves</u> | <u>Electric Reserves</u> |
|----------------------------|--------------------------------|-----------------------------------|-----------------------------------|------------------------------|
| Beginning Cash Balance | 1,781,979 | 7,164,544 | 3,438,897 | 6,737,919 |
| Deposits | | | | |
| Interest Earned this Month | 14 | 58 | 29 | 55 |
| Disbursements this Month | (195) | (784) | (27,849) | (737) |
| Investments | 250,000 | | | |
| Ending Cash Balance | \$2,031,798 | \$7,163,818 | \$3,411,077 | \$6,737,237 |

| | <u>Water Impact Fee</u> | <u>Sewer Impact Fee</u> | <u>Electric Impact Fee</u> | <u>Economic Development Fund</u> |
|----------------------------|-----------------------------|-----------------------------|--------------------------------|--------------------------------------|
| Beginning Cash Balance | \$1,447,852 | 941,964 | 422,715 | 886,713 |
| Deposits | 11,337 | 5,990 | 3,000 | \$500 |
| Interest Earned this Month | | | | |
| Disbursements this Month | | | | (\$11,730) |
| Investments | | | | |
| Ending Cash Balance | \$1,459,189 | \$947,954 | \$425,715 | \$875,483 |

INTEREST THROUGH THE ELEVENTH MONTH OF THE FISCAL YEAR:

| | | | |
|--------------------------|--------|------------------------|-------|
| General Fund | 10,864 | Water Fund | 2,489 |
| GF Capital Reserves | 1,563 | Water Capital Reserves | 5,690 |
| Municipal Street Aid | 1,987 | Sewer Fund | 1,933 |
| Real Estate Transfer Tax | 2,674 | Sewer Capital Reserves | 2,927 |
| Electric Fund | 6,064 | Trash Fund | 6,297 |
| Electric Reserves | 4,858 | | |

TOTAL INTEREST EARNED TO DATE \$47,346

REVENUE REPORT

Page Two

92% of Year Expended

| Date: May 2016 | AMOUNT BUDGETED | MTD | YTD | YTD% |
|------------------------------------------------|---------------------|--------------------|---------------------|---------------|
| ACCOUNT | | | | |
| Economic Development Fund | 182,755 | 6,122 | 127,410 | 69.72% |
| General Fund Reserves | 304,750 | 21,177 | 149,776 | 49.15% |
| Realty Transfer Tax-Police | 575,000 | 48,334 | 526,667 | 91.59% |
| Real Estate Tax | 3,731,000 | 5,096 | 3,764,919 | 100.91% |
| Business License | 35,000 | 2,050 | 36,375 | 103.93% |
| Rental License | 85,000 | 425 | 86,375 | 101.62% |
| Building Permits | 60,000 | 6,628 | 82,811 | 138.02% |
| Planning & Zoning | 15,000 | 1,183 | 20,138 | 134.25% |
| Grasscutting Revenue | 16,000 | 3,000 | 13,000 | 81.25% |
| Police Revenues | 437,000 | 10,137 | 356,428 | 81.56% |
| Misc. Revenues | 268,000 | 34,140 | 236,668 | 88.31% |
| Transfers From | 3,215,480 | 267,958 | 2,947,524 | 91.67% |
| Total General Fund Revenues | \$8,924,985 | \$406,250 | \$8,348,091 | 93.54% |
| Water Revenues | 2,901,930 | 225,291 | 2,563,260 | 88.33% |
| Sewer Revenues | 2,306,500 | 204,843 | 2,354,990 | 102.10% |
| Kent County Sewer | 1,700,000 | 143,905 | 1,676,483 | 98.62% |
| Solid Waste Revenues | 1,113,855 | 92,085 | 1,004,192 | 90.15% |
| Electric Revenues | 26,185,126 | 1,719,497 | 22,857,660 | 87.29% |
| TOTAL REVENUES | \$43,132,396 | \$2,791,871 | \$38,804,676 | 89.97% |
| YTD Enterprise Expense | | 58,173 | | |
| YTD Enterprise Revenue | | 63,831 | | |
| LTD Carlisle Fire Company Building Permit Fund | | 126,394 | | |

EXPENDITURE REPORT

Page Three

Date: May 2016

92% of Year Expended

| ACCOUNT | AMOUNT BUDGETED | MTD | YTD | YTD% | UNEXPENDED BALANCE |
|-------------------------------------------|--------------------|-----------------|------------------|---------------|-----------------------|
| City Manager | | | | | |
| Personnel | 455,732 | \$28,613 | 390,119 | 85.60% | 65,613 |
| O&M | 169,928 | \$3,055 | 145,772 | 85.78% | 24,156 |
| Capital | 0 | \$0 | 0 | | 0 |
| Total City Manager | \$625,660 | \$31,668 | \$535,891 | 85.65% | 89,769 |
| Planning & Zoning | | | | | |
| Personnel | 164,730 | \$13,384 | 146,244 | 88.78% | 18,486 |
| O&M | 40,130 | \$2,198 | 36,623 | 91.26% | 3,507 |
| Capital | 0 | \$0 | 0 | | 0 |
| Total P, C & I | \$204,860 | \$15,582 | \$182,867 | 89.26% | 21,993 |
| Code Enforcement & Inspections | | | | | |
| Personnel | 150,420 | \$11,347 | 128,984 | 85.75% | 21,436 |
| O&M | 67,940 | \$3,969 | 38,124 | 56.11% | 29,816 |
| Capital | 0 | \$0 | 0 | | 0 |
| Total P, C & I | \$218,360 | \$15,316 | \$167,108 | 76.53% | 51,252 |
| Council | | | | | |
| Personnel | 31,225 | \$3,169 | 27,312 | 87.47% | 3,913 |
| O&M | 45,480 | \$5,588 | 40,792 | 89.69% | 4,688 |
| Council Expense | 22,115 | \$1,744 | 20,905 | 94.53% | 1,210 |
| Contributions | 211,000 | \$0 | 211,000 | 100.00% | 0 |
| Codification | 6,401 | \$476 | 6,400 | 99.98% | 1 |
| Employee Recognition | 11,495 | \$0 | 11,492 | 99.97% | 3 |
| Insurance | 24,365 | \$0 | 20,088 | 82.45% | 4,277 |
| DEDO/Downtown Grant | 23,250 | \$19,000 | 22,250 | 95.70% | 1,000 |
| Economic Development | 6,950 | \$1,288 | 6,288 | 90.47% | 662 |
| Armory Expenses | 17,604 | \$50 | 6,151 | 34.94% | 11,453 |
| Total Council | \$399,885 | \$31,315 | \$372,678 | 93.20% | 27,207 |
| Finance | | | | | |
| Personnel | 391,425 | \$34,365 | 328,053 | 83.81% | 63,372 |
| O&M | 58,855 | \$6,617 | 53,212 | 90.41% | 5,643 |
| Capital | 6,425 | \$0 | 6,424 | 99.98% | 1 |
| Total Finance | \$456,705 | \$40,982 | \$387,689 | 84.89% | 69,016 |
| Information Technology | | | | | |
| Personnel | 156,600 | \$13,618 | 103,447 | 66.06% | 53,153 |
| O&M | 175,480 | \$3,816 | 160,783 | 91.62% | 14,697 |
| Capital | 62,760 | \$1,400 | 62,683 | 99.88% | 77 |
| Total Information Technology | \$394,840 | \$18,834 | \$326,913 | 82.80% | 67,927 |

EXPENDITURE REPORT

Page Four

Date: May 2016

92% of Year Expended

| ACCOUNT | AMOUNT BUDGETED | MTD | YTD | YTD% | UNEXPENDED BALANCE |
|---------------------------------------|--------------------|------------------|--------------------|---------------|-----------------------|
| Police Department | | | | | |
| Personnel | 3,874,637 | \$302,283 | 3,299,446 | 85.15% | 575,191 |
| O&M | 519,868 | \$25,762 | 479,814 | 92.30% | 40,054 |
| Capital | 84,000 | \$0 | 80,900 | 96.31% | 3,100 |
| Total Police | \$4,478,505 | \$328,045 | \$3,860,160 | 86.19% | 618,345 |
| Streets & Grounds Division | | | | | |
| Personnel | 470,530 | \$29,442 | 351,507 | 74.70% | 119,023 |
| O&M | 458,605 | \$18,964 | 282,065 | 61.50% | 176,540 |
| Capital | 120,000 | \$0 | 114,996 | 95.83% | 5,004 |
| Debt Service | 17,140 | \$0 | 15,975 | 93.20% | 1,165 |
| Total Streets & Grounds | \$1,066,275 | \$48,406 | \$764,543 | 71.70% | 301,732 |
| Parks & Recreation | | | | | |
| Personnel | 578,680 | \$47,467 | 509,531 | 88.05% | 69,149 |
| O&M | 259,923 | \$25,316 | 204,067 | 78.51% | 55,856 |
| Capital | 241,292 | \$2,527 | 67,749 | 28.08% | 173,543 |
| Total Parks & Recreation | \$1,079,895 | \$75,310 | \$781,347 | 72.35% | 298,548 |
| Total General Fund | | | | | |
| Operating Budget | \$8,924,985 | \$605,458 | \$7,379,196 | 82.68% | 1,545,789 |

EXPENDITURE REPORT

Page Five

Date: May 2016

92% of Year Expended

| ACCOUNT | AMOUNT BUDGETED | MTD | YTD | YTD% | UNEXPENDED BALANCE |
|-------------------------------------------|---------------------|--------------------|---------------------|---------------|-----------------------|
| Water Division | | | | | |
| Personnel | 310,855 | \$23,184 | 269,625 | 86.74% | 41,230 |
| O&M | 1,029,160 | \$61,621 | 789,584 | 76.72% | 239,576 |
| Capital | 583,000 | \$0 | 156,906 | 26.91% | 426,094 |
| Debt Service | 978,915 | \$0 | 785,230 | 80.21% | 193,685 |
| Total Water | \$2,901,930 | \$84,805 | \$2,001,345 | 68.97% | 900,585 |
| Sewer Division | | | | | |
| Personnel | 310,855 | \$23,181 | 269,602 | 86.73% | 41,253 |
| O&M | 1,151,560 | \$121,957 | 906,734 | 78.74% | 244,826 |
| Capital | 286,630 | \$0 | 51,329 | 17.91% | 235,301 |
| Debt Service | 557,455 | \$0 | 409,339 | 73.43% | 148,116 |
| Sewer Sub Total | \$2,306,500 | \$145,138 | \$1,637,004 | 70.97% | 669,496 |
| Kent County Sewer | 1,700,000 | \$143,828 | 1,676,675 | 98.63% | 23,325 |
| Total Sewer | \$4,006,500 | \$288,966 | \$3,313,679 | 82.71% | 692,821 |
| Solid Waste Division | | | | | |
| Personnel | 390,810 | \$27,850 | 334,977 | 85.71% | 55,833 |
| O&M | 723,045 | \$61,790 | 566,887 | 78.40% | 156,158 |
| Capital | 0 | \$0 | 0 | | 0 |
| Total Solid Waste | \$1,113,855 | \$89,640 | \$901,864 | 80.97% | 211,991 |
| Total Water, Sewer Solid Waste | | | | | |
| | \$8,022,285 | \$463,411 | \$6,216,888 | 77.50% | 1,805,397 |
| Electric Division | | | | | |
| Personnel | 1,256,805 | \$92,903 | 1,045,910 | 83.22% | 210,895 |
| O&M | 1,746,226 | \$96,964 | 1,361,302 | 77.96% | 384,924 |
| Transfer to General Fund | 2,500,000 | \$208,334 | 2,291,667 | 91.67% | 208,333 |
| Capital | 712,500 | \$65,739 | 177,609 | 24.93% | 534,891 |
| Debt Service | 344,595 | \$0 | 250,573 | 72.72% | 94,022 |
| Electric Sub Total | \$6,560,126 | \$463,940 | \$5,127,061 | 78.15% | 1,433,065 |
| Power Purchased | 19,625,000 | \$1,399,837 | 16,819,158 | 85.70% | 2,805,842 |
| Total Electric | \$26,185,126 | \$1,863,777 | \$21,946,219 | 83.81% | 4,238,907 |
| TOTAL OPERATING BUDGET | | | | | |
| | \$43,132,396 | \$2,932,646 | \$35,542,303 | 82.40% | 7,590,093 |

INTERSERVICE DEPARTMENTS REPORT

Page Six

Date: May 2016

| ACCOUNT | AMOUNT BUDGETED | MTD | YTD | 92% of Year Expended | UNEXPENDED BALANCE |
|----------------------------------------|--------------------|---------------|------------------|----------------------|-----------------------|
| | | | | YTD% | |
| Garage | | | | | |
| Personnel | 87,380 | 6,592 | 76,040 | 87.02% | 11,340 |
| O&M | 73,580 | 527 | 40,956 | 55.66% | 32,624 |
| Capital | 0 | 0 | 0 | | 0 |
| Total Garage Expense | \$160,960 | 7,119 | \$116,996 | 72.69% | 43,964 |
| Public Works | | | | | |
| Personnel | 162,720 | 5,846 | 63,529 | 39.04% | 99,191 |
| O&M | 208,075 | 12,043 | 131,098 | 63.01% | 76,977 |
| Capital | 0 | 0 | 0 | | 0 |
| Total Public Works Expense | \$370,795 | 17,889 | \$194,627 | 52.49% | 176,168 |
| Billing & Collections | | | | | |
| Personnel | 539,665 | 39,881 | 463,099 | 85.81% | 76,566 |
| O&M | 208,420 | 15,277 | 178,900 | 85.84% | 29,520 |
| Capital | 20,000 | 0 | 17,285 | 86.43% | 2,715 |
| Total Billing & Collections | \$768,085 | 55,158 | \$659,284 | 85.83% | 108,801 |
| City Hall Cost Allocation | | | | | |
| Personnel | 0 | 0 | 0 | | 0 |
| O&M | 57,630 | 4,811 | 43,773 | 75.96% | 13,857 |
| Capital | 0 | 0 | 0 | | 0 |
| Total City Hall Cost Allocation | \$57,630 | 4,811 | \$43,773 | 75.96% | 13,857 |

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
June 13, 2016

A Meeting of Milford City Council was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall on Monday, June 13, 2016.

PRESIDING: Mayor Bryan Shupe

IN ATTENDANCE: Councilpersons Christopher Mergner, Arthur Campbell, Lisa Ingram Peel, James Burk, Owen Brooks, Jr., and James Starling Sr.

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

COUNSEL: City Solicitor David Rutt, Esquire

CALL TO ORDER

Mayor Shupe called the Council Meeting to order at 7:03 p.m.

INVOCATION AND PLEDGE

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

APPROVAL OF PREVIOUS MINUTES

Motion to approve the May 9, 10, 17 and 23, 2016 Committee and Council Meeting minutes made by Mr. Brooks, seconded by Mr. Burk. Motion carried.

RECOGNITION

No special guests in attendance.

MONTHLY POLICE REPORT

Police Committee Chair Burk presented the monthly report on behalf of Chief Brown. Mr. Burk moved to accept, seconded by Ms. Peel. Motion carried.

CITY MANAGER REPORT

The City Manager said he distributed his monthly report approximately a week ago and has not heard any questions or comments. Thereby, Ms. Peel moved to accept the City Manager's report, seconded by Mr. Starling. Motion carried.

COMMITTEE & WARD REPORTS

None to report.

COMMUNICATIONS & CORRESPONDENCE

Included in packet.

UNFINISHED BUSINESS

Truitt Avenue and Washington Street Improvements/Extension Approval/Three-Year Funding Period

City Manager Norenberg recalled that during the last council meeting, the Truitt Avenue and Washington Street Utility Improvement project was approved. Based on the city policy that capital funds are available for three years, that period is

scheduled to expire on June 30, 2016. The work is scheduled to begin next week and should only take a few days. Though it should be completed prior to the deadline, any inclement weather could impact it so it is recommended an extension be authorized to ensure those funds are available after June 30th to ensure its completion.

Mr. Brooks moved to approve the extension of the three-year capital funding deadline to ensure completion of the Truitt Avenue and Washington Street Improvements Project, seconded by Mr. Burk. Motion carried.

Appointment/City of Milford Workforce Development Commissioner

Mayor Shupe informed council this is a commission that connects the Milford School District and the City of Milford and provides student employment in our community. He is recommending that Anne Villalobos of 2 Royal Court, Orchard Hill, be appointed to fill the recent vacancy on that commission.

Ms. Peel moved to appoint Anne Villalobos to the Workforce Development Commission, seconded by Mr. Mergner. Motion carried.

*Appointment(s)/City of Milford Planning Commissioner
Vacancy/City of Milford Planning Commission*

Mayor Shupe reminded council that the application for the various boards and commissions are now on line. City Manager Norenberg and he interviewed the applicants earlier this evening. The first planning commission vacancy is a result of Councilman Campbell winning the April election; Mayor Shupe recommends Michael Boyle to fill that seat. Mr. Boyle is retired military with previous experience in architectural review and local government.

Based on Mayor Shupe's recommendation, Mr. Burk moved to appoint Michael Boyle of 43 Meadow Lark Drive, Meadows at Shawnee to fill the vacancy, seconded by Mr. Campbell. Motion carried.

Mayor Shupe referenced the letter of resignation received from Planning Commissioner Kerry Fry who is resigning for personal and family reasons. The mayor recommends filling the second vacancy by Raymond Lynch of 3702H South Sagamore Drive, Hearthstone Manor. Mr. Lynch is a retired civil engineer which he feels will be of value to this commission.

Ms. Peel moved to appoint Ray Lynch to fill the second vacancy on the City of Milford Planning Commission, seconded by Mr. Campbell. Motion carried.

NEW BUSINESS

Bid Award/Goat Island Nature Trail/Misphillion Greenway Phase 22-2

Sealed bids were received, publicly opened and read on May 12, 2016 for the above project. The following bids were received:

| Contractor | Base Bid | Alternate 1 | Alternate 2 | Alternate 3 | TOTAL + Alternates |
|-----------------------------------|----------|-------------|-------------|-------------|--------------------|
| Norman W. Johnson Builders LLC | 18,600 | 55,200 | 9,000 | 11,000 | 93,800 |
| Thompson & Sons Contracting, Inc. | 56,910 | 60,669 | 4,599 | 10,847 | 133,025 |

The City Manager reported the project will be paid through a \$50,000 DNREC grant in addition to \$50,000 in city funds. It will include three overlook areas on goat island and a pavilion area to be used for educational purposes and activities.

The project received only one proposal when it was originally bid earlier this year. That proposal was extremely high when compared to our consultant's (Landscape Architectural Services) estimate and the reason the project was rebid last month.

Though only two bids were received, Matt Spong of Landscape Architectural Services recommended to city staff that the

project be awarded to the low bidder Norman W. Johnson for the base bid and alternates 1 and 3, which will allow the overlooks and pavilion work to be added.

The gravel and trail improvements will be done in house versus accepting alternate 2 which would put the project over budget.

Mr. Mergner confirmed this project received only one bid after the first announcement and that only two bids were received the second round. Mr. Norenberg explained that Landscape Architects did a lot of outreach to vendors attempting to encourage participation though the end result was two bids.

Ms. Peel moved to award the Goat Island Nature Trail/Mispyllion Greenway Phase 22-2, including the base bid and alternate 1 and alternate 3, to Norman W. Johnson Builders for a contract total of \$84,800, seconded by Mr. Starling. Motion carried.

Approval/DBF Proposal/Shawnee Acres Pump Station Evaluation/Sewer Reserves

City Manager Norenberg explained that an evaluation of the City of Milford's Shawnee Acres Pump Station was needed to provide a recommended path as we move forward with recommended upgrades, scheduling, and capacity to this pump station, as it relates to future development and additional users to southeast Milford.

The scope of works is as follows:

Determine the current capacity of the existing pump station with the recent upgrade to a portion of the pump station forcemain.

Calculate the required size of the pump station needed to meet the demand from both short and long term future development in the southeast portion of the City.

Incorporate the findings and recommendations of previous southeast sewer system analyses performed between 2008 and 2014.

Assess the ability of the existing pump station to meet the above short and long term area demands and provide recommendations for future upgrades/improvements.

Prepare a design and construction cost estimate to implement the recommended up grades/improvements.

Evaluate a means of equitably distributing the cost of the pump station upgrades/improvements between the City and the area developments impacting the station.

The scope of services is proposed for a lump sum fee of \$7,800. Though the agreement was previously signed, it was later discovered that city council had not approved the allocation from reserves.

Mr. Brooks asked if as these properties are developed, will the developers be reimbursing the city; Randy Duplechain from Davis, Bowen and Friedel was present and explained that the funding, based on approval of the Shawnee upgrade, would be part of the \$4 million loan/grant money from the USDA. According to Mr. Duplechain, it would not be directly reimbursed though a partial reimbursement could be required from any future development in the area. Part of the analysis would be to determine what that cost share will be.

Mr. Brooks moved that City Council authorize the use of Sewer Reserve funds for the Shawnee Acres Pump Station Evaluation as outlined in the March 8, 2016 proposal for a lump sum of \$7,800, seconded by Mr. Starling. Motion carried.

*Introduction/Ordinance 2016-06/Mispyllion Realty LLC/Conditional Use/PUD & Major Subdivision;
Tax Map 1-30-3.00-077.01; -078.00; -080.02; -443.00 thru -561.00*

Mayor Shupe then introduced Ordinance 2016-06 and asked Planning Coordinator Rob Pierce to comment.

Ordinance 2016-06

Mispiration Realty LLC for a Conditional Use for a Planned Unit Subdivision and a Preliminary Major Subdivision of 23.35+/- acres in an R3 (Garden Apartment and Townhouse) Zoning District. Property is located on the east side of Old Shawnee Road, Milford, Delaware. Present Use: Vacant Land; Proposed Use: Townhouse and Garden Apartment Subdivision. Tax Map 1-30-3.00-077.01; -078.00; -080.02; -443.00 THRU -561.00

WHEREAS, the City of Milford Planning Commission will consider the conditional use application at a Public Hearing on May 17, 2016; and

WHEREAS, Milford City Council will hold a Public Hearing on June 27, 2016 to allow for public comment and further review of the ordinance; and

WHEREAS, it is deemed in the best interest of the City of Milford to allow a Conditional Use for a Planned Unit Residential Development as herein described.

NOW, THEREFORE, the City of Milford hereby ordains as follows:

Section 1. Upon the adoption of this ordinance, Mispiration Realty LLC is hereby granted a Conditional Use Permit to allow a Planned Unit Residential Development, in accordance with the application, approved plans and any conditions set forth at the Public Hearings.

Section 2. Construction or operation shall commence within one year of the date of issuance of the permit otherwise the conditional use becomes void.

Section 3. Dates.

Planning Commission Review & Public Hearing: May 17, 2016

City Council Introduction: June 13, 2016

City Council Public Hearing: June 27, 2016

Adoption (Projected): June 27, 2016

This ordinance shall take effect and be in force ten days after its adoption.

Mr. Pierce explained this ordinance will allow a PUD at the Brookstone Trace Subdivision owned by Mispiration Realty LLC Project that was reviewed by the planning commission in May. The project was originally a 119-townhouse subdivision though their layout has been changed to allow some adjacent land to be incorporated. It is now being presented as a 104-unit townhouse community with 60 apartment buildings. A public hearing is scheduled before city council at the June 27th meeting.

Approval/Verizon Lease Agreement/Water Storage Tower/DOV Shawnee

Mr. Norenberg explained the city has been in negotiations with Verizon since before he became City Manager. Davis, Bowen and Friedel has been working with Interim City Manager/Finance Director Jeff Portmann to negotiate a favorable agreement with Verizon Wireless for cell phones, antennas and equipment on top of the new southeast Milford tower and ground level equipment.

He referenced the four exhibits in the packet showing the site and equipment location and an image of the tower top containing the various antennas.

The agreement starts with \$24,000 annual payments and escalates by 3% per year.

Mr. Mergner moved to approval of the Verizon Lease Agreement (Site Name: DOV Shawnee) as presented, seconded by Ms. Peel. Motion carried.

Agreement/First State Inspection Agency/Commercial Plan Review & Building Inspection Services

Planning Coordinator Pierce said a few months ago, his department put out a Request for Qualifications for inspection agencies that can perform commercial inspections though this will mainly apply to the new Bayhealth facility. First State Inspections and AECOM responded.

Mr. Pierce recommends awarding the RFQ to First State Inspection Agency, not only for the inspection of the Bayhealth Project, but for any additional assistance that may be needed with other commercial applications. The proposal is a three-year, open-ended agreement.

Mr. Pierce explained that the commercial inspection needed for Bayhealth will be paid by revenues generated through their building permit. Based on the fee schedule and service agreement, there will be sufficient funds to pay this agreement and anticipates receiving more than \$300,000 in building permit revenues. The contract is slightly more than \$100,000 based on square footage. It was noted that no up front costs will be paid out and that payment will only be made for services completed.

It was confirmed that any inspections would be based on the city's code. Mr. Norenberg stated that given how critical the Bayhealth project will be, this will ensure the city has resources to keep pace with the workload of the project. Because of the size and complexity, additional inspection skills will also be required. He noted that our current building inspector will not inspect everything as some of the trades require state or other agency inspections.

Mr. Mergner asked if First State will need to be tutored on our code, Mr. Pierce explained that they have inspectors certified with the 2006 IRC and IBC codes which the city uses.

Mr. Campbell questioned the condition that First State shall not be permitted to subcontract with any individual or entity to complete any obligation under this agreement unless they receive written consent from the city. Mr. Pierce stated they understand that provision and have reviewed the document in its entirety. Initially, the city included a clause that would allow other inspection agencies to be used for similar services. First State wanted to be the sole inspection agency though the city will be allowed to perform in-house inspections.

Mr. Brooks moved to authorize the agreement with First State Inspection Agency for Commercial Plan Review and Building Inspection Services as recommended by staff, seconded by Ms. Peel. Motion carried.

Authorization/City of Milford Employee Vision Care Benefit

The city planner recalled the opportunity to add an employee vision care benefit as was discussed during the budget hearings last month. This is the result of some cost savings due to lower Life/AD&D and LTD rates. When a comparison was done, rates were requested for vision care with EyeMed coming with the lowest four-year rate guarantee. It includes vision coverage for all city employees and an optional coverage for dependents.

Hearing coverage is also available through this program though our HR Manager stated she wasn't made aware of it at the time the comparison was done.

The City Manager said that based on the support of council expressed during the budget hearings, he contacted the Teamsters and the union representative at Milford Police Department. He received a reply this afternoon that the Teamsters could not support this benefit being offered to any police officers covered by the union contract because it could be a potential unfair labor practice and would conflict with the efforts underway in terms of binding interest arbitration.

He hopes to work things out in the next couple of weeks and be able to extend this benefit to our police officers and when the contract is ultimately resolved, it will include all employees and not just non-union employees.

Mr. Norenberg recommends proceeding with this benefit for the non-union employees at this time and referenced the provision in the expired contract (still being followed) that includes a 'me-too' clause in terms of benefits for non-union employees that must also be provided to union employees.

He also noted that the vendor will need to do some adjustments in the calculations because it was based on our full employee

count and will now be a lesser number with the union officers excluded. He does not expect the cost to increase too much in the interim in the per capita amount.

Mr. Mergner moved to approve the new Vision Care program for City of Milford employees effective July 1, 2016, with the exception of those employees represented by Teamsters Local 326 until such time as the City and the Teamsters can agree to terms, seconded by Ms. Peel. Motion carried.

Adoption/Resolution 2016-09/City of Milford FY 2016-2017 Annual and Capital Budgets

Mr. Norenberg recalled the Finance Committee's budget workshops held on June 7th and June 8th. He recalled a few changes were made during those reviews as was recommended by the finance committee. He pointed out that is the removal of the \$100,000 funding for sidewalks improvements in addition to a couple minor adjustments.

Mr. Burk moved to adopt Resolution 2016-09 approving the FY 2016-2017 Budget as presented by the City Manager and Finance Director and amended by the Finance Committee during budget hearings last week, seconded by Mr. Campbell:

ADOPTING THE CITY OF MILFORD
FISCAL YEAR 2016-2017 BUDGET & CAPITAL PROGRAM

WHEREAS, the operating and capital budgets of the City of Milford for the Fiscal Year 2016-2017 were prepared and submitted to the City Council by the City Manager in accordance with Article VI 'Financial Procedures' of the City Charter; and

WHEREAS, the City Council was presented with the proposed budget following a comprehensive study and review by the Finance Committee while meeting in public sessions on June 7, 2016 and June 8, 2016; and

WHEREAS, in the opinion of the City Council, the budget accurately, as possible, reflects the city's anticipated revenues and expenditures for the fiscal year beginning July 1, 2016 and ending June 30, 2017.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MILFORD, that the City of Milford's Operating Budget for Departments shown under General Fund as Administration, Planning and Zoning, Code Enforcement and Inspections, Finance, Information Technology, Police, Streets, Parks and Recreation and Council; and the Water, Sewer, Sanitation and Electric Departments was adopted and approved as the budget of the City of Milford for Fiscal Year 2016-2017 in the following amounts:

Operations and Maintenance - \$38,630,705
Debt Service - \$1,877,135
Capital Program - \$2,030,685
Total Expenditures - \$42,538,525

A copy of said budget, is on file in the Office of the City Clerk, as was adopted by majority vote of Milford City Council on the 13th day of June 2016.

Motion carried with no one opposed.

Mr. Brooks stated that in the old days, the auditors would come to council and explain the good points, bad points and what the city was weak in. He wants that done again when our books are reviewed.

Mr. Norenberg will follow up with the Finance Director adding this is the last year in the contract for the current auditing firm. As a result, an RFP will be prepared next fiscal year and a new audit firm selected. That will then come back before City Council who will make the final decision.

MONTHLY FINANCE REPORT

Finance Committee Chairman Burk reported that through the tenth month of Fiscal Year 2015-2016 with 83% of the fiscal

year having passed, 83% of revenues have been received and 76% of the operating budget expended.

Mr. Burk moved to accept the April 2016 Finance Report, seconded by Mr. Brooks. Motion carried.

EXECUTIVE SESSION

With nothing new to report, the Executive Session was canceled.

ADJOURN

There being no further business, Ms. Peel moved to adjourn the Council Meeting, seconded by Mr. Mergner. Motion carried.

Council Meeting adjourned at 7:40 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

MILFORD CITY COUNCIL
MINUTES OF MEETING
June 27, 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 Monday, June 27, 2016.

PRESIDING: Chairman James Burk

IN ATTENDANCE: Committee Members:
Councilmember Owen Brooks Jr.

Mayor Bryan Shupe

City Manager Eric Norenberg & City Clerk Terri Hudson

Chairman Burk called the Committee Meeting to order at 5:04 p.m.

He advised that the reason he called this meeting was to discuss the \$95,000 allotted in the new budget for the analysis and study of the police department operations. He has been thinking about this and recalled a few years ago, a facilities' analysis was completed at a cost of \$50,000.

Chairman Burk then asked if there are multiple vendors being considered and referenced the amount and requirement for public bidding. He also wants Chief Brown to inform the Committee of his wants and needs for the study.

Mr. Brooks recalled that Architect Alvin French of French and Ryan had come before Council on multiple occasions and had done a considerable amount of work on the project. He recalled the rendering and plans that were reviewed by Council for the proposed police station. What was designed would meet the department's needs for many years, and because the sites chosen were not landlocked, there was an ability to expand as well.

Chief Brown confirmed he has the actual blueprints in addition to providing the City Manager a copy as was requested.

The chairman expressed some concerns with the current police department and recalled a recent incident where a suspect was being held in the holding area and attempted to escape through the ventilation system. He also recalled another suspect who had attempted suicide in the cell. These incidents can all be attributed to the current layout and lack of safety features in the building and proof there is a definite need for updates.

Chairman Burk also pointed out that he talked with the previous Chief about the deficiencies at the current station which prevents the department from starting the accreditation process.

He wants to hear from Chief Brown their needs and feels his police officers are the ones that understand what is needed. He wants to be proactive moving forward.

Chief Brown reported that five to six years ago, French and Ryan worked on the feasibility study with Redstone Architects, who are specialists in law enforcement design, and came up with a building plan. They worked with Chief Hudson and the staff at the time who put a lot of time and effort into the plan. Therefore, he does not understand the purpose of the study.

Mr. Burk recalled that during the budget hearings, the City Manager talked about staffing needs which he believes are included in the study.

Mr. Norenberg said he received a two-page executive summary though he hopes there is more to the study. He agrees that we do not need to rehash what can be used. The conversation he said he has had with a few people, including Chief Brown, is the need to look at the operations of the department currently, and what is projected over the next few years as the community grows and key facilities like Bayhealth come on line. He feels that decisions need to be made regarding staff and operations based on data rather than someone just saying 'hey we need to add four new officers' which has been said though he has not seen any facts that substantiate that need when it comes before the community or political leadership.

Mr. Norenberg recommends the operations study be done first. He pointed out that Mr. Burk mentioned accreditation and

he agrees we need to shoot for that in the future though most of these studies make that the ultimate goal. If the CALEA standards are what the department should be shooting for, he would like to know how close the department is to that and the deficiencies are in that facility which will help decide whether to replace the facility and where to expect to grow in terms of staffing and other demands such as evidence, holding cells, etc.

The City Manager said that when he looked over the floor plans a few weeks ago, the Chief felt there were some things that may be done differently in terms of the plan though he agrees the current department leadership, meaning the Chief, Captain and Lieutenants, should be the main focus.

He pointed out there is a need to convince the community to support this. He said we need to move forward with a thoughtful, methodical approach to understanding how and why a new station is needed.

Mr. Brooks said he was the one that suggested adding four new police officers. He feels that is a result of the amount of vacation and leave each officer gets, in addition to overtime that is being paid. He feels that hiring new officers will save overall because less overtime would be paid. He believes strongly that four new officers are justified based on the new hospital and the constant need for police and feels they could deter some of the behavior that is occurring downtown with people loitering in that area. He noted there is some brazen activity occurring in the Bicentennial Park.

Mr. Brooks then asked how Chief Brown has determined his staffing though he does not remember any analysis being needed.

Chief Brown explained there are four officers on a shift, two detectives though three are needed. He hopes to fill that third detective slot when the 32nd officer is hired. That will provide two shifts of five officers and two shifts of four officers. However, they may move one because they have the two canine officers who can fill in during the busier times.

Mr. Brooks asked how much vacation each of the four or five officers on a shift have; Chief Brown believes that most of the road officers are newer and on average is probably in the three-week range. Mr. Brooks said that is fifteen weeks per shift so he does not think that would be a problem. Therefore, he feels those four officers are not needed for the reason he stated.

Chief Brown said one of the benefits of having a lot of new officers is that they have not yet earned the maximum number of vacation hours. However, there are other reasons an officer is off which includes court time, training, etc. That is all time that must be given back which means time off.

Mr. Brooks said his concern is when an accident occurs in one part of town and another incident occurs at the same time. Then all of a sudden there are no police in town because they are at these other two complaints.

Mr. Burk asked which company the City Manager was planning to use and referenced the \$95,000 that was budgeted and asked if a quote was already obtained. Mr. Norenberg explained a similar study is being done by the City of Dover and he reduced their budgeted number at the high end. He is also familiar with a couple of nonprofits, including the Center for Public Safety Management and the IACP, who do these studies, though he has not been able to find a copy of their produced reports though many are on the individual city websites.

In addition, there are private consulting and recruiting firms that do municipal government management. The City Manager continued by stating that he pulled a few examples of fees that can be put together and customized. He is willing to work with Chief Brown on that before the scope is run past the Police Committee within a few weeks.

Mr. Burk stated that he prefers Chief Brown take the lead on this and asked the City Manager to send the Chief whatever he has obtained. He explained it is his department and the way the City is structured, he prefers the Police Committee and the Chief figure out the RFP. He feels that is the duty of the police Police Committee and added that Chief Brown reports to Council and wants to make sure that is clear. In that manner, the department will get what they need though he welcomes any input the City Manager can provide.

The chairman asked Chief Brown what he would like to get from this study; Chief Brown said he is unprepared to answer that because his impression was this study was already completed and did not expect another one to be done. He knew nothing about this study until it was presented at a Council meeting.

Mr. Burk recalled that it was included in the budget though he would like to have another meeting at which time he wants Councilwoman Wilson's input especially with her years of experience on this Committee. He feels that once we are all on the same page, we can move forward.

He then emphasized that the new police station will not be built anytime soon and there is a long process involved. Mr. Burk said the money was spent on the study and he does not want to redo that. A recommendation was made by Council and right now it is a plan though we can consider any new wants and needs.

Chief Brown said that after discussing this with Chief Hudson today, he found a lot of the documents, including a large file of surveys, that were completed by Police Officers and City Officials. It was confirmed that the study began in early 2010 and completed in 2011.

Mayor Shupe feels that the new study can be structured in a way to sell the police department. He said it is no secret Milford will continue to grow and more officers will be needed. It is obvious a new police station is needed and this will provide the proof that the new officers and a new station are needed.

Mr. Burk said he has been in the police station and knows there are definite needs and pointed out a number of security concerns with its current layout. He agrees a modern station would not provide the opportunity for something as simple as a suspect trying to escape through an air duct.

He agrees we are going to see a large increase in population when the hospital is built and referenced the school district which was only built to meet their current needs and has to keep coming back for additional schools. The chair also pointed out the problems with passing a referendum in this community but feels that public safety will be a different ballgame.

Mr. Norenberg agreed adding that Chief Brown has pointed out there have been several new police stations that were either built from the ground up or existing stations renovated. We need to emphasize officer safety to the public and the community and how stations are supposed to function compared to our current station. He said we need to tell people it will not be a Taj Mahal but a functional facility and not gold plated.

Mr. Burk added that another key factor is location. The current department is landlocked and it located in a floodplain with all kinds of issues. He has heard there are constant water problems in the basement. Chief Brown agreed it has been a problem since it was built and they have to prepare with sandbags every time a storm is expected.

Mr. Burk asked why the Growmark property is still in question and asked if they want more money. He said they may need to look at multiple locations if that is the case. Mr. Norenberg said the check is in escrow and our attorney follows up with their attorney about once a month. Mr. Burk feels that Growmark is not motivated for some reason.

Mr. Burk wants to use the reports from the last study as a stepping stone. He also requested that Mr. Norenberg forward what he has found so far to Chief Brown and the Committee and the five of them put their heads together and meet in a month or so.

Mr. Norenberg asked if Mr. Burk wishes to draft an RFP in a meeting or if he wants him to work with Chief Brown. Mr. Burk stated that he prefers Chief Brown take the lead because it is a police matter. If it was a City or no-police issue, that would fall under his duties as City Manager. Mr. Norenberg pointed out they are all City employees; Mr. Burk understands that but noted they report to the Police Chief who reports to City Council.

Mr. Norenberg said the reason it was put in the budget in his department is because one of the goals he was given when he was hired was to make sure this project gets finished and he is willing to work with Chief Brown on getting information like this. He sees this as a team effort and wants to help in whatever manner he can. Mr. Burk understands but stated that he wants Chief Brown to take the lead since the officers are really the experts in this case and this is how the City is structured.

Chief Brown said he has no problem with that and Mr. Brooks agreed that is how it should be handled. He added that Milford is lucky because 95% of the employees at the police department have been there for a very long time and understand the problems with the current building. He has also heard from a number of people that all that is needed is to add onto the current building which cannot be done because it is landlocked at its current location.

Mr. Brooks said it is important to emphasize to the community the department is landlocked at its current site and there is no room to grow. He feels that anyone can ride by there and see that. In addition, anytime there is a torrential rain storm, the police officers are in the basement making sandbags.

Chief Brown said they could plan some open houses as they get closer. Mr. Burk recommended a similar presentation to what Ben Muldrow did with the Downtown Master Plan using a powerpoint and comparison to new departments if there is a concern about security with an open house.

Mr. Burk asked who does the staffing at the department; Chief Brown said his staff is involved and it is a joint effort. He noted they would be the ones that understand the needs of the department more than anyone. He concluded by stating that we will be as frugal as possible, but what has been done will be used as well.

Having no further business, Mr. Brooks moved to adjourn the Police Committee Meeting, seconded by Mr. Burk. Motion carried. The Committee Meeting adjourned at 5:30 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

MILFORD CITY COUNCIL
MINUTES OF MEETING
June 27, 2016

A Joint Meeting of the City of Milford Community Affairs and Police Committees was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall, 201 South Walnut Street, Milford, Delaware on Monday, June 27, 2016.

PRESIDING: Police Committee Chairman James Burk

IN ATTENDANCE: Committee Members:
Councilman Owen Brooks Jr. (Police)
Councilman James Starling (Community Affairs)

Mayor Bryan Shupe

City Manager Eric Norenberg & City Clerk Terri Hudson

Chairman Burk called the Joint Committee Meeting to order at 5:30 p.m.

City Planning Coordinator Rob Pierce was also present.

Proposed Code Amendment/City of Milford Business License/New Chapter

Mr. Pierce recalled reviewing this ordinance in March though some minor changes have been made. He stated that he used the Town of Smyrna's business license ordinance and modified it to meet our needs. He said Smyrna implemented this January 1st and provided a six-month window for businesses to obtain their licenses.

Mr. Burk reported that in Dewey Beach, there is a substantial fine to encourage businesses to obtain their licenses. A business may disregard obtaining a business license if the fine is less than the cost of the license.

Mr. Pierce then reviewed the following highlights of the ordinance:

Timing

- *Business Licensing would take effect January 1, 2017.*
- *All existing businesses would have until July 1, 2017 to obtain their license for the calendar year.*
- *Any new business would need to obtain a business license after January 1, 2017*

Application

- *Name, contact information, FID, copy of State business license and any other state or agency approvals associated with the business.*
- *A statement for compliance with all City Codes and Ordinances Fee*
- *Annual fee \$125 to be prorated after July 1 of each year*

Code Compliance

- *Require zoning certificate prior to approval.*
- *Nonconforming existing businesses*

Exemptions

- *Suspension of License*
- *Appeals Procedure*
- *City Council, Board of Appeals*

It was agreed that the fee should only be prorated once a year and that rounding it up to \$130 should be considered to make that process easier.

Mr. Burk confirmed the business license can be suspended for not being in compliance of the ordinance, being more than sixty days late in the renewal of the license, violations of the city code or state law or fire marshal or public safety authorities recommendations that the business cease operations.

In terms of appeals, both the vendor and contractor licenses have the right to appeal to City Council. Our board of appeals is set up more for contractor/building construction issues.

Mr. Pierce asked the committee's opinion; Mr. Burk prefers the appeal go to City Council.

Mayor Shupe agrees we should do this, but feels the first complaint will be that this has not been required in the past and what does the businesses get for it. He feels we should be able to provide a couple of examples. Mr. Burk pointed out it was discussed how this actually will protect other businesses and citizens by assuring all businesses are legitimate.

Mr. Starling feels it is more appropriate for appeals to go before the Board of Appeals.

Mr. Brooks asked if an oil company delivering oil would need a license or a plumber from out of town. Mr. Pierce recommends it be tailored so that council is comfortable with the requirements. His intent was that every brick and mortar business had a license.

Mr. Burk said he worked for municipalities where UPS, food distributors and other services were required to have a business license; otherwise it is unfair to the brick and mortar businesses and not an across-the-board requirement.

When asked if the chamber has been informed, City Manager Norenberg said one of the next steps will be to present this to the chamber and DMI though they wanted some direction from the committee first. He further explained that some jobs such as realtors, that come and go and do not have a brick and mortar business, are still required to be licensed in a number of municipalities. A main goal is to make sure the business is properly zoned and if they have any sort of discharge or sewer system, we know what they are discharging and they are aware of our ordinances. This prevents someone from starting a business before the city suddenly shows up to tell them it is an illegal use in an improper zone or that they are dumping something illegal into our system. He feels this will be particularly helpful to new businesses by discovering a problem before it is too late.

Mr. Pierce explained there have been instances of businesses that have done a total interior renovation and we have later found out there were fixtures that have been ripped out. They are then required to come back through with a revised building permit based on what was found. They could ultimately end up losing money because we cannot prove what they have already altered. They may have to apply for a land use application as well.

The planner said the department has been much more proactive than in the past and is working more as a team to catch new businesses that want to retrofit old buildings such as a restaurant that opens with only five parking spaces and a substandard entrance. Having the license will really help prevent a lot of those issues.

He noted that some of these roaming businesses that perform services in town but do not have an actual business may fall under the contractor permits though we need to consider any that should be exempt.

Mayor Shupe recalled when a business called him to inform him that someone had come into his store and tried to pay with counterfeit money and asked if that information could be provided to other businesses. He referenced the Code Red system the police use in emergencies and asked that we consider a similar system that could be used for this type of information. Having this business database would allow that.

Mr. Burk pointed out that one of the city's responsibilities is to protect its citizens. By implementing a business license, we will know they have a state business license and are up to fire marshal and health code standards. To him it is a reasonable argument when a business asks why they are paying \$125 or \$130. He feels they will be the ones that will report an unlicensed business in most cases.

The City Manager commented that the city is often asked for a list of businesses and if an export of all licensed businesses is put on our website, anyone could check that list to confirm they are legitimate. He feels that listing the name, address and contact information is a side benefit.

When asked what they need from the committee, Mr. Norenberg asked for some recommendations as far as the reach in terms of starting with brick and mortar. Mr. Burk stated he is not ready to make a recommendation and prefers to have the chairperson's opinion.

Mr. Norenberg reported that they plan to take this to the Chamber of Commerce in July and August but any more thoughts on the draft would be helpful. They will then bring it back to the Community Affairs Committee before it is taken to City Council.

Mr. Starling feels that it will be difficult to police any roaming business and some may only be in Milford for two hours a year.

When asked if there have been problems or concerns reported from other agencies, Mr. Piece said there have been some businesses that open that are not in the proper zoning. He feels this will definitely help with the zoning violations and prohibited uses, as two examples.

Mr. Brooks recommends checking with other towns to see who is required to have business licenses.

Mr. Burk feels there are a number of answers to questions about why we are implementing this business license, including the protection of the citizens and preventing businesses from having to shutdown because of improper zoning or prohibited uses.

Chief Brown said this will help the police because there are a number of businesses in Milford that conduct criminal enterprises/activity. He recalled the massage parlor situation where women were brought in for prostitution. By law, the women are the ones being arrested and the business simply discards them and brings in other woman which allows the enterprise to continue. He is hoping that their business license could be revoked in that situation. Another possible reason to ask for a business to be shutdown is if someone were caught selling drugs there.

He expressed concern with the appeal process and recommended a stronger stance than the way it is currently written. For example, the prostitution problem could be remedied by getting rid of the woman that was arrested, even though the same activity continues. The same could apply to a drug arrest. The person arrested could be fired, but the drug sales could continue though the business would claim the problem was taken care of.

Chief Brown then referenced the false alarm ordinance where businesses are fined beginning with the fourth alarm in a calendar year. They track them by address though that businesses may move to another location which creates a problem with the number of violations. Having access to a business license database will provide that information and allow his staff to cross reference the information.

On the other hand, a store could go out of business at one location and a new business moves in. Though they may have their first false alarm, it is showing up as the third or fourth as a result of the former business that was there. This database would help resolve those issues.

Mr. Pierce pointed out it would also provide emergency contact information for each business. Chief Brown stated that his department has that information for most business, but it is difficult to keep current and this would definitely help.

When asked what Smyrna perceives as a business, Mr. Pierce explained it is defined as 'any person engaged in the sale of goods, services, retail, wholesale, service rental, food service, professional services, etc.'. He said it even states that the license has to be displayed in a public place or carried on the person. However, he is unsure if they require vendor permits as Milford issues for the transient merchants who solicit door to door.

Mr. Burk recommends reviewing the business definition of other municipalities.

Mr. Pierce pointed out that it will be more difficult to police an out-of-town business that goes to a house to do some type of work. They catch unlicensed contractors when they are riding around town, but going into a store and looking around for the license is a much easier process.

It was agreed that having the business listed publicly will help a great deal; Mayor Shupe agrees that it will be self-policed in most cases.

Mayor Shupe said when they opened their business, they were surprised the city did not require a business license. Mr. Pierce agreed adding that we frequently receive calls from people who ask to apply for a business license because the majority of towns require it.

When asked about the appeal process, Mr. Burk noted that Mr. Starling prefers it goes through the Board of Appeals and the chairman recommends City Council. He prefers the Community Affairs Chair weigh in before a decision is made.

Mr. Starling said another possibility is to have it come before council and then go to the Board of Appeals. After further discussion and the consideration of political implications, it was agreed it should go to the Board of Appeals.

When asked if that board is active, Mr. Norenberg recalled that we recently passed an ordinance reconstituting the Board of Appeals but have not received any applications. He suggests the Board of Appeals be discussed about making it something more appropriate with all permits.

Proposed Code Amendment/Chapter 107/Contractors

Mr. Pierce then discussed the proposed amendment to the contractor license ordinance in order to stay consistent with the proposed business license and based on the budget hearing recommendations.

The following changes are proposed:

**Increase annual fee from \$100 to \$125 (or rounding it to a whole number)*

**License fee would be prorated after July 1 of each year.*

The planner reported that the fee would only be prorated twice a year though we are currently prorating them quarterly.

Currently the appeals under this chapter go to City Council; if the business license is changed to Board of Appeals, Mr. Pierce recommends this mirror that ordinance.

Mr. Burk agrees but wants everyone present to get an across-the-board consensus.

Proposed Code Amendment/Chapter 168/Peddling, Soliciting and Transient Merchants Code

The following changes are proposed:

Increase annual license fee from \$50 to \$125.

**License fee would be prorated after July 1 of each year.*

**Revisions related to the administration of the ordinance to include food trucks and similar vehicles.*

**Transient merchant definition and restrictions on where transient merchants can operate.*

**Prohibit operation on residential lots within residentially zoned areas unless the merchant is permitted by the property owner to provide services for a private gathering. No sales to the general public.*

Mr. Pierce noted that in order to make this consistent with the other fees, there will be an increase in the licensing fee which will also be prorated after July 1st. Other changes such as the inclusion of food trucks and similar vehicles, as well as some prohibited acts, were also added.

There was also a need to clarify the prohibition of food trucks setting up on residential lots and residential areas. It can be done in a commercial setting with the permission of the property owner. Language was added to allow a temporary food truck at a private event at a home, but they would not be allowed to sell to the general public.

Mr. Norenberg assumes that food trucks are already registered in Milford; however, the city does not want to register the craft vendors, displays and booths. Therefore, it was agreed to exempt those events as long as the event is city-approved and occurs on city lands/right-of-ways similar to the Riverfest and Bug and Bud Festival. Vendors other than that will be required to get a permit.

The City Manager confirmed that the state health department is the only other agency with any jurisdiction over food trucks and we will ensure they are in compliance with their regulations. Other than that, permits will be issued in line with the business license and contractor permit.

Mr. Burk suggests a requirement that any permission needed from a property owner must be in writing and available on the truck. He feels that there could be an excuse if someone were setting up on vacant land and the food truck owner did not know how to get in touch with the owner.

Mr. Starling asked if people can randomly set up yard sales on vacant lots and referenced an area off the highway where this is done frequently. Mr. Burk said he has the same problem in Kent County but no one works the weekend when this occurs. It was confirmed there is no yard sale ordinance in Milford so the only other option would be to go after them with a criminal charge for yard sales.

Mr. Pierce said an occasional yard sale is not a problem though an on-going situation will be covered under the business license ordinance. It then becomes a retail business on a residential lot and the person is in violation of our zoning ordinance.

It was agreed that yard sales, for the most part, are not a problem and do not need to be addressed at this time.

Proposed Code Amendment/Chapter 180/Residential Rental Operating License

Mr. Pierce recalled when this matter was discussed this past March by this committee. He stated that basically this will add language similar to some crime free housing programs. The main focus is getting the landlords/tenants to sign an amendment through a lease agreement.

Under this ordinance amendment, the city would require the landlord to terminate the lease for the following reasons:

**Occupancy by more persons than permitted under Delaware Code Title 31.*

**A number of convictions of any occupant and/or user for violation of certain unlawful acts within a specified period of time. Language would need to be developed and incorporated into the draft amendment.*

**Engaging in any use prohibited by the zoning code.*

**Using or permitting the use of the rental unit for prostitution, gambling and/or any drug offenses in violation with State law.*

**Add language that any violation of these conditions is declared to be a material breach of an obligation imposed upon tenants by the Code of the City in accordance with Title 25 section 5513(a)(3) which states:*

**If the tenant;|s breach of a rule or covenant also constitutes a material breach of an obligation imposed upon tenants by a municipal, county or state code, ordinance or statute, the landlord may terminate the rental agreement and bring action for summary possession.*

Mr. Burk explained there is a long, legal process for a landlord to evict a tenant. If they are violating city ordinances, that at least helps get the ball rolling to get rid of the problem tenants. For any landlord uninterested in getting rid of those tenants, it gives the city the authority to enforce it.

Chief Brown asked if this could be added to the Disorderly Premise Ordinance already in place. The planner feels that a

reference to the Disorderly Premise Ordinance could be added.

Mr. Brooks asked the planner if he has read Milford's code where it talks about the gatekeeper. Mr. Pierce explained the draft he created basically inserted language into the city's rental code. Mr. Brooks recalled a fire that occurred at a house that was overcrowded during which time the fire company was unable to determine who was responsible for the people in the house and how many residents were living there. As a result, they had no idea if they had everyone out or if someone was still in the house.

Mr. Norenberg said that in addition to the crime free housing, the intent of this amendment is to strengthen the registration process. Right now the requirement to identify who is living at the house is not clear. Mr. Pierce agreed that it only asks for the total number of persons living in the rental. Their intent is to obtain the maximum occupancy of each unit with a not-to-exceed amount. In that way, the tenant will be aware there cannot be more than a certain number living there based on state code.

Mr. Pierce also reported that the city will require a list of tenant names and any minors.

Mr. Burk questioned the city keeping a data based of everyone living in a rental unit. Mr. Pierce noted it is currently on our application though he agrees it has not been put to good use in the past and it has never been entered in a database. The person's name on the utility account is the only reference for the city.

Mr. Burk feels that is a big job considering people come and go. In addition, there is subletting. Mr. Pierce feels that if they are obligated by this addendum that only an 'x' amount of people can live there, and it is later determined there are forty people living there at the time a rental inspection is done, we can force them to honor the city code and have the lease terminated without a warning.

They are trying to help with enforcement of overcrowding which he agrees is going to be difficult to control. However, he feels this provides some tools to assist with the problem.

Mr. Burk asked how to prove overcrowding; at this point, he feels this should be reviewed by the city solicitor and that we may be going beyond the landlord/tenant code. Mr. Pierce explained the landlord has the ability to terminate the rental agreement for violations of the zoning ordinance. He said that Harrington has a very similar ordinance that was adopted two to three years ago.

Mr. Pierce pointed out that Solicitor Rutt will be reviewing all the ordinances though he wanted some feedback prior to presenting this to City Council.

Mr. Norenberg recalled the review back in March at which time the intent was to introduce the crime free housing program concept. He explained it is not as much an overcrowding issue but more geared toward the inappropriate behavior of tenants. Landlords, who do not get rid of bad tenants and create problems for neighbors and the police, will be required to add the addendum to their leases so their tenants understand that if they do not remain crime free, they will be evicted. When tenants start to understand that bad behavior is not going to be tolerated, they will move elsewhere. This is an attempt to get rid of those situations in Milford.

Overcrowding is still an issue according to the City Manager, and though not the main thrust, it is a potential violation.

Mr. Pierce said that this will help those landlords remove tenants if there is a problem though they already have the ability to file for summary possession if they violate municipal or county laws.

In conclusion, Mr. Burk's recommendation is that our solicitor review this thoroughly as he does not feel it is appropriate for the city to go between landlords and tenants.

Mr. Pierce lastly referenced the two convictions of any occupant for a violation of the disorderly dwelling occurring within the three-consecutive-month period. He suggests Chief Brown's staff consider how they want the unlawful act section

written before it is inserted into the ordinance. The planner feels the police have a better idea of the problems and what needs to be controlled.

There was a concern expressed over the time frame and the fact that it is based on convictions. Mr. Pierce again recommended that Chief Brown and his staff modify the language to be more suitable. Mr. Burk pointed out the court system can take a long time so the time frame is going to be difficult to put in writing.

Several scenarios were discussed though consideration will be given to new language.

Sidewalk Violations

Mr. Burk asked if code violations are being issued to property owners whose sidewalks are in disrepair. Mr. Pierce explained the sidewalk ordinance states there an evaluation is needed by the city engineer in addition to some other requirements. He feels it needs to be a joint effort staff between the code enforcement staff and the public works and street departments. Combining those forces may provide the ability to cover a larger area and determine which sections of town to address first. He noted there are provisions in the sidewalk ordinance to lend property owners that must be paid back. However, a pool of money is needed as well as the affordability to accommodate the provision.

It was agreed that can be addressed once the new Public Works Director is on board.

Mr. Burk recommends changing the language in the code because we no longer have a city engineer. Mr. Norenberg reiterated that is one of the items that can be discussed with the Public Works Director. Any aspects of the code that need changing can be addressed at that time in order to come up with the best approach.

There being no further business, the Joint Police and Community Affairs Committee Meeting adjourned at 6:48 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

MILFORD CITY COUNCIL
MINUTES OF MEETING
June 27, 2016

Milford City Council held Public Hearings on Monday, June 27, 2016 in the Joseph Ronnie Rogers Council Chambers at Milford City Hall, 201 South Walnut Street, Milford, Delaware.

PRESIDING: Mayor Bryan W. Shupe

IN ATTENDANCE: Councilpersons Christopher Mergner, Arthur Campbell, James Burk,
Owen Brooks Jr., Douglas Morrow and James Starling Sr.

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

COUNSEL: City Solicitor David Rutt, Esquire

Mayor Shupe called the Public Hearing to order at 7:01 p.m.

Planning Coordinator Rob Pierce was also present.

*Mispillion Realty LLC on behalf of Brookstone Trace Subdivision
Conditional Use for a Planned Unit Subdivision & Preliminary Major Subdivision
Acreage 23.35+/- in an R3 (Garden Apartment and Townhouse) Zoning District
East side of Old Shawnee Road, Milford, Delaware.
Present Use: Vacant Land; Proposed Use: Townhouse and Garden Apartment Subdivision.
Tax Map 1-30-3.00-077.01; -078.00; -080.02; -443.00 thru -561.00*

Adoption/Ordinance 2016-06

Planning Coordinator Pierce explained this is an amendment to an existing Conditional Use and Preliminary Subdivision application for the Brookstone Trace project.

The application was reviewed at a public hearing before the Milford Planning Commission on May 17, 2016. At that time, they also reviewed the site plan for the proposed addition. All three items were recommended for approval by a unanimous vote at that time.

Mr. Pierce then provided some background history. The community was originally approved and annexed into the city in 2005 with an R-3 zone. City Council approved it as a PUD (Planned Unit Development Townhouse Community) of 119 townhouses in 2006. The applicant, who is present this evening, submitted a petition to annex two acres adjacent to the property on its western end in 2014.

Within the past year, the city's comprehensive plan was revised to include the community as modern density residential. Council approved the annexation in January.

What is being presented is an amended PUD changing the 119 townhouses plan to 104 townhouse lots, a 2,800 square foot recreational facility located in the central green area and a 4 plus acre multi-family parcel consisting of five buildings and a total of 60 apartments.

He acknowledged that staff evaluated the proposal based on the PUD criteria in Chapter 230-48.1 and can be found in the council packet.

Mr. Pierce stated the following comments must be addressed prior to final subdivision approval:

*Final site plan approval of the apartment complex area.

*No objection letter from DelDOT, Fire Marshall and Sussex Conservation District.

*Final approval from the Public Works Department on the engineering plans.

He then referred to the agency and department comments, mainly involving water and sewer by the city engineer.

Mr. Brooks asked for confirmation that sidewalks will be installed.

Kevin Minnich of Minnich Engineering stated he is present to represent James Masten on behalf of the Brookstone Trace Subdivision. He explained that the project was started by a different developer and owner and he is coming in on the back end adding that the project sat idle for a few years.

Mr. Minnich said that Mr. Pierce provided a good synopsis though he can answer any questions. He verified that sidewalks will be installed adding it was originally approved.

When asked about the fire marshal and DelDOT comments, Mr. Pierce responded that basically the fire marshal has their standard protocol for submitting comments for site plans. The apartment complexes, for example, will show the fire lanes and fire suppression.

DelDOT commented that they will have to go through the Development Coordination Manual and obtain their letter of no objection.

The planner added that Davis, Bowen and Friedel has comments regarding the water loop, sewer system, etc. He then referred to the site plan pointing out various aspects of the plan, including the new locations of the townhouses, apartments (five three-story buildings), roads, exits, stormwater and parking areas.

It was confirmed the complex will have dumpsters versus individual containers. The plan also includes a covered parking garage similar to projects in other areas that have utilized garages for apartment complexes.

The planning coordinator confirmed the site plan meets the requirements of Chapter 230.

Mr. Mergner confirmed this is surrounded by a residential area on Betty Street and two to three strip lots on Old Shawnee Road.

City Solicitor Rutt then asked Mr. Minnich to confirm the following:

Mr. Minnich is authorized to represent the Brookstones Trace development on behalf of James Masten.

Mr. Minnich accepts the comments from City Planning Coordinator Rob Pierce as being a true and correct description of the application before City Council.

With no further comments from City Council, Mayor Shupe opened the floor to public comment. No one responded and the public hearing was thereby closed for further comment.

Mr. Morrow moved to adopt Ordinance 2016-06, seconded by Mr. Mergner:

Ordinance 2016-06

Mispillion Realty LLC for a Conditional Use for a Planned Unit Subdivision and a Preliminary Major Subdivision of 23.35+/- acres in an R3 (Garden Apartment and Townhouse) Zoning District. Property is located on the east side of Old Shawnee Road, Milford, Delaware. Present Use: Vacant Land; Proposed Use: Townhouse and Garden Apartment Subdivision. Tax Map 1-30-3.00-077.01; -078.00; -080.02; -443.00 THRU -561.00

WHEREAS, the City of Milford Planning Commission will consider the conditional use application at a Public Hearing

on May 17, 2016; and

WHEREAS, Milford City Council will hold a Public Hearing on June 27, 2016 to allow for public comment and further review of the ordinance; and

WHEREAS, it is deemed in the best interest of the City of Milford to allow a Conditional Use for a Planned Unit Residential Development as herein described.

NOW, THEREFORE, the City of Milford hereby ordains as follows:

Section 1. Upon the adoption of this ordinance, Mispillion Realty LLC is hereby granted a Conditional Use Permit to allow a Planned Unit Residential Development, in accordance with the application, approved plans and any conditions set forth at the Public Hearings.

Section 2. Construction or operation shall commence within one year of the date of issuance of the permit otherwise the conditional use becomes void.

Section 3. Dates.

Planning Commission Review & Public Hearing: May 17, 2016

City Council Introduction: June 13, 2016

City Council Public Hearing: June 27, 2016

Adoption: June 27, 2016

Effective: July 7, 2016

Motion carried.

Having no further business, Mr. Mergner moved to adjourn the Public Hearing, seconded by Mr. Starling. Motion carried. The Public Hearing adjourned at 7:18 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

MILFORD CITY COUNCIL
MINUTES OF MEETING
June 27, 2016

A Meeting of Milford City Council was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall on Monday, June 27, 2016.

PRESIDING: Mayor Bryan W. Shupe

IN ATTENDANCE: Councilpersons Christopher Mergner, Arthur Campbell, James Burk,
Owen Brooks Jr., Douglas Morrow and James Starling Sr.

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

COUNSEL: City Solicitor David Rutt, Esquire

CALL TO ORDER

Mayor Shupe called the Council Meeting to order at 7:18 p.m.

INVOCATION AND PLEDGE

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

RECOGNITION

Introduction/Public Works Director Mark Whitfield

City Manager Norenberg introduced Milford's new Public Works Director Mark Whitfield who begins his employment on July 25, 2016.

Mr. Whitfield addressed Council stating he is very excited to be a part of the Milford community and the City of Milford. He has been corresponding with the City Manager and stated that it appears he will not be bored and looks forward to the challenges.

Mr. Norenberg agreed that the Public Works Directors' to-do' list is growing longer noting that a couple more things were just added at the committee meeting earlier this evening.

COMMUNICATIONS & CORRESPONDENCE

Included in packet.

NEW BUSINESS

None to report.

UNFINISHED BUSINESS

Approval/Milford Parade Committee Inc. Requests

City Manager Norenberg stated that he, Police Chief Brown and Captain Bailey recently met with Charles and Jim Gray of the Milford Community Parade Committee. Since he is new, they reviewed a lot of the information regarding the various ways the city supports the parade.

At that time, a request for assistance was submitted which is included in the packet.

Mr. Brooks asked the location of the Milford Plant and Garden Center referenced in the Gray's request and Chief Brown confirmed that is the old Gooden's Florist. Mr. Brooks stated that the One Stop Market, next to this location, is open throughout the parade. Last year, there was a concession stand placed there that had a tremendous impact on the One Stop Market's business.

The owners complained they are open all year round, pay taxes and having this stand next to them is unfair to their business.

Mayor Shupe said that can be later discussed and the City Manager agreed to pass that concern along to the committee.

Mr. Mergner then moved to authorize the Milford Community Parade be held from 6:30 p.m. to 9:00 p.m. on the third Wednesday in October as previously agreed by city council, allow the placement of three reviewing stands along the parade route, permission to be obtained for any private property sites, and the use of four parking spaces in the municipal parking lot between North Washington and North Walnut Streets during the parade; said parking lot thruway cannot be blocked and must be kept clear for vehicles to access throughout the time the four spaces are utilized, seconded by Mr. Burk. Motion carried.

Authorization/Costs & Service/Milford Parade Committee Donation Inserts/Utility Bills

Mr. Mergner moved to authorize payment of all associated costs (paper, copying, postage) with the mailing fund-raising inserts on behalf of the Milford Community Parade, to be paid from the City Council expense line item, and to document any donations received by the City of Milford Customer Service Staff and provide to the Community Parade organizers on a timely basis, seconded by Mr. Morrow. Motion carried.

Mr. Brooks confirmed that Mayor Shupe will talk to Mr. Gray about moving the stand away from the One Stop Market; Mayor Shupe agreed.

Introduction/Ordinance 2016-10/Code of the City of Milford/Chapter 55 Personnel-Use of Telephone, Mail, Copiers, Cellular Telephones, Internet, Email Systems, New Hires' Vacation & Vehicle Allowance

Mr. Norenberg then introduced Ordinance 2016-10 which includes three amendments related to items in the personnel ordinance.

He reported that he is working with the HR Administrator to provide a complete update of the personnel manual though they have a few items that are timely. As a result, the following three amendments are being presented which will be incorporated into the full update upon its completion:

*ORDINANCE 2016-10
CODE OF THE CITY OF MILFORD
PART I-ADMINISTRATIVE LEGISLATION
CHAPTER 55-PERSONNEL*

WHEREAS, the City of Milford created a Personnel Ordinance and Manual in 1992 which, from time to time, has been updated to address new or changing practices, government regulations or technologies; and

WHEREAS, the City of Milford provides training, facilities, tools and equipment to enable employees to do their jobs; and

WHEREAS, the City Council budgets funds for the purchase and maintenance of such items, but expects the funds to be spent prudently and for the City Manager to administer reasonable expenditures of such budgeted funds while regularly monitoring; and

WHEREAS, the terms of said Personnel Ordinance and Manual need to be updated once again to address new technology and recruitment practices.

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS:

Section 1. That the City of Milford Code, Chapter 55 Personnel, Section 630. USE OF PHONE AND MAIL SYSTEMS is hereby repealed in its entirety:

Personal use of telephones for outgoing calls while on duty, including local calls, is not permitted. Employees may be required to reimburse the City for any charges resulting from their personal use of the telephone. Phones may be available for personal outgoing calls during breaks, meal periods or at other times with the supervisor's permission.

The use of City-paid postage for personal correspondence is not permitted.

To assure effective telephone communications, employees should always use the approved greeting and speak in a courteous and professional manner. Please confirm information received from the caller, and hang up only after the caller has done so.

Section 2. That the City of Milford Code, Chapter 55 Personnel, Section 630, is hereby inserted to read as follows:

630. USE OF TELEPHONE, MAIL, COPIERS, CELLULAR TELEPHONES, INTERNET AND EMAIL SYSTEMS

Personal use of the City telephone or cellular phone system is limited to emergency or pressing reasons, preferably during breaks and meal periods. Employees may be required to reimburse the City for any charges resulting from the personal use of telephones or cell phones. Staff should refer to the detailed Cellular Telephone Policy.

The use of City-paid postage for personal correspondence is not permitted. Excessive personal use of City copiers, fax machines or printers by employees is not permitted. Reimbursement for such use will be in accordance with procedures and policy established the City Manager.

City employees may be issued a cellular telephone, smart phone or similar device to accomplish their assigned duties. Alternatively, under specific circumstances, a "communications allowance" may be paid to compensate employees for their use of personal cellular telephone, smart phone or similar device for City business. The City Manager and Police Chief are authorized by City Council to have either a City-issued cellular telephone or a "communication allowance" per written agreement with City Council.

The determination of employees to receive a City issued cellular telephone, smart phone or similar device or a communications allowance, will be based on criteria and procedures established in the City's Cellular Telephone Policy issued by the City Manager.

Cellular phone and smart phone use must be in compliance with the City's Safety Manual, the Vehicle Use Policy, local ordinances and Delaware State Law.

Internet access is to be conducted in a responsible and professional manner, reflecting the City's commitment to ethical and non-discriminatory government practices. It is also the City's desire to protect the organization, as much as possible, from viruses or illicit attempts to access the City's servers. The City of Milford maintains an electronic mail system to conduct City business. All email messages composed, sent, received and/or stored are the property of the City and not the property of any employee. The City has a Computing Resource Use Policy which explains how email and the Internet must be utilized. Before using email or the Internet, employees must acknowledge that they have reviewed and understand the City's Computing Resources Use Policy.

Section 3. That the City of Milford Code, Chapter 55 Personnel, Section 416, is hereby added as follows:

416. Vacation Leave for New Hires

As a recruitment tool for FLSA-exempt employees, the City Manager may award up to 120 hours of annual leave prior to the completion of one year of service and approve the rate of accrual thereafter.

Section 4. That the City of Milford Code, Chapter 55 Personnel, Section 661, is hereby added as follows:

661. Vehicle Allowance

The City Manager and Police Chief are authorized by City Council to have either a City-issued vehicle or a vehicle allowance per written agreement with City Council. Department Heads who must travel extensively for their job and who must be able to respond to after hours emergencies may either have a take home vehicle or a vehicle allowance as determined by the City Manager. Employees receiving a vehicle allowance are responsible for paying liability, property damage and comprehensive insurance coverage upon such vehicle and are responsible for all expenses in relationship to the purchase, operation, maintenance, repair and regular replacement of the vehicle. Proof of insurance levels satisfactory to the City shall be provided upon request by the City. The City of Milford shall reimburse employees with a vehicle allowance, at the established mileage rate of the vehicle for any City business use beyond Kent or Sussex Counties, if a City-owned vehicle is unavailable for such trip. The City shall maintain an "accountable plan" in accordance with related IRS regulations.

Section 5. Dates.

Introduction: 06/27/2016

Adoption (Projected): 07/11/2016

This ordinance shall take effect and be in force ten (10) days after adoption.

EXECUTIVE SESSION

City Manager Norenberg reported the Executive Session was canceled.

ADJOURN

There being no further business, Mr. Mergner moved to adjourn the City Council Meeting, seconded by Mr. Starling. Motion carried. The Council Meeting was adjourned at 7:27 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

MILFORD CITY COUNCIL
MINUTES OF MEETING
June 27, 2016

The City Council of the City of Milford met in Workshop Session on Monday, June 27, 2016 in the Joseph Ronnie Rogers Council Chambers of Milford City Hall, 201 South Walnut Street, Milford, Delaware.

PRESIDING: Mayor Bryan W. Shupe

IN ATTENDANCE: Councilpersons Christopher Mergner, Arthur Campbell, James Burk, Owen Brooks Jr., Douglas Morrow and James Starling Sr.

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

COUNSEL: City Solicitor David Rutt, Esquire

CALL TO ORDER

Mayor Shupe convened the Workshop Session of Council at 7:27 p.m.

City Council Retreat

City Manager Norenberg referred to the following memo:

TO: Mayor and City Council

FROM: City Manager Eric Norenberg

SUBJECT: City Council Retreat

Purpose and Background

Many City Councils hold retreats annually or at the beginning of new terms to set goals and priorities, to plan for the future, and to ensure their working relationships are functioning well. At the request of the Mayor, I have surveyed other communities regarding City Council retreats and facilitators used. After that research, I entered into discussions with the University of Delaware Institute for Public Administration/School of Public Policy & Administration about facilitation for a City Council retreat in late-summer/early-fall.

Discussion

The scope for the retreat could include two segments:

** Planning for the Future:*

- * Facilitated discussion and goal setting by City Council, with the help of key City officials. Discussion may include issues related to economic development, encouraging and managing growth, fiscal policy and public safety.*
- * Desired Outcomes: Identification of priorities for the next one to two years and consensus on next steps for developing a strategic plan to guide City Council and City Management for the next 5-10 years (that may include a visioning process involving municipal government officials, stakeholders, and citizens).*

** Team Building:*

- * Understanding roles and responsibilities of elected officials, and appointed officials, City Boards and Commissions and defining expectations*
- * Desired Outcomes: Enhanced understanding of work styles, and focus on methods/processes of effective decision-making related to the goals and plans set in the earlier component.*

Pre-Retreat / Retreat Components: The facilitator would provide the following services and assistance before, during

and after the retreat:

- * *Pre-meetings for project design*
- * *Pre-Retreat Questionnaire/Survey of City Councilmembers, the Mayor and Appointees designed with the end objective in mind. Anonymity must be assured. Completion of the Pre-Retreat Questionnaire/Survey may be done electronically, in writing or via interviews depending on the preference of individual elected officials.*
- * *Summary of questionnaire/survey results by IPA staff*
- * *Development of the retreat agenda and related presentation materials to enhance the discussion and interaction between participants*
- * *Retreat facilitation at a location designated and arranged by the City of Milford*
- * *During the retreat, IPA staff will scribe notes/flip charts that captures discussions, decisions and pertinent ideas*
- * *Summary notes of the retreat outcomes*

These services from IPA would cost \$1,500. Other costs for the retreat would be refreshments, facility rental, etc.

Recommendation

It is recommended that the Mayor and City Council discuss and consider scheduling a retreat on one of these three Saturdays: September 10 or 17, or October 8 beginning at 8:30 in the morning. At this time, we anticipate the retreat ending in early to mid-afternoon. The location can be determined once a date is selected.

Mr. Norenberg suggested that council meet to do some goal setting and team building. After having that conversation with Mayor Shupe and a few other Councilmembers, he did some outreach to other cities to find out how other cities handle retreats and whether facilitators are brought in. He was pointed in the direction of the Institute for Public Administration and the School of Public Policy. They provided a proposal of which some of the scope is outlined for a half day Saturday retreat that would be held off site.

They would do some pre-planning for the retreat by gathering input from council on potential goals, then facilitate the retreat. The proposal is approximately \$1,500 with three dates for consideration.

Mr. Norenberg can begin to look for a location once a date is determined.

Council members will review their calendars and provide available dates.

There being no further business, Mr. Mergner moved to adjourn the Workshop Session, seconded by Mr. Campbell. Motion carried.

Workshop Session adjourned at 7:35 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder